

Town of Hinesburg
Planning Commission Meeting Minutes
April 24, 2024

DRAFT

Members Present: Nick Chlumecky (via Zoom), John Little, Denver Wilson

Members Absent: Becky Alford, Lenore Budd, Alison Lesure

Staff: Alex Weinhausen (Director of Planning & Zoning)

Public Present: Dan Albrecht (in-person), Bob Hyams (in-person), Bill Scott (via Zoom), Margaret McNurlan (via Zoom), Jennifer Decker (via Zoom), Andrea Morgante (via Zoom), Elizabeth Doran (via Zoom)

Denver W. **called the meeting to order at approximately 7:00 PM**

1. Agenda Changes: None.

2. Public Comments for non-agenda Items: None.

3. Minutes from April 10, 2024 meeting:

There was not a quorum at this meeting therefore a vote will be taken at the next meeting.

4. River Corridor Planning & Flood Resiliency:

Alex W. introduced Shayne Jaquith (from the Nature Conservancy) and Dan Albrecht (from the Chittenden County Regional Planning Commission). Alex W. explained that over the last few years Hinesburg has talked about updating its flood hazard regulations to better match the State's recommended river corridor protection standards. Alex W. added that it is a good time to update the relevant sections of the Town Plan and the existing regulations to reflect the current thinking with regard to flood hazard avoidance, flood hazard land-use practices, river corridors, and FEMA flood hazard areas. Alex W. said that Hinesburg was an early adopter of fluvial erosion hazard area protections and over the years the language and mapping references have changed, and the zoning regulations should reflect those updates. Alex W. shared that Hinesburg has been working with Dan A. to update the Town's regulations to better conform with the state standards of river corridor areas.

Shayne J. shared that Vermont has a long-recorded history of flooding (going back to 1869) and that flooding is the costliest type of natural disaster facing the State. Shayne J. explained the impacts of flood damage and the difference between inundation and erosion damage, and noted that erosion is the more costly impact. Shayne J. said that the topography of Vermont (steep mountains and narrow valleys) and risky development patterns combine to create a precarious situation with regards to flooding and erosion hazards. Shayne J. added that at first glance floodplains can appear to be great areas for development because of the flat land, well-drained soils, etc., but said it's important to realize that flat land likely exists because a river has moved back and forth many times over it.

Shayne J. said that humans have historically taken a command and control approach to protecting

the land along rivers by dredging, armoring and berming the banks, and using dynamite to blast rivers to be more suitable for surrounding land uses. Shayne J. explained that all of those modifications can increase the power (depth and slope) of a river. Shayne J. described a floodplain as a pressure relief valve for a stream system that allows for the erosive energy to be governed. Shayne said that historic land use and channel management activities have resulted in extensive channel instability.

Jennifer D. asked where the Summer of 2023 fit in terms of flooding events and Shayne said it was considered a large flood event, but it didn't rank in the top five historical events.

Alex W. asked about the impact of clay soil versus gravel cobble on stream channels because Hinesburg has so much clay soil. Shayne J. said you will see bed erosion with both types of soil and while the banks may hold out longer with clay soil they will eventually erode, resulting in potential flooding consequences downstream.

Bob H. said that if Hinesburg had better intact and connected floodplains it would alleviate some of the flooding issues we experience in Town.

Andrea M. talked about sediment transport from the hills to the valleys and the connection to the floodplain.

Bill S. asked how a high water table could impact the land and Shayne J. said that if the soils in the floodplain area are already saturated, that area is more prone to flood so inundation becomes the major issue.

Shayne J. explained how the FEMA National Flood Insurance Program (NFIP) works and noted that many of Vermont's rivers and streams have no mapped floodplains or floodways. Shayne added that the NFIP does not address fluvial erosion hazards and those hazards are getting more expensive.

Shayne J. explained that Senate Bill 213 would make the Agency of Natural Resources (ANR) responsible for administering river corridor protections and that it has received strong bipartisan support but the Governor has expressed concern about the logistics and cost of ANR administering the program. Dan A. asked if Bill 213 provided the option for towns to maintain local control if they have the expertise and staff to do so and Shayne said it did. Alex W. shared some additional information about Bill 213 and the impact to towns if it were to pass.

Andrea M. spoke about the role a river corridor plays in terms of allowing for there to be some control of the "meander" in a place, like Patrick Brook. Andrea also brought up that FEMA is concerned with protecting structures and not necessarily the river system and river corridor.

Denver W. asked if there was system in place to limit development in river corridors. Alex W. explained that Hinesburg does have defined flood hazard areas and fluvial erosion hazard zones (synonymous with river corridor protection), as well as regulate development within those hazard

areas. Alex W. added that Bill 213 is important because it would create a consistent statewide permitting program for any development in any river corridor, regardless of the town. There was discussion about this issue in relation to Hinesburg Center 2 and the denial the project received from Act 250.

Jennifer D. asked if there was more the Town or PC could do to prohibit the HC2 development. Alex W. explained that the PC and Town (via the Selectboard) could revise the flood hazard regulations to entirely prohibit development in flood hazard areas. Shayne J. answered another question asked by Jennifer D. about financial incentives for towns to adopt river corridor protections.

Margaret M. asked if there was a move to obtain up-to-date data to model more accurately and Dan A. explained that FEMA is working on map updates. Dan A. added that because technology and data collection processes have evolved (i.e., elevation data, aerial radar, etc.) there is more information available.

Andrea M. spoke about the importance of small tributaries that are not mapped and the impacts that landowners can have when they start manipulating those small streams, and the importance of having language in the regulations that recognizes their importance.

5. Public Hearing – Zoning Modernization Regulation Revisions:

a. Public hearing continuation – community questions and comments

Margaret M. suggested including design standards for all single homes and the density bonus for smaller units seems well supported.

b. Additional technical revisions needed

Due to time constraints, there was no discussion on this topic.

c. Discussion

Due to time constraints, there was no discussion on this topic.

d. Continue the public hearing to a future meeting

Alex W. suggested the discussion be resumed at a future meeting.

6. Other Business

a. Planning news and announcements

Alex W. shared that there are two applicants for the PC and the Selectboard will be conducting interviews at their May 15th meeting.

Alex W. said there are two public meetings on the calendar – Monday, April 29th (VT Gas geothermal project) and Tuesday, April 30th (crosswalk improvement at the intersection of Silver Street/Rt. 116 and at the intersection of Mechanicsville Road/Rt. 116).

b. Preparation for May 8th and May 22nd community forums

Alex W. is working to confirm a speaker for the forum scheduled on May 22nd, but has not been successful in confirming a speaker for May 8th so the plan/schedule may need to be adjusted.

Denver W. **adjourned the meeting at approximately 9:15 PM.**

Respectfully submitted,
Danielle Peterson
Planning and Zoning Administrative Assistant

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