

**PUBLIC HEARING
ON PROPOSED FLOOD HAZARD & RIVER CORRIDOR BYLAW**

**Town Office
50 School Street, Mount Holly VT 05730
March 29, 2023
6:30 pm**

1. Meeting called to order at 6:45 pm.

2. Mark Turco asked attendees to share questions, comments and concerns about the proposed Flood Hazard & River Corridor Bylaw, available for review [here](#). A Fact Sheet regarding the proposed amendments and impacts on property owners is available [here](#).
 - a. Resident Dennis Devereux asked whether all flood plains are already mapped by the state; Kyle Medash confirmed that they are.
 - b. Select Board Chair Mark Turco asked whether the proposed amendments to the bylaw would impact landowners. Mr. Medash confirmed that the amended bylaw does require that landowners seek permission from the local Administrative Officer (AO) to build structures larger than 500 square feet within the river corridor (where mapped by the state) or within a 50' setback from the top bank (where not mapped). Other uses of river corridor land (parking, agriculture, e.g.) are not affected, nor are smaller outbuildings such as garages or structures without inhabitants. Mr. Medash explained that the intention is to keep major property investments out of the river corridor so that if the river rises or needs more room to meander, property owners are giving it the room it needs to adjust or change course, a phenomenon referred to as "dynamic equilibrium."
 - c. Resident Stephen Michel asked how the process of permitting works. Mr. Medash explained that a property owner will apply for a permit at the Town Office and submit to the Mount Holly AO; the AO will seek any necessary guidance from Mr. Medash in order to make a permitting decision and will return an answer to the property owner. Mr. Medash noted that flood plain regulations are already in effect in Mount Holly (since 2008); this proposed bylaw only amends regulations concerning river corridor areas.
 - d. Rutland Regional Planning Commission Senior Planner Barbara Noyes Pulling noted that adopting the amended bylaw would allow Mount Holly to receive more state funding in the event of a flood disaster declaration for the county. If adopted, the Town would receive a 40% increase in disaster relief funding from the State (from 12.5% to 17.5% of the Town's costs), for a total of 92.5% of combined State and federal reimbursement, during FEMA-declared disasters.
 - e. Resident Chris Pratt asked how many property owners are affected by the amended bylaw. Planning Commission Chair Jon McCann noted that there are approximately a few dozen structures currently affected by the river corridor amendments. He noted that the exact number of parcels affected by the bylaw amendment was difficult for him to determine, but that he, Andy Schulz and Brigid Sullivan contacted more than 50 landowners with properties near river corridors to explain the amendments and to solicit feedback. None had any concerns about its adoption.

- f. Ms. Noyes Pulling noted that the Regional Planning Commission can pull data to determine the exact landowners affected by the amended bylaw, based on E911 and GIS data.
- g. Mr. Medash added that while the amendments will affect some individual landowners and what they can do on their land, it also saves taxpayers money in the big picture, as the regulations ensure that landowners are taking flood pressure off roads, taking structures out of the river corridor, ensuring that emergency services are not strained and generally protecting town resources.
- h. Stephen Michel asked whether the flood plain and river corridor maps can be amended if warranted. Mr. Medash confirmed that on-the-ground surveying can amend “desktop” measurements if the data on the map is found to be inaccurate.
- i. Select Board Clerk Caitlin Boyle noted that 23 letters of support were received from town residents and others regarding the proposed amendment, including letters of support from the ANR/Department of Environmental Conservation and the District Ranger for US Forest Service.
- j. Mr. Turco noted that he would like all landowners to be notified directly of the proposed amendment before the Select Board makes a vote regarding adoption.
- k. Mr. Devereux noted that there is an option for landowners to appeal the AO’s decision if a requested permit for construction in a river corridor is not granted; Jon McCann confirmed that any action can be appealed to the town’s Board of Adjustment.
- l. Mr. McCann further noted that in Mount Holly, most river corridors are not in densely settled areas; most are in the woods, as historically people have had the good sense not to build in river corridors.
- m. Mr. Medash reiterated that property owners who are concerned about restrictions on their activities in river corridors can take comfort in the fact that there are many exemptions provided for in the bylaw, including exemptions for agriculture, accessory dwelling units, parking, and other situations.
- n. Ms. Noyes Pulling reiterated that most Select Boards considering similar bylaw amendments are basing their decision primarily on the bylaw’s provision of increased eligibility for state funding in the event of a disaster.
- o. The Select Board agreed to notify all town residents of the amended bylaw via direct mailings, in addition to continued posting of the amended bylaw at the town post offices, Town Office, and on the Town website. Property owners will have 30 days from receipt of the mailing to make comments or ask questions.

Meeting adjourned at 7:36 pm.

Respectfully submitted,

Caitlin Boyle
Select Board Clerk