

Town of Sharon, Vermont  
**Planning Commission**  
Minutes  
April 9, 2019 (Draft)

Commissioners Present: Ira Clark, Paul Kristensen, Peter Anderson, Sue Sellew

Commissioners Absent: none

Staff Present: Margy Becker (taking minutes)

Visitors: Marcy Marceau, Alex Bird, Luke Pettengill, Victoria Littlefield (TRORC), Pete Fellows (TRORC)

Ira Clark called the Planning Commission meeting to order at 7:00PM.

**Final Subdivision Review: Marceau/Bird**

Ira Clark convened the public hearing at 7:00PM.

Attending: Applicants Marcy Marceau and Alex Bird

Marcy Marceau and Alex Bird summarized their intent to subdivide Sharon parcel no. R02425R into two lots as follows:

Lot 1 = 8.74 total acres ± (4.58 acres located in Sharon; balance of acreage in Strafford)

Lot 2 = 37.03 acres ± (26.19 acres located in Sharon; balance of acreage in Strafford)

A preliminary survey has been completed by Larry Swanson. Lot 1 includes the existing house, driveway, and outbuildings on 8.74 acres. Lot 2 includes 37.03 acres. They noted that the 15-day public notice of the public hearing and site visit had been posted in view from the town highway ROW on Rte. 132. Access to Lot 2 was clarified.

Margy Becker submitted written comments from the Kynors (abutters) for the record. The Kynors state they have no objections to the proposed subdivision.

Ira Clark reported the site visit on Sunday, April 7<sup>th</sup> was attended by Paul, Sue, and Ira.

**Peter Anderson made the motion to close the public hearing. Sue Sellew seconded. The motion carried 4-0-0 in favor.**

**Sue Sellew made the motion to approve the application by Marcy Marceau and Alex Bird to subdivide R02425R into two lots per the application. Peter Anderson seconded. The motion carried.**

**Approval of Minutes:**

**Peter Anderson made the motion to approve the minutes of the March 12, 2019 with changes. Sue Sellew seconded and the motion carried unanimously.**

**Initial Review – Helen Keany Pettengill Trust (Applicant):**

Proposed Subdivision of parcel R05030R 20.4 acres into 5 lots  
Access via Luke's Lane (PVT) off Sharon Meadows

Lot 13 3.02 acres  
Lot 14 3.03 acres  
Lot 15 3.03 acres  
Lot 16 3.01 acres  
Lot F 8.32 acres

Luke Pettengill submitted a survey by American Consulting Engineers. He explained this subdivision is the final phase of the Sharon Meadows development. Access to these lots is provided by a 50-foot wide right-of-way named Luke's Lane, which is a private road. Two dwellings have been constructed on Luke's Lane. A State of Vermont waste water and water supply permit has already been obtained for this subdivision, and it is to be recorded.

Fire suppression capabilities were discussed. Luke Pettengill noted there is too much ledge to allow for a dry hydrant. Planning Commissioners asked staff to follow-up with the Fire Chief as to whether there are concerns that need to be addressed.

Margy Becker noted that all application materials for initial and preliminary review had been filed.

Peter Anderson made the motion to accept the application as complete for initial and preliminary reviews, and that the application proceed to final review and public hearing. Paul Kristensen seconded. The motion carried.

The schedule for final review was agreed upon as follows: site visit 9AM Sunday, May 12, 2019; public hearing 7PM Tuesday, May 14, 2019.

**Regional Planning Commission Staff Consultation:**

Two Rivers Ottauquechee Regional Planning Commission staff members Pete Fellows and Victoria Littlefield met with the Planning Commission to discuss the status of planning activities. RPC staff provide such consultations periodically to its member towns.

Town Plan revisions and re-adoption schedule and required revisions were discussed.

Pete Fellows stated he would review the Town's flood hazard bylaw at no extra charge. The TRORC is in receipt of a hazard mitigation grant to enable it to assist towns to update their bylaws. He provided flood insurance statistics for Sharon as follows:

- 9 households in Sharon have purchased flood insurance

- 3 of these households are potentially without elevation certificates (i.e. no base flood elevation data has been provided to FEMA. An elevation certificate would lower their rate)
- 5 claims have been submitted to FEMA since 1972 in the amount of \$130,000.
- Total premiums paid in Sharon to-date equal \$5,000/year for the nine policies.

Currently homeowners who purchase flood insurance are doing so at subsidized rates. This practice will end. New rates will be at the actual actuarial rates (reflecting the real risk).

Pete Fellows reports that flood insurance policy holders receive an annual letter from FEMA. If their property is less than 5 acres, FEMA will provide direct assistance with completion of an elevation certificate. The State of Vermont's LIDAR data, plus existing elevation data, enables FEMA to do so.

4 LOMA's (letters of map amendments) have been submitted to FEMA. This is the process by which one justifies removal of one's property or dwelling from the floodplain. These LOMA's reflect the base flood elevation in relation to the house. Pete Fellows reported that even if a property owner has filed a LOMA, he or she may still purchase flood insurance. Flood insurance is required for mortgages; when a mortgage is paid off, flood insurance is no longer required.

Pete Fellows encouraged Planning Commissioners to rely upon Kevin Geiger at TRORC for flood hazard bylaw language updates. He suggested the Town consider requiring "up to 1 – 2 feet above base flood elevation for *freeboard* for new construction. He also noted that old references to the Fluvial Erosion Hazard Area ("FEH") should be removed and replaced with references to the "river corridor". Pete Fellows commented that the Town's Flood Hazard Bylaw has 'overly aggressive' buffer areas.

The State is soon to release a new statewide River Corridor map based on Phase II Geomorphic Data, which generally means boundaries of the projected meandering of a river can be more precise. The new boundaries overlap with a few more properties in Sharon, mainly along River Road and Edgewater Lane. As has been the policy to-date, the State of Vermont River Corridor Map will not show the RC boundary reaching across any 'major collector' or federal aid road, because they will be rebuilt. Thus, the Statewide River Corridor map *will not tell the whole story*. Implications of this approach to mapping will imply that though the low-lying area around Sharon Fire Station/Sandy's will continue to be at risk for flooding (as experienced during Irene), those properties will not appear inside the mapped river corridor. The same will hold true for the properties occupying the lowlands between Rte. 14 and the railroad trestle on South Rte. 14 by Norm's garage. Those lands also flooded during Irene.

Pete Fellows said the Town's Flood Hazard Bylaw Administrator should be tracking substantial improvements being made within river corridor areas, buffer zones, and flood hazard areas. Even sheds will need permits, according to the Town's flood hazard bylaw. The Flood Hazard Bylaw Administrator should also be filing inspection checklists with the VT. Department of Environmental Conservation.

**Administrative business:**

1. Ira Clark provide a brief update on the Radicioni case.
2. Commissioners reviewed proposed changes to the application for a flood hazard permit.
3. Ira reported that Ryan Haac will join the Planning Commission again for a map review of renewable energy sites.

**Adjournment:**

**Peter Anderson made the motion to adjourn at 9:20PM. Paul Kristensen seconded. The motion carried.**

Submitted by Margy Becker