

**Town of Hinesburg**  
**Planning Commission Meeting Minutes**  
**August 23, 2023**  
*Approved 9/13/23*

**Members Present:** James Donegan, Barbara Forauer, John Kiedaisch, Alison Lesure, Denver Wilson, John Little (first meeting), Becky Alford (first meeting)

**Members Absent:** Lenore Budd, Nicholas Chlumecky

**Staff:** Alex Weinhausen (Director of Planning & Zoning)

**Public Present (In person):** none

**Public Present (via Zoom):** Brandy Saxton (PlaceSense consultant), Rod Francis (PlaceSense consultant), Jennifer Decker, Matt Giroux

Denver W. called the meeting to order at approximately 7:00 PM.

Commissioners welcomed two newly appointed members to their first meeting – John Little and Becky Alford. Introductions were made around the table.

**1. Agenda Changes:**

None.

**2. Public Comment for Non-agenda Items:**

None.

**3. Minutes from July 26, 2023 meeting:**

Alison L. **made a motion, seconded by** Denver W., **to approve the minutes from the 7/26/23 meeting as drafted. The motion passed 6-0**, with James D. abstaining.

**4. Regulation Modernization for Housing:**

Alex W. reminded the Commissioners that the purpose of this project is to revise the zoning regulations to remove unnecessary barriers to the creation of more housing. He said that the project began earlier this year with discussion at Planning Commission meetings on July 12, May 24, April 26, and March 22.

Included in the meeting materials were: an August 14 memo from the PlaceSense consultants (Brandy Saxton, Rod Francis) outlining discussion items for the meeting; August 14 draft zoning language to consolidate all sections related to the village growth area; an August 18 email from Alex Weinhausen with recommendations on the items in the PlaceSense memo. Alex W. indicated that at previous meetings, the Commission had reviewed draft zoning revisions that hewed to the format of the existing zoning regulations. The village growth area draft language in tonight's meeting materials represents the consolidated option. This option reformats and consolidates all of the sections that deal with the village growth area, so that they are all in one section. He said that there are pros and cons to this consolidated option, but that it is an efficient way to organize all of the village growth area provisions.

Brandy S. and Rod F. led a discussion of each item in their August 14 memo:

**Rooming House Use** –PlaceSense recommends adding this as an allowed use. There was discussion about the definition of this use and how it differs from short-term rental uses like hotels, motels, hostels, etc. It was noted that rooming house rooms/suites do not have individual kitchens, otherwise they would constitute separate dwelling units (i.e., apartments). There was conversation about the kitchen for the overall dwelling, and whether the regulation should require the owner/manager occupant to share the kitchen with those renting rooms. Brandy S. and Rod F. said that the definition is taken from State Statute, and that it doesn't address potential shared use of the kitchen – i.e., that is left to the owner/manager. The Commission agreed to go with this definition and to add this as an allowed use in appropriate village growth area districts.

**Master Plan Requirement** - PlaceSense recommends revising the master plan requirement in the existing regulations in two ways: 1) increase the parcel size trigger from one acre to five acres (i.e., fewer projects would require a master plan); 2) reducing the type of applications that require a master plan, to focus just on subdivisions and planned unit developments (PUDs). The Commission discussed this at length, and reached consensus to leave the parcel size trigger at one acre, but to limit the requirement to subdivisions and PUDs.

**Inclusionary Zoning (IZ)** – PlaceSense recommends several updates, many of which reflect recommendations from the Hinesburg Affordable Housing Committee. Some of these include: increasing the number of affordable dwelling units from 10% to 15% of the overall project; ensuring affordability levels and income eligibility requirements are maintained beyond the initial sale or rental; changing the affordability level of for-sale homes from 80% to 120% of area median income (AMI) consistent with State policy; making the income eligibility requirement the same as the affordability level – i.e., 80% of AMI for rental, 120% of AMI for ownership. There was substantial discussion, particularly about moving the affordability level and income eligibility level for ownership units to 120% of AMI. Brandy S. noted that several years ago, the State changed the definition of affordable for-sale housing from 80% to 120% of AMI. Alex W. noted that Hinesburg's existing regulations utilize an affordability level of 80% of AMI for both rental and ownership units, and an income eligibility level of 100% of AMI.

Becky A. pointed out that by making the affordability level and the income eligibility level the same, there will be very few people that can both afford and be income eligible for these IZ units. Brandy S. and Denver W. noted that the affordability level is the maximum sale price or rental price that can be charged, so a seller or rental unit owner can market the IZ unit for a lesser amount (e.g., 100%, 95%, etc. of AMI) if necessary to attract more buyers or renters. John L. pointed out that there are many parameters that the Town has no control over – e.g., construction costs, mortgage interest rates, mortgage income and down payment requirements, affordable housing funding requirements (e.g., tax credits, State grants, etc.). James D. suggested a tiered approach to preserve greater affordability of for-sale units – e.g., 50% of the required IZ units marketed at up to 80% of AMI, and 50% marketed at up to 120% of AMI. The Commission did not reach consensus on affordability levels and income eligibility levels. Alex W. will reach out to the Hinesburg Affordable Housing Committee for feedback, and the Commission will discuss this further at a future meeting.

**Design Standards** – PlaceSense recommends reducing the scope of the village growth area design standards so that they would only apply to projects that require review by the Development Review Board (DRB). In other words, no longer require that the Zoning Administrator evaluate zoning permit applications against the design standards. This would primarily impact the design and construction of single unit dwellings and two unit dwellings, neither of which require detailed design review by the DRB. All other development requires site plan review by the DRB, which includes the review of

architectural plans and the application of the building design standards. Alex W. recommended against making this change. He explained that the Commission discussed this issue when the design standards were updated less than a year ago. At that time, the decision was made to have the design standards apply to all new construction, including new single unit dwellings and duplexes. He noted that when a subdivision of single unit dwellings is reviewed by the DRB, it is too early for the developer to specify building designs (e.g., architecture, roof lines, footprint, etc.). These come later, when a zoning permit is applied for with specific building plans. The Commission did not reach consensus on this PlaceSense suggestion, and will discuss it further at a future meeting.

**Design Standard Waiver** – PlaceSense recommends tightening up the design standard waiver allowance so that the DRB can only approve a waiver if there are physical constraints that make adherence to the standards impractical. Brandy S. indicated that this will better ensure the standards are followed, which is important for the community and for the Town’s eligibility for certain State designation programs (e.g., Neighborhood Development Area). The Commission agreed that this was a positive change to the regulations.

John K. asked for clarity on the definition of a proposed new residential use called “transitional housing”. Brandy S. and Rod F. noted that the memo includes the definition of this use, which is, “Use of one or more dwelling units under the management of a government agency or nonprofit organization to provide temporary housing for people who have experienced homelessness with a designated length of stay of not less than 30 days and supportive services to facilitate movement to permanent housing.” Brandy S. said what distinguishes this use from other housing (e.g., multi-unit apartments) is the supportive services.

Brandy S. and Rod F. briefly summarized the rest of the memo (pages 3-5). They noted that Commission already saw these changes at previous meetings. Alex W. discussed next steps and scheduling, and said that he would confer with PlaceSense after the meeting. The Commission will likely revisit this conversation without the consultant at the September 27 meeting.

## **5. Other Business:**

- a. Planning news and announcements – Several items were shared by: Barbara F., Alex W., and Denver W.
- b. Agenda items for September 13, 2023 meeting – Denver W. indicated that most of the meeting would be needed for continued discussion on the Rural Residential 1 zoning project. Alex W. said that it is budgeting time, and that he’d like the Commission to discuss a work plan for the next 12-18 months, and the resulting budgetary implications. He would like the Commission to discuss this in September, as he needs to submit a Planning and Zoning Department budget to the Town Manager by September 29.

Denver W. **adjourned the meeting at approximately 9:00 PM.**

Respectfully submitted,  
Alex Weinhagen, Director of Planning & Zoning