

**Selectmen's Meeting, Monday, May 23<sup>rd</sup>, 2016 in the  
Cavendish Town Office Meeting Room at 5:00 PM.**

**Present:** Bob Glidden (Chairman), George Timko, Mike Ripley (late), Wendy Regier, Rich Svec (Town Manager), Bruce McEnaney (Assistant to the Town Manager), Jen Leak (Recording Secretary) and citizens as listed on the attached sheet.

**1. Call the meeting to order**

Bob Glidden, Chairman, called the special meeting to order at 5:02 p.m.

**2. Review Correspondence**

Bob Glidden, Chairman, informed the Select Board there was no correspondence to review.

Shane Turco, Cavendish Fire Department Chief, and Stuart Lindberg, Cavendish Prudential Committee Chairman, were present to discuss concerns about the response time of the Cavendish Fire Department. Shane, Stuart and Bob agreed that, with Cavendish's staffing at a low point, the Cavendish and Proctorsville Fire Departments should both be toned out for calls in town. Shane and Stuart also urged people who have concerns to call someone within the Cavendish Fire Department to discuss concerns rather than posting comments on Facebook. All agreed that communication between the two Fire Departments was crucial. Shane agreed to attend the next regular monthly Select Board meeting on June 13<sup>th</sup> to continue this discussion.

**3. Meet with Chairman Etienne Ting of the Cavendish Planning Commission to review the proposed changes to the Cavendish Flood Hazard Area Regulations as drafted by the Planning Commission. The version of the regulations being updated was adopted on September 24, 2007.**

Etienne was present and reviewed the recent changes in the state's flood regulations. He said that the Flood Management Division determined that rivers need a wider corridor in which to meander over time. The new flood hazard area regulations discourage new development and rebuilding after flood events in these corridors.

Etienne said that the State developed a set of model regulations for towns to use. The Planning Commission used the model which it feels best fit our town, adding elements from the previous town flood regulations and deleting those which did not apply. The Planning Commission originally approved their draft in September 2014, but the state maps weren't finalized until February 2015. These maps showed river corridors along streams the state had studied, and a 50' stream setback along all other waterways.

Wendy asked what implications these regulations might have in regard to FEMA assistance after future flood events. Etienne said he did not know the answer to that question. But he said that

there are state financial incentives for compliance with and adoption of the new regulations.

Rich noted that the Town Manager is named as the Administrative Officer (AO) in charge of interpreting these regulations when property owners request clarification and/or variances. He thought that put the Town Manager into the uncomfortable position of interpreting maps that were both prepared by someone else, large scale and unclear to begin with. Rich said that he thought someone at the state level should be the one to interpret the maps and regulations. Etienne said that the appeal process could be changed if the Town did not agree with the proposed system. He said that the Town could send a request to the State for assistance in interpreting the regulations and issuing variances. Rich said he thought that might happen frequently.

Rich noted that, if the Town did issue a building variance in a flood hazard area, there would be no guarantee that flood insurance premiums for that property would not increase, in fact they would likely significantly increase. Etienne agreed that the insurance costs to individual landowners could be large. He urged the Select Board to invite the state flood manager to come to a meeting to discuss the process and to answer these questions.

Mike asked how the new regulations would affect individual property owners. Etienne and Rich explained that all activities within the river corridors and stream setback areas would be limited, including adding fill, new construction, and stream bank stabilization to prevent erosion damage to existing structures.

Mike asked what the consequences would be if the Select Board doesn't adopt the proposed regulations. Etienne said that the State might not be as willing to provide financial assistance in event of a flood. Etienne said the Planning Commission asked what the effects on flood insurance, mortgages, and future real estate sales would be but the State did not have an answer on these issues. Etienne added the regulations greatly affect how property owners in river corridors and setback areas can use their land. Rich commented that if we don't have these regulations in place, flood insurance through the National Flood Insurance Program will not be available to Cavendish property owners.

George asked Etienne if the Planning Commission would need to resubmit the regulations to the State if the Select Board made any changes to this draft. Etienne said he did not think they would need to resubmit.

Rich asked if any of Cavendish's neighboring towns had adopted new flood hazard regulations. Etienne said that the Town of Reading had included flood resiliency regulations in their town plan. Since the other neighboring towns have zoning, Etienne thought the flood regulations there would be administered by the zoning administrators.

#### 4. **Discuss/set dates for public hearing and adoption of the revised regulations.**

The Select Board discussed scheduling a public hearing, but decided they were not ready to approve the regulations or schedule the hearing yet. Etienne said he thought the Select Board should invite the state flood manager (John Broker Campbell) to review the new regulations with the Board. Rich agreed that the state needed to clarify some issues.

Rich thought that the Select Board should invite the flood manager to come as soon as possible, and suggested a special meeting in June or July. He suggested that the Select Board members continue to review the draft in the meantime and have questions ready for him. The Select Board agreed.

5. **Adjourn**

*George Timko moved/Bob Glidden seconded a motion to adjourn at 6:05 p.m. All voted in favor.*

Minutes Approved: \_\_\_\_\_

Date: \_\_\_\_\_