

## RPC\_Minutes\_2019.03.19

### **Members Present:**

Jim Rikert  
Bushrod Powers  
Geo Honigford  
Stuart Levasseur  
Mark Wood  
David Brandau  
Roni Johnson  
Sarah Danly

### **Other Attendees:**

Kimberly Gilbert, TRORC  
Brad Salzman and Hoyt Bingham, Royalton Conservation Commission

### **Minutes**

The meeting was called to order at 7:02 pm by Stuart Levasseur, Chair

#### Updates and Previous Minutes

The members had reviews the previous meeting's minutes online. Geo Honigford moved to approve them as written, Bushrod seconded. The minutes were approved.

Art grant update: Nell Gwin and Sarah Danly were able to submit the application for the Vermont Arts Council Animating Infrastructure grant on time. At the Selectboard meeting the previous week the Selectboard had passed a motion in support of the application, confirmed that they would be able to hold the funds if awarded, and passed a second motion authorizing Sandy Conrad to sign off on the application if needed. Nell was able to get a Letter of Support from the Railroad; they would still need to approve the exact plans but "if the design, materials and installation and insurance are approved, will be in a position to grant permission." Nell and Sarah also submitted letters of support from Crossroads, Worthy Burger, First Branch, Bar Harbor B&T, the VLS students, and the VLS administration. There is a lot of community support and willingness to fundraise.

Stuart reminded David Brandau and Roni Johnson that their terms are up and they need to be reappointed. They will follow up with the Selectboard.

#### Town Plan Update

The Planning Commission then resumed updating the Land Use Chapter.

First, discussion continued on the Flood Hazard / Shoreland Area section, and the suggestion from the previous meeting about expanding the flood hazard area from the 100-year floodplain to the 500-year floodplain.

- Question: after the flooding in Irene, did the zoning change at all?
  - FEMA recently did a map update in Royalton. After Irene the community discovered that the physical mapping was inadequate. There are areas that flooded in '27 but not in Irene, but also vice versa. And that's because we've changed the land form, constricted the river, etc, all changing flood patterns.
- There was a reminder that in addition to expanding the area to the 500-year floodplain, there was the question within the 100 year floodplain whether we should allow constructions on islands that are slightly above the floodplain in elevation.
  - Sharon handles this by calling for dry access. And to achieve dry access, you cannot fill in the floodplain (though theoretically you could build a bridge over the floodplain.)
- The planning commission members discussed in more depth the ramifications of this change and answered questions from the attending Conservation Commission members:
  - In Sharon in the 500 year they do not allow you to build new construction but they're more lenient on mobile things like campers than they are in the 100 year flood plain. There is conditional use review for things such as accessory dwelling units and at-grade parking.
  - Because we don't have a design review board here, the actual conditional review would be undertaken by the planning commission or by the flood zone administrator, Walter Hastings. In Sharon, Geo as the flood zone administrator takes the first look at a permit application, but if it's something that can be done only with conditional review, he sends it to the development review board.
  - Taking the example of a house in Royalton Village with a house in the 500 year floodplain and a back yard in the 100 year floodplain, what effect would this change have?
    - That depends how the ordinances were ultimately written. To use Sharon's as an example, a shed in the back yard would call for a conditional use hearing. A chain link fence would probably be a no because they're notorious for catching everything and becoming a jam. An addition to the back of the house would probably be approved. A freestanding garage or second home would not.
  - The question was raised about how this would affect insurance rates and whether it would raise the rate for houses in the 500-year area. This would affect the next person who buys that house.
    - The Planning Commission will look into the answer to this question.
- The members also wanted to look more closely at how many buildings and properties would actually be affected by this change. Kimberly was able to show the group a mapping of town with both the 100-year and 500-year floodplains. She can prepare PDFs of this to use in future discussions about this idea.
- The planning commission concluded that they are generally supportive of this change.
  - The conservation commission members are also supportive of this change for a variety of reasons including safety and health reasons, leaving a buffer zone, and habitat.

- The group discussed the best process for exploring these changes.
  - One option, which is what had been raised at the previous meeting, was to recommend the change in the plan. Then if the Selectboard approves the plan, and the change, the commission would work on changes to the bylaws. Pete Fellows is TRORC's staff person with flood certification and would help with updating the ordinances.
    - It was noted that the existing town plan hints at stricter flood regulations though does not explicitly refer to using the 500-year or changing the ordinances.
  - It was noted that if we expand the Flood Hazard Area in the Town Plan but do not end up changing the flood ordinance, then we would be restricting commercial development (large enough to trigger Act 250 and thus review under the town plan) from the 500-year plain, but not individual houses.
  - Bushrod suggested that the planning commission write to the Selectboard and then present our proposed change at an upcoming meeting in order to get their feedback now rather than when they are reviewing all of the proposed changes to the entire town plan. Geo volunteered to write the letter outlining the basic proposal (adopting the 500 year floodplain as a flood hazard zone, perhaps with fewer restrictions than the 100 year floodplain.)
- The commission will research the additional questions that came up and have a conversation with the Selectboard about the proposed change before revisiting the language in the Town Plan.

In the meantime, and while the Conservation Commission members were in attendance, the Planning Commission turned to a discussion on the Natural Resources chapter and any other concerns from the Conservation Commission.

- The Conservation Commission members in attendance provided input and suggestions that they had collected from the rest of the commission as well:
  - The CC wants to emphasize safety issues for residents and visitors... whenever it says residents can we think about adding "and visitors."
  - Add language around health.
  - Add language around invasives, both plant and animal; pesticide use; and pollinators.
  - Add recommendations for the Crawford Lot.
    - The county forester provided a report on the lot and his recommendations.
    - This may fit better within the Community Facilities and Services chapter which is where public lands are addressed.
  - Add language addressing climate change.
  - Some of the new Biofinder maps can also be included either in-line in the chapters or as the attached maps.
    - Beyond the Plan itself, the CC would like to see these maps be shared more with the public and considered during development.
  - For the forest block and habitat connectivity pieces, we need to cooperate with the other towns, especially in the southeast corner.
  - The CC also suggests adding language about pesticides to the land use section.

After hearing this overview of suggestions, the Planning Commission began looking at the exact language in the Natural Resources chapter, with the Conservation Commission members providing suggestions.

- “Archaeological” was added to the types of resources listed in the Goals section.
- Forest habitat connector requirement is the newest statutory requirement. Tunbridge is the first TRORC town that has gone through the process of adding the forest habitat connector language. TRORC has taken the Tunbridge language to use as a template for other towns. Kimberly will re-share with the commission members to discuss at a future meeting.
- The CC will draft a paragraph about the commission to add to the background section of this chapter.
- A question was raised about Recommendation 2, “the Conservation Commission should study and develop strategies to protect long-term viability of agricultural and forest lands.” Rather than including these strategies directly in the plan, this language hands the responsibility to develop strategies to the CC. Because the CC has had varying levels of activity, this recommendation has not yet been explicitly carried out. Should this language be included again or should the PC and CC develop more specific strategies now?
- At the recommendation of the Conservation Commission, the Planning Commission will move Recommendation 3, “Continue to encourage the use of locally grown products - particularly in the local schools.”, to the agriculture and forestry chapter.

The PC and CC then discussed a process for carrying out the rest of this chapter’s edits:

- The CC will review the chapter and make suggestions in track changes, which the Planning Commission will then review while making their own edits. This also allows all the members of the CC to suggest specific language changes without all attending the PC meetings.
- The CC will also review Agriculture and Forestry, and draft Crawford Lot language for the Community Facilities section.
- The CC will reach back out to the PC once they’ve had time to do this, likely in the summer. In the meantime, there are other chapters that the PC can work on.

Kimberly and the Planning Commission then reviewed logistics for the other chapters:

- Mark Wood and Loretta Stalnaker will represent fire and police. Stuart will ask Mark to share the relevant chapters with those groups so that they can go through the language in advance and come to the meeting with any suggested edits.
- Transportation should involve Paul Brock as the road foreman. Stuart will contact him with the relevant chapter.
- Geo will send the flood resilience chapter to the White River Partnerships.

Each of these groups can let the Planning Commission know when they have reviewed it and when they are available to meet.

Bushrod Powers moved to adjourn the meeting and Roni Johnson seconded. Meeting adjourned at 8:34 pm.

Meeting notes respectfully submitted by Sarah Danly, clerk.