

BARRE TOWN PLANNING COMMISSION

MINUTES FOR NOVEMBER 18, 2009

The Barre Town Planning Commission held a public hearing on **Wednesday, November 18, 2009** at 7:00 p.m. at the Municipal Offices, Websterville, Vermont.

**Members Present:**

Cedric Sanborn, Chair	Margaret Hutchins
Claire Duke	Charlie Thygesen
Eric Brigham	Chris Violette
Ken Yearman – 7:06 p.m.	

**Others Present:**

NONE

**Staff Present:**

**A. APPROVAL OF MINUTES:**

*On a motion by Ms. Duke, seconded by Mr. Brigham, the Planning Commission voted to approve the minutes from the October 21, 2009 meeting.*

**B. WARNED PUBLIC HEARING - FINAL PLANS:**

**AGENDA ITEM: ONE (1)**

Enclosures: Second draft of amendments to Zoning Bylaw as follows:

Article 3, Sec. 3.7	pg. 14
Article 4, Sec. 4.15	pg. 27
Article 5, Sec. 5.8	pg. 35
Article 7, Sec. 7.2	pg. 45
Article 7, Sec. 7.12	new

Consultant: None

Date: November 13, 2009

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,  
PLANNING OFFICER**

This is the warned public hearing for the amendments to our Zoning Bylaw that relate to flood hazard areas. You'll remember that in order for residents to be eligible to participate in the National Flood Insurance Program our Zoning Bylaws have to conform to FEMA's

requirements. Ned Swanberg, from the Vermont Dept. of Environmental Conservation reviewed our current flood hazard regulation and prepared a checklist and recommendation of what we need to do to comply. The enclosed document reflects the changes that Ned suggested. There really isn't anything earth shattering with the proposed changes in my opinion.

After the Planning Commission holds its public hearing and votes to send the amendments to the Selectboard, Ned will review it again. Hopefully he will say it is okay and then the Selectboard will hold its public hearings. I tried to get Ned to review it before the Planning Commission's public hearing but this is the course he wants to take. I can't rule out that it may come back after his review but we should be all set.

Also remember that FEMA is in the process of updating and modernizing the National Flood Insurance Maps. Washington and Chittenden counties are being done this time around. Staff has reviewed the Barre Town maps which only is pertinent to the Steven's and the Jail Branch rivers. Comparatively speaking we don't have that many parcels affected. No new parcels have been brought into the mapped floodplain with the new maps and I can't see where the boundaries of the floodplain have changed that much. So it appears as though Barre Town isn't really affected that much by the new maps.

### **SUMMARY, RECOMMENDATIONS & CONDITIONS:**

Open hearing, discuss if necessary, close hearing and make a motion to move the proposed Zoning Bylaw amendment as drafted to the Selectboard.

### **ADDITIONAL COMMENTS:**

CV gave a brief recap of what the State is looking for; he requested a motion and vote to move this item to the Selectboard.

***On a motion by Mr. Brigham, seconded by Mr. Yearman, the Planning Commission voted to approve this request as amended.***

### **DISCUSSION**

Hutchins asked about protecting the residents, for example when we flooded a few years back.

CV stated that this item is dealing with only FEMA mapped areas; doesn't deal with flash flooding.

Duke requested minor formatting changes which CV made note of.

Duke asked if a fence is going to be considered development in a flood zone; CV stated yes.

***Ms. Duke made a motion to include editorial changes; motion seconded by Mr. Brigham. All in favor.***

***On a motion by Mr. Brigham, seconded by Ms. Hutchins, the Planning Commission voted to move this item to the Selectboard. All in favor.***

**C. OTHER:**

Charlie asked last meeting how, if sued by an applicant, we'd be protected. The answer is that assuming we are acting in our roles as Planning Commission members and administering the regulations as approved and in good faith, the town's general liability insurance would cover us. If a member acts in such a way that somebody could claim defamation of character or some such thing then the town's insurance would not cover in that case. The long and short of it is, if we act accordingly, it isn't a problem.

**I. ADJOURN:**

***On a motion by Mr. Sanborn, seconded by Mr. Violette, the Planning Commission voted to adjourn the meeting of November 18, 2009 at 7:43 p.m.***

Respectfully Submitted,

Heidi Bennett

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Cedric Sanborn, Chair

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Eric Brigham

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Charlie Thygesen Sr.

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Ken Yearman

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Chris Violette

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Claire Duke

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Margaret Hutchins