



TOWN OF CONCORD
PLANNING AND ZONING BOARD
DECEMBER 4, 2014
MUNICIPAL TOWN PLAN MEETING MINUTES

APPROVED COPY

Members Present: Cynthia Stuart, Chair, Stuart Gray, Linda Hartwell

Members Absent: Jim Gochie

Board Secretary Present: Linda Hartwell

Other Officials Present: Alan Smith, Zoning Administrator; Harold Lunnie, SelectBoard Representative; George Morehouse, SelectBoard Member; Bill Humphrey, SelectBoard Member

Citizens Present: David Isles; Irene Nagle, N.V.D.A.; Staci Pomeroy, State of VT River Scientist; Rebecca Pfeiffer, State of VT Floodplain Manager

Cynthia called the meeting to order at 6:00 p.m.

1. Stuart made the motion to accept the agenda. Linda seconded the motion. Motion passed unanimously (3-0).

2. River Corridor Presentation

Irene Nagle, from N.V.D.A., introduced Staci Pomeroy, River Scientist and Rebecca Pfeiffer, Flood Plain Manager, both from the Watershed Management Division of the State of VT.

The presentation began with an overview of the history of flooding in Vermont including moving river streams, erosion and the devastating effects of Tropical Storm Irene in 2011. The State of Vermont is working with willing towns to utilize identification of river corridors along rivers and streams; generally the river corridor is 3 to 4 times the channel width on either side of the stream (a total of about 6 channel widths). The overall intent is to reduce flood damage and human risk in the event of a flood by limiting future development in determined river corridors.

If communities incorporate the state's river corridors into their town planning and zoning, the benefits expand beyond lowering property and human risk to include financial benefits in for the form of increased state match in the event of a major disaster.

After a federally-declared disaster, all qualified municipal expenses are eligible for reimbursement at 75% from FEMA, and the Town is responsible for the remaining 25%. The Vermont Emergency Relief and Assistance Fund (ERAF) assists all towns by providing 7.5% of project costs, but will increase its payment to 12.5% of project costs in communities that have adopted 4 measures, which are: (1) participation in the National Flood Insurance Program; (2) Municipal adoption of road and bridge standards that meet or

Executive Session: If discussion warrants, and the Board so votes, some items may be held in Executive Session.

exceed the 2013 State standards; (3) Have an annually updated Local Emergency Operations Plan; (4) have an adopted Local Hazard Mitigation Plan that has been approved by FEMA, or have a draft plan that is in the process of review by FEMA. For Towns that have adopted these 4 measures and *also* regulate river corridors, the state share will be increased to 17.5% of project costs.

Harold Lunnie inquired as to who has the burden of proof in the event of a river corridor dispute. Staci explained that there are many points of conversation to determine the river corridor area including initial review by knowledgeable residents when the river corridors are initially mapped and state review when a dispute occurs. Staci also went on to confirm that the ultimate burden of proof that the State-mapped river corridor is incorrect lies with the land owner.

Bill Humphrey asked about below grade structures such as a propane tank, a well or a septic system. Staci confirmed that below grade development would also be limited in the determined river corridors.

Harold asked that if more towns implement this, is there is going to be a greater demand on the flood plain managers and river scientists, making the time longer for a representative to examine the land?

Staci Pomeroy indicated the state may need to add additional personnel to handle issues in the future depending upon demand.

Cynthia Stuart asked what happens with Act 250 permits in relation to river corridors. Rebecca Pfeiffer said that if the applicant is in a flood zone and a river corridor, the state would evaluate the land, looking to see if the project is able to be moved somewhere else on the land, or set up differently. Looking at the other impacts or conditions that would indicate that project would work in the area. The applicant would have the right to dispute the results.

Bill Humphrey further asked if municipalities and utility companies are able to install or replace their poles and equipment and Staci Pomeroy indicated that municipalities go through a stream alteration permit process which they evaluate alignment and river erosions. Utilities will still be able to place what they need to.

Staci Pomeroy and Rebecca Pfeiffer conclude with presentation with a review of the other towns in the Northeast Kingdom who have adopted or are considering adoption of the river corridors. These towns included Burke who is in the process, and Norton and the UTG have completed the process. The state has met with a number of communities that have just begun their town plan process.

They further went on to confirm that the state pays for the mapping process and works closely with knowledgeable towns people to seek consensus when determining river corridors. Further conversation included rebuilding of property in the event of a flood. Staci Pomeroy indicated that the state works with landowners to rebuild in the best possible locations to mitigate future risk and damage.

Finally conversation occurred around the beaver dams around Shadow Lake and possible failure mitigation measures. These were all topics that would be further explored should the town decide to move forward with adopting the river corridor maps including possibly partnering with other towns to

work on hazard mitigation plan together.

Cynthia Stuart asked who decides if the Town of Concord adopts river corridor mapping. Irene said the possible adoption of river corridor mapping will be referenced in the town plan as an opportunity.

A power point of the river corridor presentation is available on the Town of Concord website at www.concordvt.us. Additional information on this topic can also be found at <http://floodready.vermont.gov/>

With no further business Linda made the motion to end the meeting at 7:34 p.m. Stuart seconded the motion. Motion passed unanimously (3-0).

Next Meeting: Thursday, December 18, 2014 6:00 p.m.

Respectfully Submitted, LINDA HARTWELL, BOARD SECRETARY

Cynthia Stuart, Chair

Stuart Gray

Jim Gochie

Linda Hartwell