

TOWN OF LYNDON
PLANNING COMMISSION
January 13, 2021 Meeting Minutes
Approved 02/10/21

Planning Commissioners: Sean McFeeley, Sylvia Dodge, Tammy Martel, Ken Mason, Nedah Warstler, Sean McFeeley

Public Official(s): Denise Montgomery, Christian Thompson, Nancy Blankenship

Press: Amy Nixon (*Caledonian Record*)

Public: Rep. Marty Feltus, Mark Bean, Brooke Dingleline (*representing Mark Bean*), Joe Buzzi, Pauline Harris, Curtis Carpenter, Roni Leach, Dave Stahler, Sacha Pealer, Alison Lowe (NVDA), Kurt Nygren, Nate Sicard, Jacob Simpson, Lauren Jarvi, Tara Prue

Sean McFeeley chaired the meeting, which was called to order at 6:17 p.m. He announced that this was not a public hearing so discussion would be held by board members only unless the public was addressed directly by a board member.

Ken Mason made **a motion to approve the January 6, 2021 minutes**. Sean McFeeley **seconded the motion**. The Commission **voted 5-0**.

The Commission discussed the summary of the five proposed language alternatives for 11.5.A.3 done by Ken Mason at the request of the Chairman. The first proposed change was part of the original Flood Hazard Regulations document that the Work Group presented on September 3, 2020, to the Selectboard and Planning Commission. The summary covered the four subsequent language alternatives presented to the Planning Commission since then. After much discussion, Ken Mason then asked that another revised alternative be displayed on Screen Share for those in attendance to see. He explained that it was a combination of the Work Group's rework of Sylvia's language sent out by them on January 6th as a 3rd proposal and language that Sacha suggested might be added per January 12, 2021 email. After some discussion, Ken Mason **made a motion to approve** the 11.5.A.3 version currently posted on the Screen Share (attached) and to move forward with the Flood Hazard Regulations. Sylvia Dodge **seconded the motion**. **Motion carried 4-0**. Tammy was not on the call at this time.

Flood Hazard Regulations were proposed and discussed. Ken Mason **made a motion** to approve the proposed Flood Hazard Regulations as amended and complete. Sylvia Dodge **seconded the motion**. **Motion carried 4-0**.

Ken Mason will get together with Justin Smith ASAP to develop the final draft document to make available for the public so that a Public Hearing can be scheduled.

The Next Planning Commission meeting is January 27, 2021. The Commission hopes to have public hearings set up.

Brooke Dingledine made a comment that the Town should have their lawyer review the approved documents.

The meeting adjourned at 7:08 p.m.

Respectfully submitted by: DMontgomery

DRAFT

WORK GROUP'S 3RD LANGUAGE ALTERNATIVE FOR 11.5.A.3 WHICH WAS SENT OUT TO THE PLANNING COMMISSION ON JANUARY 6, 2021 AND IS A REWORK BASED ON SYLVIA'S LANGUAGE SENT OUT ON JANUARY 5, 2021

3. Development in the special flood hazard area, but outside floodway limits, must not unduly increase base flood elevations or flood velocities. Such development shall not be permitted unless:

a. an applicant shows that any increase in Base Flood Elevation (BFE) or flood velocities from a proposed project will not negatively impact existing properties by newly exposing existing structure thereon to inundation during a base flood. This standard may be demonstrated by providing the lowest floor elevations for all neighboring buildings within the same reach as the proposed development project, which are identified to have a footprint located within 1 foot of the base flood elevation as shown on Lidar referenced contours or better, and/or mapping the extent and depth of the increased flood elevation to a Lidar standard within the same reach as the proposed development. **The demonstration must be supported by technical data that conforms to standard hydraulic engineering principles and is certified by a licensed professional engineer, or,**

b. The proposal provides compensatory storage for floodwater (in the same reach and at elevations up to and including the base flood elevations) to offset the impacts of the proposal. The net post-construction flood storage capacity shall not be less than the pre-construction capacity. A volumetric analysis and supporting data must be provided by the applicant and certified by a licensed professional engineer.

ADD TO ARTICLE XVII DEFINITIONS THE FOLLOWING:

“Reach” is generally defined as a section of a stream or river along which similar hydrologic conditions exist, such as discharge, depth, area, and slope. It can also be the length of a stream or river (with varying conditions) between two streamgages, or a length of river for which the characteristics are well described by reading at a single streamgage. However, in practical use, a reach is just any length of a stream or river. The term is often used by hydrologists when they’re refereeing to a small section of a stream or river rather than the entire length.