Town of Hinesburg
Planning Commission Meeting Minutes
March 10, 2021

Approved – April 14, 2021

Members Present: Barbara Forauer, Marie Gardner, John Kiedaisch, Rolf Kielman, Denver Wilson.

Members Absent: James Donegan, Dennis Place.

Also: Alex Weinhagen (Director of Planning & Zoning); Amy Coonradt (Recording Secretary), Gretchen Alexander, Daniel Albrecht.

Members of the Public: Nina Friscia, Robert Hyams, Andrea Morgante.

Denver W. called the meeting to order at approximately 7:08 PM.

1. Meeting Procedures:
Alex W. explained the meeting was being held remotely via Zoom due to the COVID-19 state of emergency and the closure of the Town Office. He reviewed remote meeting protocols.

2. Agenda Changes:
None at this time.

3. Public Comments for Non-Agenda Items:
None at this time.

4. Minutes of February 24, 2021 Meeting:

Denver W. **moved to approve the minutes as written.** Barbara F. **seconded the motion. The motion passed 5-0.**

5. River Corridor Protection – Overview

a. River corridor background & science. Presentation/discussion: Gretchen Alexander, VT Agency of Natural Resources

Gretchen A. provided an overview on what river corridors are, how they are defined, and why it is important to protect them. She said that when a river is considered stable, it is because it is able to maintain its channel slope, patterns, and profile, adding that a stable river isn't necessarily static. She showed examples of the Third Branch of the White River's patterns in 1924, 1939, 1963, 1994, and 2003, and how they have changed incrementally. She also showed examples of the Little River in 1968, 1994, and 2003, which have changed more suddenly. She talked about channel equilibrium, which says that there is a balance between the amount of water and sediment flowing through a system. If there is an imbalance between the two, it can lead to sediment buildup or bank degradation if the bed of the channel erodes too deeply. She talked about channel evolution and its stages. She said that one of the most critical functions of a floodplain is the dissipation of water, which reduces the destructive force of the water, reduces the magnitude of the flow, and maintains river stability.

Gretchen A. spoke about river corridor mapping and how it is an application of the belt width concept. The belt width identifies the amount of space necessary to accommodate the equilibrium condition of the river, and can be thought of as a channel management boundary, which in turn can be factored into town planning. She explained the importance of mapping river corridors, noting that the majority of damage in Vermont from flooding is caused by fluvial erosion. She said it is important to plan for flooding and understand how river function can guide town planning. She spoke about flood resilience, noting that Vermont, unlike some other states, has not built out its floodplains excessively. She said that less room for rivers due to development means steeper, more powerful rivers. She said that recovering from flood damage is extremely expensive, and that avoidance strategies are cost-effective. She said that protecting river corridors contributes to protecting sustainable ecosystems.

Gretchen A. continued her presentation and walked through the phases of mapping river corridors, including the three phases of remote assessment, quantitative and rapid field assessment, and actual river corridor planning. She said that the State creates a statewide river corridor map, which incorporates both remotely sensed data and phase 2 field assessment data.

She walked through the process of creating a river corridor map, which includes determining the river's meander line, determining sensitivity of the channel, and computing how wide the river corridor should be. She noted that channel width is determined by the width of the river and also on watershed size. She said that once the belt width is determined, the state adds 50 feet on either side of it, to determine the final river corridor. She said that the idea behind the additional 50 feet came after Superstorm Irene and makes it possible to manage the channel and allow the minimum amount of space for the river to maintain a stable slope.

She finally spoke about encroachment prevention. She said that the State use river corridor easements and regulations, such as Act 250 and the River Corridor and Flood Protection Rule. She said that any new development should not increase the need to further manage the channel.

b. Municipal regulation examples. Presentation/discussion: Dan Albrecht, Chittenden County Regional Planning Commission

Dan A. spoke about the Chittenden County Regional Planning Commission (CCRPC) and how it assists towns around fluvial erosion and river corridors. He noted that the CCRPC works with towns to put descriptions of fluvial erosion hazards into town plans. He noted that Hinesburg and Jericho were the first towns to reference fluvial erosion hazard areas. He showed the River Corridor Protection map of Hinesburg. They include a multitude of layers, such as river corridors, wetland inventory, watersheds, the FEMA DFIRM, and setbacks. He noted that river corridors tend to show up as larger than municipal setbacks, because they meander. He said the maps serve the purpose of identifying areas in town and properties that would be impacted if the town were to adopt a river bylaw.

He showed an example of a river corridor bylaw (South Burlington's). He said that South Burlington added it as a river overlay district, to discourage encroachment. He noted the river corridor (RCO) district boundaries, which are determined using the State's data. He showed where the map notes prohibited development, exempted activities, and permitted development.

Dan A. detailed South Burlington's experience with implementing the river overlay district in 2019. According to Paul Conner, the Director of Planning and Zoning for South Burlington, the town hasn't had a development that has impacted or been impacted by the river corridor, since it overlays closely with existing stream buffers and there is very little existing development within the river corridor. He noted

that prior to adoption, South Burlington worked with CCRCP to identify neighborhoods that would be affected by the adoption of the RCO. He said that in terms of public reaction, the town has received questions from some affected neighborhoods but nothing significant. He further noted that adopting the bylaw has made it easier for the town to function in a more standardized way with regards to planning. He said that staff were comfortable adopting the river corridors as designated by the State, since much of that land is already regulated, and that it helps to protect private property. He noted that this adoption reduces the City's match rate (and increases the state's match rate) for emergency relief and assistance funding from FEMA.

Alex W. explained that the Hinesburg Planning Commission has begun discussing river corridors to keep regulations current with prevailing terminology and science. He noted that Hinesburg was an early adopter of concepts related to flood hazard areas and fluvial erosion zones in 2010-2011 and said that river corridors and the science behind them are now considered the gold standard. He said that they are more comprehensive than fluvial hazard erosion zones, and that having river corridors in place for town planning boosts a town's match rate for disaster relief assistance and funding from FEMA (which benefits taxpayers). He asked whether Hinesburg should consider updating its regulations to reflect river corridors, saying that there may be an opportunity to meld the current science with Hinesburg's tradition of being conservative around its bodies of water and improve regulation.

Denver W. opened the discussion up for public comment.

Andrea M. said that Hinesburg is in a good position to revisit its existing regulations. She said it will be important to understand soil conditions and their impact on the Town's roads during erosion, and important to understand the benefit of flooding and flood plains. She said that as the Town moves away from utilizing its flood plains for agriculture, there's an opportunity to think about what they might have been pre-settlement, in terms of being forests that were inhabited by wildlife (beavers, for example). She said that in Hinesburg, people tend to look at the streams in the valley, its settlement pattern and the ability to redirect the water. She spoke about the function of floodplains and wetlands in terms of cleaning up water. She said that each major watershed in Hinesburg (the LaPlatte, Lewis Creek, and Huntington River) have different ways that they can be managed. She noted that setbacks are in place to protect structures, and buffers are there to allow for ecological benefits and allowing the river to move in the ways it needs to. She said that there is a great opportunity in Hinesburg to conduct a lot of restoration, activity since there hasn't been a lot of development in the floodplains. She suggested that regulations should note which maps they are using (since some of them are not quite accurate).

Robert H. asked where river corridors come from and how they are determined. Dan A. replied that the state will establish them, as dictated by the model bylaw. He said that there is a process where boundary lines can be tweaked, based on unique circumstances. Andrea M. added that boundaries sometimes need to be changed because the road is within the river corridor and a town needs to ensure that infrastructure is protected.

John K. asked about which water courses qualify under river corridor regulation. Dan A. replied that water courses are considered streams if they drain between 0.5 and 2 square miles, but that streams that drain less than half of a square mile don't fall under state river corridor regulations.

Denver W. asked what effort on the part of the Planning Commission would be needed to adopt state river corridor standards. Dan A. replied that the town could incorporate the state model bylaws into a new overlay district, it could merge them with existing municipal water quality setbacks, or it could

create a river protection district. Alex W. added that the Planning Commission should think about what components of existing flood hazard regulation it wants to modify, whether it wants to incorporate targeted river corridor language, or whether it would like to conduct a wholesale rewrite of Article 6.

Lenore B. asked about river corridor easements, who buys them, and how they're managed. Andrea M. replied that there are numerous programs that will support easement management through the Agency of Natural Resources, such as the Vermont Land Trust, Local Land Trust, River Conservancy, or even the Agency of Agriculture. She said that if a river is going through a property, the landowner can get paid additional dollars for creating that riparian buffer easement.

Alex W. said that future meetings can be used to gather additional guidance for future policy options.

Robert H. said that the Conservation Commission is happy to support the Planning Commission in this initiative. Andrea M. said that the Lewis Creek Association is also willing to lend expertise and support this.

Denver W. said that it seems like the Town is pretty conservative about new development in watersheds. Alex W. said that Hinesburg has done a lot of work on this front and has relatively robust regulations, but that this exercise would improve upon that.

6. Other Business & Correspondence:

a. Agenda item requests for March 24 meeting

Alex W. noted that a public hearing has not been warned for March 24, and suggested pushing the public hearing to the first meeting in April. Denver W. suggested beginning a conversation with the Conservation Commission at the March 24 meeting.

Denver W. adjourned the meeting at approximately 8:47 PM.

Respectfully submitted,
Amy Coonradt, Recording Secretary