

Hardwick Planning Commission
Public Informational Hearing
April 11, 2017
Hardwick Memorial Building
Minutes

HPC Members Present: Chair Dave Gross, Ken Davis, Joyce Mandeville, Diane Grenkow, Shawn Ainsworth, and Jim Lewis

HPC members Absent: None.

Also Present: Kristen Leahy, Hardwick Zoning Administrator (ZA); Alison Low, Planner for Northeastern Vermont Development Association (NVDA); Staci Pomeroy, River Scientist for the State of Vermont; and Sacha Pealer, Regional Floodplain Manager for the State of Vermont.

Chair Dave Gross opened the meeting at 6:30 pm.

The Public Information Session was initiated by Sacha Pealer with a review of "River Corridors and Flood Hazards." Sacha provided an overview of what the Town of Hardwick currently has for regulation in the Flood Hazard overlay (minimal level allowed for compliance).

Staci Pomeroy continued with information regarding the limitations of only adopting Flood Hazard Review and utilizing only the FEMA maps. 60-70% of the damage which occurs due to flooding transpires outside of the mapped areas. The FEMA maps are limited because they only address flood inundation and not flood erosion risk.

What else can Hardwick do?

Options included the adoption of higher standards to protect the buildings which are already at risk. The Town's Base Flood Elevation (BFE) could be set a higher level than the currently used FIRM BFE. Higher standards could be applied to the protection of utilities. The Town could adopt regulations which prohibit new structures and new critical facilities in the Flood Hazard area, however replacement of the existing structures would be allowed and new accessory building would be allowed. The Town could also plan to keep the flood plains open for flood storage and give the rivers room to move and could avoid the erosion areas (the function of River Corridors).

What about River Corridors?

The River Corridor provides for the minimum space necessary for the most stable meander pattern plus 50 feet on each side for vegetation. The regulations associated with the River Corridor overlay would seek to preserve the space which is still available and avoid building closer to the actual water path.

Are there financial benefits from Adopting a River Corridor Overlay?

Currently, Hardwick's share of the cost to repair community infrastructure (after a declared disaster) is 12.5%. If the Town was to adopt a River Corridor Overlay (with associated regulations), then that cost could be reduced to 7.5%.

Staci informed the gathering that if the Town of Hardwick decided to pursue a River Corridor overlay, then the State of Vermont would review the River Corridor maps with the community. The Town would be able to fix the computer-generated sections and add the smaller streams which were not included in the original mapping.

What would the River Corridor regulations look like in Hardwick?

The Department of Environmental Conservation (DEC) recommends the standards involved. They advise a 50' minimum setback from small streams and coverage of all perennial streams. They also suggest that no new structures be built in the River Corridor.

Ken Davis expressed concerns that the land would become virtually useless to the landowner if a vegetative strip was required for erosion control.

Dave Gross reminded the gathering that this is a public safety issue. Floods impact the residents and landowners as well as the public service people (who provide assistance during the flooding incidents). The existing structures can essentially become dams for upstream waters.

Public Response: Will the Town be compensating people for the loss of their property? This is essentially a taking of land.

Public Response: Property owners may be able to obtain approval for their projects in the Flood Zone or the River Corridors but they will be subjected to unrealistic restrictions on the building. This owner built in the Flood Zone and was required to elevate the structure and add a venting system which is not very effective in the winter months. Both time and money was expended to obtain the requisite permits.

Public Response: Building in the Flood Area can endanger the neighbors. The Town needs to look at the greater picture.

Public Response: What do you do when the river has moved? In East Hardwick there is severe erosion transpiring. Who fixes this change?

Staci and Sacha informed the gathering that permits could be sought to fix and install stone, etc at this location.

Dave Gross asked the attending public members if the River Corridor regulations would make sense for the Town of Hardwick. Is the 5% increase in matching public funds worth the additional regulations?

Public Response: Will the Town use the flood zone as a consideration for the listers? Will this reduce the appraised value on properties in that area of town?

Public Response: This property owner wanted to know how higher standards and river corridor rules would impact his particular property.

Public Response: How do we improve the river to stop the flooding? How do we fix the river? What other recommendations can be made, beyond additional regulations?

Staci suggested that the Town could adopt better stormwater practices and improve back road erosion.

Public Response: There is currently no assistance for improvements. If you improve your property, then you pay more money in property taxes. Essentially, this is a noose for tax payers.

Public Response: This property owner has owned a house in the flood zone for over 17 years. The flooding is now a yearly event. Previous dredging helped curtail the flooding events for 20 years. Can we dredge the Lamoille River?

Public Response: Why should we adopt more rules? Why penalize the people who already live in the Flood Zone?

Staci reminded the gathering that flooding is not solely from the Lamoille River. All the streams have the ability to flood and to impact on structures. The adoption of the River Corridor overlay and regulations could alleviate these possible flooding impacts.

Sacha reiterated that the higher standards in the Flood Hazard Area could potentially assist with the existing issues.

Public Response: The government is micro-managing.

Public Response: The real issue is the presence of ice jams.

Public Response: Will Flood Zone properties have a different tax rate? Will the River Corridor properties have a different tax rate?

Staci suggested that NVDA create a build-out scenario for the Town of Hardwick. NVDA could predict which properties should be impacted by the adoption of the River Corridors.

Public Response: Why can't the Town or the State solve this problem? What money could be used to solve the flooding?

Staci stated that earlier fixes to the flooding issue have not been maintained nor have they had monies budgeted for their continued maintenance.

Public Response: If the Town adopts River Corridor regulations, this property owner will lose all of his investments into his current properties.

The Flood Zone and River Corridor maps can be viewed at msc.fema.gov or tinyurl.com/vt-atlas.

The public informational meeting concluded at 8:25 pm.

Respectfully submitted, Kristen Leahy, ZA