

APPROVED

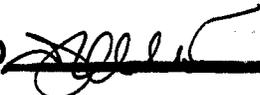
**Huntington Planning Commission
December 16, 2009**

Commissioners Attending: Everett Marshall, Heidi Weston, Gordon Miller, Tom Bailey, Lucinda Hill

Commissioners Absent: Beverly Little Thunder, Eric Silman

Others Present: Joe Spence and John Altermatt of the Huntington Zoning Board of Adjustment, Dori Barton of Arrowwood Environmental and Ned Swanberg of the Vermont Department of Environmental Conservation (VT DEC).

Minutes: Tom Bailey

RECEIVED 
DATE January 12, 2010

- 6:30 PM Minutes of November 18, 2009 Meeting
- Unofficial minutes of December 2, 2009
- Mail
- Minutes of October 28, 2009 public hearing
- 7:00 PM Flood Hazard Overlay District regulations, with Ned Swanberg
- 8:45 PM Review of letter to property owners
- 9:00 PM Member Business
- 9:15 PM Adjourn

The meeting was called to order at 6:45 PM by Everett Marshall, Chair of the Commission.

Items for Discussion	Discussion	Action
Minutes of October 28, 2009 Public Hearing	The members of the commission complemented the detail contained in the minutes, particularly in tracking the comments of the many speakers at the hearing. The minutes were reviewed.	Tom Bailey moved to approve the Minutes of October 28, 2009, and the motion was seconded by Gordon Miller. The Minutes were unanimously approved.
General Public Comment	None.	
Swearing in of New Commission Member	Everett Marshall noted that the Huntington Selectboard had appointed Heidi Weston as an interim member of the Commission to fill a vacancy.	Heidi Weston took the oath of office as a member of the Huntington Planning Commission.
Minutes of November 18, 2009 Meeting	The minutes were reviewed.	Tom Bailey moved to approve the Minutes of November 18, 2009, and the motion was seconded by Lucinda Hill. The Minutes were unanimously approved.

Items for Discussion	Discussion	Action
<p>Flood Hazard & Fluvial Erosion Overlay District Guest Presentation</p>	<p>Everett introduced Ned Swanberg, a representative of the Vermont Department of Natural Resources (VT DEC) who specializes in river flood hazards and fluvial erosion and reviews all local regulations for state and federal compliance. Then each person present introduced themselves.</p> <p>Next, Ned provided an overview of flood and fluvial erosion hazards. He noted that when we think of flooding, we usually think of inundation; however, flooding can also cause erosion which results in more destruction and at greater expense than inundation. He indicated that floodplains are actually useful in that they: (1) accommodate flooding by providing a place for water to be and to flow, (2) are valuable contributors to good forestry, agriculture and groundwater replenishment, (3) provide water quality protection by trapping sediments and nutrients, and, therefore, aiding good soil development, (4) facilitate wildlife habitat and diversity, and (5) provide beauty and recreational opportunities. Then Ned defined “DFIRM” (Digital Flood Insurance Rate Map provided by FEMA Federal Emergency Management Agency) and Special Flood Hazard Area, stream channel and floodway. Ned described the process of creating the next round of DFIRMs which are projected to become effective on September 29, 2009. On that date VT DEC and FEMA will require towns to have their flood hazard regulations approved by both the state and FEMA. Ned emphasized that for town regulations to be on track for such approvals the towns should adopt and submit such regulations by March, 2010, Ned’s working deadline.</p> <p>Then Ned described how the new DFIRMs were prepared by using the mid 1970’s field studies (which were the basis for the 1977 DFIRMs that are currently in effect) in conjunction with current GIS ortho photos (by aligning the roads). Joe Spence commented that reforestation has reduced flood potential because of the trees ability to absorb water, and Ned agreed.</p> <p>Next, Ned described the concept of a 100-year flood implicit in the Special Flood Hazard Area definition: The likelihood of a flood in any given year is 1%, and that likelihood does not reduce no matter how many floods there are or how often they occur. For emphasis, Ned indicated that (1) the during the lifetime of a 30 year mortgage, there is better than a 1/4th chance that the mortgaged property (located in the Special Flood Hazard Area) will be flooded, and (2) using 911 data there are 12 structures in Huntington located in the Special Flood Hazard Area (8 single family houses, 3 mobile homes and one commercial structure) and</p>	

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	<p>11 flood insurance policies currently issued in Huntington. Ned pointed out that the federal flood insurance program creates an insurance pool for people living in flood prone areas “whose number comes up” (are flooded). Ned noted what things that the Special Flood Hazard Areas on DFIRMs do <u>not</u> cover:</p> <ul style="list-style-type: none"> (a) the worst possible flood, (b) dam breaches, (c) impacts of infrastructure failure, (d) ice jam floods, and (e) dynamic adjustment of stream channels (fluvial erosion). <p>Ned then discussed how the dynamics of a river over time cause fluvial erosion. Rivers, he indicated, naturally meander and “you can’t tell a river where to go.” Human efforts to control and confine a river by means of bank armoring and dredging cause more and different erosion downstream, he said. River courses move from side to side but also move vertically, Ned added, in a process that evolves from stable to incision, then to widening and finally to restabilization with readjustment to a different floodplain.</p> <p>Joe Spence asked about the strategy of removing gravel from the center of the channel so that the river water will not push against the banks. Ned responded that removing gravel can cause incisions both above and downstream from where the gravel was removed. Joe indicated that he was still not convinced that removing gravel from a river bed is a bad idea.</p> <p>Ned then showed orthomaps of portions of the Huntington River with overlays of the Special Flood Hazard Area and Fluvial Erosion Hazard (FEH) Area. The FEH areas were recently delineated by the state (based on recent field work done by Arrowwood Environmental) to show which areas are subject to fluvial erosion. The maps showed that a number of current residential dwellings, including portions of neighborhoods, are in the FEH Area. There followed a discussion and a number of questions directed to Ned, to which he answered:</p> <ul style="list-style-type: none"> - Fluvial erosion occurs, most often during floods, when the energy of the water coming down the river puts the whole (FEH) area in play. Unlike flood inundation, fluvial erosion can not be predicted based on prior experience with flooding because it is by its very nature sequential. - Since the new DFIRMs are based on 1977 data, they do not take into account any shifts in the river channel that have occurred since then. However, the FEH map 	

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	<p>data is based on recent field work and is, therefore, more current and more reliable.</p> <ul style="list-style-type: none"> - It is difficult to measure the risk of FEH changes in the river channel in a manner similar to the 1% flood risk in the Special Flood Hazard Area on DFIRMs because there is not the same experience data with FEH areas as there is with DFIRMs. However, the methodology is sound and channel movements in the Huntington River in the last 50+ years appear to confirm it (Dori Barton, whose company conducted the Huntington River study, agreed). - Residents whose homes are at risk because they (their homes) are in the FEH area may buy flood insurance and should be able to get it at the lowest rate if their homes are not also in the Special Flood Hazard Area. 	
	<p>Heidi Weston asked which of the Vt DEC model ordinances most minimally comply with the FEMA for flood insurance purposes. Ned answered: Model 3. He added that for FEMA to approve a regulation drafted using Model 3, FEMA will require a demonstrated expertise in flood management and the engagement and commitment of the Town in the implementation and enforcement of the regulation that most towns do not have in their Zoning Administrators. That model (Model 3) is designed for a town or city that has already been flooded, where a significant portion of its housing stock is already in the Special Flood Hazard Area and where it makes sense for the town or city to make the kind of commitment necessary to implement that model.</p> <p>Dori Barton noted that 68% of the FEH area along the Huntington River is already encompassed by the 100 foot set back from the river in our current zoning regulation. She also expressed the opinion that, whatever regulatory or advisory direction the Commission decides to go in implementing the FEH map, the Commission should not alter the FEH mapped area (which is based on the best scientific available data to date). A concern was expressed that altering the FEH mapped boundaries for political reasons would give subsequent homeowners a false sense of security.</p> <p>At this point in the meeting, the Commission profoundly thanked Ned Swanberg for coming to the meeting and sharing his expertise. Then all except the Commission members left the meeting.</p>	
Flood Hazard & Fluvial Erosion Overlay District	<p>Next, the Commission discussed, in the light of the new information provided by Ned Swanberg and Dori Barton, how to proceed towards a new regulation. Heidi Weston</p>	

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Discussion	<p>suggested that we should consider Model 3 that provides the minimum standards that would be acceptable to FEMA (since there were comments to that effect at the public hearing in November). Tom Bailey agreed that he would excerpt Model 3 language to circulate for the Commission members before the next meeting.</p> <p>The discussion next addressed whether, and in what manner, the Fluvial Erosion map and data should be included in the regulations. There was a general acknowledgement that, no matter what the HPC decides to do, the effect of the release to the Huntington public of Fluvial Erosion map would probably have a significant effect because of the number of existing structures shown to be at risk. Gordon indicated that, having seen the FEH (Fluvial Erosion Hazard) map, we can't ignore its implications. Tom agreed that some HPC action is necessary, ranging from, at least, notifying the property owners effected to, at most, restricting all future construction in the FEH zone.</p> <p>Everett suggested that the HPC should hold a public meeting in January to educate the townspeople about FEH and to get feedback about their concerns. It was also suggested that this meeting be held not as a hearing on any proposed regulations but to use as a basis for drafting regulation proposals.</p> <p>There followed a discussion about the contents of a letter to the property owners in the FEH and FHOD zones. Although there was a discussion of appointing a member to draft and send out such a letter, there was a consensus that the entire HPC would like to at least review the letter prior to its being mailed out.</p>	<p>Tom moved, and Heidi seconded, that the HPC hold a public meeting in January, tentatively on January 12th, 2010, concerning FEH, with prior mailed notice to all property owners in the FEH and FHOD zones. The motion passed unanimously.</p> <p>Lucinda moved, and Gordon seconded, that a special HPC meeting be held on December 22, 2009 at 7:00 PM to consider the contents of the letter and the public meeting. The motion passed unanimously.</p>
Member Business	<p>There followed a discussion of whether HPC meetings beginning in January should be held on Tuesdays or Wednesdays.</p>	<p>Lucinda moved, and Gordon seconded, that HPC meetings be held on the second and fourth Tuesdays beginning in January. The motion passed unanimously.</p>
Adjournment	<p>Lucinda Hill moved to adjourn; seconded by Gordon Miller. The meeting adjourned at 9:45 PM.</p>	

Date UNAPPROVED minutes submitted to HPC: December 20, 2009

Date minutes APPROVED by the HPC: January 11, 2010

Date Approved Minutes submitted to Town Clerk: January 12, 2010