

Richmond Planning Commission

Regular Meeting

Tuesday, May 7, 2013

Approved Minutes

Members Present: Mark Fausel (Chair), Lou Borie (Vice-Chair), Lauck Parke

Members Absent: Two vacancies

Others Present: Cathleen Gent (Town Planner/Staff to the DRB), Kyle Hartsfield, Marc Hughes, Sharon Dwire, Wendall Dwire, George Gifford, Bob Fischer, Christine Fischer, Lisa Litwinn, Lisa Condon, Harlan Stockwell, Christine Roy, Tim Conner, Jimmy O'Brien, Taylor Yeates

7:00 PM Call to order by the Chair.

Public Comment

Lisa Litwinn said that the reason the group of residents from Esplanade and Bridge Streets are at the meeting is to find out what owners can and cannot do in the floodplain areas with the proposed zoning changes. Sharon Dwire asked whether the town zoning regulations are the same as the FEMA minimum requirements. Fausel explained that the proposed regulations would change the standards from the town's current zoning regulations and that our regulations meet the FEMA minimum requirements in some way and go beyond it in others. Bob Fisher said that, for many years, you just had to get a zoning permit and that now it's much more complicated. Fausel said that, based on Tropical Storm Irene, we learned that all repairs for properties in the floodplain must get a zoning permit. Gent explained that Richmond adopted floodplain regulations in 1982 when the Flood Insurance Rate Maps were produced for Richmond and that those regulations followed the minimum FEMA standards for many years. She added that, in 2009, Richmond revised the floodplain bylaws (Section 6.8) and made them more restrictive in some ways than the FEMA minimum standards. Fausel said that the Planning Commission realizes that some of those requirements, especially the process of going to the DRB for almost any development, are cumbersome. The Planning Commission agreed to post the minimum FEMA standards on the town web site. There was discussion about the state floodplain models, there are five in total, and Richmond is using Model 5 for some guidance in revising our regulations. A question was asked as to why Richmond used a value of \$500 rather than \$1,000 for exemptions, since the \$1,000 amount was used in last fall's version of proposed bylaws. Fausel and Gent explained that FEMA said the amount could only be \$500, which FEMA has allowed for the city of Barre. A number of the attendees discussed what permitting they have had to go through for recent projects and Gent answered questions about what permitting they would be required to go through with the proposed bylaws. The new bylaws would require a zoning permit for repairs above \$500 and most improvements. Only in the case of substantial improvement or substantial damage to the principal structure (costs reaching 50% or more of the value of the structure) would the owner have to go to the DRB. Gent and Fausel explained that FEMA requires floodproofing for any substantial improvements or substantial damages (i.e., that is not a town requirement). However, the town uses a three year cycle, not a one year cycle as FEMA does. A number of residents said they were not aware that they would have to floodproof their houses if they had a fire that destroyed their homes. Borie said that the town does not allow new principal structures or net new fill, which differ from the FEMA minimum requirements. Lisa Condon asked if Richmond's bylaws could be modeled on other towns' regulations. Gent said that Richmond did model our exemption level on the city of Barre's but that the Planning Commission wanted to tweak our bylaws, not do an entirely new Section 6.8. Stockwell brought up an example of having a sinkhole and the Planning Commission said fixing a sinkhole would be maintenance and is exempt from needing a permit in the new bylaws. Borie explained how maintenance is covered in the proposed bylaws. A number of people asked about the Esplanade Street paving project last summer, in which the road height was raised 3 inches, and whether that needed a permit. Gent said that her understanding was that the road level was not raised. If it was raised beyond the original pavement level, then a permit is needed and she will follow up. Stockwell and Littwin said that the rainwater now pools up in their driveways and Gent said she will bring that up with the road foreman. A number of people asked about whether property taxes should be reduced for their parcels in the floodplain and the Planning Commission said they cannot answer those questions. The group discussed private and public flood insurance and the high cost of flood insurance. Gent discussed the Community Rating System (CRS) and Fausel said that he would like an ad hoc committee to be established to investigate the CRS program for Richmond.

Fausel discussed the process thus far, which has included the public information session and comments from tonight. Going forward, the steps will involve the Planning Commission making final decisions as to changes and then holding a public hearing. Fausel said the Planning Commission is not

1 in favor of this going to a public vote since that will slow down the time frame for helping owners in the
2 floodplain who have to live with the current bylaws. However, that decision is up to the Selectboard or a
3 voter petition drive.

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5 Members of the audience interested in the bylaws discussion left at about 9 PM. The Planning
6 Commission discussed the process for completing its work with Taylor Yeates, the Selectboard liaison
7 to the Planning Commission. Yeates said that the Selectboard would like to know the timeframe for
8 when the document will be brought forward. The Planning Commission briefly discussed the areas they
9 might like to see changed. Fausel and/or Gent will provide a memo to the Selectboard regarding the
10 status of the review after next week's Planning Commission meeting. With the turnover in Planning
11 Commission members, Gent said she has contacted VLCT about the potential for doing a new member
12 training for the Planning Commission, if money can be found either through a grant or the town budget.
13 Yeates and the Planning Commission agreed that is a good idea.

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16 **Mail** - Gent reviewed the mail.

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18 **Meeting Minutes & Town Planner Report**

19 *Meeting Minutes: For April 3, 2013* – No amendments were offered. Motion by Parke, seconded by
20 Borie, to approve the minutes. Voting: 3 in favor; 0 opposed; 0 abstentions.

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22 *Meeting Minutes: For April 17, 2013* – Several amendments were offered. Motion by Parke, seconded
23 by Borie, to approve the minutes as amended. Voting: 3 in favor; 0 opposed; 0 abstentions.

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25 *Town Planner Report* – The Planning Commission said they like the new report format. Gent provided
26 an update for several items.

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28 **Executive Session – Annual Staff Evaluation**

29 Due to the lateness of the hour, the Planning Commission decided to take up the item during next
30 week's meeting, since doing so will still work within the timeframe for completing the employee
31 evaluation.

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33 **Adjournment**

34 Borie made a motion to adjourn, seconded by Parke. So voted. The meeting adjourned at 9:50 PM.

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37 Respectfully submitted by Cathleen Gent, Town Planner/Staff to the DRB