

September 18, 2014

PC Members Present: Jean Vissering (Chair), Jack Pauly, Gene Troia, Rob Halpert, Mark Lane, Kim Watson, Scott Hess, Norm Hill

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Kim McKee (CVRPC), Ned Swanberg (ANR), Layne Gregoire, Carl Etnier, Casey Northrup, Frederick Strong, Jessica Moseley, Ed Deegan, Emily Nosse-Leirer, Randy Demers, Tim Carver, Ross Hazel, Rick Hopkins, Alan Goldman

Call to Order: 7:00pm

Welcome and Introduction – by Jean Vissering (Chair)

Ms. Vissering introduced Kim McKee of CVRPC and Ned Swanberg of ANR. Ms. McKee is a certified planner and flood plain manager and Mr. Swanberg is a certified flood plain manager, who helps communities be more flood-resilient. The PC received a grant and subsequently hired the CVRPC to help write new flood hazard regulations. The town currently has flood plain regulations; the main differences with the new draft regulations are: 1) definition of flood hazard has changed; 2) area covered is different; and 3) new regulations are more restrictive regarding development.

Flood Hazard Presentation – by Kim McKee (CVRPC)

- Cost of Flood Hazards
 - 7/07 – EM received \$14,000 from FEMA
 - 7/08-8/08 – EM received \$27,000 from FEMA
 - 5/11 – EM received \$275,000 from FEMA
- Types of Flooding
 - Inundation
 - Erosion
- Planning for Flood Resilience
 - Public Safety
 - Economics
 - Sustainable Ecosystems
- Actions Proposed by PC
 - Flood Hazard Area Regulations
 - New structures, fill and storage prohibited
 - Improvements need to be raised one foot above base flood elevation
 - Substantial improvement equals more than 50% of the market value of the structure
 - Non-residential structures can be made flood proof (i.e., watertight basement) to two feet above base flood elevation
 - FEMA Elevation Certificate – must be signed by a licensed surveyor
 - Adopt River Corridors
 - New overlay district
 - New regulations would also apply to a 50 foot buffer around unmapped streams
 - Corridor includes 118 properties and 30 structures
 - New structures, fill and storage are prohibited
 - Expansion of less than 500 square feet would be allowed
 - Exceptions – new structures are allowed as a conditional use in the Designated Village Center, but must be elevated and not decrease the distance to the river
- Emergency Relief and Assistance Fund (ERAF)
 - For disasters, FEMA currently pays 75%, the state pays 12.5% and the town pays 12.5%; in order for the state to pay 17.5%, the town must adopt River Corridor regulations

Questions/Comments

- Who monitors the river corridor? FEMA can do a permit/flood plain audit every five years
- What happens to property values after adopting the river corridor map? Hard to quantify, depends on the municipality
- How accurate will the map be? need intensive survey data to change
- Is North Montpelier considered a village center? Town may apply for Village Center designation for North Montpelier
- Concern that people won't be able to fix up their structures, i.e., elevate them
- Will there be a possibility to mitigate if a landowner needs to bring in fill? The PC could look at adding provisions
- Concern with volume displacement
- Is there an appeal process for location in the river corridor? Yes, it is currently being used in the Act 250 process

- Can homeowners move their utilities out of the basement instead of elevating the structure? This might help to reduce the cost of flood insurance; PC will look at this issue
- What can be done in terms of historic structures? It is a complex situation; the PC will look at this issue, town may want to review encroachment upstream that may destroy historic structures
- Comment - the 50% improvement threshold may cause homeowners to make improvements up to 49% to avoid penalties
- VT Country Campers – Mr. Gregoire stated that he wants to stay in EM as he has created about 30 jobs here, but he needs to expand and the new regulations may prevent him from doing that
- Smart growth – limited commercial growth, created jobs in EM where people live
- Which properties in town are affected by these regulations? All affected landowners were notified prior to the forum and sent an informational pamphlet
- Can the town look at new building designs similar to coastal areas so that new structures can be built? The PC can review this issue, but it might be cost prohibitive

Wrap-up and Discussion of Next Steps

The PC will consider all the question and comments made at the forum and make any needed revisions to the draft document. The PC will hold two public hearings, hopefully one before the end of the year. Questions and comments are welcome anytime.

Motion to Adjourn. Made: Mr. Halpert, second: Ms. Watson. Passed unanimously. Meeting adjourned at 8:30 p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary