

JOHNSON PLANNING COMMISSION

MINUTES

Regular Meeting: THURS, 09 JAN 2025, 6:30PM

In person at Johnson Municipal Bldg. and on-line

Members (P=Present; A=Absent)

Adrienne Stevson	P	Kim Cotnoir	A	Paul Warden	P
Charles Gallanter	P	Kyley Hill	P	<i>Vacant Seat</i>	
<i>Vacant Seat</i>		Rob Rodriguez	A	<i>Vacant Seat</i>	

Prospective JPC Members:

Sam Jaspersen, Linda Edwards

Invited Guests –

- Belvidere Planning Commission: Kathy Marchant kbmarchant28@gmail.com, Ken Adams, Jr. <kenrdada@gmail.com>; Stephen Brown <skmachine644@gmail.com>; Deb Baker <4cats10@gmail.com>
- Meghan Rodier, LCPC
- Ron Rodjenski, Stone Shore Consulting
- Mark Lesse and ??, FEMA

Invited Speakers:

Rebecca J. Pfeiffer, CFM (she/her)

VT DEC Watershed Management Division

River Corridor & Floodplain Protection Program Manager | VT NFIP Coordinator

C 802.490.6157 | Rebecca.Pfeiffer@vermont.gov

Staci Pomeroy, River Scientist

Vermont Department of Conservation

Watershed Management, Rivers Program

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<http://dec.vermont.gov/watershed/rivers>

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Roll Call - Above

Agenda Changes & Public Comment

- Changes: (Chair) (1) add Linda / Sam decision re JPC membership? (2) Johnson Visioning Project and (3) Lamoille Flood Resiliency & Hazard Mitigation Working Group

Presentation/Discussion

- Rebecca and Staci, Act 121, the new River Corridors legislation
- See summary at end prepared by Meghan R. and Ron R. (with thanks!)

Housekeeping

- Approval of Minutes from 12 DEC 2024 meeting (our joint meeting with Downtown Reconfiguration & Redevelopment task force for Seth Jensen's presentation of river hydraulic modeling). Adrienne moved acceptance, Kiley seconded, unanimous approval.
- Mail – Charles reported notice of a Morrisville Planning Commission meeting.
- Membership – Linda confirmed her interest becoming a member of the JPC (Sam was absent).
- The JPC approved the Chair to represent them at the LCPC Visioning Project meetings.

Member Updates – if needed

- Lamoille FiberNet – Expanded “Long Drop Funding” information in January
- Rail Trail Committee – Adrienne reported work on e-bike charging station near the Cold Spring, Charles Flaum's work on a Johnson Recreation website and other efforts
- Beautification Committee – Adrienne reported a request to create a reserve fund, that they've invited Peter from LCCD to their next meeting, new trailhead signs at welcome center.
- Town Sewer Service Area (TSSA) Extension Draft status – No update
- Reimagine Johnson Task Forces
- Lamoille Flood Resiliency & Hazard Mitigation Working Group – Chair has joined this group and will keep the JPC informed.

Executive Session - Kiley moved to enter Executive Session under 1 V.S.A. § 313 to discuss the evaluation of a public officer or employee, the public disclosure of which would put the person or town at a disadvantage. Charles seconded. Unanimous approval.

- No action or vote were taken in Executive Session.
- As a result of discussion, it was decided that the Johnson Planning Commission should make a statement to the Selectboard that Form Based Code requirements for permits should be enforced by the FBC Administrator.

Adjourn. Next Regular Meeting 13 FEB 2025

River Corridor Discussion Summary

VT ANR Guest Speakers: Rebecca Pfeiffer (River Corridor & Floodplain Protection Program Manager), & Staci Pomeroy (River Scientist)

Presentation by Rebecca– two videos about the importance of protecting River Corridors can be viewed at: <https://floodtraining.vermont.gov/basic-concepts>

River Corridors/Flooding Overview: Rebecca reviewed the flood risk basic concepts, avoid new encroachments (inundation in valleys & fluvial erosion flooding from flash floods in hills). The Flood Training website above has resources for review when time allows. Since 2011, there have been annual disaster declarations in Vermont. We have continued to see an increase in annual precipitation causing more frequent significant flooding events throughout the year. We continue to see more winter freeze/thaw events that can cause ice jams and related winter flooding. In Vermont more damage is caused by fluvial erosion and flash flooding than inundation flooding. As a result, communities are encouraged to think about where undeveloped floodplains/ areas in the River Corridor can be protected to act as flood storage and dissipate the energy of flood waters as well as how can structures be more resilient or relocated to higher ground.

NFIP: FEMA National Flood Insurance Program created affordable flood coverage by mapping flood risks and towns opt in to meet federal standards. Flood insurance is required for federally back mortgages. Anyone in a participating NFIP Town can purchase flood insurance. NFIP has four parts: flood insurance (comes up with mortgage process), floodplain regulations (towns adopt/administer), flood hazard mapping (100yr and 500 yr) and flood hazard mitigation grants (buy outs, bridges, culverts and floodplain restoration). A community can conduct additional outreach and participate in the Community Rating System (CRS) to provide additional discounts on flood insurance. Towns have access to regional planning office and state flood managers when pursuing regulations and community outreach.

In 2023 if you took FEMA funds (like Individual Assistance – or “IA” funds), you are required to maintain flood insurance in perpetuity. For the first 3 years, the premiums are paid and then the cost is on the homeowner into perpetuity, even if out of the floodplain (and after taking FEMA funding). The Town could provide reminders about the 3-year window. Property owners can get private insurance or NFIP after the 3-year window. New flood insurance policies have a 30-day wait period to become effective unless part of a mortgage renewal. FEMA changed the rating system for policies to look at more exact geographic conditions – FloodSmart.Gov can provide an insurance cost estimate by typing in your address. With local flood regulations, any resident can obtain flood insurance regardless of 100-yr and towns can pursue mitigation grants. The release of Lamoille’s FEMA digital maps are pushed back to Fall/Winter 2027. Updates to existing flood

bylaws should be completed by towns by Fall 2027 to incorporate new maps and current NFIP requirements. A working session for the latest draft of FEMA maps is planned for summer/fall of 2025.

SLR engineering is updating flood mapping, and that information is being shared with FEMA. Past Lamoille River Flood Modeling was shared with FEMA during the FEMA Mapping Discovery Phase. FEMA has not provided any commitment to revising the draft digital maps or using the newer SLR data along with the data from the last major flood events in the county. FEMA maps may use outdated data and may not be accurate, so ANR recommends increasing height requirements in the town Flood Hazard Area bylaws. More resiliency can be achieved by relocating structures and protecting existing densely developed Village areas with new development out of the floodplain. River corridors (Staci) are mapped to highlight areas where rivers may move. Model regulations are available for review with higher elevation requirements, like using the 2023 flood elevation and new growth centers outside flood areas. Vermont flood ready has resilient recovery and community planning, moving new investments to safer areas from flood risk.

Act 121 – Flood Safety Act

Wetlands, Dam Safety and Rivers Corridors

ANR River Corridors (2.0 sq miles or greater watershed) to be regulated by the State and maps are available now on the ANR ATLAS. Smaller streams could (over 0.5 sq miles) also be protected with 50-foot buffers and other protections in a local bylaw.

Statewide river corridor rule (2.0 sq miles or greater watershed) required by the Act with community input prior to rule adoption. The goal was 2028 and likely will be pushed out due to staffing demands and recent floods – now considering 2030 for implementation, like current state wetlands permit. Public outreach, including review of river corridor map boundaries, will be part of the longer timeline requested. Agriculture, silviculture, power generation, and state owned facilities are now issued state river corridor permits. River corridor maps were published in 2019, and Staci is planning a statewide update for 2025 on ANR Natural Resources Atlas. Regional Planning Commissions will get updated maps, and the public outreach method is still being developed, in the context of Act 121. The State will reach out to towns with the map update process to provide public comment. Two pieces of the ACT were minimum standards for local bylaws, which may be increased by the State – likely increase the elevation above FEMA minimum, including whether the Flood bylaws should also be taken over at some point by the State (which was in an early draft of Act 121). The details are being worked on by a state legislative committee. With Act 121 applying only to Rivers/Streams with a 2 square mile watershed or greater, there will still be a need for local floodplain permitting for proposed

development/projects in the floodplain or in river corridor buffers of regulated streams with a .5 and 2 square mile watershed.

NEXT?

The State is working on “State Minimum Standards”/ new River Corridor Bylaws Model per Act 121. This model likely won’t differ too much from the current ANR model, but will promote a higher minimum base flood elevation standard in light of recent flooding events.

State attorneys are looking at transitional period, to auto -adopt river corridor bylaws when they are in place.

Local bylaws need to be in place when the new FEMA digital maps come online.

River corridor rules and floodplain regulations – the towns still issue local regs. ACT 121 only applies to streams with a 2.0 sq mile watershed or greater, so towns can adjust below 2.0 sq miles.

ERAF (Emergency Relief Assistance Fund) is the incentive to push forward with flood hazard area bylaw updates

Town will always issue local flood permits even with state permit oversight.

Incentives, like ERAF (Emergency Relief and Assistance Fund), can be modified/clarified in the transitional window of Act 121.

Towns will be mandated in the end to adopt River Corridor Protection Bylaws, and are advised to keep working on flood hazard area bylaw updates to benefit the community.