

## Notes from Planning Commission Field Visit to the Garden Center, May 29 2018

Present: Cheryl LaFlamme, Angela Yakovleff, Meg Staloff, Craig Ohlson, Wendy Manners Seaman, John Brooker-Campbell (ANR), Scott Tucker, Town Manager

Site visit commenced at 10:20 a.m.

Josh led the group down into the field to talk about how the ANR accounts for the river corridor: it is calculated by taking a measurement of “bank fall” (distance from bank to bank of a stream or river) and then multiplying by a factor of 6. So for a 15 foot bank fall, the river corridor is 90 feet, essentially 45 feet on each side. However in the event that a significant obstacle, such as a state highway, already obstructs the corridor, it can extend further to one side than the other. We observed this in the field behind the Garden Center where there is a significant embankment for Rte. 100 that falls within the corridor, which would cause the corridor to extend further into the field.

For a 20 foot bank fall, the river corridor would be 120 feet, essentially 60 feet per side (on the south side of the field the stream is that wide).

There would be no possibility for developing a structure in this area, as defined by walls and a roof. A pavillion, however, would be allowed if secure (no side walls). The current paintball target shooting is allowed as it is made out of fencing and is not a structure.

We discussed with Josh that the main focus of river corridor mapping is to limit the amount of investment in those corridors to reduce exposure of investments to flood hazard. Secondary is preventing potential down-stream damage caused by loose materials or stream speeds that have been amplified by restriction (‘The common good.’)

Current ANR recommendations for regulation include a ‘choose your own adventure’ set of options that municipalities can choose from depending on their local circumstance and needs.

These also are less restrictive than past recommendations, allowing for some limited development — instead of “no development no-how.” They include downstream shadowing (allowing development in the downstream side of existing buildings) as well as for development in certain cases with a greater distance between existing buildings.

It was discussed that there is often difficulty in de-coupling existing flood regulations (which may be more restrictive in a smaller geographical region) from proposed river corridor regulations, which may actually be less restrictive although they cover a greater area.

We discussed parking areas (paved vs. unpaved) — generally an unpaved surface is more permissible as it requires less investment than a paved surface. However increasing parking area in a river corridor would be unlikely whether paved or unpaved. We observed that the parking area in the barns behind the “PT Plus” building, barns/storage owned by Bob Grinold, would not be expandable. However if he wished to extend the buildings on the south side, towards the White House, that would be permissible under current ANR recommendations (downstream shadowing).

It was also observed that although the current ANR maps are not entirely up to date, it will be some time before each and every region will be re-mapped. Where there are issues, they are going through watershed by watershed, however, this is a lengthy process and it is likely that any regulations will of necessity be based on a map that is not the most of-the-minute.

In closing, Josh noted that there is a case that has set legal precedent for state adjudication of river corridor development (“Woodford Packers”).

The meeting was adjourned at 11:12.