

Agenda  
Warren Selectboard  
Tuesday, August 27, 2013  
7:00 PM  
Warren Municipal Building

/ 7:00 PM – PUBLIC HEARING

Revisions to the Warren Land Use and Development Regulations The purpose of this public hearing is to accept public comment and consider administrative approval of the adoption of a Fluvial Erosion Hazard Overlay

/ 7:25 PM – DPW Updates – Barry Simpson

/ 7:45 PM – Appt of two Conservation Commission Members

8:00 PM – Approval of Minutes

/ 8:05 PM – Approval of Payroll Warrants

16,131.96

/ 8:10 PM – Approval of Accounts Payable Warrants

345,529.99

/ 8:15 P M – Other Business

Two Rivers-Ottawaquechee Regional Commission – 25% Match on HMGP buy out of 1189 VT RT 100, Warren, VT. – Sub Grant Agreement for signature

*Hazard Mitigation Grant Proj*

**Minutes of August 27, 2013**  
Warren Selectboard  
Warren Municipal Building  
7:00 PM

**Members Present:** Andrew Cunningham, Chair, Bob Ackland, Vice Chair, Colleen Mays, Matt Groom, Anson Montgomery.

**Others Present:** Jim (TV 44/45) Rudy Elliott, Craig Klofach, Barry Simpson, Claire Simpson, Anna Whiteside, Sheila Ware, Rachel (VR), David Campanelli, & Cindi Jones.

**7:05 PM** – Meeting called to order by Mr. Cunningham.

**7:06 PM – Revisions to the Warren Land Use and Development Regulations.** The purpose of this public hearing is to accept public comment and consider administrative approval of the adoption of Fluvial Erosion Hazard Overlay – Mr. Klofach started off the discussion by stating that all the members of the Planning Commission have signed off on the new revisions and passed it on to the Selectboard for the public comment period. The Fluvial Erosion regulations only pertain to the Mad River. The Planning Commission took the State version and modified to fit Warren. The goals of these regulations are to protect downstream communities. The new proposed regulations will allow owners in the zone to rebuild and repair their buildings on the same foot print of the buildings that exist today. It does not allow for development. Infrastructure such as roads and highways are protected from the regulations.

The Planning Commission contacted all the land owners within the effect zone created by the State ANR and there were only three properties that raised concerns. Two of the properties were ground proofed. The Golden Lion was one property and it was found that there was a rock wall and with a little tweaking was resolved. The sugarbush snow making pond was another. The Planning Commission had 4 meetings with Sugarbush to resolve that they would not have to go back through the DRB to repair or clean out the pond. They cannot expand the pond as they are under strict state regulations. The last property that raised questions was the Bobbin Mill Property. It has been walked by the state and some members of the Planning Commission. Mr. Ackland inquired if the states roll was exploratory. Mr. Klofach commented that they ground proofed some of the proposed corridor, used the Flood Hazard Maps and ariel photo maps to develop the proposed corridor. Mr. Ackland also commented that it is geological issue and not a flood issue. Mr. Klofach commented yes, effluvial erosion is a separate issue from flooding. Mr. Montgomery stated that the purpose is not to be punitive but protecting the communities downstream. Mr. Klofach commented that the proposed Bobbin Mill Area currently has 34 uses 16 conditional uses, and 8 automatic uses. The new proposed regulation restricts future development. Mr. Groom was opposed to the idea of adding another layer of restrictions on property owners.

Mr. Simpson told Selectboard members that serious fluvial erosion was remote. He told the Selectboard that the property has been subject to periodic flooding since 1970 but that the water line has only come within 3 feet of the mill floor. Any movement of the river has been marginal said Mr. Simpson and the direction the river has moved has been away from his property. He also commented that the parcel was the only that allowed industrial use and that though the building was in need of repair or replacement that the foundation was thick and heavy-duty and could be utilized. Ms. Ware stated that the ANR scope is to board and that it significantly changes the value of the property. They would like the PC to redraft and define that you can build on the same foot print.

Ms. Ware also stated that the Zoning ordinance clearly encourages industrial uses and it is also served by a Town Road and felt that a carve out should be taken in consideration. Mr. Elliott stated that the Bobbin Mill Road and other small roads that lead to private homes that were taken for highway mileage, should be thrown up or reclassified. Mr. Ackland also stated that if the Bobbin Mill Road was taken out by erosion that it could be built in a different place and that the Town only has an easement for the road over the property.

Mr. Cunningham and the board members felt that they needed a more scientific basis from the ANR before they could make a decision for the best interest of the Town. The public hearing is to be continued at its next meeting inviting the ANR to discuss their reasoning on the boundaries and also a possible site visit.

**8:30 PM – Conservation Member Appointments** – The Conservation Commission has recommended two candidates to fill two vacant terms for the Selectboard to appoint. They are Carol Crossman and Clint Coleman.

Motion by Mr. Montgomery to appoint Carol Crossman and Clint Coleman to the Warren Conservation Commission, second by Mr. Groom. All in Favor: VOTE: 5-0.

**8:40PM – DPW Project Updates – Barry Simpson**

Mr. Simpson reported that the Sugarbush Access Road slide repair by GeoStabilization International has been completed and they are now working on the West Hill Slide area. GSI provides the most responsive and experienced geohazard mitigation services and specializes in design/build/warranty landslide repair, rockfall mitigation, excavation shoring and GRS-IBS abutment construction. GSI's slope and landslide repair portfolio is extensive in the geotechnical construction industry and contains over 800 slope and slide corrections since 2005. Of these projects, at least approximately 75% were design-build with many being completed under emergency declarations. It is less expensive of a repair, then the rock layering techniques typically used.

The West Hill slide should be completed by GeoStablization International by Wednesday. GeoStabilization International provides a 5 year warranty on both projects.

Warren School Parking Lot: Mr. Simpson alerted the board that that there is a substantial deep ravine that has occurred just off the school lower parking lot. It may need a culvert as part of the old culvert has broken off. Mr. Simpson believes that this happened in the July 3 and 4<sup>th</sup> rain storms.

Municipal Building Roof – Mr. Simpson looked at Mr. Snow's proposal of filling the constructed area with foam. Mr. Ackland met Mr. Simpson and Mr. Snow last Thursday and gave direction and approval. If the area was filled it would not allow any heat to thaw the room to have ice accumulation. Mr. Ackland stated that he agreed with Mr. Snow that if the area was vented would condensation and would rot out the clapboards. HK Builders provided a cost of \$3,500 to fill 85 cubic feet of area. Mr. Simpson as All Seasons Urethane to come out and look at the project and cost would be about \$3,200. Mr. Cunningham inquired if they put 5" against the wall that is closest to the inner wall of the building and

the flat that is over the corridor in the hall way and the underside of the handicap ramp is not heated anyway. Mr. Cunningham commented that the town does some kind of foam in the space do the area's the area next to the heated space another 3" only provided it is vented. The board provided the direction for Mr. Simpson to just foam the heated spaces only.

**9:20 PM – Two Rivers Ottqauquechee Regional Planning Commission – CDBG Grant Agreement to fund 25% of the FEMA buyout of 1189 RT 100. – Motion by Mr. Ackland to approve the grant agreement, second by Mr. Montgomery. All in Favor: VOTE: 5-0.**

**9:25 PM – Approval of Minutes of August 13, 2013 –Motion by Mr. Montgomery to approve the Minutes of August 13, 2013, second by Mr. Ackland. All in Favor: VOTE: 5-0.**

**9:27 PM – Approval of Accounts Payable Warrants – Motion by Mr. Ackland to approve the payroll for \$345,529.99 as presented, second by Mr. Montgomery. All in Favor: VOTE: 5-0.**

**9:30 PM – Approval of Payroll Warrants – Motion by Mr. Ackland to approve the payroll warrants for \$16,131.96 as presented, second by Mr. Montgomery. All in Favor: VOTE: 5-0.**

**Other Business:**

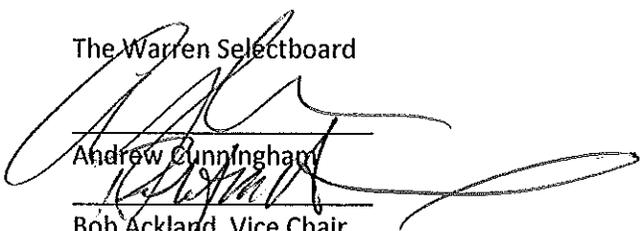
**9:32 PM -Carter Path Legal – Mr. Cunningham announced that the Town and Ms. Carter have signed on a settlement agreement for the Path that goes up to the Warren Recreational Field. Mr. Cunningham also stated that the Path should not be used until the agreement is in the town office and that the Path has been cleared of any debris.**

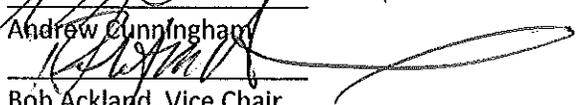
**9:35 PM – Campanelli Water Project – Mr. Campanelli reported that he is still waiting for contractors to give him estimates on water line repair work. He has been clearing this water line that goes up the bank across the road on Mr. Paquin's property. He commented that he plans on meeting with Mr. Paquin in the next week on his plans.**

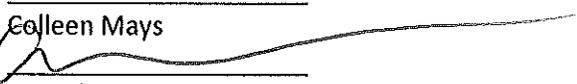
**9:40 PM – Motion by Mr. Montgomery to adjourn, second by Mr. Groom. All in Favor: VOTE: 5-0.**

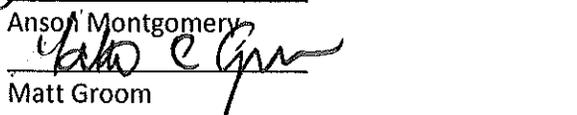
Minutes Respectfully Submitted by,  
Cindi Jones

The Warren Selectboard

  
\_\_\_\_\_  
Andrew Cunningham

  
\_\_\_\_\_  
Bob Ackland, Vice Chair

  
\_\_\_\_\_  
Colleen Mays

  
\_\_\_\_\_  
Anson Montgomery

  
\_\_\_\_\_  
Matt Groom

WARREN SELECT BOARD WARNING  
PUBLIC HEARING

Revisions to the Warren Land Use and Development Regulations

Warren Select Board will be holding a public hearing on a proposed bylaw amendment to the Town's Land Use and Development Regulations on August 27<sup>th</sup>, at 7:00: pm, at the Warren Municipal Building Conference Room (old library) located at 42 Ceme rren Village.

urpose of this public hearing is to accept public comment and consider administrative approval of the adoption of a Fluv on Hazard Overlay District as a proposed bylaw amendment to the Warren Land Use and Development Regulations. The option and purpose of the proposed bylaw amendment is the following:

ption & Purpose of the proposed bylaw amendment:

The purpose of this amendment is to create a new Fluvial Erosion Hazard Overlay District. The purposes of this overl district (FEH) are to: 1) Implement related goals, policies, and recommendations of the current municipal plan, hazard mitigation plan, and supporting river corridor management plans; 2) Avoid and minimize the loss of life and property, disruption of commerce, the impairment of the tax base, and the extraordinary public expenditures that result from floo related erosion; 3) Avoid and minimize the undue adverse effect on public services and events; 4) Protect mapped fluv erosion hazard areas that are highly subject to erosion due to naturally occurring stream channel migration and adjustm Limit new development within fluvial erosion hazard areas to protect public safety and to minimize property loss and c due to fluvial erosion; and 6) Allow rivers and streams to maintain or re-establish their natural equilibrium, thereby avc need for costly and environmentally degrading stream channelization and bank stabilization measures. These revisions also bring Warren's regulations into compliance with advanced state regulations related to stream hazard mitigation, in fluvial erosion hazards.

Warren Planning Commission has determined that the proposed amendment:

Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal availability of safe and affordable housing.

The proposed amendment furthers the goals and policies contained in the Town Plan, including the following:

- o [Page 3-23] Objective 3.2, Implementation Strategy f: Limit development in designated floodplains (except that which is rel the maintenance and continued use of existing structures) to recreation and other non-commercial and non-residential use:
- o [Page 10-16] Other safety considerations could be included in the Special Flood Hazard Overlay District standards, including of fluvial erosion standards.
- o [Page 10-16] Consider establishing Fluvial Erosion Hazard Zones restricting development adjacent to the Mad River.
- o [Page 10-23] Objective 10.6, Implementation Strategy a)i.: Strengthen standards, as necessary, related to erosion control a stormwater management.

Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal availability of safe and affordable housing:

- o The proposed amendment encourages protection of life, safety, and property in the overlay district zone. It does not encou permit development of safe or affordable housing in the mapped areas of the district where such development would be su destruction by river erosion.

Is compatible with the proposed future land uses and densities of the municipal plan:

- o The proposed amendment does not substantially alter the allowed uses and densities of development as set forth in the cur adopted regulations, which are compatible with the proposed future land uses and densities of the Town Plan. It does, how deny development in mapped areas, which are subject to destruction by river erosion.

Carries out, as applicable, any specific proposals for any planned community facilities.

- o The proposed amendment does not carry out any specific proposal for any planned community facilities.

roposed amendment to the Town of Warren Land Use and Development Regulations, previously amended and adopted c per 8, 2010, was approved by Planning Commission at a warned public hearing on Monday, November 12, 2012.

l this 8<sup>th</sup>, day of August 2013.