

DRB Comments

Stormwater and E&S Amendments

8.4.26

7.15.26

Hello DRB,

Please find attached documents concerning stormwater and E&S (Erosion and Sedimentation) that the Planning Commission is discussing (not necessarily considering); these docs take the 10k foot view. I am seeking comment on this in order to inform on the approach we should take, and DRB comments carry weight. For the most part, the approach involves setting standards for the Zoning Administrator to administer during our permitting process and wouldn't affect the review that you folks do (CUR, SPR, PUD and Subdivisions) as those already have requirements in some form or another.

I do wish to impart that we, at the permit level, already require E&S on most projects that have land disturbance but not stormwater. With infill development looming, I'd like to get some standards in the RZR under the permit section to mitigate the effect development will have on the land without being overly burdensome to the landowner.

Although I do not wish to influence your comments, I have asked the PC to promulgate that E&S be required for all projects, if so needed, and shown on the permit plans. As far as stormwater, I'm looking to have applicants consider Low Impact Development BMP's (Best Management Practices) for First Flush [Link](#).

With all that, I'd like to obtain comment within the next 3 weeks, if possible. Our next PC meeting is on August 5. If there are any questions, please reach out.

Thank you!

DRB Comments
Stormwater and E&S Amendments
8.4.26

8.3.26

Hi Keith and Dante,

I appreciate all the work that went into this. However, I believe the burden this puts on landowners is quite significant, and the subsection itself is overly long at 15 pages. As a developer, I found myself getting lost in the minor details.

Even if the intent is for homeowners to navigate this easily, my opinion is that most will either give up and hire outside help at a high cost or abandon their plans completely. I strongly feel that small projects with less than a 1,000 square foot footprint should be exempt from these requirements.

While I understand that larger or unique projects require more regulation, the average homeowner should not be asked to manage all of this. Over-regulation creates an unnecessary burden for both the town and the homeowner, especially given that Vermont is already a challenging place to build.

Best regards,

Matthew Parisi

DRB Comments

Stormwater and E&S Amendments

8.4.26

8.3.26

Hi Keith. My apologies, I thought we needed our comments by the next DRB meeting (next week). Forgive me for being blunt, below, but reviewing regulations of this scope thoroughly requires more time than I have. I also acknowledge that developing such standards is very challenging, so no offense intended.

My first reaction is that these are very involved and restrictive, on par with MS4-regulated municipalities (e.g. Burlington, South Burlington, Essex Junction) with much more in the way of municipal staff. I think implementing them will be a substantial challenge for the Town and applicants.

Focusing on the post-development standards, I think most or all of the "performance standards" read like goals versus specific verifiable standards. What does "manage" mean? Infiltrate the entire volume? Ensure that peak discharges do not increase versus the pre-development standard? Detain the runoff 12 hours? Without specificity the standards are implementable. Also, read together they could very well prevent development - unless on highly infiltrative soils how will a project show no increase in rate or volume based on the 25-year storm? (see standards 5 and 10, for example). Also, typically, the 25-year standard is a flood-prevention standard. Water quality and channel protection standards typically focus on sub 1-year events and have differing requirements, i.e. infiltration and detention versus peak flow management. Why are we applying the 25-year storm to all standards?

Why are we developing custom standards versus using State standards combined with lower permit thresholds? (if indeed it is the Town's desire to be substantially more restrictive than the State?). Forcing consulting engineers to work under multiple standards makes it yet harder and more expensive for applicants and Town staff. And what, if anything, are we gaining with the proposed approach?

On staffing, review of post-construction stormwater practices requires specific expertise and training. It may not be reasonable to expect that a town as small as ours will be able to acquire and maintain this expertise. Will this require increased engagement of the Town's contracted engineer?

Finally, I believe that this approach seems unduly focused on small-scale development. Presently, there is next to nothing in our standards that would prevent an applicant from clearing tens of acres of forest for a view, yard, or driveway to serve a single home. The impacts of this deforestation is much more impactful on water quality, flooding and habitat, than, say, a garage with an ADU, yet our standards require merely a "plan to retain forest" with no objective standard for the former and an engineered site plan for the latter.

DRB Comments

Stormwater and E&S Amendments

8.4.26

There are other specifics that deserve attention should these move forward but it is my hope that we pump the brakes on the proposal. Thank you.

-Padraic Monks

8.3.26

Keith: Padraic has a more sophisticated understanding of the issues than I do, but I agree with the thrust of his comments. Without objectively measurable standards, we are all going to be wandering around in the dark, the ZA, the DRB, applicants, and adjoining landowners alike. Regulations that cannot be readily understood, or implemented and complied with at reasonable cost, benefits no one.

The regulations attempt to address a difficult and technical set of issues, and I also agree with Padraic that no criticism of the drafters is intended. But in my relatively short time on the Board I have found the stormwater issues to be the most difficult to resolve, in large part because there are no easily understood guidelines and tools for implementation. I think we should step back to make sure that the Town is adopting a workable set of requirements.

Bob

8.4.26

Hi all,

Thanks Padraic and Bob for writing such thoughtful emails. I also agree that this seems to complicate the process and make it more difficult to satisfy requirements, unnecessarily. I'd echo both of their comments, so won't belabor things with a long email. Thanks Keith for keeping us in the loop and offering us the opportunity to comment on proposed changes.

Matt