

1 Richmond Planning Commission

2 Regular Meeting

3 Wednesday, September 3, 2014

4 Approved Minutes

5 **Members Present:** Bruce LaBounty (Vice-Chair), Brian Tellstone, Mark Fausel (Chair), Ann
6 Cousins, Marc Hughes, Sean Foley, Lauck Parke

7 **Others Present:** Jon Kart, Marcy Harding, Mark Shaddock, Clare Rock (Town Planner/Staff to the
8 DRB)

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10 **7:05 PM Fausel opened the meeting**

11
12 **Public Comment:** n/a

13
14 **Administrative Items:**

15
16 No Mail

17
18 Meeting Minutes – August 20, 2014

19
20 LaBounty moved to approve the meeting minutes, Hughes seconded, so voted, Parke abstaining.

21
22
23 **Flood Hazard Overlay District Regulations**

24
25 Fausel provided an overview as depicted within the handout titled *Current FHOD vs Proposed*
26 *FHOD*.

27
28 Jon Kart liked the table as it provided clarity for better understanding.

29
30 Fausel added that the purpose was to keep new people from settling in the floodplain and to
31 simplify the permit process for people in the floodplain. And explained the town's financial share
32 for damages in the event of a disaster (under the ERAF program).

33
34 Jon Kart thanked the PC for working on the regulations and stated that his past permitting process
35 wasn't that bad and preferred to go through the permitting process vs. being subject to increased
36 flood insurance rates.

37
38 Further discussion about the NFIP and the CRS and questions of the weather the town would be
39 willing to pursuing enrollment in the CRS.

40
41 Fausel described the purpose of the DEC Review Check list which provides a review of the draft
42 regulations and weather they meet the NFIP minimum criteria.

43
44 Marcy Harding commended the PC on their work and further stated the big picture is the frequency
45 of floods has and will be increasing and flood insurance rates are increasing to reflect the increased
46 damages. Harding believes we should be increasing restrictions and that we shouldn't be making
47 things easier and that Richmond residents need a written explanation of the changes. Harding likes
48 the fact the 100ft buffer was eliminated and wants to have residents vote on the regulations. Harding
49 went on to suggest rewording the bullets from the handout, such as fewer activities require a permit.
50 Harding thinks the word "clarify" is misleading and doesn't like the term "onerous", and doesn't
51 like the roll back of the 3 year requirement for Substantial Improvement. Harding believes that in
52 essence the draft regulations offers less protection for our floodplains. Furthermore, in regard to the
53 substantial determinations section, Harding would prefer it to say specifically Common Level of

1 Assessment, as it is fine using assessment value but the section needs clarification as we need to
2 take subjectivity out of the determination process. Harding identified a typo, under section 6.8.9 the
3 term “Improvements” should be deleted.
4

5 Rock provided an overview of the DEC Checklist. The DEC checklist found that the current draft
6 do not met the NFIP minimum requirement, Rock suggested that most of the non-compliance items
7 could easily be remedied as they were fairly minor changes which were non substantive. The
8 biggest flag was the draft’s inclusion of exempting Maintenance, Insignificant Repairs, and
9 Insignificant Activities. Rock went through the checklist and provided an overview and comment
10 on each of the noncompliance items. As mentioned the biggest issue is that the regulations do not
11 require permits for all development as we exempt some minor activities. This is a little
12 contradictory as the NFIP guidance documents specifically state that local communities have the
13 discretion to not require permits for some minor activities. While DEC flagged this as a non-
14 compliant item, ultimately FEMA will have the final ruling. Cousins would like to revisit the 3-
15 years standard for SI.
16

17 The PC discussed the items and the next steps. Rock will make most on the minor changes with the
18 intent to get the draft to FEMA as soon as possible for FEMA review. It will be important to have
19 the FEMA review completed before sending the draft to the Select Board.
20

21 The PC discussed the adopted timeframe within the context of a town wide vote. The Select Board
22 will need to put the item on ballot for town meeting day at least 40 days before the meeting is held.
23 This means all the Public Hearings need to be completed at least 40 days before town meeting. If
24 the PC holds its Public Hearing in October, this could meet the necessary timeframe if the Select
25 Board decides to send the adoption to a town wide vote.
26

27 Rock will make most of the minor changes and distribute to the PC before the next meeting so they
28 can review the checklist and be prepared to discuss any last changes at the next meeting. Rock will
29 also follow up with DEC to find out the FEMA review time. Set aside 30 minutes for this discussion
30 at the next meeting.
31

32 **Gateway District Regulations**

33

34 Rock reminded the PC of their letter to State which outlined their commitment to making the
35 Gateway Zoning Changes. LaBounty and other members stated that as the Reap Property was not
36 short listed for the state development project the zoning changes do not have the same sense of
37 urgency. The PC will plan to host a public information session for the gateway changes during the
38 October 1 meeting.
39

40 **Municipal Plan Update**

41

42 Rock gave an overview of the municipal planning grant which is due Sept 30, 2014. Rock would
43 like to apply for funding to assist with updating the town plan with a focus on public participation,
44 specifically getting youth and kids involved in the planning processes, such as giving kids cameras
45 to photograph their favorite and least favorite part of town, or making maps of the town. This can
46 help provide a different perspective and also draw in parents which otherwise would not participate
47 in the planning process and come to night meetings.
48

49 Rock also referenced efforts in Austin (Speak UP Austin) were the city has a web page where
50 people can input, share and respond to ideas. And Nashville NEXT where they hosted a speaker
51 series to talk about topic relevant to town plan elements to increase interest and educate residents.

1
2 Cousins referenced planning for Real, an initiative in England, which uses similar techniques. Rock
3 will plan to share the draft application with the PC at the next meeting.

4

5 **Other**

6

7 For the next meeting Rock will redistribute the list of other zoning changes were compiled a few
8 months ago.

9

10 **Adjourn**

11

12 *Tellstone, made a motion to adjourn, seconded by Cousins. So voted.*

13

14 The meeting ending at 9:05PM.

15

16 Respectfully submitted by Clare Rock, Town Planner/Staff to the DRB