

Johnson Planning Commission
Meeting Minutes, Tuesday, April 14, 2015

Present PC members: Paul Warden, David Butler, David Bergh, David Grozinsky, Kim Dunkley, Cynthia Hennard, Brian Boyden.

Guests: Seth Jensen (LCPC), Lea Kilvadyova.

Note: All votes are unanimous unless otherwise noted

David Butler called the meeting to order at 7:08.

Review of March 10, 2015 minutes

David Bergh moved and David Grozinsky seconded the motion to approve the March 10th minutes as presented and changed. All others voted in favor. The motion passed.

Agenda changes or additions

Kim suggested adding the word “approve” in the agenda item regarding the Dreher report and adding “correspondence review” to the agenda.

Unified Town and Village Plans, flood resiliency discussion

The Planning Commission reviewed an updated draft of the flood resiliency document.

Existing Settlements and Safer Areas Section:

David Butler asked what triggers FEMA’s flood mitigation requirements when somebody renovates a property. Seth said that the trigger is a substantial improvement of the structure. The structure is substantially approved when the value of the renovation exceeds 50% of the market value of the structure. Municipal compliance with the substantial improvement requirement is important because property owners in non-compliant municipalities cannot purchase flood insurance through the National Flood Insurance Program (NFIP).

Kim asked about infill development. She questioned whether we should encourage infill in flood prone village areas as opposed encouraging infill in other, safer areas. Lea said she supports infill development in the village provided FEMA’s minimum flood mitigation standards are met. She also said that it appears to be hard for our community to agree on safer areas where future growth should occur. Gould Hill, recently discussed at the form based code public meeting, is a good example. Gould Hill is a safe, low flood hazard area but Gould Hill residents who participated in the public meeting were opposed to increasing the development density in their neighborhood.

Kim asked whether the Jewett property could be one of our infill districts or whether that project is off the table. Lea said that the project is still on the table even though not much has happened with it recently. The issue is that the asking price for the property is higher than the appraised value and until we settle the difference it is difficult to move forward. David Butler said that identifying specific areas for infill development is not appropriate at this stage. It is fine to make a general statement about encouraging the development in safer areas.

Undeveloped Floodplains and River Corridors Section

Seth mentioned that at the last meeting there was a lot of discussion about how the State defines river corridors and how this statewide cookie cutter definition does not accurately reflect local stream and river conditions. Lea said that Duncan also had a difficulty accepting the State's coarse definition of the river corridor. She said that Duncan thought we should voice our concerns about the State's methodology by including appropriate language in the plan. Duncan said that the State's flood mitigation standards are more stringent than FEMA's standards and will unreasonably impact people going through the Act 250 process.

David echoed that the State's approach could impact landowners' rights. He said that the State's approach might fit Champlain Valley but it does not fit Lamoille County which has a lot of streams that cut through the bedrock and there are big differences between the elevation of the streams and the land that surrounds them. David said that he would approve the river corridor definition in areas where flooding is a known public hazard. Brian agreed and said that we should respond with a statement that the river corridor definition should only apply to high risk areas. Cindy asked whether the statement in the draft document that says that river corridors should not be used for regulatory purposes covers our concerns. David G. said that we should work with the Conservation Commission to specify information about local streams and provide that information to the State.

Bridges and culverts Section (page 4)

David Butler said that the paragraph that refers to the retrofitting and replacement of bridges should specify that we are talking about bridges and culverts owned by the Town.

Policies

Per Planning Commission's direction, Seth will amend policy no. 2 to say that Johnson Town and Village have concerns about how the river corridors were defined by the State and that protection should be focused on areas of known public and safety hazards.

Tasks

The last implementation task should be changed to "Facilitate contact between willing landowners and conservation organizations to maintain large blocks of unfragmented, upland forest. These areas should be given priority for conservation. "

Approval of Dreher report

The Planning Commission reviewed Paul Dreher's monthly report. **David Bergh moved and David Grozinsky seconded the motion to approve the Dreher report and recommend to the Selectboard the payment of Paul Dreher's invoice. The motion passed.**

Hear report from Steering Committee and discuss future public meetings

David Butler said that he went to the last Form Based Code Committee and asked them two things. One thing, which did not happen, was to appoint a couple of representatives who will report to the Planning Commission so that the Commission has a better understanding of what the Committee is doing. David thinks that the process of developing the Form Based Code did not have enough public input and he would like to change that. He thinks that the two Committees need to work together. David suggested holding a day-long public charrette and then asked for other thoughts about public input. Lea felt that it was important to finish the draft of the code first and then discuss opportunities for public input. David Bergh said that once the code is drafted the two Committees could meet and make a public outreach plan. David Grozinsky suggested a community walkabout. Lea suggested making presentations to all active Committees in town, e.g. Historical Society, Johnson Works, etc. If we talk to them, we will reach a lot of people and they will spread the word. A couple of people suggested informal presence at Tuesday Night Live or the Farmers Market.

Correspondence Review

Lea said that the Act 250 permit application for the Subway project was approved. The Town of Morristown is amending its Town Plan to change the land use designation of the former Green Mountain Arena area from recreational to commercial.

Meeting adjourned at 8:49 p.m.

Minutes taken by Lea Kilvadyova