



**Town of Whitingham
Planning Commission
Wednesday, July 10th, 2019, 7:00 PM
Minutes**

This Minutes will be accepted into the public record (with any corrections noted) at a future meeting of the Whitingham Planning Commission.

Present

Planning Commission: Brad Lackey (Chair), Peter Barus (Clerk), Phil Edelstein, Linda Donaghue

Zoning Administrator: Gig Zboray

WRC: Alyssa Sabetto

Call to order

The meeting was called to order at 7:00 PM. The Commission welcomed Ms. Sabetto from the Windham Regional Commission.

Additions or Changes to the Agenda none

Hearing of Visitors (for concerns not on the agenda) none

Begin work on Flood Hazard section of Zoning Regulations

Ms. Sabetto provided copies of a flood hazard area regulations model, as well as a draft as it might be applied to the Town's current regulations, noting several areas where these could be strengthened significantly. It was noted that the Selectboard had voted not to add River Corridor protection to the regulations. Ms. Sabetto noted that the current regulations are questionable as to FEMA compliance, and that the new model ("*WRC Model Flood Hazard Regulations – March 2019*") is available online at the WRC emergency planning page.

Ms. Sabetto discussed recommended changes to the Town's draft Zoning Regulations; FEMA compliance requirements, noting the town does not have any "floodways"; and that maps are updated by county, and the Windham County maps were last updated in 2007, fairly recent by national standards.

There was discussion of permitting language, FEMA definitions (such as "substantial improvement" denoting 50% of original value, "administratively permitted" vs. "conditionally permitted", etc.); Federal expectations of inspection, permitting and liability; requiring more of applicants (requiring "sufficient detail and clarity") in permit application guidelines on flood hazard (for example: asking an applicant's engineer to explain how specific requirements would be met).

There was discussion about new structures in floodplains; what stands in the way of irresponsible development in flood hazard areas; that a decision will have to be made in a future meeting; that none of the language discussed above exists in the present Regulations.

Ms. Sabetto discussed expanding language on Conditional Use and Exemptions, and questioned whether the PC wanted to add these items to the bylaws, noting that the model could add 39 pages to a 50 page Zoning Regulations document. There was discussion of the floodplain on Rt. 112, and on other sections of the Zoning Regulations on administration, record keeping, duties and inspections.

Ms. Sabetto will draft sample language both on prohibiting and on not prohibiting structures in floodplains for the Commission's perusal; and recommended adding a two-foot "freeboard" provision; and will customize the draft for her next visit with permitted, prohibited, conditional use, etc., for future discussions.

Ms. Sabetto advised that the state (ANR) will not give the additional 5% ERAF credit if building is allowed in floodplains (12.5% ERAF is the standard, the additional credit could raise this to 17.5% if the River Corridors standard is included in the Regulations). It was noted that the Selectboard may not be aware of this possible additional funding. Ms. Sabetto will draft a memo to the Selectboard addressing the facts on ERAF as related to River Corridors and new flood regulations, floodplain prohibitions, etc., cc: the PC.

Zoning Administrator

Gig will review the final draft of Articles I-V of the updated Zoning Regulations while she is traveling on vacation. Brad noted we still have work to do on Article V.

Approve Minutes of May 2, 15 and 29, 2019, and June 12, 2019

Ms. Donaghue moved to approve the minutes for May 2, 15 and 29, 2019, and June 12, 2019. Second by Mr. Lackey. All in Favor.

Upcoming meeting schedule

The PC will meet on August 7th or 21st (TBD) and canceled the regular meeting on August 14th.

Other Business none

Adjourn

Ms. Donaghue moved to Adjourn. Second by Mr. Barus. All in Favor.

The meeting was Adjourned at 9:09 PM.

Respectfully submitted, Peter Barus, Clerk, July 11th, 2019