

**Wilmington Planning Commission
Meeting Minutes
Monday, October 9, 2017**

In attendance: Cheryl LaFlamme, chair, John Lebron (by phone), Angela Yakovleff
John Gannon, Select Board
Scott Tucker, Town Manager

Visitors: Tom Consolino, Merrill Mundell, Jr., Adam Grinold, Ben Joyce, John Broker-Campbell (VT-ANR), Alyssa Sobetto (WRC), Bill Hunt (Wilmington Road Supervisor), Gretchen Havreluk (Wilmington Works), Josh Carvajahal (ANR)

Cheryl called the meeting to order at 4:00 PM.

Possible additions to the agenda. Zoning Administrator needs to be nominated and appointed every three years. Cheryl is recommending to the Select Board that Craig be reappointed.

Approve minutes from September 25, 2017.

John made a motion to accept the minutes of 9/25/17.

Angela seconded.

In favor Cheryl

John

Angela

Opposed 0

Public comments. None

Review and approve updated Planning Commission Report for the Proposed Zoning Ordinance.

Date changed on document to October 9, 2017

Motion to approve the Planning Commission Zoning Ordinance Report dated October 9, 2017 made by Cheryl. Seconded by Angela.

In favor: Cheryl

John

Angela

Opposed: 0

Zoning Administrator Appointment

Cheryl made a motion to recommend the Select Board appoint Craig Ohlson for a three-year term as Zoning Administrator.

In favor: Cheryl

John

Angela

Opposed: 0

Discussion regarding the proposed Flood and Fluvial Erosion Regulations

Alyssa Sebetto brought maps of the town from Windham Regional Commission (WRC). These will be in Craig's office. They will also be scanned and put on the Town web-site if possible.

Impacted parties will be notified. This will be on a future Planning Commission agenda for further discussion.

Merrill wondered about the science behind the WRC and ANR recommendations. John Broker-Campbell pointed out various studies.

The flood regulations were made up in conjunction with the state and WRC. The By-law was developed to be more in-depth and provide more information.

Alyssa spoke to FEMA. She called to ask if it is possible to have varying freeboard at various points in town. It is.

There was significant discussion concerning Base Flood Elevation (BFE) and effect on insurance rates.

The FEMA regulations are based on old mapping and data. They have not been recently updated.

Federal minimum freeboard is BFE. Historic structures are exempt from anything that would jeopardize the historic designation. The FEMA regulations affect any significant improvements to structures and any new structures.

Flood insurance rates are only improved if improvements are updated and submitted to FEMA. The Town also gets a better return post flood.

There was much concern and discussion of using river corridors in the zoning ordinance.

Adam asked if a five-foot freeboard would solve the problem. He recommended including the FEMA regulations and taking incremental steps. John Broker-Campbell said including river corridors in the regulations limits development on known hazardous land. The State has been regulating river corridor sites for years.

Adam thinks we should find solutions that mitigate the problem.

John Broker-Campbell sighted the science behind this in studies from the US Geological Service (USGS) from as far back as the 60s and 70s, The Nature Conservancy, and A&R.

Ben thinks a five-foot freeboard is excessive. He wonders if there is a correlation between saving lives *and* property damage. He doubts buildings will be renovated with the new regulations.

Cheryl asked about freeboard regulations in other VT towns.

Waterbury and Bennington have a two-foot free board regulation. Grand Isle also has a higher one, but John Broker-Campbell pointed out their situation is somewhat different because they are on Lake Champlain. He noted that having a free board regulation means the likelihood of you having to evacuate is diminished.

It was suggested that emergency management is more important. The Town should look at evacuation plans and shelters to prevent blocked roads.

Gretchen noted there is a flood plan mitigation plan in place. Flood insurance will reduce premiums for businesses that have mitigated when they rebuild. She also stressed the cost involved in mitigation. She thinks a five-foot freeboard is over zealous, and poor planning.

There was additional discussion on multiple freeboard regulations. Scott pointed out that sometimes regulations are written where there is a minimum and a set of recommendations: good, better, best.

Craig said if there is only a regulatory recommendation that's *all* you can do. Scott feels it then becomes an educational piece.

Alyssa pointed out that having a by-law doesn't mean you can't go above.

Cheryl wonders what the criteria would be? Would there be "lines on a map?" She prefers none. John Broker-Campbell pointed out flood insurance is very property specific. Josh said educating those in the flood hazard zone is important, and the Town may want to consider a bulk mailing. FEMA has lots of suggestions the Town can look to.

Merrill asked if we could tie the regulations to profile maps. There was a discussion as to how the maps are presented.

Alyssa noted the By-law need to reference A&R. Merrill thinks the Town should develop its own. Ben said they are not saying our regulations don't need to be compliant with A&R. WRC is advising the Town to enforce state regulations. Any building acting under ACT 250 is already complying.

Cheryl thinks we should put together a list of properties impacted and directly contact as well as put the information on the Town web-site. Perhaps we should have a By-law with recommendations.

The question was asked, "What is the freeboard going to be, and are we including river corridors and small streams?"

The Planning Commission encouraged the freeboard regulation is decided before a public hearing.

Merrill discussed flood insurance profiles. He suggested tying the freeboard to the regulations

John Lebron asked what the benefits of a freeboard are, and if we would lose any benefits if we drop the level to a two-foot freeboard?

Adam noted that the discussion tonight seemed to point out that there was not support for the inclusion of river corridors in the regulations from the townspeople present.

John Lebron made a motion to adjourn at 6:07.

Angela seconded.

In favor: Cheryl

John

Angela

Opposed: 0

Respectfully submitted,

Angela Yakovleff, Clerk

Next meeting: November 13, 2017