

Town of Londonderry, Vermont

Selectboard Meeting Agenda

Monday, November 3, 2025 – 6:00 PM

100 Old School Street, South Londonderry, VT 05155

1. Call Regular Meeting to Order
2. Additions or Deletions to the Agenda [\[1 V.S.A. 312\(d\)\(3\)\(A\)\]](#)
3. Minutes Approval – Meeting(s) of 10/20/2025 and 10/29/2025
4. Selectboard Pay Orders
5. Announcements/Correspondence
6. Visitors and Concerned Citizens
 - a. Animal Control Office program (Sheriff Mark Anderson)
 - b. Chester Snowmobile Club Permission (Ruth Ann Batchelder)
 - c. Preservation of “Squeak’s House” (Eric Richard)
 - d. Public Trust Fund Concerns (Barry Randell)
7. Town Officials Business
 - a. Wastewater Committee
 - i. Grease Trap Funding Recommendation
 - ii. North Village Prioritization
 - b. Development Review Board
 - i. Member Appointment (Pam Spaulding)
 - c. Zoning Administrator
 - i. Model WRC bylaws on River Corridors
 - d. Town Administrator
 - i. State Ethics Training Requirements
 - e. Recreation Director
 - i. Londonderry Appointment to Mtn Town Rec
8. Transfer Station/Solid Waste Management
 - a. Updates
9. Roads and Bridges
 - a. Updates
 - b. New Truck Purchase Approval
 - c. Road Access Permit Approval (Berkowitz)
10. Old Business
11. New Business
 - a. Review and Approve Request for WRC Review and Approval of Town Plan
 - b. High Water Mark Sign Discussion
12. Adjourn

Posted and distributed on October 31, 2025

Meeting documents will be available at <http://www.londonderryvt.org/town/agendasminutes/> approximately 24 hours before the meeting.

Live video of meetings available at:

<https://www.youtube.com/user/GNATaccess>
<https://www.facebook.com/GNATtelevision>

Town of Londonderry, Vermont

Selectboard Meeting

Monday, November 3, 2025 – 6:00 PM

Table of Contents

1. Call Regular Meeting to Order	
2. Additions or Deletions to the Agenda [1 V.S.A. 312(d)(3)(A)]	
3. Minutes Approval – Meeting(s) of 10/20/2025 and 10/29/2025	3-8
4. Selectboard Pay Orders	
5. Announcements/Correspondence	
6. Visitors and Concerned Citizens	
a. Animal Control Office program (Sheriff Mark Anderson)	9-10
b. Chester Snowmobile Club Permission (Ruth Ann Batchelder)	
c. Preservation of “Squeak’s House” (Eric Richard)	11-13
d. Public Trust Fund Concerns (Barry Randell)	
7. Town Officials Business	
a. Wastewater Committee	
i. Grease Trap Funding Recommendation	
ii. North Village Prioritization	
b. Development Review Board	
i. Member Appointment (Pam Spaulding)	14
c. Zoning Administrator	
i. Model WRC bylaws on River Corridors	15-54
d. Town Administrator	
i. State Ethics Training Requirements	
e. Recreation Director	
i. Londonderry Appointment to Mtn Town Rec	55
8. Transfer Station/Solid Waste Management	
a. Updates	
9. Roads and Bridges	
a. Updates	
b. New Truck Purchase Approval	56-68
c. Road Access Permit Approval (Berkowitz)	69-72
10. Old Business	
11. New Business	
a. Review and Approve Request for WRC Review and Approval of Town Plan	73
b. High Water Mark Sign Discussion	74-79
12. FYI Documents	80

**Town of Londonderry, Vermont
Selectboard**

Meeting Minutes
Monday, October 20, 2025, 6 PM
100 Old School Street, South Londonderry, VT 05155

Board members present: James Ameden, Jr., Thomas Cavanagh, Martha Dale, and Taylor Prouty.

Board members absent: Jim Fleming.

Town Officials: Aileen Tulloch, Town Administrator; Sally Hespe, Selectboard Note Taker; Liam Elio, Mountain Towns Recreation Director.

Others in Attendance: Matt Brades and Kate Fellows, Fourth Corner Foundation; Chris Blackey; Pamela Spaulding; and Amanda Fouda, GNAT Videographer.

1. Call Regular Meeting to Order

Chair Tom Cavanagh called the Selectboard meeting to order at 6:00 p.m.

2. Additions or Deletions to the Agenda [1 VSA 312(d)(3)(A)]

Agenda was amended to reflect correct spelling "Liam Elio".

3. Minutes Approval – Meeting(s) of 10/6/2025

James Ameden moved to approve the minutes of the Selectboard meetings of 10/6/2025, seconded by Taylor Prouty. The motion passed unanimously.

4. Selectboard Pay Orders

Martha Dale moved to approve the pay orders for payroll and accounts payable, seconded by James Ameden. The motion passed unanimously.

5. Announcements/Correspondence

The following announcements were made by Town Administrator Aileen Tulloch:

- Attended Town Fair in South Burlington last week. Keynote Speaker was Tami Pyfer, cofounder of the [Dignity Index](#), a tool to measure respectful engagement. Martha Dale suggested the Selectboard should post the index and endorse. There was also De-escalation Training by Morning Fox, Vermont Department of Mental Health.
- The website has been migrated. Town staff will work on cleaning up pages and move over when ready, with a target date of October 31st.

The following correspondence can be found in the meeting packet:

- Email and letter from Matt Bachler, Senior Planner, Windham Regional Commission. ACT 181 made substantial changes to Act 250, and the WRC is beginning the process of working with member towns to update the Windham Regional Plan.
- An Open House at the renovated town offices will be held Friday, October 24, from 3 – 6 p.m. with cookies. Members of the Selectboard, committees, renovation team, and Rep. Chris Morrow will be attending.

Town of Londonderry, Vermont
Selectboard Meeting Minutes – October 20, 2025

- Two sessions by the Strategy for a Resilient Vermont will be held online for residents to learn about the Resilience Implementation Strategy's approach to making Vermont resilient to increasing climate hazards.
- Email from Meg Staloff, Brattleboro Development Credit Corporation, with invitation to the next Southern VT Municipal Leaders Network Event on December 2nd in Wilmington. One of the topics for discussion will be the Community and Housing Infrastructure Program (CHIP).

6. Visitors and Concerned Citizens

None.

7. Town Officials Business

a. Town Hall Renovation Committee

i. Member Appointment (Liam Elio, Recreation Director)

James Ameden moved to appoint Liam Elio as a Representative to the Town Hall Renovation Committee, seconded by Martha Dale. The motion passed unanimously.

b. Development Review Board

i. Member Re-Appointments: 1) Christopher Laselle, 2) Richard Phelan and 3) Robert Trask

Martha Dale moved to appoint Christopher Laselle, Richard Phelan, and Robert Trask as Representatives to the Development Review Board for a term of three years, seconded by James Ameden. The motion passed unanimously.

8. Transfer Station/Solid Waste Management

a. Updates

None.

b. Fourth Corner Recycling Request (Kate Fellows)

The Fourth Corner Foundation asked to make a one-time annual donation to the Town of Londonderry Transfer Station for use of the recycling program instead of purchasing punch cards. John Hurd, Solid Waste Manager, will coordinate process with the Foundation.

Taylor Prouty moved to approve a one annual time donation by Fourth Corner Foundation for recycling in lieu of Transfer Station punch cards, seconded by James Ameden. The motion passed unanimously.

c. 1st Baptist Church Tire Exemption Request

Chris Blackey informed the Selectboard that the church is in the last phase of purchasing the Melendy house. They plan to take it down and make green space and some parking. In walking through the building, they found about 40-50 tires and are requesting a waiver for disposal fees.

Town of Londonderry, Vermont
Selectboard Meeting Minutes – October 20, 2025

James Ameden moved to exempt 1st Baptist Church from the \$4.00 per tire Transfer Station fees, seconded by Taylor Prouty. The motion passed unanimously.

9. Roads and Bridges

a. Updates

- Paving is complete around town, including Winhall Hollow and Landgrove Roads.
- Shouldering began today on the southbound lane of Winhall Hollow Rd.
- Under the Mountain Rd. work is continuing with culverts and then top coating. Beware of low spots and bumps.
- Rhinehart Rd. culvert is done except guard rails.
- One tree trimming project remains on Hell's Peak Rd.

b. Halloween Road Closure modification request (Chris Blackey)

Chris Blackey expressed concern that one lane of traffic would be open Halloween from Main Street to Town Hall. He requested both lanes close and he would inform affected neighbors the road would shut down from 5 until 6:45 p.m. Signs would also be posted about road closure. The Town Administrator will call the sheriff's office and the parks department will help with traffic.

Taylor Prouty moved to approve the extension of the road closure to include Main St. and Middletown Rd. from 5 – 7 p.m. on October 31st, seconded by James Ameden. The motion passed unanimously.

c. Review and approve FY26 Grants in Aid Agreement

This agreement is for 2026. A project hasn't been identified yet.

Martha Dale moved 1) approve the FY26 Grants in Aid Agreement and 2) authorize the Town Administrator to execute any and all documents to secure the grant on behalf of the Town. seconded by James Ameden. The motion passed unanimously.

d. Letter of Support for Additional TAP Grant

The Spring Hill Culvert project is moving along. There is an opportunity to apply for another \$300,000 for the project and necessitates a letter of support from the Select Board.

James Ameden moved to 1) approve the letter of support for Additional TAP Grant funding for the Spring Hill Road Culvert Project, and 2) to authorize the Chair to sign on behalf of the Board, seconded by Martha Dale. The motion passed unanimously.

10. Old Business

None.

11. New Business

a. Town Hall Facilities Use Request (SevEds)

Taylor Prouty moved to authorize the use of the Town Hall for a GROW Grantee meeting

Town of Londonderry, Vermont
Selectboard Meeting Minutes – October 20, 2025

on 12/10/2025, and to authorize the Town Administrator to sign the facility use agreement on behalf of the Town., seconded by James Ameden. The motion passed unanimously.

12. Executive Session – The appointment or employment or evaluation of a public officer or employee per 1 V.S.A. 313 (a)(3) (Town Administrator 6 month review)

Taylor Prouty moved to enter executive session under 1 V.S.A. 313 (a)(3) – The appointment or employment or evaluation of a public officer or employee, and to invite the Town Administrator to attend the executive session, seconded by James Ameden. The motion passed unanimously.

Entered Executive Session at 6:42 p.m.

Exited Executive Session at 7:05 p.m.

13. Adjourn

James Ameden Jr moved to adjourn the meeting, seconded by Marth Dale. The motion passed unanimously.

The meeting adjourned at 7:06 PM.

Respectfully Submitted,

Sally Hespe, Town Minute Taker

Approved

LONDONDERRY SELECTBOARD

Thomas Cavanagh, Chair

**Town of Londonderry, Vermont
Selectboard**

Meeting Minutes
Monday, October 20, 2025, 6 PM
100 Old School Street, South Londonderry, VT 05155

Board members present: James Ameden, Jr., Thomas Cavanagh, Martha Dale, Taylor Prouty, and Jim Fleming.

Board members absent: None

Town Officials: Aileen Tulloch, Town Administrator; Jen Greenfield, Planning Commission Chair; Pamela Spaulding Planning Commission; Steve Twitchell, Planning Commission; Patty Eisenhaur, Housing Commission Chair.

Others in Attendance: Curt Cowles, Martha Cowles, and Gary Kleinen

1. Open Public Hearing Town of Londonderry Town Plan

Chair Tom Cavanagh opened the Public Hearing at 5:00pm

a. Presentation by the Planning Commission

Pamela Spaulding from the Planning Commission explained the proposed Town Plan had only those sections updated that needed to be changed in order to get it re-adopted per Vermont State Statute. The Planning Commission plans to revisit the Town Plan once the Zoning Bylaws are finalized and adopted, hopefully next year. She thanked Patty Eisenhaur and the Housing Commission and Larry Gubb and the Wastewater Committee for their contributions.

b. Questions and Concerns from the Selectboard

Martha Dale asked which sections got updated.

Jen Greenfield responded that Matt Bachler from WRC helped them identify which sections needed to be updated in order to comply with State Statute and move forward with the Bylaws. Landuse, Housing, Wastewater, Census information among others.

Taylor Prouty acknowledged that this was a very limited update.

Marth Dale asked how the Selectboard could create a vision out of the document that is easy to keep the document front and center moving forward for the Town so it doesn't simply "sit on a shelf". Tom Cavanaugh replied that it is supposed to be a blueprint for the Town. Prouty commented that it should drive the Selectboard's decision. Dale said she hoped that the Selectboard actively uses it and wondered if other Town Plans have been able to figure this out. Aileen Tulloch commented that reformatting the plan might be part of the process when the Planning Commission takes it back up again. Dale also hopes that there is a good way to get public input as well.

c. Questions and Concerns from the Public

Town of Londonderry, Vermont
Selectboard Meeting Minutes – October 29 2025

Patty Eisenhower commented that at the end of each section there are goals defined, which might be a good way to get a summary.

Curt Cowles asked what the timeline was as far the Zoning By Laws are concerned.

Tom Cavanagh explained that this hearing was only about the Town Plan, and then explained the Zoning By Laws timeline.

Gary Keinen commented that he was involved in the Town Plan process in Concord, MA which had an implementation matrix that was intended to help guide the Selectboard in decision making, if the Planning Commission is interested in seeing that plan.

2. Adjourn Public Hearing

Jim Fleming moved to adjourn the public hearing and Taylor Prouty seconded. The motion passed unanimously.

3. Call Regular Meeting to Order

Chair Tom Cavanagh called the regular meeting to order at 5:10 pm

4. Additions or Deletions to the Agenda

[\[1 V.S.A.](#)

[312\(d\)\(3\)\(A\)\]](#)

None.

5. New Business

- a. Vote to Adopt the Londonderry Town Plan

Martha Dale moved to adopt the 2025 Londonderry Town Plan as presented and Jim Fleming seconded. The motion passed unanimously.

6. Adjourn

Jim Fleming moved to adjourn and James Ameden seconded. The motion passed unanimously

The meeting adjourned at 5:13 PM.

Respectfully Submitted,

Aileen Tulloch, Town Administrator

Approved
LONDONDERRY
SELECTBOARD

Thomas Cavanagh, Chair

Re: Londonderry SB and Halloween

From Mark Anderson <manderso@windhamcountyvt.gov>

Date Thu 10/30/2025 3:55 PM

To Aileen Tulloch <townadmin@londonderryvt.org>

Hi Aileen,

In follow-up to my phone call, 11/3 would be better if it is still possible. I do have 11/17 open on my calendar but I have that burning feeling that I committed that to someone and haven't put it on my calendar yet. I've put a hold on for 11/3 for Londonderry if that can work.

ACO budget numbers:

The rate is \$3.51 per capita (based off the 2020 census). This anticipates covering 22 hours/week to the member towns. I'm showing Londonderry at 1919 people which would be approximately \$6736 per year as an upper number to budget for; it might be negotiated cheaper.

Sheriff Mark Anderson
Windham County Sheriff's Office
(p) 802-365-4942 (f) 802-365-4945
manderso@windhamcountyvt.gov

Find us online:

windhamcountyvt.gov

facebook.com/WindhamSheriff

From: Aileen Tulloch <townadmin@londonderryvt.org>

Sent: Thursday, October 23, 2025 15:38

To: Mark Anderson <manderso@windhamcountyvt.gov>

Subject: Londonderry SB and Halloween

Good afternoon!

Thank you for inviting me to the ACO meeting, it was very informative. I am wondering if you would be available to meet with our SB either on 11/03 or 11/17 to present the program in person? And also whether you could give me a ballpark figure to plug into the FY27 budget?

Also, I was supposed to reach out to ask if we could have coverage for Londonderry's Annual Trunk or Treat on 10/31 from 5pm to 7pm. I've been told this is an annual request.

Thank you!

Aileen Tulloch
Town Administrator
Town of Londonderry, Vermont
100 Old School Street
South Londonderry, VT 05155

802-824-3356, ext. 5

Please note that this email message, along with any response or reply, may be considered a public record, and thus, subject to disclosure under the Vermont Public Records Law (1 V.S.A. 315-320).

Town of Londonderry, Vermont
100 Old School Street, South Londonderry, VT 05155
802-824-3356 www.londonderryvt.org

Selectboard Agenda Item Request

Today's date: 10/24/25 Date requested for meeting: 11/3/25

Requestor Contact Information: Name: Eric Richard

Mailing address: 226 Old Tavern Road, Weston, VT

Preferred phone # 9784600776 Email address: erichard@alum.mit.edu

Signature: 

Londonderry resident or property Owner? ☐ YES ☒ NO
Representing Londonderry business or organization? ☐ YES ☒ NO

Name of business or organization: _____

Departmental/Intergovernmental request? ☐ YES ☒ NO

Name of Department or Govt. Organization: _____

Category of matter to be discussed with the Selectboard (check all that apply):

☒ New Business ☐ Old Business ☐ Request for Service ☐ Executive Session
☐ Nomination for Appointed position ☐ Other: _____

Brief description of topic to be discussed: _____ Supplemental Info attached? ☒ YES ☐ NO

Introduce potential project to preserve and stabilize the historic Ezekiel Glazier Residence ("Squeaks House") at 2296 N Main Street, with the goal of exploring public-facing uses (e.g., museum, public restrooms, Burton Snowboards history tie-in). The purpose is to open a discussion with the Town on its potential role and support.

Depending on when I get engineering reports back I may be able to provide those as well.

The Londonderry Selectboard meets regularly on the first and third Mondays of the month at 6:00 PM in the Londonderry Town Office (Twitchell Building) or remotely as appropriate, and may also meet as necessary in special meetings. All meetings are open to the public. To be considered for inclusion on the Board agenda, requests should be submitted to the Town Administrator by noon on the Wednesday before the meeting. Staff will contact the individual specified above to confirm agenda scheduling. Requests may be referred to Town departments or committees, as appropriate, in advance of the Board meeting to allow for adequate internal review, preparation and comment.

*** * For Town Administrator's office only * ***

Date received: _____ Date scheduled for meeting: _____

Add 'l information received: _____

Referred to Department/ Committee? ☐ YES ☐ NO

Notes: _____

Town Administrator Signature: _____ Date: _____

Subject: Introduction and Discussion: Preservation of "Squeaks House" (Ezekiel Glazier Residence) in North Londonderry Village

Dear Londonderry Select Board,

My name is Eric Richard and I live (part time) in Weston, VT. I am writing to introduce myself and express my interest in the potential preservation of a significant historic structure in North Londonderry: the property commonly known as "Squeaks House" (or the Ezekiel Glazier Residence) – a site so iconic in Londonderry that it is on the opening page of the 2025 Draft Town Plan.

I have been in preliminary discussions with the current owner, Edward Brown, regarding the future of the Mill Tavern complex, but my focus here is specifically on the restoration and long-term stewardship of the Glazier House. I envision a project that could secure its future by pursuing a formal listing on the Historic Register and converting it into a museum or historical site open to the public.

This project aligns well with several of Londonderry's expressed community goals.

Benefits to the Town of Londonderry

Preserving "Squeaks House" would offer clear benefits to the town:

- **Protecting Historic Heritage:** The house is a rare, surviving architectural example from the mid-19th century—a significant physical link to the vanished industrial and commercial core of North Londonderry Village that once contained a woolen factory and sawmills. The town's goals as stated in the 2025 Draft Town Plan include policies to: "Protect places of outstanding cultural, aesthetic, archeological, natural, and/or historical value from development that impairs their character and quality" and to "Encourage rehabilitation of significant historic sites and structures".
- **Enhancing Cultural Tourism:** As a public-facing museum, the site could become a cultural anchor for the North Village. In addition, there has been some conversation about the building's potential to celebrate the history of Burton Snowboards, which was originally designed and manufactured directly across the street. This site could be ideal with the recent historic marker placed nearby in Williams Park. As the Town Plan states "The proposed Burton Board sculpture project could offer a great new incentive to visit the town."
- **Supporting Village Infrastructure:** Depending on the capacity decisions from the Village Wastewater Committee and the Select Board, the restored building could

potentially serve as a location for much-needed public restrooms, particularly to serve the heavy foot traffic for events like the West River Farmers Market.

Status of Initial Due Diligence

To understand the scope and feasibility of this undertaking, I've moved forward with key preliminary steps:

1. **Engineering & Structural Analysis:** I have engaged a local engineering firm, Mance Engineering Partners (MEP), P.C., to conduct a complete site survey and analysis, and Criterium-Lalancette & Dudka Engineers to perform a structural analysis of the property. I am currently awaiting the full reports from both firms. Preliminary conversation with the structural engineer suggests this is a feasible project.
2. **Historic Preservation Outreach:** I have done preliminary outreach to the Londonderry Arts and Historical Society (LAHS), the Preservation Trust of Vermont, and a professional Historic Preservation Consulting firm to begin outlining the path for formal regulatory designation.

I am currently in a research and information-gathering phase, collecting the necessary reports and coordinating with key preservation partners. My goal is to develop a viable project roadmap.

I would be grateful to start a discussion about what might be possible with this historic asset and what role, if any, the Town of Londonderry would like to have in supporting its preservation.

Thank you for your time and consideration.

Sincerely,

Eric Richard
erichard@alum.mit.edu

October 27, 2025

To: Londonderry Selectboard

From: Esther Fishman, Chair of DRB

Dear Selectboard Members,

Pamela Spaulding is applying to join the Londonderry Development Review Board. There are currently two openings for Alternate Members. I am in support of Pamela joining the DRB and think she will make a good addition.

Thank you

Esther Fishman, Chair of Londonderry DRB

Floodplain Reg.s

From Will Goodwin <ZONINGADMIN@londonderryvt.org>

Date Mon 10/27/2025 11:49 AM

To Aileen Tulloch <townadmin@londonderryvt.org>

Dear Selectboard Members

ANR Floodplains division rejected Brandy's flood bylaws. I asked the PC whether they wanted to go with the Windham Regional Comission model bylaws which include river corridor regulations and they all said yes. This will double the number of houses that need to have hearings for development in a flood zone.

Windham Regional Commission recommended that I see if the selectboard is on board with floodplain reg.s before going much further.

If you click on this link, the river corridors will be the orange areas. If you don't see any colors, click "flood ready tools".

bit.ly/floodatlas

Will

TOWN/CITY/VILLAGE OF

FLOOD AND FLUVIAL EROSION HAZARD REGULATIONS

Contents

I.	Statutory Authorization and Effect	1
II.	Statement of Purpose	1
III.	Other Provisions.....	2
IV.	Lands to Which these Regulations Apply.....	2
V.	Administration	5
VI.	Permit Application Guidelines.....	11
VII.	Development in Regulated Flood Hazard Areas.....	13
VIII.	Technical Provisions	19
IX.	Certificate of Occupancy	27
X.	Enforcement and Penalties.....	27
XI.	Variances.....	29
XII.	Definitions.....	30
XIII.	Enactment.....	38

I. Statutory Authorization and Effect

In accordance with 10 V.S.A. Chapter 32, and 24 V.S.A. Chapter 117 § 4411, § 4412, § 4414, § 4424, and 24 V.S.A. Chapter 59, there is hereby established a bylaw for areas at risk of flood damage in the **Town/City/Village of**, Vermont. Except as additionally described below, all administrative procedures follow town procedures under 24 V.S.A. Chapter 117.

II. Statement of Purpose

It is the purpose of this bylaw to:

1. Implement the goals, policies, and recommendations in the current town plan;
2. To protect health, safety and welfare of the public, and to avoid and minimize the loss of life and property, the disruption of commerce, the impairment of the tax base, and the extraordinary public expenditures and demands on public services that result from flooding related inundation and erosion;
3. Ensure that the selection, design, creation, and use of development in flood hazard areas is accomplished in a manner that minimizes or eliminates the potential for flood and loss or damage to life and property in a flood hazard area and does not impair stream equilibrium, floodplain services, or the river corridor; and
4. Manage all flood hazard areas designated pursuant to 10 V.S.A. Chapter 32 § 753, 24 V.S.A. Chapter 117 § 4424, and the local hazard mitigation plan; and make the **Town/City/Village of**, its citizens, and businesses eligible for federal flood insurance, federal disaster recovery funds, and hazard mitigation funds as may be available.

III. Other Provisions

A. Precedence of Bylaw and Greater Restrictions

The provisions of this bylaw shall not in any way impair or remove the necessity of compliance with any other local, state, or federal laws or regulations. Where this flood hazard regulation imposes a greater restriction, the provisions here shall take precedence. If there is any conflict between the provisions of this bylaw, the more restrictive shall apply.

B. Validity and Severability

If any portion of this bylaw is held unconstitutional or invalid by a competent court, the remainder of this bylaw shall not be affected.

C. Warning and Disclaimer of Liability

This bylaw does not imply that land outside of the areas covered by this bylaw will be free from flood or erosion damages. This regulation shall not create liability on the part of the **Town/City/Village of**, or any town official or employee thereof, for any flood or erosion damages that result from reliance on this regulation, or any administrative decision lawfully made hereunder.

IV. Lands to Which these Regulations Apply

A. Identification

The Regulated Flood Hazard Areas include:

1. The River Corridors and Small Stream 50-foot setbacks as published by the Vermont Agency of Natural Resources on the Natural Resources Atlas as the Statewide River Corridor Map Layer, and refinements to that data based on field-based assessments. On streams with a watershed size between half a square mile and two square miles, the standards in this bylaw apply also to a Small Stream Setback area measured as 50-feet from the top of the stream bank or slope. Together these areas are referred to as the “River Corridor” in this bylaw and, pursuant to 24 V.S.A. Chapter 117 § 4424, are hereby adopted by reference and declared to be part of these regulations¹; and
2. The Special Flood Hazard Area (SFHA) in and on the most current Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) issued by the Department of Homeland Security, Federal Emergency Management Agency (FEMA), National Flood Insurance Program, as provided by the Secretary of the Agency of Natural Resources (ANR) pursuant to 10 V.S.A. Chapter 32 § 753, which are hereby adopted by

¹ Official River Corridor Maps are available on the Vermont Agency of Natural Resources online Natural Resources Atlas: <https://anrmaps.vermont.gov/websites/anra5/>

reference and declared to be part of these regulations. This includes all digital data developed as part of the FIS²; and

3. **[OPTIONAL]** any Town Identified Flood Hazard Overlay Areas pursuant to 24 V.S.A. Chapter 117 § 4414(2) are hereby adopted and declared to be a part of this bylaw. These shall be those areas where the **Town/City/Village of** has identified local flood hazard or ponding areas, as delineated and adopted on a “Local Flood Hazard Map” using best available topographic data and locally derived information such as flood of record, historic high water marks, soils or approximate study methodologies. **[NOTE: This could include town recognized local flood hazard areas outside of the SFHA and River Corridor, and/or any dam flowage easement areas.]**

These regulations shall apply to the above referenced areas (hereafter called “Regulated Flood Hazard Areas” unless referenced specifically) in the **Town/City/Village of**, Vermont. These hazard areas overlay any other existing zoning districts and the regulations herein are the minimum standards that must be met before meeting the additional standards applicable in the underlying district.

B. Interpretation

The information presented on any maps, or contained in any studies, adopted by reference, is presumed accurate.

1. If uncertainty exists with respect to the boundaries of the Special Flood Hazard Area or the floodway, the location of the boundary shall be determined by the Floodplain Administrator (FA). If the applicant disagrees with the determination made by the FA, he or she may appeal to the *[insert appropriate DRB or ZBA]*. The burden of proof shall be on the appellant. A Letter of Map Amendment from the FEMA shall constitute proof.
2. If uncertainty exists with respect to the boundaries of the River Corridor, the location of the boundary shall be determined by the FA. If the applicant disagrees with the determination made by the FA, he or she may appeal to the *[insert appropriate DRB or ZBA]*. The burden of proof shall be on the appellant. A letter of determination from the Vermont Agency of Natural Resources shall constitute proof.
3. **[Use only if utilizing IV A3]** If uncertainty exists with respect to the boundaries of the Town Identified Floodplain Area, the location of the boundary shall be determined by the FA. If the applicant disagrees with the determination made by the FA, he or she may appeal to the *[insert appropriate DRB or ZBA]*. The burden of proof shall be on the appellant. A letter of determination from a third party licensed surveyor or engineer shall constitute proof.

C. Description of FEMA Identified Special Flood Hazard Areas

The FEMA identified floodplain area shall consist of the following specific areas:

² FIS and FIRMs are available digitally on FEMA’s online Map Service Center: <https://msc.fema.gov/portal>

1. The Floodway Area shall be those areas identified in the FIS and the FIRM as floodway (AE with Floodway) and which represent the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation by more than one (1) foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those Special Flood Hazard Areas where no floodway has been identified in the FIS and FIRM.
 - a) Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the municipality during the occurrence of the base flood discharge.
2. The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided.
 - a) AE Area without floodway shall be those areas identified as an AE zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided but no floodway has been determined.
3. The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no base flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, or other acceptable sources shall be used when available.

In lieu of the above, the town may require the applicant to determine the base flood elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the municipality.

4. The AO and AH Area/District shall be those areas identified as Zones AO and AH on the FIRM and in the FIS. These areas are subject to inundation by 1-percent annual-chance shallow flooding where average depths are between one and three feet. In Zones AO and AH, drainage paths shall be established to guide floodwaters around and away from structures on slopes.

D. Changes in Identification of Area

The Identified Floodplain Area may be revised or modified by the *[insert appropriate DRB or ZBA]* where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change to the Special Flood Hazard Area, approval

must be obtained from FEMA. Additionally, as soon as practicable, but not later than six (6) months after the date such information becomes available, a municipality shall notify FEMA of the changes to the Special Flood Hazard Area by submitting technical or scientific data. See Section VIII.D of this bylaw for situations where FEMA notification is required.

Administrative revisions to the River Corridor may be made at the request of the municipal legislative body to the Agency of Natural Resources per the procedure outlined in the most recent *Vermont DEC Flood Hazard Area and River Corridor Protection Procedures*.

V. Administration

A. Designation of the Floodplain Administrator

The *[Insert title of individual responsible for this role – ex. Zoning Administrator, Administrator, Planner, Permit Officer, Engineer]* is hereby appointed to administer and enforce this bylaw and is referred to herein as the *[choose either Floodplain Administrator, Zoning Administrator, or Administrative Officer – all references throughout this bylaw should be consistent with either FA, ZA, or AO]*. The Floodplain Administrator may: (A) Fulfill the duties and responsibilities set forth in these regulations, (B) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees, or (C) Enter into a written agreement or written contract with another agency or private sector entity to administer specific provisions of these regulations.

Administration of any part of these regulations by another entity shall not relieve the municipality of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

In the absence of a designated Floodplain Administrator, the Floodplain Administrator duties are to be fulfilled by the *[Chief Executive Officer or other town designee]*.

B. Duties and Responsibilities of the Floodplain Administrator

1. The Floodplain Administrator shall issue a Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable local codes and bylaws. Within 30 days after a local land use permit has been issued or within 30 days of the issuance of any notice of violation, the FA shall:
 - a. Deliver the original or a legible copy of the permit, or notice of permit, and any approvals to the town clerk for recording in the land records as provided in 24 VSA, § 1154(a), and § 4449;
 - b. File a copy of the permit and any approvals in the town office in a location where all town land use permits shall be kept; and,
 - c. The FA may charge the applicant for the cost of the recording fees as required by law.

2. Prior to the issuance of any permit, the Floodplain Administrator shall inform any person applying for a permit or authorization that the person should contact the Agency of Natural Resources in order to assure timely action on any other related state or federal permits; nevertheless, the applicant retains the obligation to identify, apply for, and obtain relevant state and federal permits. The applicant shall provide the Floodplain Administrator with a copy of the ANR Permit Navigator Sheet for awareness of what other permits are required.
 - a. Per 24 VSA § 4424, a permit for development outside of the SFHA may be issued only following receipt of comments from the Vermont Agency of Natural Resources, or the expiration of 30 days from the date the application was mailed to the Agency, whichever is sooner. The *[insert appropriate DRB or ZBA]* should consider comments from the NFIP Coordinator at ANR.
 - b. For development within the FEMA Identified SFHA, no permit shall be issued until all other necessary government permits required by state and federal laws have been obtained.

NOTE: Information on what other state and federal permits are or may be required is available by using the ANR Permit Navigator tool or contacting the ANR Permit Specialist.

3. Within three days following the issuance of a permit, the FA shall:
 - a. Deliver a copy of the permit to the Listers of the town; and
 - b. Post a copy of the permit in at least one public place in the town until the expiration of 15 days from the date of issuance of the permit.
4. During the construction period, the Floodplain Administrator or other authorized official shall schedule inspections of the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable local laws and bylaws. He/she shall make as many inspections before, during and upon completion of the work as are necessary, including, but not limited to, once the site has been staked out or demarcated but before actual start of construction, after the foundation is completed and at construction completion.
5. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in the Regulated Flood Hazard Area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this bylaw.
6. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and bylaws, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the Permit and report such fact to the *[insert appropriate DRB or ZBA]* for whatever action it considers necessary.

7. The Floodplain Administrator shall maintain all records associated with the requirements of this bylaw including, but not limited to:
 - a. All permits issued in areas covered by this bylaw;
 - b. Elevation Certificates with the as-built elevation (consistent with the datum of the elevation on the current Flood Insurance Rate Maps for the municipality) of the lowest floor, including basement, of all new or substantially improved buildings (not including accessory buildings) in the Special Flood Hazard Areas;
 - c. All flood proofing and other certifications required under this regulation;
 - d. All decisions of the *[insert appropriate DRB or ZBA]* (including conditional use decisions, variances and violations) and all supporting findings of fact, conclusions and conditions;
 - e. Finished construction elevation data;
 - f. Inspection documentation; and
 - g. Enforcement documentation.
8. The Floodplain Administrator is the official responsible for submitting a biennial report to the FEMA concerning community participation in the National Flood Insurance Program.

C. Public Notice

1. Prior to the issuance of a permit, proposals needing conditional use review, nonconforming structures and uses review, or approval for a variance must have a warned public hearing as per 24 V.S.A. Chapter 117 § 4464. A copy of the application shall be submitted to VT Agency of Natural Resources (ANR) at least 30 days prior to the date of the public hearing. Public notice of the hearing shall be provided not less than 15 days prior to the date of the public hearing by all the following:
 - a. Publication of the date, place, and purpose of the hearing in a newspaper of general circulation in the town affected;
 - b. Posting of the same information in three or more public places within the town including posting within view from the public right-of-way nearest to the property for which an application is made;
 - c. Written notification to the applicant and to owners of all properties adjoining the property subject to development, without regard to any public right-of-way and, in any situation in which a variance is sought regarding setbacks from a state highway, also including written notification to the secretary of transportation. The notification shall include a description of the proposed project and shall be accompanied by information that clearly informs the recipient where additional information may be obtained, and that participation in the local proceeding is a prerequisite to the right to take any subsequent appeal; and
 - d. For hearings on subdivision plats located within 500 feet of a town boundary, written notification to the clerk of the adjoining town.

2. Public notice of all other types of development review hearings, including site plan review shall be given not less than seven (7) days prior to the date of the public hearing, and shall at minimum include the following:
 - a. Posting of the date, place and purpose of the hearing in three (3) or more public places within the affected town; and
 - b. Written notification to the applicant and to owners of all properties adjoining the property subject to development, without regard to public rights-of-way and, in any situation in which a variance is sought regarding setbacks from a highway, also including written notification to the secretary of transportation. The notification shall include a description of the proposed project, information that clearly informs the recipient where additional information may be obtained, and that participation in the local proceeding, is a prerequisite to the right to take any subsequent appeal.
3. The applicant shall bear the cost of the public warning and notification of adjoining landowners and interested parties as defined per 24 V.S.A. Chapter 117 § 4465(b).
4. Per 24 V.S.A. Chapter 117 § 4464(a)(5), no defect in the form or substance of any required public notice under this section shall invalidate the action of the *[insert appropriate DRB or ZBA]* where reasonable efforts have been made to provide adequate posting and notice. However, the action shall be invalid when the defective posting or notice was materially misleading in content. If an action is ruled to be invalid by the *[insert appropriate DRB or ZBA]* or the Environmental Court, the action shall be remanded to the *[insert appropriate DRB or ZBA]* to provide new posting and notice, hold a new hearing, and take a new action.

D. Decisions

The FA shall act within 30 days of receipt of a complete application, to approve or deny the application, or refer the application to the *[insert appropriate DRB or ZBA]*. Applications that cannot be approved in compliance with this bylaw shall be denied. The decision shall be issued in writing and include a statement of the factual bases on which the conclusions were made. Decisions of the FA can be appealed as per this bylaw and 24 V.S.A. Chapter 117 § 4465-4472. If the FA fails to act within the 30-day period, a permit shall be deemed issued on the 31st day.

E. Appeals

An interested party may appeal any decision or act taken by the Floodplain Administrator in any town by filing a notice of appeal with the secretary of the *[insert appropriate DRB or ZBA]* of that town or with the clerk of that town if no such secretary has been elected. This notice of appeal must be filed within 15 days of that decision or act, and a copy of the appeal shall be filed with the Floodplain Administrator. The *[insert appropriate DRB or ZBA]* shall set a date and place for a public hearing of an appeal within 60 days of the filing of the notice of appeal and shall mail the appellant a copy of that notice not less than 15 days prior to the hearing date. Hearings on appeals are governed per 24 V.S.A. Chapter 117 § 4468. Decisions on appeals are governed per 24 V.S.A. Chapter 117 § 4464(b).

1. The *[insert appropriate DRB or ZBA]* shall consider comments from the NFIP Coordinator at ANR. The *[insert appropriate DRB or ZBA]* may recess the proceedings on any application pending submission of additional information. The *[insert appropriate DRB or ZBA]* should close the evidence promptly after all parties have submitted the requested information, adjourn the hearing, and may deliberate prior to issuing its decision.
2. Decisions of the *[insert appropriate DRB or ZBA]* shall be issued in writing within 45 days after the adjournment of the final hearing, and failure of the *[insert appropriate DRB or ZBA]* to issue a decision within this period shall be deemed approval and shall be effective on the 46th day. Decisions shall be in writing and shall be sent by certified mail to the applicant and the appellant. Copies of the decision shall also be mailed to every person or body appearing and having been heard at a hearing. The decision will include a notice that an interested person may appeal the decision to the Environmental Court as per 24 V.S.A. Chapter 117 § 4471.
3. Decisions by the *[insert appropriate DRB or ZBA]* shall include a statement of the factual basis on which the *[insert appropriate DRB or ZBA]* has made its conclusions regarding how the proposed development will meet the development standards, and a statement of the conclusions. The minutes of the meeting may suffice, provided the factual bases and conclusions relating to the review standards are provided.
4. In rendering a decision in favor of the applicant, the *[insert appropriate DRB or ZBA]* may attach additional reasonable conditions and safeguards as it deems necessary to implement the purposes of this bylaw and the town plan then in effect. *[insert appropriate DRB or ZBA]* decisions shall be conditioned to assure that all necessary permits must be also received from those government agencies from which approval is required by Federal, State or local law for the approval to be valid. The *[insert appropriate DRB or ZBA]* may provide for the conditioning of permit issuance on the submission of a bond, escrow account, or other surety in a form acceptable to the legislative body of the town to assure one or more of the following: the completion of the project, adequate stabilization, or protection of public facilities that may be affected by a project.

NOTE: Granting of an appeal will not relieve a landowner or a town from the obligation to comply with the minimum requirements of the National Flood Insurance Program. Landowners and municipalities that fail to meet the Program's minimum requirements, notwithstanding any appellate decision to the contrary, are in violation of the National Flood Insurance Program and remain subject to the accompanying penalties.

F. Permit Validity

Each permit issued shall:

1. Contain a statement of the period of time within which an appeal may be filed;

2. Require posting of a notice of permit on a form prescribed by the town within view from the public right-of-way most nearly adjacent to the subject property for not less than 15 days after issuance, which is the appeal filing period.
3. Not take effect until 16 days after issuance, or in the event that a notice of appeal of a decision by the FA is properly filed, no such permit shall take effect until adjudication of that appeal by the *[insert appropriate DRB or ZBA]* is complete and the time for taking an appeal to the environmental court has passed without an appeal being taken. If an appeal is taken to the environmental court, the permit shall not take effect until adjudication by the environmental court; and,
4. Be valid for a period of two years after issuance.

G. Changes

After the issuance of a permit, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator. If changes are deemed necessary, requests for such change shall be in writing, and shall be submitted by the applicant to the Floodplain Administrator for consideration. The FA shall determine if the change requires a new permit application, or an amendment can be made to the existing permit. The FA may require the applicant to hire a professional engineer, or other professional of demonstrated qualifications, to determine if the change will cause any change to the Base Flood Elevation, but that may not be the only consideration taken by the FA in determining if a new application is required.

H. Start of Construction

Work on the proposed construction or development shall begin within 180 days after the date of issuance of the permit. Work shall also be completed within twenty-four (24) months after the date of issuance of the permit or the permit shall expire unless a time extension is granted, in writing, by the Floodplain Administrator.

The actual start of construction means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first, alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Time extensions shall be granted only if a written request is submitted by the applicant, who sets forth sufficient and reasonable cause for the Floodplain Administrator to approve such a request and the original permit is compliant with the bylaw & FIRM/FIS in effect at the time the extension is granted.

VI. Permit Application Guidelines

A. Application Submission Requirements

1. Applications for development in a Regulated Flood Hazard Area shall be made, in writing, to the Floodplain Administrator on forms supplied by the **Town/City/Village of** . Such application shall include:
 - a. The name and contact information for the owner of the property, including any agents authorized to act on their behalf;
 - b. A thorough description of the proposed development;
 - c. General location map including the address of the property, tax parcel ID, relative locations of the existing development and the nearest public road;
 - d. Where applicable, a site plan that depicts the proposed development, all water bodies, Special Flood Hazard Areas, River Corridors and 50-foot stream setbacks, any existing and proposed drainage, any proposed fill, and pre and post development grades, and the elevation of the proposed lowest floor, as referenced to the same vertical datum as the elevation on the current Flood Insurance Rate Maps;
 - e. **XXX copies** of the application, including one to be forwarded to the State National Flood Insurance Program Coordinator at the Vermont Agency of Natural Resources, Department of Environmental Conservation, River Management Program; and,
 - f. The appropriate fee as determined by the Selectboard.
2. If any proposed construction or development is located entirely or partially within any FEMA defined Special Flood Hazard Area or Town Identified Flood Hazard Area, applicants for Permits shall provide all the necessary information listed below, in addition to that mentioned above in VI.A(1), in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
 1. all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and bylaws;
 2. all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage;
 3. adequate drainage is provided so as to reduce exposure to flood hazards;
 4. structures will be anchored to prevent floatation, collapse, or lateral movement;
 5. building materials are flood-resistant;
 6. appropriate practices that minimize flood damage have been used; and
 7. electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.
3. If any proposed construction or development is located entirely or partially within any FEMA defined Special Flood Hazard Area or Town Identified Flood Hazard Area, applicants for Permits shall provide the following data and documentation, in addition to that mentioned above in VI.A(1) and (2):

1. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood;
 2. detailed information concerning any proposed floodproofing measures and corresponding elevations;
 3. document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood. Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development;
 4. documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within any Special Flood Hazard Area (See Section IV.C of this bylaw), when combined with all other existing and anticipated development, will not cause any increase in the base flood elevation in any identified Floodway and will not increase the base flood elevation more than one (1) foot at any point in any Special Flood Hazard Area outside the Floodway; and
 5. If a Vermont Agency of Natural Resources Project Review Sheet was completed and submitted to ANR, this shall also be included in your application to the Town. The ANR Project Review Sheet is a tool that identifies all State and Federal agencies from which permit approval *may* be required for the proposal. Regardless of whether a Project Review Sheet is completed, all required state and federal permits shall be submitted to the FA and attached to the permit before work can begin in any FEMA defined Special Flood Hazard Area.
4. For applicants seeking conditional use approval, approval under nonconforming structures and uses, or a variance, for development within any Regulated Flood Hazard Area, the following also need to be provided, in addition to that mentioned above in VI.A(1), (2) and (3):
- a. A list of abutters names and mailing addresses;
 - b. A statement of purpose and need for the proposed development;
 - c. A description of the alternatives considered to the proposed development, including alternate locations on the parcel or site, especially outside of the hazard area;
 - d. Such pertinent information as identified in the regulations or deemed necessary by the *[insert appropriate DRB or ZBA]* for determining the suitability of the proposed development for the site;
 - e. For a variance, then the application must include responses to the regulations set forth in 24 VSA § 4469, and CFR 60.6 (only if located in the FEMA Identified SFHA), and Section XI of this bylaw;
 - f. Copies of the application sufficient for the *[insert appropriate DRB or ZBA]* members, the State National Flood Insurance Program Coordinator, and additional parties such as the VT DEC Stream Alteration Engineer and adjacent municipalities if affected under Section V.C.1(d) of this bylaw; and,
 - g. Any additional fees as required by the Selectboard.

5. It is the responsibility of the applicant to provide material necessary for the Floodplain Administrator, *[insert appropriate DRB or ZBA]*, and any other designated Town official, to fully understand the development proposal and to be able to make appropriate determinations using the data and materials provided by the applicant. Costs incurred for the development of application materials are the responsibility of the applicant.

B. Referrals

1. Upon receipt of a complete application for a substantial improvement or new construction, the Floodplain Administrator shall submit a copy of the application and supporting information to the State National Flood Insurance Program (NFIP) Coordinator at the Vermont Agency of Natural Resources, in accordance with 24 V.S.A. Chapter 117 § 4424. A permit may be issued only following receipt of comments from the Agency, or the expiration of 30 days from the date the application was mailed to the Agency, whichever is sooner. The *[insert appropriate DRB or ZBA]* should consider comments from the NFIP Coordinator at ANR.
2. If the applicant is seeking a permit for the alteration or relocation of a watercourse, applicant shall provide the adequate number of copies of the application for the Floodplain Administrator to submit copies to the adjacent communities, the Stream Alteration Engineer at the Vermont Agency of Natural Resources, and the Army Corps of Engineers. Copies of such notice shall be provided to the State National Flood Insurance Program (NFIP) Coordinator at the Vermont Agency of Natural Resources, Department of Environmental Conservation. A permit may be issued only following receipt of comments from the Vermont Agency of Natural Resources, or the expiration of 30 days from the date the application was mailed to the Vermont Agency of Natural Resources, whichever is sooner. The *[insert appropriate DRB or ZBA]* should consider comments from the NFIP Coordinator at ANR.

VII. Development in Regulated Flood Hazard Areas

A. Permit Requirement

A permit is required from the Floodplain Administrator (FA) for all proposed construction and development in all areas defined in Section IV.A. Development that requires conditional use approval, non-conforming use approval or a variance from the *[insert appropriate DRB or ZBA]* under these flood hazard regulations, must have such approvals prior to the issuance of a permit by the FA. Any development subject to town jurisdiction in the designated hazard areas shall meet all relevant criteria in Section VIII of this bylaw. A permit may be issued only following receipt of comments from the Vermont Agency of Natural Resources, or the expiration of 30 days from the date the application was mailed to the Agency, whichever is sooner. The *[insert appropriate DRB or ZBA]* should consider comments from the NFIP Coordinator at ANR. For development within the SFHA, no permit shall be issued until all other necessary government permits required by state and federal laws have been obtained.

B. Permitted Development

For the purposes of review under these regulations, the following development activities in the Special Flood Hazard area, where outside of the floodway and outside of the River Corridor, and meeting the Technical Provisions in Section VIII of this bylaw, require only an administrative permit from the FA:

1. Non-substantial improvements of less than a 500 square foot footprint to existing residential and non-residential structures, providing the improvements do not decrease the pre-existing distance between the unaltered structure and the top of bank;
2. Accessory structures built in accordance with VIII.A.8 of this bylaw;
3. Development related to on-site septic or water supply systems in accordance with VIII.A.11 and 13 of this bylaw;
4. Building utilities in accordance with relevant Technical Provisions in Section VIII of this bylaw;
5. Open fencing and signs elevated on poles or posts that create minimal resistance to the movement of floodwater;
6. Stream crossings in the SFHA that do not require Stream Alteration Permits, span top-of-bank to top-of-bank, and are to be used exclusively for recreational uses;
7. At-grade parking for existing buildings; and,
8. Storage or parking of recreational vehicles cannot exceed 180 days unless they are fully licensed and ready for highway use. Recreational vehicles must comply with all relevant sections of the Zoning Bylaw.

C. Prohibited Development in Regulated Flood Hazard Areas

For the purposes of review under these regulations, the following development activities are prohibited in any Regulated Flood Hazard Area, and would only be allowed via issuance of a variance:

1. New residential or non-residential structures (including the placement of new manufactured homes);
2. Any improvement to an existing structure that decreases the pre-existing distance between the unaltered structure and the top of bank;
3. Storage or junk yards;
4. New fill, except as necessary to elevate structures above the base flood elevation, and placed in accordance with VIII.A.16 of this bylaw;
5. Accessory structures in the Floodway;
6. Critical facilities in all areas affected by mapped flood hazards; and,
7. All development not otherwise exempted, permitted, or conditionally permitted.

D. Conditional Use Review

Conditional use review and approval by the *[insert appropriate DRB or ZBA]*, is required prior to the issuance of a permit by the FA for the following proposed development, which shall be undertaken in accordance with all relevant technical provisions described in Section VIII.A of this bylaw:

1. Substantial improvement, elevation, relocation, or flood-proofing of an existing residential or non-residential structure that does not expand the footprint of the existing structure more than 500 square feet and does not decrease the pre-existing distance between the unaltered structure and the top of bank;
2. Any improvement to an existing residential or non-residential structure that does expand the footprint of the existing structure more than 500 square feet and does not decrease the pre-existing distance between the unaltered structure and the top of bank;
3. Non-substantial improvement of less than a 500 square foot footprint to an existing residential or non-residential structure in the River Corridor that does not decrease the pre-existing distance between the unaltered structure and the top of bank;
4. New or replacement storage tanks for existing structures placed in accordance with VIII.A.17, 19 and 24 of this bylaw;
5. Any improvements to existing residential and non-residential structures in the floodway;
6. Grading, excavation, or the creation of a pond;
7. Improvements to existing roads or streets, in accordance with VIII.A.14 of this bylaw;
8. Construction or repair of stream crossing structures (bridges and culverts), associated transportation and utility networks, dams, dry hydrants, and other functionally dependent uses that must be placed in or over rivers and streams that are located in the SFHA and that have coverage under a Stream Alteration Permit, if required, under 10 V.S.A. Chapter 41 and the rules adopted thereunder;
9. Subdivision of land in the SFHA or River Corridor in accordance with VIII.A.15 of this bylaw;
10. Accessory structures in the River Corridors, of 500 square feet or less, and in accordance with VIII.A.8 of this bylaw;
11. Storage or parking of recreational vehicles in the River Corridor, not to exceed 180 days, provided they are fully licensed and ready for highway use, and comply with all relevant sections of the Zoning Bylaw.
12. Building utilities placed in accordance with the relevant standards of this bylaw;
13. Power generation Facilities and telecommunications infrastructure not otherwise regulated by 30 V.S.A. Chapter 5 § 248 or § 248a; and
14. At-grade parking for existing buildings in the River Corridor.

E. Exempted Activities

The following are exempt from regulation under this bylaw:

1. The removal of a building or other structure in whole or in part, in conjunction with an approved site stabilization plan³;
2. Previously Developed Sites:
 - a. Pre-existing development may continue.
 - b. A pre-existing building or developed site may be used for any purpose allowed in the zoning district.
3. Maintenance of existing roads, parking areas and stormwater drainage, not including any expansions;

³ Approval could come from Army Corps of Engineers, Agency of Natural Resources, a grant funding entity, or the Floodplain Administrator.

4. Maintenance of existing trails, and the expansion or development of new trails that do not include any type of channel management or stabilization;
5. Maintenance of existing bridges, culverts, and channel stabilization activities, not including any expansions;
6. Construction or repair of stream crossing structures (bridges and culverts), associated transportation and utility networks, dams, dry hydrants, and other functionally dependent uses that must be placed in or over rivers and streams that are located within the River Corridor and not in the SFHA, and that have coverage under a Stream Alteration Permit, if required, under 10 V.S.A. Chapter 41 and the rules adopted thereunder;
7. Stream crossings in the River Corridor that do not require Stream Alteration Permits, span top-of-bank to top-of-bank, and are to be used exclusively for recreational uses;
8. Silvicultural (forestry) activities conducted in accordance with the Vermont Department of Forests and Parks Acceptable Management Practices; and,
9. Agricultural activities conducted in accordance with the Vermont Department of Agriculture's Required Agricultural Practices. Prior to the construction of farm structures the farmer must notify the FA in writing of the proposed activity. The notice must contain a sketch of the proposed structure including setbacks.

F. Nonconforming Structures and Uses

The *[insert appropriate DRB or ZBA]* may, after public notice and hearing, approve the repair, relocation, replacement, or enlargement of a nonconforming structure within a Regulated Flood Hazard Area provided that:

1. The proposed development is in compliance with all the Technical Provisions in Section VIII of this bylaw;
2. A nonconforming structure that is substantially damaged or destroyed may be reconstructed in place only in circumstances when the structure cannot be relocated to a less hazardous location on the parcel, provided it is outside of the Floodway. A nonconforming structure cannot be rebuilt in the floodway. The lowest floor of the reconstructed residential structure must be rebuilt with the lowest floor elevated to one foot *[Choose two feet here if two feet is chosen for VIII.A.3]* or more above the base flood elevation, and a non-residential structure must be floodproofed according to VIII.A.4 of this bylaw, and the structure must otherwise comply with all requirements of the National Flood Insurance Program and this bylaw;
3. Nonconforming structures or uses shall be considered abandoned where such structures or uses are discontinued for not less than 12 months;
4. An individual manufactured home remaining occupied in an existing manufactured home park that is vacated shall not be considered a discontinuance or abandonment of nonconformity. Replacement manufactured homes must be placed so as to meet the development standards in this bylaw; and
5. A nonconformity, located in a Regulated Flood Hazard Area, that the town deems to be a public nuisance or public health risk or hazard may be abated or removed as per 24 V.S.A. Chapter 117 § 4412.7(C).

G. Small Stream Setbacks

On previously developed lots, natural woody vegetation will not have to be re-established on areas within the riparian setback maintained as lawns or gardens. However, the maintenance or establishment of forested vegetation within designated small stream setbacks and mapped River Corridors is strongly encouraged. Undisturbed forested setbacks serve to protect habitat and quality of waterways. Vegetation removal and management, including the control of invasive species, within setbacks should be done following accepted management practices such as those listed on vtinvasives.org⁴.

⁴ Questions regarding what is an acceptable vegetation management practice should be directed to the Vermont Agency of Natural Resources Department of Forest, Parks and Recreation.

	Activity	Hazard Zone		
		Special Flood Hazard Area	Floodway (with no increase to BFE)	River Corridors
	P Permitted C Conditional Review X Prohibited A Exempt			
1	New Structures (including new manufactured homes)	X	X	X
2	Non-substantial improvement of less than 500 sq ft to an existing structure that is no closer to waterway (If within accepted River Corridor infill or shadowed area)	P	C	C
3	Substantial improvement to a max of an additional 500 sq ft to an existing structure that is no closer to waterway (If within accepted River Corridor infill or shadowed area)	C	C	C
4	Any improvement of more than 500 sq ft to an existing structure that is no closer to waterway (If within accepted River Corridor infill or shadowed area)	C	C	C
5	Any improvement to an existing structure that decreases pre-existing distance to waterway	C	C	X
6	Accessory structure ⁵ not meant for human habitation and not larger than 500 sq ft	P	X	C
7	Accessory structure ⁵ built human habitation and/or larger than 500 sq ft	X	X	X
8	On-site septic and water supply systems	P	X	C
9	At-grade parking for existing buildings	P	C	C
10	Open fencing and elevated signage	P	C	C
11	RV parking, fully licensed and ready for highway use	P	X	C
12	RV parking, unlicensed or not drivable	X	X	X
13	Storage or junk yards	X	X	X
14	Fill ⁵ as needed to elevate existing structures	C	C	C
15	Fill	X	X	X
16	Critical facilities	X	X	X
17	New or replacement storage tanks	C	X	C
18	Grading, excavation or creation of a pond	C	C	C
19	Maintenance of existing road/bridge/culvert/channel stabilization, not including expansions	A	A	A
20	Road improvements/expansions	C	C	C
21	Exclusively recreational stream crossings that do not require a SAP and span top-of-bank	P	P	A
22	Bridges, culverts, channel management, and functionally dependent uses ⁵ that have coverage under a SAP	C	C	A
23	Subdivision of land ⁵	C	C	C

⁵ See appropriate Technical Provisions in this bylaw.

	Activity	Hazard Zone		
		Special Flood Hazard Area	Floodway (with no increase to BFE)	River Corridors
	P Permitted C Conditional Review X Prohibited A Exempt			
24	Trail maintenance and expansion without stabilization	A	A	A
25	Building utilities ⁵	P	C	C
26	Power generation or telecom infrastructure and facilities not otherwise regulated by 30 V.S.A. Chapter 5 § 248 or § 248a	C	X	C
27	Nonconforming structure repair, relocation, replacement or enlargement	C	C	C
28	Removal of structure in whole or part ⁶	A	A	A
29	Silvicultural activities ⁷	A	A	A
30	Agricultural activities ⁸	A	A	A
31	All development not otherwise noted	X	X	X

VIII. Technical Provisions

The criteria below are the minimum standards for any development which is permitted (P), exempt (A), approved via conditional use approval (C), or granted via variance in Regulated Flood Hazard Areas. Where more than one zone or area is involved, the most restrictive standard shall take precedence.

A. Regulated Flood Hazard Area Development Standards

1. *All development* shall be:

- a. Reasonably safe from flooding and fluvial erosion risk;
- b. Designed, operated, maintained, modified, and adequately anchored to prevent flotation, collapse, release, or lateral movement of the structure;
- c. Constructed with materials resistant to flood damage⁹;
- d. Constructed by methods and practices that minimize flood damage;
- e. Constructed with electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding;
- f. Adequately drained to reduce exposure to flood hazards; and
- g. Located so as to minimize conflict with changes in channel location over time and the need to intervene with such changes.

⁶ In conjunction with an approved stabilization plan.

⁷ Conducted in accordance with the Vermont Department of Forests and Parks Acceptable Management Practice.

⁸ Conducted in accordance with the Vermont Department of Agriculture's Required Agricultural Practices (RAP).

⁹ Refer to *FEMA Technical Bulletin 2-9: Flood Resistant Materials Requirements*

2. ***[OPTION 1 – Minimum Standard]*** *Within any SFHA*, no development shall be permitted without first determining the base flood elevation and demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated encroachments in the municipality, will not cause any increase in the BFE in a Floodway and not more than a one (1) foot increase in any SFHA area outside of the Floodway within the municipality during a base flood discharge. This demonstration must be supported by technical data that conforms to standard hydraulic engineering principles and is certified by a licensed professional engineer.

[OPTION 2 – Higher Standard] *Within any SFHA*, no development shall be permitted without first determining the base flood elevation and demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated encroachments in the municipality, will not cause any increase in the BFE. New development that proposes to displace floodwater storage in the SFHA must provide compensatory storage to offset the impacts of any increase in the extent or level of floodwaters during peak flows up to and including the base flood discharge. This demonstration must be supported by technical data that conforms to standard hydraulic engineering principles and is certified by a licensed professional engineer.

NOTE: The ordinance must be made consistent throughout to reflect the option chosen above.

3. *New Residential Structures or Residential Structures to be substantially improved* in Zones A, A1-30, AE, and AH shall be located such that the lowest floor is at least one foot above base flood elevation ***[Option: This standard can be raised to two feet above base flood elevation]***. This must be documented in as-built condition, with a FEMA Elevation Certificate.
4. *Non-residential structures in the SFHA to be substantially improved* shall:
- a. Meet the elevation standards for Residential Structures outlined above in VIII.A3 of this bylaw; or,
 - b. Have the lowest floor, including basement, together with attendant utility and sanitary facilities designed so that two feet above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A permit for flood-proofing shall not be issued until a licensed professional engineer or architect has reviewed the structural design, specifications and plans, and has certified that the design and proposed methods of construction are in accordance with accepted standards of practice for meeting the provisions of this subsection.
5. *Fully enclosed areas below grade on all sides* (including below grade crawlspaces and basements) are prohibited.

6. *Fully enclosed areas that are above grade on all sides*, but below the lowest floor, below BFE and/or are subject to flooding, shall:
 - a. Be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, and such a condition shall clearly be stated on any permits; and,
 - b. Be designed and constructed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Such designs must be certified by a licensed professional engineer or architect, or meet or exceed the following minimum criteria: (1) A minimum of two openings on two walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided; (2) The bottom of all openings shall be no higher than one foot above grade; and (3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
7. *Recreational vehicles* must be fully licensed and ready for highway use.
8. *Accessory structures*
Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:
 - a) the structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
 - b) floor area shall not exceed 500 square feet.
 - c) the structure will have a low damage potential.
 - d) the structure will be located on the site so as to cause the least obstruction to the flow of flood waters.
 - e) power lines, wiring, and outlets will be elevated to one foot above the base flood elevation.
 - f) permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc. are prohibited.
 - g) sanitary facilities are prohibited.
 - h) the structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - i. a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
 - ii. the bottom of all openings shall be no higher than one (1) foot above grade.
 - iii. openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

NOTE: If a municipality chooses not to include the above language related to accessory structures, then all structures located in the Regulated Flood Hazard Area, including accessory structures will have to be elevated or floodproofed as established in Section VIII.A.4 of this bylaw.

9. If a variance is obtained according to Section XI of this bylaw, *all manufactured homes, and any improvements thereto*, shall be:

1. placed on a permanent foundation.
2. elevated so that the lowest floor of the manufactured home is at least to the design flood elevation (DFE),
3. anchored to resist flotation, collapse, or lateral movement, and
4. have all ductwork and utilities including HVAC/heat pump elevated to the DFE.

10. *Historic Structures*

Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this bylaw, must comply with all bylaw requirements that do not preclude a structure or district's continued historic designation. Documentation that a specific bylaw requirement will cause removal of the structure, or district that the structure lies within, from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from bylaw requirements will be the minimum necessary to preserve the historic character and design of the structure and/or district.

11. *Water supply systems* shall be designed to minimize or eliminate infiltration of flood waters into the systems.
12. *Sanitary sewage systems* shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
13. *On-site waste disposal systems* shall be located to avoid impairment to them or contamination from them during flooding.
14. *Streets* finished elevation shall be no more than one (1) foot below the base flood elevation.
15. *Subdivisions, Manufactured Home Parks, and Planned Unit Developments* must be accessible by dry land access outside the special flood hazard area. All subdivision proposals and development proposals containing at least 50 lots or at least 5 acres, whichever is the lesser, in FEMA Identified SFHA's where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a Conditional Letter of Map Revision and Letter of Map Revision. Submittal requirements and processing fees shall be the responsibility of the applicant. If such a subdivision is proposed in a flood prone area, assure that:

- a. Such proposal minimizes flood damage;
- b. Is proposed to be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and
- c. Adequate drainage is provided to reduce exposure to flood hazards.
- d. New parcels created by subdivision require a reasonable development envelope that conforms to all natural hazard and dimensional standards in this bylaw without requiring a variance.

16. If *Fill* is used to elevate structures above the base flood elevation, it shall:

- a. extend laterally at least fifteen (15) feet beyond the building line from all points;
- b. consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
- c. be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
- d. be no steeper than one (1) vertical to two (2) horizontal feet unless substantiated data justifying steeper slopes are submitted to, and approved by the Floodplain Administrator; and
- e. be used to the extent to which it does not adversely affect adjacent properties.
- f. Fill shall be inspected and approved by the FA or a professional engineer prior to placement of any structure atop fill.

17. *Storage* of all materials that are buoyant, flammable, explosive or in times of flooding, could be injurious to human, animal, or plant life, shall be stored at or above one foot above the base flood elevation or floodproofed to the maximum extent possible, including being firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.

18. *Existing residential and non-residential buildings, including manufactured homes, to be substantially improved in Zone AO* shall have the lowest floor, including basement, elevated above the highest adjacent grade, at least as high as the depth number specified on the community's FIRM, or at least two feet if no depth number is specified.

19. *Anchoring*

- 1. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
- 2. All air ducts, large pipes, storage tanks, and other similar objects or components located below the base flood elevation shall be securely anchored or affixed to prevent flotation.

20. *Floors, Walls and Ceilings*

1. Wood flooring used at or below the DFE shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
2. Plywood used at or below the DFE shall be of a "marine" or "water-resistant" variety.
3. Walls and ceilings at or below the DFE shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.
4. Windows, doors, and other components at or below the DFE shall be made of metal or other "water-resistant" material.

21. Paints and Adhesives

1. Paints and other finishes used at or below the DFE shall be of "marine" or "water-resistant" quality.
2. Adhesives used at or below the DFE shall be of a "marine" or "water-resistant" variety.
3. All wooden components (doors, trim, cabinets, etc.) used at or below the DFE shall be finished with a "marine" or "water-resistant" paint or other finishing material.

22. Electrical Components

Electrical distribution panels shall be at or above the DFE. Separate electrical circuits shall serve lower levels and shall be dropped from above.

23. Equipment

Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the DFE.

24. Fuel Supply Systems

All gas and oil supply systems, including venting, must be elevated to the DFE and securely anchored.

B. Floodway Areas

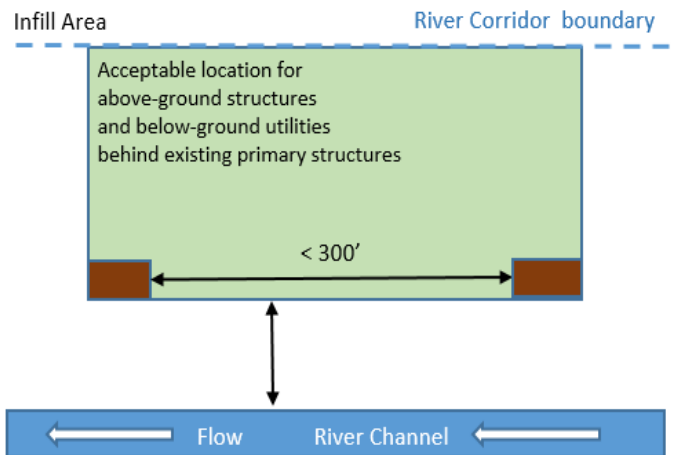
1. Encroachments or development above grade and less than two feet above the base flood elevation, are prohibited unless hydrologic and hydraulic analyses are performed in accordance with standard engineering practice, by a licensed professional engineer, certifying that the proposed development will:
 - a) Not result in any increase in flood levels (0.00 feet) during the occurrence of the base flood;
 - b) Not increase any risk to surrounding properties, facilities, or structures from erosion or flooding.
2. Public utilities may be placed underground, and the analyses may be waived, where a licensed professional engineer certifies that there will be no change in grade and the utilities will be adequately protected from scour.

C. River Corridors

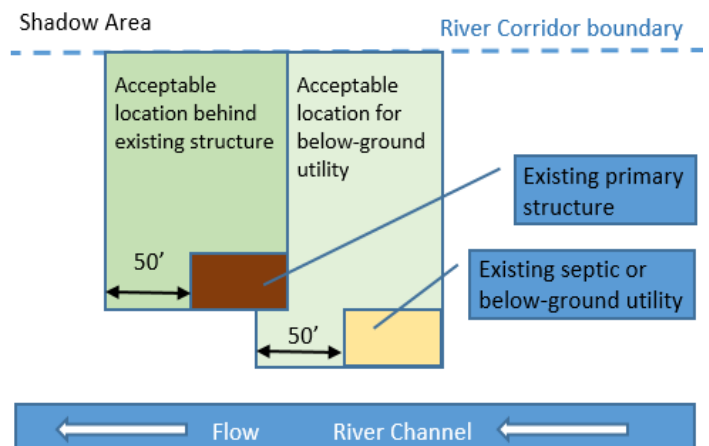
The criteria below are the minimum standards for development in the River Corridor. Where more than one district is involved, the most restrictive standard shall take precedence.

1. In a designated center that lies in the River Corridor, infill development is allowed provided that the location of said development is not less than the distance between pre-existing adjacent structures and the top of bank.
2. Development outside of designated centers shall meet the following criteria:

- a. In-Fill Between Existing Development: Development must be located no closer to the channel than the adjacent existing primary structures, within a gap that is no more than 300 feet, or



- b. Down River Shadow: New proposed development that is adjacent to existing structures shall be located in the shadow area directly behind and further from the channel than the existing structure, or within 50 feet to the downstream side and no closer to the top of bank. Below-ground utilities may also be placed within the same shadow dimensions of an existing below-ground system.



3. Improvements to existing structures, and any associated fill as needed to comply with elevation requirements in the Special Flood Hazard Area shall not decrease the distance between the existing primary building and the top of bank.
4. Accessory structures may be located within 50 feet of the existing primary building provided that the location is not less than the distance between the existing primary structure and the top of bank.

5. Proposals that do not meet the infill or shadowing criteria in section VI.C.2 a or b must demonstrate and the *[insert appropriate DRB or ZBA]* must find that the proposed development will:
 - a. Not increase the susceptibility of that or other properties to fluvial erosion damage;
 - b. Not increase the potential of materials being swept onto other lands or into the stream and causing damage to other properties from fluvial erosion;
 - c. Not cause an undue burden on public services and facilities including roads, bridges, culverts, and emergency service providers during and after fluvial erosion events;
 - d. Not be placed on land with a history of fluvial erosion damage or be imminently threatened by fluvial erosion;
 - e. Not cause the river reach to depart from or further depart from the channel width, depth, meander pattern, and slope associated with natural stream processes and equilibrium conditions; and
 - f. Not result in an immediate need or anticipated future need for stream channelization solely as a result of the proposed development, that would increase flood elevations and velocities or alter the sediment regime triggering channel adjustments and erosion in adjacent and downstream locations.
6. Bridge and culvert projects must have a Stream Alteration permit.
7. Channel management activities must be authorized by the Vermont Agency of Natural Resources.
8. Recreational Vehicles in the River Corridor shall be fully licensed and ready for highway use, and be located no closer to top of bank than the primary structure on the property.
9. Storage of all materials that are buoyant, flammable, explosive or in times of flooding, could be injurious to human, animal, or plant life, shall be floodproofed to the maximum extent possible, including being firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
10. The *[insert appropriate DRB or ZBA]* may request or consider additional information to determine if the proposal meets the standards listed in VI.C.5, including:
 - a. a description of why the shadowing and infill criteria in VI.C.2 a or b cannot be met;
 - b. data and analysis from a consultant qualified in the evaluation of river dynamics and erosion hazards;
 - c. Comments provided by the DEC Regional Floodplain Manager on whether or not the proposal meets the River Corridor Performance Standard.

D. Alteration or Relocation of Watercourse

1. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent towns which may be affected by such action have been notified by the town, and until all required permits or approvals have first been obtained from the Vermont Agency of Natural Resources.

2. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not decrease stream stability, or reduce or impede the flood carrying and sediment transport capacity of the watercourse in any way.
3. In addition, FEMA shall be notified prior to any alteration or relocation of any watercourse.

NOTE: While submission of technical or scientific data is a municipal responsibility, a municipality may pass this responsibility onto the applicant. Since there are often fees associated with processing Letters of Map Change, communities should consider who will fulfill this requirement.

- E. Any new construction, development, uses or activities allowed within any Regulated Flood Hazard Area shall be undertaken in strict compliance with the provisions contained in this bylaw and any other applicable codes, bylaws and regulations.
- F. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of “Repetitive Loss” shall be undertaken only in full compliance with the provisions of this bylaw.

IX. Certificate of Occupancy

In accordance with Chapter 117 § 4449, it shall be unlawful to use or occupy, or permit the use or occupancy of any land or structure, or part thereof, created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure within a Special Flood Hazard Area or River Corridor until a Certificate of Occupancy is issued therefore by the FA. A Certificate of Occupancy ensures your project complies with current zoning standards. A Certificate of Occupancy is not required for structures that were built in compliance with the bylaws at the time of construction and have not been improved since the adoption of this bylaw.

To obtain a Certificate of Occupancy, about two weeks from when you expect your project to be finished, fill out a Certificate of Occupancy application and provide copies of your water and wastewater certifications or engineering letters to the FA. Within 14 days of the receipt of the application the FA will contact you to perform a site visit, to do some exterior measurements of your project and ensure that all permits identified on the Project Review Sheet have been acquired and that all work has been completed in conformance with the zoning permit and associated approvals. In consideration of a Certificate of Occupancy, the FA shall follow all relevant administrative procedures outlined in Section V of this bylaw. If the FA fails to grant or deny the Certificate of Occupancy within 14 days of the submission of the application, the certificate shall be deemed issued on the 15th day. If a Certificate of Occupancy cannot be issued, notice will be sent to the owner and copied to the lender.

X. Enforcement and Penalties

- A. This bylaw shall be enforced under the town zoning bylaw in accordance with 24 V.S.A. Chapter 117 § 4451, § 4452 and 24 V.S.A. Chapter 59 § 1974a.

B. Whenever the Floodplain Administrator or other authorized town representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this bylaw, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:

1. be in writing;
2. include a statement of the reasons for its issuance;
3. state that the alleged offender has an opportunity to cure the violation within seven days of receipt;
4. state that failure to cure the violation may result in fines and/or loss of flood insurance;
5. state that the alleged offender will not be entitled to an additional warning notice for a violation occurring after the seven days within the next succeeding 12 months;
6. be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this State; and,
7. contain an outline of remedial actions which, if taken, will affect compliance with the provisions of this bylaw.

C. Copies of the notice of violation will be:

1. Mailed to the Vermont NFIP Coordinator and, within 30 days be
2. Filed in the land use permit files; and,
3. Delivered to the town clerk for recording in the land records.

D. After seven days, if the violation has not been remedied, in accordance with 24 VSA Chapter 59 § 1974a, and Chapter 117 § 4451 and § 4452; any person who is found to have violated this bylaw shall be fined by the court not more than \$200.00 for each offense. No action may be brought under this section unless such notice as required has been given as described above in this part. In default of payment of the fine, the violator shall pay double the amount of the fine. Each day that a violation is continued shall constitute a separate offense.

E. Within any FEMA Identified Special Flood Hazard Area, if any appeals have been resolved, but the violation remains, the FA shall submit a declaration to the Administrator of the National Flood Insurance Program requesting a denial of flood insurance to the violator. The declaration shall consist of: (a) the name of the property owner and address or legal description of the property sufficient to confirm its identity or location, (b) a clear and unequivocal declaration that the property is in violation of a cited State or local law, regulation, or bylaw, (c) a clear statement that the Floodplain Administrator making the declaration has authority to do so and a citation to that authority, (d) evidence that the property owner has been provided notice of the violation and the prospective denial of

insurance, and (e) a clear statement that the declaration is being submitted pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

XI. Variances

If compliance with any of the requirements of this bylaw would result in an exceptional hardship to a prospective builder, developer or landowner, the **Town/City/Village of _____** may, upon request, grant relief from the strict application of the requirements. Variances may be granted in writing by the *[insert appropriate DRB or ZBA]* only in accordance with all the criteria below and in 24 V.S.A. § 4469 and 44 CFR Section 60.6.

1. ***[Optional – if chosen delete 2 and 3 below.]*** No variance shall be granted in the Special Flood Hazard Area that would cause any increase in the BFE. In A districts, BFE's are determined using the methodology described in Section IV.C.3 of this bylaw.
2. No variance shall be granted for any construction, development, use, or activity within any Floodway Area/District that would cause any increase in the BFE.
3. No variance shall be granted for any construction, development, use, or activity within any A or AE Area/District without floodway that would, together with all other existing and anticipated development in the municipality, increase the BFE more than one (1) foot at any point. In A districts, BFE's are determined using the methodology described in Section IV.C.3 of this bylaw.
4. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions, and not the circumstances or conditions generally created by the provisions of the bylaw in the neighborhood or district in which the property is located.
5. That the unnecessary hardship has not been created by the appellant.
6. If granted, a variance shall involve only the least modification necessary to provide relief.
7. In granting any variance, the **Town/City/Village of _____** shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this bylaw.
8. A variance for development within the River Corridor may be allowed if, based on a review by VT ANR, it is determined that the proposed development will not obstruct the establishment and maintenance of fluvial geomorphic equilibrium for the watercourse.
9. Whenever a variance is granted, the **Town/City/Village of _____** shall notify the applicant in writing that:

- a. The granting of the variance may result in increased premium rates for flood insurance.
 - b. Such variances may increase the risks to life and property.
10. In reviewing any request for a variance, the **Town/City/Village of _____** shall consider, at a minimum, the following:
- a. That there is good and sufficient cause.
 - b. That failure to grant the variance would result in exceptional hardship to the applicant.
 - c. That the granting of the variance will:
 - i. neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense,
 - ii. nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local bylaws and regulations.
11. A complete record of all variance requests and related actions shall be maintained by the **Town/City/Village of _____**. In addition, a report of all variances granted during the year for properties within the Special Flood Hazard Area and properties insured by the National Flood Insurance Program, shall be included in the annual report to the FEMA.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one-percent (1%) annual chance flood.

NOTE: In granting a variance for a property within the Special Flood Hazard Area or insured by the National Flood Insurance Program, municipalities are held to the standard provided in 44 CFR 60.6. If a variance is granted erroneously, a municipality remains liable for failing to meet the minimum standards of the National Flood Insurance Program.

XII. Definitions

“Accessory Structure” means a structure which is: 1) detached from and clearly incidental and subordinate to the principal use of or structure on a lot, 2) located on the same lot as the principal structure or use, and 3) clearly and customarily related to the principal structure or use. For residential uses these include, but may not be limited to garages, garden and tool sheds, and playhouses.

“Area of Special Flood Hazard” is synonymous in meaning with the phrase “special flood hazard area” for the purposes of these regulations.

“Base Flood” means the flood having a one percent chance of being equaled or exceeded in any given year (also referred to as the “100-year flood” or one-percent (1%) annual chance flood).

“Base flood discharge” is the volume of water resulting from a Base Flood as it passes a given location within a given time, usually expressed in cubic feet per second (cfs).

“Base Flood Elevation” (BFE) is the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year. For Zones AE, AH, A1-30 this elevation is shown on the Flood Insurance Rate Map (FIRM).

“Basement” is any area of the building having its floor below ground level on all sides.

“Building” is a combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation.

“Channel” means an area that contains continuously or periodically flowing water that is confined by banks and a streambed.

“Channel width” (or bankfull width) is the width of a stream channel when flowing at a bankfull discharge. The bankfull discharge is the flow of water that first overtops the natural banks. This flow occurs, on average, once every 1 to 2 years.

“Community” means any State or area political subdivision thereof, or any Indian tribe or authorized tribal organization, which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

“Critical facilities” - includes police stations, fire and rescue facilities, hospitals, shelters, schools, nursing homes, water supply and waste treatment facilities, and other structures the municipality identifies as essential to the health and welfare of the population and that are especially important following a disaster. For example, the type and location of a business may raise its status to a Critical Facility, such as a grocery store or gas station.

“Design Flood Elevation” (DFE) in the **Town/City/Village of** means the Base Flood Elevation plus two feet. *[Optional: This elevation could be altered to align with a lower or higher standard.]*

“Designated center” means a downtown, village center, new town center, growth center, or neighborhood development area designated pursuant to 24 V.S.A. Chapter 76A.

“Development” means any human-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures, the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

“Encroachment” means fill or development that reduces the functional river corridor (impairs the equilibrium condition) or increases flood levels.

“Equilibrium condition” means the width, depth, meander pattern, and longitudinal slope of a stream channel that occurs when water flow, sediment, and woody debris are transported by the stream in such a manner that it generally maintains dimensions, pattern, and slope without unnaturally aggrading or degrading the channel bed elevation.

“Existing manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a municipality.

“Expansion to an existing manufactured home park or subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

“Fill” means any placed material that changes the natural grade, increases the elevation, or diminishes the flood storage capacity at the site.

“Flood” means (a) a general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and mudslides which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current. (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

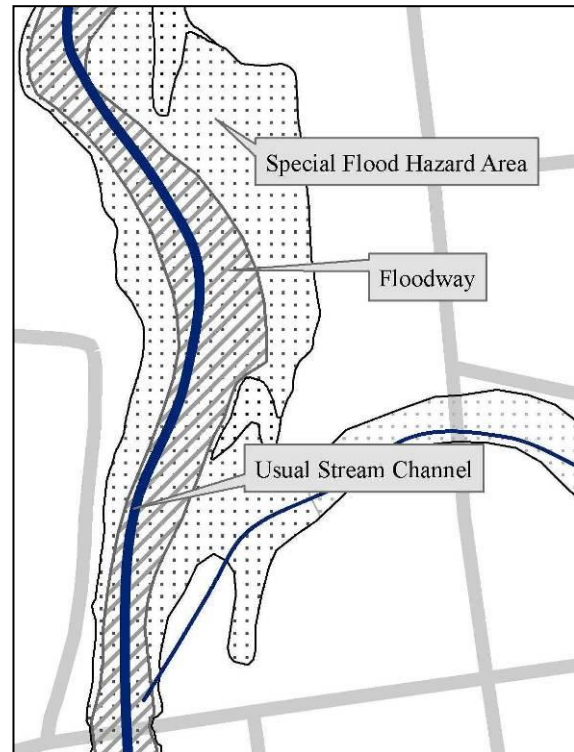
“Flood Insurance Rate Map” (FIRM) means the official map of a municipality, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the municipality.

“Flood Insurance Study” (FIS) means an examination, evaluation and determination of flood hazards and, if appropriate, the corresponding water surface elevations or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood related erosion hazards.

“Floodplain or flood-prone area” means a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

“Flood proofing” means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

“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 foot at any point.



“Fluvial Erosion” is erosion caused by streams and rivers. Fluvial erosion can be catastrophic when a flood event causes a rapid adjustment of the stream channel size and/or location.

“Functionally dependent use” means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water.

“Highest Adjacent Grade” is the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

“Historic structure” means any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (i) by an approved state program as determined by the Secretary of the Interior or (ii) directly by the Secretary of the Interior in states without approved programs.

“Identified Floodplain Area” is an umbrella term that includes all of the areas within which the municipality has selected to enforce floodplain regulations. It will always include the area identified as the Special Flood Hazard Area on the Flood Insurance Rate Maps and Flood Insurance

Study, but may include additional areas identified by the municipality. See Section IV.A of this bylaw for what areas the community has included in the Identified Floodplain Area.

“Letter of Map Amendment” (LOMA) is an official amendment, by letter from FEMA, to an effective National Flood Insurance Program map. A LOMA establishes a property's location in relation to the Special Flood Hazard Area. LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain, but a licensed engineer or surveyor is able to show that the property or structure is actually above the base flood elevation.

“Lowest floor” means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant partially enclosed area, used solely for parking of vehicles, building access or incidental storage in an area other than a basement area is not considered a building's lowest floor provided that such enclosure is not designed and built so that the structure in violation of the applicable non-elevation design requirements of this bylaw.

“Manufactured home” (or Mobile home) means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle”.

“Manufactured home park or subdivision” is a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“Minor repair” is the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring, mechanical or other work affecting public health or general safety.

“New construction” means structures for which the start of construction commenced on or after *[effective start date of this floodplain management bylaw]* and includes any subsequent improvements to such structures. Any construction started after *[effective date of community's first floodplain management bylaw adopted by the community]* and before *[effective start date of this floodplain management bylaw]* is subject to the bylaw in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

“New manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the most recent effective date of floodplain management regulations adopted by a community.

“Nonconforming structure” means a structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, bylaws, and regulations prior to

the enactment of the present bylaws, including a structure improperly authorized as a result of error by the Floodplain Administrator. Structures that were in violation of the flood hazard regulations at the time of their creation, and remain so, remain violations and are not nonconforming structures.

“Nonconforming use” means use of land or a structure that does not conform to the present bylaws but did conform to all applicable laws, bylaws, and regulations prior to the enactment of the present bylaws, including a use improperly authorized as a result of error by the Floodplain Administrator. Uses that were in violation of the flood hazard regulations at the time of their creation, and remain so, remain violations and are not nonconforming uses.

“Nonconformity” means a nonconforming use, structure, lot, or parcel.

“Non-residential” means a commercial or mixed-use building where the primary use is commercial or non-habitational. This includes, but is not limited to: small businesses, churches, schools, farm buildings (including grain bins and silos), pool houses, clubhouses, recreational buildings, government buildings, mercantile structures, agricultural and industrial structures, and warehouses.

“Non-substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the cost is less than 50 percent of the market value of the structure before the “start of construction” of the improvement.

“Person” means an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

“Post-FIRM Structure” is a structure for which construction or substantial improvement occurred after December 31, 1974 or on or after the effective date of the community’s first Flood Insurance Rate Map (FIRM) dated MM/DD/YYYY, whichever is later, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.

“Pre-FIRM Structure” is a structure for which construction or substantial improvement occurred on or before December 31, 1974 or before the effective date of the community’s first Flood Insurance Rate Map (FIRM) dated MM/DD/YYYY, whichever is later, and, as such, would not be required to be compliant with the regulations of the National Flood Insurance Program.

“Recreational vehicle” means a vehicle which is: (a) Built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) Designed to be self-propelled or permanently towable by a light duty truck; and (d) Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

“Repetitive Loss” is flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

“Regulated Flood Hazard Areas” is a term that refers to all areas defined in Section IV.A of this bylaw and regulated by this bylaw, and is the total land to which these regulations apply. These hazard areas overlay any other existing zoning districts and the regulations herein are the minimum standards that must be met before meeting the additional standards applicable in the underlying district.

“River” means the full length and width, including the bed and banks, of any watercourse, including rivers, streams, creeks, brooks, and branches which experience perennial flow. “River” does not mean constructed drainageways, including water bars, swales, and roadside ditches.

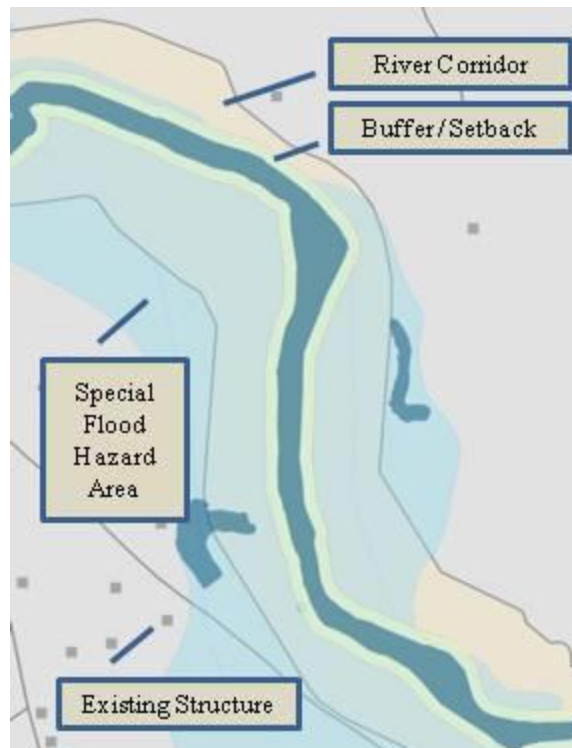
“River Corridor” means the land area adjacent to a river that is required to accommodate the dimensions, slope, planform, and buffer of the naturally stable channel and that is necessary for the natural maintenance or natural restoration of a dynamic equilibrium condition, as that term is defined in 10 V.S.A. § 1422, and for minimization of fluvial erosion hazards, as delineated by the Vermont Agency of Natural Resources (ANR) on the online Natural Resources Atlas.

“Setback” means an undisturbed area consisting of trees, shrubs, ground cover plants, duff layer, and generally uneven ground surface that extends a specified distance horizontally across the surface of the land from the mean water level of an adjacent lake or from the top of the bank of an adjacent river or stream.

“Small streams” are those streams as delineated by the Vermont Agency of Natural Resources (ANR) on the online Natural Resources Atlas, with drainage areas of between .5 and 2 square miles, which, because of their low sensitivity, small watershed size, steeper valley slope, and/or valley confinement, may attain their least erosive form within an area delineated as a simple 50-foot setback measured horizontally and perpendicularly from the top of each streambank. The river corridor for small streams constitutes the stream channel plus the 50-foot setback on each side.

“Special Flood Hazard Area” (SFHA) means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or, AH.

“Start of construction” for purposes of floodplain management, determines the effective map or bylaw that regulated development in the Special Flood Hazard Area. The “start of construction” includes substantial improvement, and means the date the building permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date and shall be completed within twenty-four



(24) months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, regardless whether that alteration affects the external dimensions of the building.

“Structure” means, for regulatory purposes under this bylaw, a walled and roofed building, as well as a manufactured home, and any related built systems, including gas or liquid storage tanks.

“Subdivision” is the division or re-division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs, or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than five acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

“Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure after the date of adoption of this bylaw, the cost of which, **over three years** [Optional: this could be made longer for more restriction, 3 is reasonable for record keeping] or over the period of a common plan of development, cumulatively equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either: (a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specification which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (b) Any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

“Top of Bank” means that vertical point along a stream bank where an abrupt change in slope is evident. For streams in wider valleys it is the point where the stream is generally able to overflow the banks and enter the floodplain. For steep and narrow valleys, it will generally be the same as the top of slope.

“Variance” means a grant of relief by a community from the terms of a floodplain management regulation.

“Violation” means the failure of a structure or other development to be fully compliant with this bylaw. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

XIII. Enactment

A. Adoption

This Bylaw amends the *[Flood Hazard Area Regulations or other name given to current regulations, with most recent adoption date]* contained in *[list title of zoning document with adoption date, or remove this if stand-alone bylaw]* and shall be effective on *[choose either map effective date or any date that precedes the map effective date, including adoption date, twenty-one days after adoption, sixty days after adoption date, etc.]* and shall remain in force until modified, amended or rescinded by **Town/City/Village of _____**, _____ County, Vermont.

ENACTED AND ADOPTED by the *[Selectboard, Council, etc.]* this ____ day of

_____, _____.

Selectboard

Chair

ATTEST

Selectboard Assistant

Town of Londonderry, Vermont
Application for Appointment to Town Boards, Commissions, Committees and Officer Positions
Complete this form if you are interested in being appointed to a public body or Town Officer position.

Nominee Contact Information

Name: RICK PORCELLO Date: 5/16/25
Street Address: 2989 UNDER THE MOUNTAIN RD, S. LONDONDERRY, VT 05155
Mailing Address (if different): _____
Preferred Phone: (862) 245-0705 Alternate Phone: _____
Email address: RPORCELLO@GMAIL.COM

Indicate board/commission/committee or officer position in which you are interested in being appointed:

MTR ADVISORY BOARD

Please indicate your appointment status (Mark with an X)

☒ **Incumbent appointee.** You may leave the information requests below blank.

☐ **Not presently an appointee.** Please complete the following:

1. Please list any prior experience serving on any public boards, commissions, committees or public offices (and approximate dates):

2. Please list any other experience that may be pertinent to the board, commission, committee or office on which you are requesting to serve.

3. Please provide a brief statement describing your interest in serving the Town of Londonderry.

4. Please list any professional qualifications (if applicable).

Attach any additional information to this application and return to the Town Administrator at 100 Old School Street, South Londonderry, VT 05155 or townadmin@londonderryvt.org.



*Oct 20,
meeting*

*NOV 3
meeting*

HV507 SFA

Sales Proposal For:

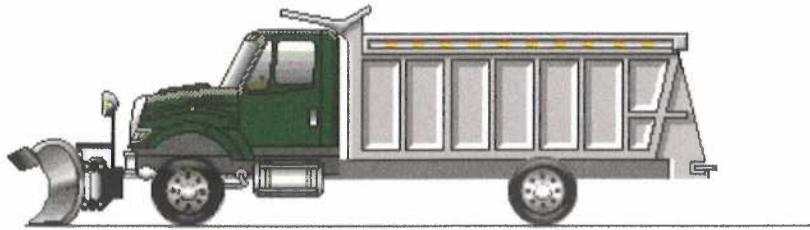
Town of Londonderry

Presented By:

Reed Truck Services, Inc.

Prepared For:
Town of Londonderry VT
Josh Dryden
100 Old School Street
Londonderry, VT 05148
(802)824-3471

Presented By:
Reed Truck Services, Inc.
Scott G. Reed
PO Box 989
Claremont, NH 03743
(603)542-5032



Model Profile
2026 HV507 SFA (HV507)

AXLE CONFIG:	4X2
MISSION:	Requested GVWR: 39000. Calc. GVWR: 46000. Calc. GCWR: 80000
DIMENSION:	Wheelbase: 177.00, CA: 102.00, Axle to Frame: 63.00
ENGINE, DIESEL:	{Cummins L9 370} EPA 2024, 370HP @ 2100 RPM, 1250 lb-ft Torque @ 1200 RPM, 2100 RPM Governed Speed, 370 Peak HP (Max)
TRANSMISSION, AUTOMATIC:	{Allison 3000 RDS} 6th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway
CLUTCH:	Omit Item (Clutch & Control)
AXLE, FRONT NON-DRIVING:	{Meritor MFS-20-133A} Wide Track, I-Beam Type, 20,000-lb Capacity
AXLE, REAR, SINGLE:	{Meritor RS-30-185} Single Reduction, 30,000-lb Capacity, Driver Controlled Locking Differential, T Wheel Ends Gear Ratio: 5.38
CAB:	Conventional, Day Cab
TIRE, FRONT:	(2) 315/80R22.5 Load Range L HAU 3 WT (CONTINENTAL), 480 rev/mile, 68 MPH, All-Position
TIRE, REAR:	(4) 12R22.5 Load Range H HDC1 (CONTINENTAL), 479 rev/mile, 68 MPH, Drive
SUSPENSION, REAR, SINGLE:	31,000-lb Capacity, Vari-Rate Springs, with 4500-lb Capacity Auxiliary Multileaf Springs
PAINT:	Cab schematic 100WK Location 1: 5B38, Dark Green Metallic (Prem) Chassis schematic N/A

<u>Code</u>	<u>Description</u>
HV50700	Base Chassis, Model HV507 SFA with 177.00 Wheelbase, 102.00 CA, and 63.00 Axle to Frame.
1ANA	AXLE CONFIGURATION 4x2
	<u>Notes</u> : Pricing may change if axle configuration is changed.
1CAJ	FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.866" x 3.622" x 0.437" (276.0mm x 92.0mm x 11.1mm); 456.0" (11582mm) Maximum OAL
1LLA	BUMPER, FRONT Swept Back, Steel, Heavy Duty
1MEJ	FRAME DIMPLE Dimple on Left and Right Top Flange of Frame Rail to Reference Rear Axle Centerline
1WDS	FRAME EXTENSION, FRONT Integral; 20" In Front of Grille
1WEV	WHEELBASE RANGE 146" (370cm) Through and Including 195" (495cm)
2ARY	AXLE, FRONT NON-DRIVING {Meritor MFS-20-133A} Wide Track, I-Beam Type, 20,000-lb Capacity
3AGA	SUSPENSION, FRONT, SPRING Parabolic Taper Leaf, Shackle Type, 20,000-lb Capacity, with Shock Absorbers
3WAJ	SPRINGS, FRONT AUXILIARY Air Bag, Right Side Only, Driver Control
4091	BRAKE SYSTEM, AIR Dual System for Straight Truck Applications
	<u>Includes</u> : BRAKE LINES Color and Size Coded Nylon : DRAIN VALVE Twist-Type : GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster : PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel : PARKING BRAKE VALVE For Truck : QUICK RELEASE VALVE On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4 : SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4/8x6
4619	TRAILER CONNECTIONS Four-Wheel, with Hand Control Valve and Tractor Protection Valve, for Straight Truck
	<u>Notes</u> : When electronic stability control is ordered with trailer connections on a 4x2 truck, please check the operator manual for trailer weight restrictions.
4732	DRAIN VALVE {Berg} with Pull Chain, for Air Tank
4AZA	AIR BRAKE ABS {Bendix AntiLock Brake System} 4-Channel (4 Sensor/4 Modulator) Full Vehicle Wheel Control System
4EBS	AIR DRYER {Bendix AD-9} with Heater
4ETG	BRAKE CHAMBERS, FRONT AXLE {MGM} 24 SqIn
4EXU	BRAKE CHAMBERS, REAR AXLE {Bendix EverSure} 30/30 SqIn Spring Brake

Vehicle Specifications
2026 HV507 SFA (HV507)

September 29, 2025

<u>Code</u>	<u>Description</u>
4GBM	BRAKE, PARKING Manual Push-Pull Pneumatic Parking Brake
4LAA	SLACK ADJUSTERS, FRONT {Haldex} Automatic
4LGA	SLACK ADJUSTERS, REAR {Haldex} Automatic
4SPA	AIR COMPRESSOR {Cummins} 18.7 CFM
4VGN	AIR TANK Painted Aluminum, with Straight Thread O-Ring Ports
4VKC	AIR DRYER LOCATION Mounted Inside Left Rail, Back of Cab
4WBX	DUST SHIELDS, FRONT BRAKE for Air Cam Brakes
4WDM	DUST SHIELDS, REAR BRAKE for Air Cam Brakes
4WZJ	AIR TANK LOCATION (2) : One Mounted Under Each Rail, Front of Rear Suspension, Parallel to Rail
4XCY	BRAKES, REAR {Meritor 16.5X7 Q-PLUS HD} Air S-Cam Type, Cast Spider, Heavy Duty Fabricated Shoe, Double Anchor Pin, Size 16.5" X 7", 26,000-lb Capacity per Axle
4XDT	BRAKES, FRONT {Meritor 16.5X6 Q-PLUS CAST} Air S-Cam Type, Cast Spider, Fabricated Shoe, Double Anchor Pin, Size 16.5" X 6", 23,000-lb Capacity
5710	STEERING COLUMN Tilting and Telescoping
5CAW	STEERING WHEEL 4-Spoke; 18" Dia., Black
5PTB	STEERING GEAR (2) {Sheppard M100/M80} Dual Power
6DGC	DRIVELINE SYSTEM {Dana Spicer} SPL170, for 4x2/6x2
7BES	AFTERTREATMENT COVER Polished Aluminum
7BLW	EXHAUST SYSTEM Horizontal Aftertreatment System, Frame Mounted Right Side Under Cab, for Single Vertical Tail Pipe, Frame Mounted Right Side Back of Cab
7SDP	ENGINE COMPRESSION BRAKE {Jacobs} for Cummins ISL/L9 Engines; with Selector Switch and On/Off Switch
7WBA	TAIL PIPE (1) Turnback Type, Bright
7WBS	MUFFLER/TAIL PIPE GUARD (1) Bright Stainless Steel
7WCM	EXHAUST HEIGHT 8' 10"
7WZY	SWITCH, FOR EXHAUST 2 Position, Lighted & Latching, On/Off Type, Mounted in IP, Inhibits Diesel Particulate Filter Regeneration as Long as Switch is in On Position
8000	ELECTRICAL SYSTEM 12-Volt, Standard Equipment
	<u>Includes</u>
	: DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab
	: HAZARD SWITCH Push On/Push Off, Located on Instrument Panel to Right of Steering Wheel
	: HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever
	: PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light

<u>Code</u>	<u>Description</u>
	: STARTER SWITCH Electric, Key Operated
	: STOP, TURN, TAIL & B/U LIGHTS Dual, Rear, Combination with Reflector
	: TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature
	: WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever
	: WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted
	: WIRING, CHASSIS Color Coded and Continuously Numbered
8518	CIGAR LIGHTER Includes Ash Cup
8899	JUMP START STUD (2) 12V, Remote Mounted
8GXJ	ALTERNATOR {Leece-Neville AVI160P2013} Brush Type, 12 Volt, 160 Amp Capacity, Pad Mount
8HAB	BODY BUILDER WIRING Back of Day Cab at Left Frame or Under Sleeper, Extended or Crew Cab at Left Frame; Includes Sealed Connectors for Tail/Amber Turn/Marker/ Backup/ Accessory Power/Ground and Sealed Connector for Stop/Turn
8HAH	ELECTRIC TRAILER BRAKE/LIGHTS Accommodation Package to Rear of Frame; for Combined Trailer Stop, Tail, Turn, Marker Light Circuits; Includes Electric Trailer Brake Accommodation Package with Cab Connections for Mounting Customer Installed Electric Brake Unit, Less Trailer Socket
8HXT	HORN, AIR (2) Single Tone, Chrome, Roof Mounted, with Lanyard Pull Cord
8MMZ	BATTERY SYSTEM {Fleetrite AGM-GP31} Maintenance-Free, (3) AGM 12-Volt 2475CCA Total, Top Threaded Stud
8NAA	TAIL LIGHT WIRING MODIFIED Includes: Wiring for Standard Lt & Rt Tail Lights; Separate 8.0' of Extra Cable Wiring for Lt & Rt Body Mounted Tail Lights
8RGA	2-WAY RADIO Wiring Effects; Wiring with 20 Amp Fuse Protection, Includes Ignition Wire with 5 Amp Fuse, Wire Ends Heat Shrink and Routed to Center of Header Console in Cab
8RMZ	SPEAKERS (2) 6.5" Dual Cone Mounted in Both Doors, (2) 5.25" Dual Cone Mounted in Both B-Pillars
8RPR	ANTENNA for Increased Roof Clearance Applications
8RPS	RADIO AM/FM/WB/Clock/Bluetooth/USB Input/Auxiliary Input
8THJ	AUXILIARY HARNESS 3.0' for Auxiliary Front Head Lights and Turn Signals for Front Plow Applications
8TKK	TRAILER AUXILIARY FEED CIRCUIT for Electric Trailer Brake Accommodation/Air Trailer ABS; with 30 Amp Fuse and Relay, Controlled by Ignition Switch
8VAY	HORN, ELECTRIC Disc Style
8WGL	WINDSHIELD WIPER SPD CONTROL Force Wipers to Slowest Intermittent Speed When Park Brake Set and Wipers Left on for a Predetermined Time

Vehicle Specifications
2026 HV507 SFA (HV507)

September 29, 2025

Code	Description
8WPH	CLEARANCE/MARKER LIGHTS (5) {Truck Lite} Amber LED Lights, Flush Mounted on Cab or Sunshade
8WPZ	TEST EXTERIOR LIGHTS Pre-Trip Inspection will Cycle all Exterior Lamps Except Back-up Lights
8WRB	HEADLIGHTS ON W/WIPERS Headlights Will Automatically Turn On if Windshield Wipers are Turned On
8WWJ	INDICATOR, LOW COOLANT LEVEL with Audible Alarm
8WXB	HEADLIGHT WARNING BUZZER Sounds When Head Light Switch is on and Ignition Switch is in "Off" Position
8WXD	ALARM, PARKING BRAKE Electric Horn Sounds in Repetitive Manner When Vehicle Park Brake is "NOT" Set, with Ignition "OFF" and any Door Opened
8WXG	STARTING MOTOR {Mitsubishi Electric Automotive America 105P} 12-Volt, with Soft-Start
8WZP	INDICATOR, BATTERY WARNING Green BATTERY ON Indicator, Mounted on Left Side of Instrument Panel, To be Used with Factory Installed or Customer Mounted Battery Disconnect Switch
8XAH	CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III with Trip Indicators, Replaces All Fuses
8XDZ	BATTERY BOX Steel, 2-3 Battery Capacity, Mounted Inside the Cab, Under Passenger Seat
8XGT	TURN SIGNALS, FRONT Includes LED Side Turn Lights Mounted on Fender
8XHD	BATTERY DISCONNECT SWITCH 300 Amp, Disconnects Charging Circuits, Locks with Padlock, Cab Mounted
8XNY	HEADLIGHTS Halogen
9585	FENDER EXTENSIONS Rubber
9AAB	LOGOS EXTERIOR Model Badges
9AAE	LOGOS EXTERIOR, ENGINE Badges
9ANG	HOOD, HATCH (01) for Servicing
9HAN	INSULATION, UNDER HOOD for Sound Abatement
9HBM	GRILLE Stationary, Chrome
9HBN	INSULATION, SPLASH PANELS for Sound Abatement
9WBC	FRONT END Tilting, Fiberglass, with Three Piece Construction, for WorkStar/HV
10060	PAINT SCHEMATIC, PT-1 Single Color, Design 100
	<u>Includes</u>
	: PAINT SCHEMATIC ID LETTERS "WK"
10761	PAINT TYPE Base Coat/Clear Coat, 1-2 Tone

<u>Code</u>	<u>Description</u>
10769	PAINT CLASS Premium Color
10AGB	COMMUNICATIONS MODULE Telematics Device with Over the Air Programming; Includes Five Year Data Plan and International 360
10SLV	PROMOTIONAL PACKAGE Government Silver Package
10UAV	VEHICLE REGISTRATION IDENTITY ID for Non-CARB Omnibus and/or Non-ACT Adopting State or Exempt Vehicle. Not for use on vehicles registering in CA/MA /OR/NJ/ NY/WA. Contains non-mitigated legacy engine & cannot be registered in CA unless exempt. You may be held liable under state law for failure to properly register vehicle.
	<u>Notes</u>
	: CANNOT BE REGISTERED IN CA. For vehicles that will be registered in States other than CA.
11001	CLUTCH Omit Item (Clutch & Control)
12703	ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection
12851	PTO EFFECTS, ENGINE FRONT Less PTO Unit, Includes Adapter Plate on Engine Front Mounted
12EZA	ENGINE, DIESEL {Cummins L9 370} EPA 2024, 370HP @ 2100 RPM, 1250 lb-ft Torque @ 1200 RPM, 2100 RPM Governed Speed, 370 Peak HP (Max)
12THT	FAN DRIVE {Horton Drivemaster} Two-Speed Type, Direct Drive, with Residual Torque Device for Disengaged Fan Speed
	<u>Includes</u>
	: FAN Nylon
12UWZ	RADIATOR Aluminum, Cross Flow, Front to Back System, 1228 SqIn, with 1167 SqIn Charge Air Cooler, Includes In-Tank Oil Cooler
	<u>Includes</u>
	: DEAERATION SYSTEM with Surge Tank
	: HOSE CLAMPS, RADIATOR HOSES Gates Shrink Band Type; Thermoplastic Coolant Hose Clamps
	: RADIATOR HOSES Premium, Rubber
12VBG	AIR CLEANER Dual Element, with Integral Pre-Cleaner
12VKC	EMISSION, CALENDAR YEAR {Cummins L9} EPA, OBD and GHG Certified for Calendar Year 2025
12VXT	THROTTLE, HAND CONTROL Engine Speed Control; Electronic, Stationary, Variable Speed; Mounted on Steering Wheel
12VYL	ACCESSORY WIRING, SPECIAL for Road Speed Wire Coiled Under Instrument Panel for Customer Use
12VYP	ENGINE CONTROL, REMOTE MOUNTED No Provision for Remote Mounted Engine Control

Vehicle Specifications
2026 HV507 SFA (HV507)

September 29, 2025

<u>Code</u>	<u>Description</u>
12WVG	EPA IDLE COMPLIANCE Low NOx Idle Engine, Complies with EPA Clean Air Regulations; Includes "Certified Clean Idle" Decal on Hood
12WZE	CARB IDLE COMPLIANCE Does Not Comply with California Clean Air Idle Regulations
12XCS	CARB EMISSION WARR COMPLIANCE Does Not Comply with CARB Emission Warranty
13BCS	TRANSMISSION, AUTOMATIC {Allison 3000 RDS} 6th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway
13WDZ	SHIFT CONTROL PARAMETERS {Allison} 3000 or 4000 Series Transmissions, S1 Performance in Primary and Fixed Programming in Secondary
13WET	TRANSMISSION SHIFT CONTROL Column Mounted Stalk Shifter, Not for Use with Allison 1000 & 2000 Series Transmission
13WLP	TRANSMISSION OIL Synthetic; 29 thru 42 Pints
13WUC	ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS) and Regional Haul Series (RHS), General Purpose Trucks, Construction, Package Number 223
13WVV	NEUTRAL AT STOP Allison Transmission Shifts to Neutral When Service Brake is Depressed and Vehicle is at Stop; Remains in Neutral Until Service Brake is Released
13XAL	PTO LOCATION Customer Intends to Install PTO at Left Side of Transmission
14ASD	AXLE, REAR, SINGLE {Meritor RS-30-185} Single Reduction, 30,000-lb Capacity, Driver Controlled Locking Differential, T Wheel Ends . Gear Ratio: 5.38
	<u>Notes</u> : Axle Lead Time is 60 Days
14SAL	SUSPENSION, REAR, SINGLE 31,000-lb Capacity, Vari-Rate Springs, with 4500-lb Capacity Auxiliary Multileaf Springs
15924	FUEL TANK STRAPS Bright Finish Stainless Steel
15BAA	DEF TANK COVER Stainless Steel
15DYP	DEF TANK 9.5 US Gal (36L) Capacity, Frame Mounted Outside Left Rail, Under Cab
15LMA	LOCATION FUEL/WATER SEPARATOR Mounted Outside Left Rail, 15" Back of Cab
15LNG	FUEL/WATER SEPARATOR {Davco 245} 12 VDC Electric Heater, Includes Pre-Heater, Includes Water-in-Fuel Sensor
15SWG	FUEL TANK Top Draw, Polished Aluminum, 26" Dia, 70 US Gal (265L), Mounted Left Side, Under Cab
16030	CAB Conventional, Day Cab
16BAM	AIR CONDITIONER with Integral Heater and Defroster
16GEG	GAUGE CLUSTER Premium Level; English with English Electronic Speedometer
	<u>Includes</u>

<u>Code</u>	<u>Description</u>
	: GAUGE CLUSTER DISPLAY: Base Level (3" Monochromatic Display), Premium Level (5" LCD Color Display); Odometer, Voltmeter, Diagnostic Messages, Gear Indicator, Trip Odometer, Total Engine Hours, Trip Hours, MPG, Distance to Empty/Refill for
	: GAUGE CLUSTER Speedometer, Tachometer, Engine Coolant Temp, Fuel Gauge, DEF Gauge, Oil Pressure Gauge, Primary and Secondary Air Pressure
	: WARNING SYSTEM Low Fuel, Low DEF, Low Oil Pressure, High Engine Coolant Temp, Low Battery Voltage (Visual and Audible), Low Air Pressure (Primary and Secondary)
16HGH	GAUGE, OIL TEMP, AUTO TRANS for Allison Transmission
16HHE	GAUGE, AIR CLEANER RESTRICTION {Filter-Minder} Mounted in Instrument Panel
16HKT	IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster
16KZZ	SEAT, DRIVER {National 2000 195} Air Suspension, Hi Back, Vinyl Boxing with Cloth Facing, 1 Inboard Arm Rest, Isolator, 8" Adjuster, 3 Chamber Lumbar, 6 Position Front Cushion Adjust, 3 Position Rear Cushion Adjust, 6-23 Degree Back Angle Adjust, Adjust Side Bolster, Vinyl Suspension Cover, Heat
16SEE	GRAB HANDLE, EXTERIOR Chrome, Towel Bar Type, with Anti-Slip Rubber Inserts, for Cab Entry Mounted Left Side at B-Pillar
16SJX	MIRROR, CONVEX, HOOD MOUNTED {Lang Mekra} (2) Right and Left Sides, Bright, Heated, 7.5" Sq.
16SMX	SEAT, PASSENGER {Seats, Inc.} Non Suspension, High Back, Fixed Back, Integral Headrest, Cloth, for use with Batteries in Cab
16SNR	MIRRORS (2) C-Loop, Power Adjust, Heated, LED Clearance Lights, Bright Heads and Arms, 7.5" x 14" Flat Glass, Includes 7.5" x 7" Convex Mirrors, for 102" Load Width
	<u>Notes</u>
	: Mirror Dimensions are Rounded to the Nearest 0.5"
16SNX	MIRROR, CONVEX, LOOK DOWN Right Side, Bright, 6" x 10.5"
16VKK	CAB INTERIOR TRIM Diamond, for Day Cab
	<u>Includes</u>
	: CONSOLE, OVERHEAD Molded Plastic with Dual Storage Pockets, Retainer Nets and CB Radio Pocket; Located Above Driver and Passenger
	: DOME LIGHT, CAB Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Reading Lights; Integral to Overhead Console, Center Mounted
	: SUN VISOR (3) Padded Vinyl; 2 Moveable (Front-to-Side) Primary Visors, Driver Side with Vanity Mirror and Toll Ticket Strap, plus 1 Auxiliary Visor (Front Only), Driver Side
16VLV	MONITOR, TIRE PRESSURE Omit
16VSL	WINDSHIELD Heated, Single Piece
16WBY	ARM REST, RIGHT, DRIVER SEAT
16WJU	WINDOW, POWER (2) and Power Door Locks, Left and Right Doors, Includes Express Down Feature

<u>Code</u>	<u>Description</u>
16WSK	CAB REAR SUSPENSION Air Bag Type
16XJP	INSTRUMENT PANEL Wing Panel
16XTK	ACCESS, CAB Bright Aluminum, Driver & Passenger Sides, Two Steps per Door, for use with Day Cab or Extended Cab
16XWD	SUNSHADE, EXTERIOR Aerodynamic, Painted Roof Color, with Integral Clearance/Marker Lights
16XWJ	WINDSHIELD WIPER BLADES Winter Type
16XXC	COWL TRAY LID
27DUS	WHEELS, FRONT {Accuride 41730} DISC; 22.5x9.00 Rims, Extra Polish Aluminum, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs
28DUS	WHEELS, REAR {Accuride 41730} DUAL DISC; 22.5x9.00 Rims, Extra Polish Aluminum, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs
29WAP	WHEEL GUARDS, FRONT {Accuride} for Metric Hub Piloted Wheels with Flanged Mounting Nuts Mounted Between Hub and Wheel
60AAG	BDY INTG, REMOTE POWER MODULE Mounted Inside Cab Behind Driver Seat, Up to 6 Outputs & 6 Inputs, Max 20 amp per Channel, Max 80 amp Total; Includes 1 Switch Pack with Latched Switches
7392155420	(4) TIRE, REAR 12R22.5 Load Range H HDC1 (CONTINENTAL), 479 rev/mile, 68 MPH, Drive
7792545437	(2) TIRE, FRONT 315/80R22.5 Load Range L HAU 3 WT (CONTINENTAL), 480 rev/mile, 68 MPH, All-Position

Services Section:

40128	WARRANTY Standard for HV507/HV509, HV50B, HV607/HV609 Models, Effective with Vehicles Built July 1, 2017 or Later, CTS-2025A
-------	--

Financial Summary
2026 HV507 SFA (HV507)**September 29, 2025****(US DOLLAR)****Description****Price**

Net Sales Price:

\$135,450.00

Please feel free to contact me regarding these specifications should your interests or needs change. I am confident you will be pleased with the quality and service of an International vehicle.

Approved by Seller:**Accepted by Purchaser:**_____
Official Title and Date_____
Firm or Business Name_____
Authorized Signature_____
Authorized Signature and Date

This proposal is not binding upon the seller without Seller's Authorized Signature

Official Title and Date

The TOPS FET calculation is an estimate for reference purposes only. The seller or retailer is responsible for calculating and reporting/paying appropriate FET to the IRS.

The limited warranties applicable to the vehicles described herein are Navistar, Inc.'s standard printed warranties which are incorporated herein by reference and to which you have been provided a copy and hereby agree to their terms and conditions.



Viking-Cives of Vermont
74 Armand Lane

Willison, VT 05495
Phone: (802) 660-9991
Fax: (802) 660-9992
www.vikingcives.com

QUOTATION

Error! Reference
Quote ID: **source not found.**

Page 1 of 2

Customer: Town of Londonderry
100 Old School Street
Londonderry, VT 05148

Quote Number: Londonderry
Quote Date: 10/09/25
Quote valid until: 12/09/25

Contact: Josh Dryden
Phone: 802-824-3471

Salesperson: Mike Murray

Part Number	Description	Quantity	Unit Price	Amount
	Power Tilt Hitch w/Wing Mount and Twin Chain Tilt	1		
	FAH33 Hydraulic Front Mast Assembly	1		
	Full Trip Hinge – 10 Degree w/Lockout	1		
	Patrol Rear Support w/Detachable 3 Point Attach	1		
	1011WHD Wing	1		
	HD Full Trip Hydraulic Arms (Cushion Spring Lower)	1		
	Sabre Wing Blades	1		
	Moldboard Shoes (Pair)	1		
	RI14254SEF Slotted Compression Trip Moldboard w/Flare	1		
	PRR Slotted Compression Trip Hydraulic Reverse Drive Frame	1		
	Three Chain Level Lift	1		
	Standard Push Lug Swivel	1		
	HD Sabre Blades	1		
	Moldboard Shoes (Pair)	1		
	Slot Adjustable Frame Shoes (Pair)	1		
	Rubber Deflector and Fluorescent Whips	1		
	Front Mounted Load Sense Pump	1		
	Behind Cab Oil Reservoir w/Low Oil Sensor	1		
	8 Section Load Sharing/Proportional Implement Valve	1		
	Pedestal Mount Air Actuated Implement Controls	1		
	Ecobite Electronic Spreader Control	1		
	Stainless Steel Hydraulic Piping to the Front and Rear	1		
	PLSD10' Side Dump Body w/Remote Lubrication Kit	1		
	¼" AR450 Floor/Tipper w/I-Beam Long and Cross Members	1		
	AR450 Driver's Wall and Corten Safety/Support Wall	1		
	Six Panel Air Actuated Tailgate	1		
	½ Cab Shield	1		
	DA Telescopic Hoist	1		
	Color Camera System w/Dual Feeds	1		
	3 Point Ladder, Gearbox Step, and Inner Body Step	1		
	Shovel Holder	1		
	Electric Cover w/30 Deg Alum Arms, Mesh Tarp, Tensioner	1		



Viking-Cives of Vermont
74 Armand Lane

Willison, VT 05495
Phone: (802) 660-9991
Fax: (802) 660-9992

www.vikingcives.com

QUOTATION

Error! Reference
Quote ID: source not found.

Page 2 of 2

Part Number	Description	Quantity	Unit Price	Amount
	Composite Sideboards	1		
	Pintle Plate w/25 Ton Hook, Electrical Plug, Glad Hands	1		
	Front and Rear Mud Flaps w/Front Mounted Anti-Sails	1		
	Shot Blasted, Zinc/Epoxy Primed, High Temperature Baked	1		
	Painted Dupont Imron Black and High Temperature Baked	1		
	LED Heated Cab Shield (4) and Corner Post Mounted Strobes	1		
	LED Heated Stop/Tail/Turns and Back Ups and LED Markers	1		
	LED Heated Plow Lights	1		
	LED Heated Spot Lights	5		
Quote Total:				\$101,900.00
Trade:				
Total Due:				\$101,900.00

The following items may be added:

Part Number	Description	Quantity	Unit Price	Amount

Customer must fill out the information below before the order can be processed...

Accepted by:	
Date:	
P.O. number:	

- The price and terms on this quotation are not subject to verbal changes or other agreements unless approved in writing by the seller. All quotations and agreements are contingent upon strikes, accidents, fires, availability of material, and all other causes beyond our control. Prices are based on cost and conditions existing on the date of quotation and are subject to change by the seller before final inspection.
- Typographical and stenographic errors are subject to correction.
- Conditions not specifically stated herein shall be governed by the established trade customs. Terms inconsistent with those stated herein which may appear on purchaser's final order will not be binding on the seller.
- Terms are due upon receipt unless prior credit has been established or established accounts are set up with Net 30-day terms.
- Quoted price does not include any applicable taxes and is subject to state and local tax, as well as Federal excise tax unless proper forms are submitted and established when applicable.
- All orders are FOB Viking facility unless noted otherwise.

Notes:

pd \$880.00
#28905

Town Highway Access Permit Application Form Parcel ID No. _____

This form must be submitted for all new and modified access areas onto a Town highway. For accesses on a State road, including VT Routes 11 and 100, property owners must apply directly to the Vermont Agency of Transportation.
** Please Type or Print Clearly **

Applicant(s)

Name: Josh Wylie (Wylie Construction)
Address: 163 Route 30
Town/State/Zip: Winhall Vermont 05340
Phone: 802-297-1821 Email: wylie@wylieconstruction.net

Property Owner(s):

☐ Check here if same as applicant

Name: Nancy & Ellen Berkowitz
Address: 2460 Under Mtn Road
Town/State/Zip: Londonderry VT 05155
Phone: 301-905-2495 Email: nancy@berkfarm1960.com

Property Information

Property Location/Address: 2460 Under the Mtn Road
Date Purchased by Owner: 7/24/24 Deed Recorded in Book 100 Page 408-411
Property Size (acres): 27 Road Frontage (feet): 840 Town Highway # _____
Existing Use of Property: Single Family Home
Proposed Use of Property: Single Family Home

Proposed Town Highway Access

The undersigned hereby requests an access permit to construct the following:

☐ New Access to Highway ☒ Modification to existing Access to Highway

To be located on the right side of the Town Highway indicated above 4800 feet
distant from the intersection of this road with Cross Road

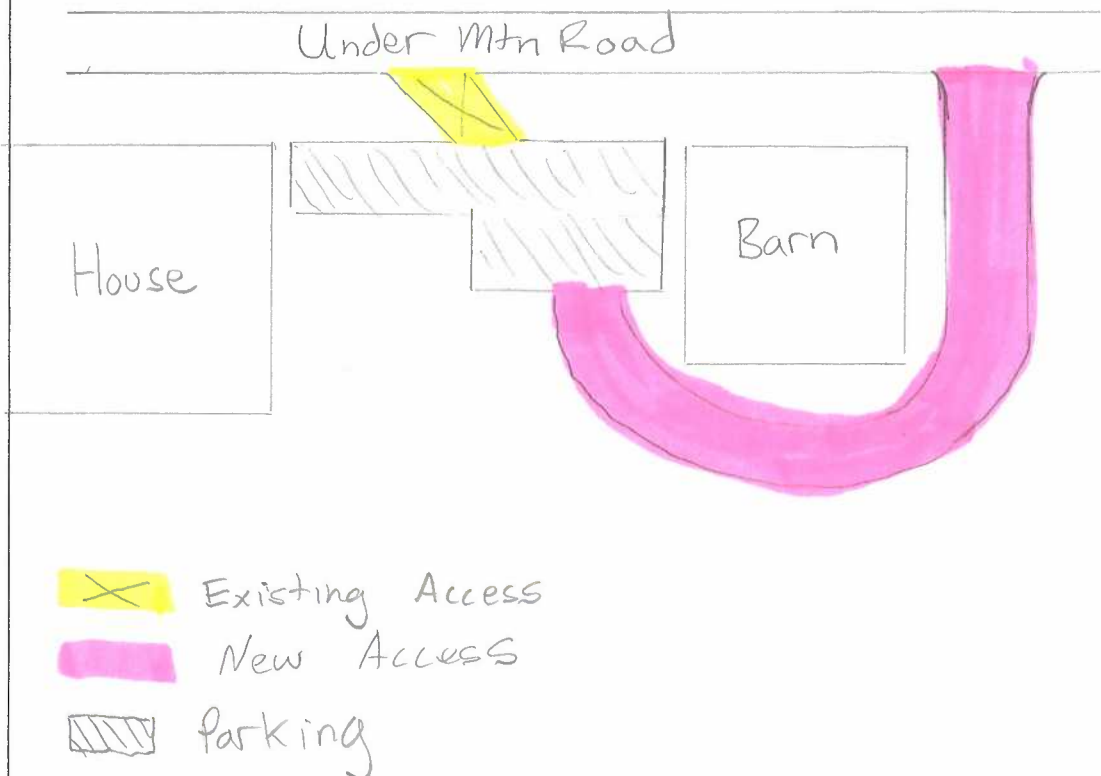
Is there already a road access to this property? ☒ Yes ☐ No

Describe proposed new or changed access in detail: moving driveway entrance approx. 200ft to help with flow & parking, existing access will be removed.

Town Highway Access Permit Application Form

Parcel ID No. _____

Sketch of proposed access location – Complete, legible & to scale, and showing north arrow



NOTE: Location must be staked out or flagged by applicant at the time of application.

Fees

Applications are not considered to be complete until all applicable fees have been received as follows:

Modification of existing access	\$50.00
New access	\$75.00

Payment must be made by check, payable to: *Town of Londonderry, Vermont*

Applicants may be required to pay reasonable and customary costs for assistance provided by experts (engineers, planning consultants, etc.) requested by the Selectboard as part of the review process.

Town Highway Access Permit Application Form

Parcel ID No. _____

Certification

By signing below both the owner and applicant hereby affirm that the information presented in this application, and all supporting forms, plans and documents are true, accurate and complete, and agree that, if any such information is found by the Town to be false or misleading, any permit or other approval granted on the basis of such information shall be deemed null and void.

The property owner and their successors agree to maintain any approved Town Highway access compliant with issuance and adhere to the directions, restrictions, and conditions forming part of any permit issued in response to this application.

Permission is hereby granted by the property owner for Town representatives to inspect the property at mutually acceptable times to verify information provided in this application.

Applicant Signature: _____ Date: 10/21/2025

Property Owner Signature: _____ Date: 10-21-2025
[] Check here if owner is submitting a Letter of Authorization in lieu of signing above

For Road Foreman/Road Commissioner Use Only

Culvert Required: ☒ Yes [] No Culvert Diameter: 18 Culvert Length: _____

Culvert distance from center of Town road: put in the ditch line Amount of culvert cover: _____

Flush culvert headers required: ☒ Yes [] No

Ditch work for proper drainage ☒ Yes [] No

Ditching distance: N S E W side of drive: N/A N S E W side pf drive: N/A

Access approach width: _____

Reverse pitch from road ($\frac{1}{2}$ "/foot min.) [] Yes [] No Distance from travel lane: _____

Cut for line of sight ☒ Yes [] No

Cut distance from center of Town highway N S E W side: N/A

Cut distance from center of Town highway N S E W side: N/A

Cut distance parallel to Town Highway N S E W side: N/A

Cut distance parallel to Town Highway N S E W side: N/A

Directions, Restrictions, Conditions: _____

Town Highway Access Permit Application Form

Parcel ID No. _____

For Selectboard Office Use Only

ACTION TAKEN: ☐ Approved ☐ Approved with Conditions ☐ Denied

Comments: _____

Signature: _____
 Selectboard Chair

Date: _____

This permit, if issued, is done so in accordance with 19 V.S.A. Section 1111 and with the understanding that construction shall comply with all applicable Federal, State and local laws and regulations and with any directions, restrictions or conditions listed on this permit. Violations shall be corrected by the property owner in a timely manner or the Town shall have the right to revoke the application or permit for non-compliance, or make necessary changes the cost of which shall be borne by the property owner. Violations may also be subject to penalties and fines prescribed by applicable law. This permit shall be effective only for the land use herein indicated and any change in land use shall require a new permit.

For Final Inspection Use Only

Final Inspection Date: _____ Constructed as permitted?: ☐ Yes ☐ No

Acceptable minor modifications from that permitted: _____

Final Approval Granted?: ☐ Yes ☐ No

Comments: _____

Signature: _____
 ☐ Road Foreman
 ☐ Road Commissioner

Date: _____

Town of Londonderry, Vermont

100 Old School Street
South Londonderry, VT 05155
802-824-3356
www.londonderryvt.org

11/04/2025

Chris Campany, Executive Director
Windham Regional Commission
139 Main Street, Suite 505
Brattleboro, VT 05301

RE: Request for WRC Review and Approval of Town Plan and Confirmation of Town's Planning Process

Dear Mr. Campany,

At its special meeting on 10/29/2025 the Londonderry Selectboard voted to adopt the 2025 Town Plan. In conformance with 24 V.S.A. § 4385(c), I have enclosed a copy of the 2025 Town Plan for your records and request regional commission review and approval of the Plan and confirmation of the Town's planning process pursuant to 24 V.S.A. § 4350. The Town will forward a copy of the adopted Plan to the Commissioner of the Department of Housing and Community Development.

Respectfully,

Aileen Tulloch

Town Administrator
Town of Londonderry, Vermont
100 Old School Street
South Londonderry, VT 05155
802-824-3356, ext. 5
townadmin@londonderryvt.org



Re: High-Water Mark Sign for Londonderry

From Tom Cavanagh <T.CAVANAGH@londonderryvt.org>

Date Mon 10/20/2025 4:21 PM

To Yip, Tessa (she/her) <Tessa.Yip@vermont.gov>; Will Goodwin <ZONINGADMIN@londonderryvt.org>; Aileen Tulloch <townadmin@londonderryvt.org>

Cc Swanberg, Ned (he/ki) <Ned.Swanberg@vermont.gov>; Brayton, Asa <Asa.Brayton@vermont.gov>; john.goff <john.goff@noaa.gov>; sheila.m.warren@usace.army.mil <sheila.m.warren@usace.army.mil>; maya.e.dehner@usace.army.mil <maya.e.dehner@usace.army.mil>

Hello Tessa,
The selectboard will discuss this on our November 3rd meeting.
Thank you

Thomas Cavanagh
Chair, Londonderry Selectboard
802-824-3254

From: Yip, Tessa (she/her) <Tessa.Yip@vermont.gov>

Sent: Monday, October 20, 2025 1:54:26 PM

To: Will Goodwin <ZONINGADMIN@londonderryvt.org>; Tom Cavanagh <T.CAVANAGH@londonderryvt.org>

Cc: Swanberg, Ned (he/ki) <Ned.Swanberg@vermont.gov>; Brayton, Asa <Asa.Brayton@vermont.gov>; john.goff <john.goff@noaa.gov>; sheila.m.warren@usace.army.mil <sheila.m.warren@usace.army.mil>; maya.e.dehner@usace.army.mil <maya.e.dehner@usace.army.mil>

Subject: High-Water Mark Sign for Londonderry

Hi Tom and Will,

My name is Tessa Yip and I'm with the VT Dept of Environmental Conservation Rivers Program. As a way to bring awareness and understanding to flooding in our communities, our team is partnering with the US Army Corps of Engineers and the Burlington National Weather Service to bring new High-Water Mark (HWM) signs to many of Vermont's flood-impacted towns. We're reaching out to see if Londonderry would be interested in adding a HWM sign to the town.

We have USGS high-water mark data from the July 2023 flood for the town of Londonderry that we would be able to use for this sign project. However, we understand Londonderry may have HWM from other floods of record you would like to highlight instead.

We would be happy to work with Londonderry to figure out what the best option for your community could be. Every community's high-water mark sign can be unique. Ideally, a HWM sign would be located in a more prominent place that receives foot traffic. In terms of what the sign says, what it looks like, and which flood is marked, there's a lot of flexibility. We hope that the development of a HWM sign will be a community-based discussion and decision.

We've reached out to you first to gauge the town's interest, but other municipal officials and community partners can also be looped in. The Highway Department or Highway Superintendent, for example, may be a great person to include in this conversation as they often have hands-on experience with where flooding has occurred. We would be glad to help you get town support for this project.

Please let us know your thoughts on this potential project, including if you have questions or want to learn more. We look forward to hearing from you!

Thank you,
Tessa

Tessa Yip (she/her) | Engagement & Community Support Floodplain Manager
Watershed Management Division, Rivers Program
Vermont Department of Environmental Conservation
1 National Life Dr, Davis 3 | Montpelier, VT 05620
802-461-9060 | Tessa.Yip@vermont.gov
dec.vermont.gov

RE: High-Water Mark Sign for Londonderry

From Yip, Tessa (she/her) <Tessa.Yip@vermont.gov>

Date Tue 10/21/2025 2:33 PM

To Tom Cavanagh <T.CAVANAGH@londonderryvt.org>; Will Goodwin <ZONINGADMIN@londonderryvt.org>; Aileen Tulloch <townadmin@londonderryvt.org>

Cc Swanberg, Ned (he/ki) <Ned.Swanberg@vermont.gov>; Brayton, Asa <Asa.Brayton@vermont.gov>; john.goff <john.goff@noaa.gov>; sheila.m.warren@usace.army.mil <sheila.m.warren@usace.army.mil>; maya.e.dehner@usace.army.mil <maya.e.dehner@usace.army.mil>

 1 attachment (964 KB)

HWM Sign - Belfast, ME.jpg;

Hi Tom,

Thank you for your quick reply and for bringing the project idea to the rest of the selectboard. Below is some additional information that may be helpful for the selectboard to have.

Funding for the HWM sign comes from the US Army Corps of Engineers (USACE). The town, such as a Public Works Department, would need to install the sign themselves. Depending on the interest levels of other towns, we may be able to provide more than one HWM sign. If Londonderry would like more signs than we can provide, each sign costs about \$300.

As mentioned in my initial email, there aren't a lot of restrictions on the sign graphics and wording. Every community can be different and creative. The sign will be 18x24 inch aluminum with paint, but it's also possible to make them smaller. I've attached an example photo from Belfast, Maine for reference.

If you have any other questions or would like to have a call before the 11/3 selectboard meeting, please let me know. Alternatively, I can attend the selectboard meeting if Londonderry offers a Zoom option.

Kind regards,
Tessa

Tessa Yip (she/her) | Engagement & Community Support Floodplain Manager
Watershed Management Division, Rivers Program

Vermont Department of Environmental Conservation
1 National Life Dr, Davis 3 | Montpelier, VT 05620
802-461-9060 | Tessa.Yip@vermont.gov
dec.vermont.gov

From: Tom Cavanagh <T.CAVANAGH@londonderryvt.org>
Sent: Monday, October 20, 2025 4:21 PM
To: Yip, Tessa (she/her) <Tessa.Yip@vermont.gov>; ZONINGADMIN <ZONINGADMIN@londonderryvt.org>; Aileen Tulloch <townadmin@londonderryvt.org>
Cc: Swanberg, Ned (he/ki) <Ned.Swanberg@vermont.gov>; Brayton, Asa <Asa.Brayton@vermont.gov>; john.goff <john.goff@noaa.gov>; sheila.m.warren@usace.army.mil; maya.e.dehner@usace.army.mil
Subject: Re: High-Water Mark Sign for Londonderry

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello Tessa,
The selectboard will discuss this on our November 3rd meeting.
Thank you

Thomas Cavanagh
Chair, Londonderry Selectboard
802-824-3254

From: Yip, Tessa (she/her) <Tessa.Yip@vermont.gov>
Sent: Monday, October 20, 2025 1:54:26 PM
To: Will Goodwin <ZONINGADMIN@londonderryvt.org>; Tom Cavanagh <T.CAVANAGH@londonderryvt.org>
Cc: Swanberg, Ned (he/ki) <Ned.Swanberg@vermont.gov>; Brayton, Asa <Asa.Brayton@vermont.gov>; john.goff <john.goff@noaa.gov>; sheila.m.warren@usace.army.mil <sheila.m.warren@usace.army.mil>; maya.e.dehner@usace.army.mil <maya.e.dehner@usace.army.mil>
Subject: High-Water Mark Sign for Londonderry

Hi Tom and Will,

My name is Tessa Yip and I'm with the VT Dept of Environmental Conservation Rivers Program. As a way to bring awareness and understanding to flooding in our communities, our team is partnering with the US Army Corps of Engineers and the Burlington National Weather Service to bring new High-Water Mark (HWM) signs to many of Vermont's flood-impacted towns. We're reaching out to see if Londonderry would be interested in adding a HWM sign to the town.

We have USGS high-water mark data from the July 2023 flood for the town of Londonderry that we would be able to use for this sign project. However, we understand Londonderry may have HWM from other floods of record you would like to highlight instead.

We would be happy to work with Londonderry to figure out what the best option for your community could be. Every community's high-water mark sign can be unique. Ideally, a HWM sign would be located in a more prominent place that receives foot traffic. In terms of what the sign says, what it looks like, and which flood is marked, there's a lot of flexibility. We hope that the development of a HWM sign will be a community-based discussion and decision.

We've reached out to you first to gauge the town's interest, but other municipal officials and community partners can also be looped in. The Highway Department or Highway Superintendent, for example, may be a great person to include in this conversation as they often have hands-on experience with where flooding has occurred. We would be glad to help you get town support for this project.

Please let us know your thoughts on this potential project, including if you have questions or want to learn more. We look forward to hearing from you!

Thank you,
Tessa

Tessa Yip (she/her) | Engagement & Community Support Floodplain Manager
Watershed Management Division, Rivers Program
Vermont Department of Environmental Conservation
1 National Life Dr, Davis 3 | Montpelier, VT 05620
802-461-9060 | Tessa.Yip@vermont.gov
dec.vermont.gov

October 27, 2025



*Town of Londonderry
Town Office
100 Old School Street
South Londonderry, VT 05155*

Dear Londonderry Taxpayers,

Thank you so much for your thoughtful and generous appropriation of \$1,000 to Grace Cottage Family Health & Hospital, as approved at Town Meeting. We cherish every gift, as each donation allows us to maintain the highest level of personal and professional care for our patients.

We received this testimonial recently, and it sums up the unique care that we provide in so many different ways; your donations are helping to support this type of care:

"My stay was perfect. There is a feeling of caring at Grace Cottage, that is so unusual in healthcare today. I first heard of Grace Cottage from Dr. Fox in Londonderry, who always praises it, but this was my first time as a patient. I'd recommend it to anybody. It has worked wonders for my recovery. My visitors have seen the culture of caring right away saying, 'What an amazing hospital!' Everybody cares, from the LNAs and nurses to the therapists and the dietary team. The food is really good, too!"

Michael Jeffery, Landgrove, VT

Thank you so much for supporting our small, rural hospital!

With appreciation,

A handwritten signature in black ink, appearing to read "Alysabeth Simon". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

*Alysabeth Simon
Marketing and Fundraising Assistant*

**No goods or services were received in exchange for this tax-deductible donation.
Grace Cottage Foundation**