

# TOWN OF ST. JOHNSBURY

## PUBLIC NOTICE PLANNING COMMISSION TOWN OF ST. JOHNSBURY, VT

The St. Johnsbury Planning Commission hereby gives notice of a public hearing and its regular meeting to be held on Tuesday, July 21, 2020, at 6:00 p.m.

The public hearing will be held in the Welcome Center, Pomerleau Building, 51 Depot Square, St. Johnsbury, VT

The public hearing will be held for public review of and comment on amendments to the St. Johnsbury Zoning and Subdivision Code of Ordinance (Land Use Bylaws) pursuant to Title 24 VSA, Ch. 117 §§ 4441-4444. The full text of the proposed modifications is available in the Town Clerk's office or online at STJVT.com.

The purposes of the proposed Bylaw amendments are to avoid and minimize the loss of life and property that result from flooding-related inundation and erosion; to keep St. Johnsbury in good standing with the National Flood Insurance Program and maintain all the benefits that entails; and to be consistent with the goals of the St. Johnsbury Town Plan. The geographic areas affected include all land within the FEMA-mapped Flood Hazard Areas.

### **Specifically, the proposed Zoning By-law amendments will:**

- 1) Move the purpose for flood hazard bylaws from Section 101.3 to Section 450 and remove the reference to "river corridors," which are not addressed in the bylaws. This places the purpose of the regulations just before the regulations themselves.
- 2) Improve clarity of Section 316.4 by removing the reference to map zones that are not included on the St. Johnsbury flood hazard maps. The revised section will read: *"The SFHA includes Zones A, AO, AH, A1-30, AE."* Changes to this section also clarify that A "Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than **one (1) foot at any point**.
- 3) Remove Section 316.4.1, and move and revise the development review summary table from this section to Section 450, because the table provides development standards that are addressed in Section 450.
- 4) Remove Section 316.4.2 because it duplicates language in Section 450.
- 5) Add this reference to the end of Section 316.4: *"Section 450 of these bylaws includes development standards for this overlay district."*
- 6) Replace "motor home" with "recreational vehicle" in Section 235 and throughout bylaws to be consistent with minimum National Flood Insurance Program (NFIP) requirements.
- 7) Change bylaw language so that the standards automatically update when new Federal Emergency Management Agency (FEMA) maps are provided by the Vermont Agency of Natural Resources (ANR) in accordance with state statute. The revised Section 450.1 will read: *Land to Which These Regulations Apply. These regulations shall apply for development in all areas identified as Special Flood Hazard Areas (SFHAs) in the Town of St. Johnsbury, Vermont as described below. Special Flood Hazard Areas are identified in and on the most current flood insurance studies and maps published by the Department of Homeland Security, Federal Emergency Management Agency (FEMA), National Flood Insurance Program (NFIP), as provided by the Secretary of the Agency of Natural Resources (ANR) pursuant to 10 V.S.A. § 753. These maps, as well as any future updates to these maps, are hereby adopted by reference and declared to be part of this bylaw.*

- 8) Be consistent with minimum National Flood Insurance Program (NFIP) requirements by adding the following language to Section 450.4b *“Applicants must develop BFE data if none are available for developments greater than 50 lots or 5 acres whichever is less.”* In Section 450.4c the following language will be added *“Performance: In Zones AH, and A1 – A30 where base flood elevations and/or floodway limits have not been determined, development shall not be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated encroachment, will not increase the base flood elevation more than 1.00 foot at any point within the community. The demonstration language must be supported by technical data that conform to standard hydraulic engineering principles. The demonstration must also be certified by a registered professional engineer.”*
- 9) Revise Section 450.5 to:
1. *Maintain compliance with minimum National Flood Insurance Program (NFIP) requirements. Compliance with these minimum requirements allow St. Johnsbury residents and landowners to purchase low-cost NFIP flood insurance.*
  2. *Address inconsistencies in the bylaws by changing the summary table to make new structures, storage, and fill in the Special Flood Hazard Area, and fill in the floodway, from prohibited to requiring conditional use review. This will make the table consistent with the development standards in Section 450. In addition, Section 450.5 xii will be added to require compensatory storage or alternative flood attenuation requirements to prevent the development from increasing flood levels.*
  3. *Increase the required elevation of the lowest floor of new buildings or existing buildings that are substantially improved from the base flood elevation to one (1) foot above the base flood elevation, thereby reducing insurance and flood recovery costs, as electrical and utilities are often placed below the first floor and so are likely to be damaged during the base flood.*
  4. *Require FEMA Elevation Certificates for new and substantially improved structures in the flood hazard area. These certificates are beneficial because they provide a consistent way for the community to document NFIP compliance for new and substantially improved structures.*
- 10) Require proper record keeping by the administrative officer to support the application of NFIP regulations, including adding the maintenance of elevation certificates by revising section 450.6.
- 11) Maintain compliance with minimum National Flood Insurance Program (NFIP) requirements and add clarity to the flood hazard regulations by adding or revising the definitions for: Base flood, Base flood elevation (BFE), Compensatory storage, Development, Fill, Floatable, Flood Insurance Rate Map (FIRM), Flood Insurance Study, Floodproofing, Floodway, Grading Historic structure, Land development (or Development), Lowest floor, New construction, Recreational vehicle, Special Flood Hazard Area, Start of construction, Structure, Substantial damage, Substantial improvement, Violation.

**Information concerning this hearing may be obtained from H. Paul Berlejung, zoning officer, at 802-748-3926, extension 3, or by email at [zoning@stjvt.com](mailto:zoning@stjvt.com). By H. Paul Berlejung, zoning officer, St. Johnsbury, VT.**