

Town of Hinesburg
Planning Commission Meeting Minutes
October 12, 2022

Approved October 26, 2022

Members Present: Dan Baldwin, Lenore Budd, Nick Chlumecky, James Donegan, Marie Gardner (via Zoom), John Kiedaisch, Allison Lesure, Denver Wilson.

Members Absent: Barbara Forauer.

Also: Alex Weinhagen (Director of Planning & Zoning), Amy Coonradt (Recording Secretary).

Public Present (in person): Jim Carroll, Kathleen Newton, Tony St. Hilaire (after 8:30 PM).

Public Present (via Zoom): Tony St. Hilaire (prior to 8:30 PM).

Denver W. called the meeting to order at approximately 7:03 PM.

1. **Agenda Changes – None.**
2. **Public Comments for Non-agenda items**
3. **Minutes of September 28 meetings**

Approval of minutes was tabled until the next meeting.

4. Rural Residential 1 District Zoning Revisions

(continued from September 28 meeting)

- a. Discuss/refine proposed district boundaries (Option 6)

Alex W. began by noting that there seemed to be consensus at the last meeting for splitting the Rural Residential 1 District into 3 different districts: a Residential 3 district, a Residential 4 district, and a Rural 1 district. He said that they have not yet agreed about district boundaries, which warrants further discussion here.

John K. asked why some of the mobile homes are in different districts. Alex W. said that the Residential 3 district is ending at the Birchwood Drive neighborhood, leaving the Triple L mobile home park in the Residential 4 district. He said that similarly, the Mountainview mobile home park is also in the Residential 4 zoning district. He said that the Sunset Villa mobile home park is mostly in the Shoreline district. He said that these mobile home parks are pre-existing non-conforming uses that weren't anticipated by zoning. Denver W. said that it makes sense to keep the mobile home parks in the Residential 4 district, given that most of them are owned by a single property-owner.

James D. noted that one of the proposed changes is to adjust the district boundary line to no longer follow the road and separate the neighborhoods, but said he is not in support of that change and would like to revert to the original boundary. Lenore B. noted that using the road as the boundary seemed arbitrary in some instances (such as on North Road), since sometimes both sides of the road have had the same look and feel. Dan B. said that in the North Road example, the lots on the east side have core wildlife habitat behind them, while the lots on the west side have more homes behind them. Alex W. agreed, noting core wildlife habitat, streams, and steep slopes on that side of the road. Lenore B. asked if it would be feasible to have the boundary line zig-zag to sometimes follow North Road and sometimes be behind it. She also said that it may make more sense to figure out the densities for each of the

districts and whether they would apply the conservation design standards prior to trying to set the boundary lines. John K. also suggested that they discuss proposed allowed uses in the districts, as that will help guide the boundary lines for the districts.

b. Discuss maximum residential development density

Alex W. recapped the previous meeting's discussion, noting that the Planning Commission arrived at having three districts with development densities that are the same as the current zoning if minimum lot size is equated to density. This would mean that Residential 3 would have a maximum development density of 1 acre per unit, Residential 4 would have 3 acres per unit, and Rural 1 would have 5 acres per unit. He noted that there was also discussion of having even less density in Residential 3 (5 acres) and Rural 1 (10 acres). He said that there was also discussion around where the conservation subdivision design standards should be applied, noting that there seemed to be consensus around at least applying them to the Rural 1 district, but not sure about Residential 3 or 4.

Dan B. asked if the sewer capacity numbers for Residential 3 are available. Alex W. replied that not yet, but if they are not changing the development potential from what currently exists in zoning, then it may not change impacts to sewer. Denver W. asked what the limiting factors would be for a ten-plex in that area (for example). Alex W. replied that there are setback restrictions and lot coverage maximum restrictions, for one thing. He noted that currently in the RR1 District the lot coverage maximum is 20%. He noted that other limitations could be things like traffic and neighborhood characteristics. Denver W. said that he supports having a 1-acre density with a ½-acre minimum lot size in Residential 3. Other Planning Commissioners concurred.

John K. said that he would like to see a density of 5 acres in the Residential 4 and 10 acres in Rural 1, similarly to the sentiments that James D. expressed. Denver W. pointed out that the cost of housing in Vermont is out of control and that zoning is contributing to that. He said that municipalities should be adjusting zoning wherever they can to try and ease that cost burden and increase access. He additionally said that there may be pushback from residents if the density in the proposed Residential 4 District is lowered from 3 acres to 5 acres. He said he does not support decreasing the density. Marie G. agreed with Denver W., saying that Hinesburg should look to being more inclusive rather than exclusive. Dan B. said that he agrees with James D. about decreasing the density. He said that Residential 3 has very dense development and that any increased development that comes out of Residential 4 may cause impacts to traffic.

Dan B. asked how much subdivision is occurring in RR1 over the last five or six years. Alex W. replied that they aren't seeing much, except along the Richmond Road area. Dan B. asked if decreasing the density and minimum lot size for some of the proposed areas that would change to R3 and R4 would entice them to subdivide more. Alex W. replied that by dropping the minimum lot size they will give developers and landowners more flexibility, but pointed out that subdivision occurs when a need arises for landowners, so he doesn't feel that there are one or two distinct causes for the lack of subdivision in that area currently.

John K. said that he is very focused on the health of the environment and that lower density helps support the environment. Denver W. asked whether he thinks there is an observable impact of having 3 houses on 9 acres or having 2 houses on 9 acres. John K. replied that yes, he does. Denver W. said that along Pond Road, Place Road, and North Road, there is already development. He said that he believes that the impacts to the environment in that area of decreasing the density from a minimum of 3 acres to a minimum of 5 acres is negligible.

Dan B. said that he agrees with James D. about the east side of North Road, saying that taking what is currently Rural 2 and moving it to Residential 4 won't take anything away from anyone. He said that Residential 3 has dense development with the Sunset, Triple L, and Birchwood mobile home marks, and that any increased density in Residential 4 would spill out and impact traffic and does not know if that road can handle having maximum buildout. He said that the north part of the area in discussion around Aube Road should stay as it is now in terms of density (3 acres), and that the southern part of the Residential 4 district should have more conservation design standards, given that some of those areas are more sensitive in terms of primary resources. Alex W. said that if he wants to apply the conservation subdivision design standards only to portions of the Residential 4 district, then they can explore that (and possibly add another district).

Dan B. said he would like to see Residential 4 extended up to Pond Brook Road. Alex W. noted on the map where Rural Residential 2 was pulled over to the west side of Richmond Road, and that that had been proposed because of the substantial amount of steep slopes, core wildlife habitat, and wetlands. Denver W. said that he would support moving Residential 4 up to Pond Brook Road, as many of the properties in question are more similar to the characteristics of Residential 4. Lenore B. agreed and also said she would advocate applying the conservation subdivision design standards in Residential 4. Allison L. agreed with Lenore B. about applying the conservation subdivision design standards.

Lenore B. said that in terms of density, she could accept the 3-acre density if the revised conservation subdivision design standards are applied, as a compromise. She said she is torn between the need for housing and the welfare of the environment. Denver W. said that he is in favor of conservation as well, but also would like to put together a proposal with an eye to practicality. He expressed support for having both sides of the road be in one zone and have the same development potential, to allow for more subdivision and housing. Marie G. pointed out that often, the less-developed side of the road hasn't been developed because the land itself limits the development potential.

Nick C. said that he would support the 5-and 3-acre densities for Rural 1 and Residential 4 respectively, as well as applying the conservation subdivision design standards in both Residential 4 and Rural 1 districts.

Dan B. said that they should look at the bigger picture of Chittenden County as a whole. He asked why Hinesburg is considering encouraging further development in these districts, as it could mean that someone relocates to Hinesburg and then commutes to Burlington, rather than living in South Burlington and having a much shorter commute. He said that all the preferable and suitable lots have already been developed. Alex W. said that yes, but if there is more flexibility in minimum lot size, then there may be additional development that could occur. Dan B. expressed concern about impacts to wildlife corridors. Alex W. replied that the Piette Meadow development already disconnected several larger blocks of core wildlife habitat, and that adding more houses on North Road may not have much of an impact since the corridor is already cut off.

Marie G. said she would support a 3-acre minimum density for the Residential 4 district and a 5-acre minimum density for the Rural 1 district.

Allison L. asked about how the density for the RR2 district was arrived at. Alex W. replied that it was based in part on historic norms in those most rural districts, as well as a compromise between the desire to see less development in that area but retain some flexibility for landowners to do some subdivision.

He said that the density is also based on road class (10 acres for paved, 12 acres for dirt, and 15 acres for Class 4 dirt). Allison L. asked about the historical development patterns for the R1 district. Alex W. replied that unfortunately, there has not been much development there in the last 20 years to be able to use that data to inform current discussions.

Denver W. opened the discussion up to the public.

Kathleen Newton said that there isn't affordability in Hinesburg for first-time homebuyers and that one of the only ways that children of Hinesburg residents can move back here is if their parents can give them land and help build them homes. She spoke about her experience living in what would be the Residential 4 district and that her family has owned the land for many years. She said that she would like the opportunity to offer her children a piece of land, and decreasing the density would prohibit her from subdividing and giving that land to her children so that they may live in Hinesburg in the future. She said that she does not want to subdivide her land now, but would like to be able to do so in the future. She said that she would be supportive of keeping the density at 3 acres and not decreasing it to 5.

Tony St. Hilaire spoke in support of keeping the density at 3 acres rather than moving to 5. He spoke about his proposed seven lot subdivision (at 3-acre zoning). He said that if the density were to decrease to 5 acres, it would be taking potential away from his property in terms of subdividing. He said that he is going to subdivide it now in order to stick with his plans. He noted that his subdivision would include a 29-acre lot (Lot 7), which could be put in the forestry program since it is larger than 25 acres. He said that this parcel of land speaks for itself, and that he can divide it based on the configuration of the slopes and resources. Alex W. pointed out that the potential change from 3 acres to 5 acres would not impact this plan, since the minimum lot size would decrease to ½ acre and would give more flexibility for lot placement. He noted, however, that the conservation subdivision design standards could have an impact, since the core wildlife habitat extends into that area.

Jim Carroll said that this is a very complex proposal and expressed concern about the lack of quantitative data that would show the impact to property owners and grand list of any proposed changes. He suggested that the Planning Commission use a management decision-making model in order to navigate these considerations when weighing options. He said that they should consider the economic impact on property owners of these decisions, as well as other unintended consequences. He spoke about a federal suit in South Burlington between a property owner and the City, due to zoning regulation changes that negatively impacted his property.

Denver W. requested that Planning Commissioners each come to the next meeting with any proposals or compromises around boundary lines and densities to further the discussion along. He said that they should also discuss the vernal pool topic at that time.

c. Discuss vernal pool buffer areas in conservation design standards
No discussion at this time.

5. Other Business & Correspondence

- a. News, announcements, etc.
 - Notice – Town of Richmond, Oct. 19 hearing, regulation revisions
 - Notice – Town of Huntington, Oct. 17 hearing, regulation revisions
- b. Agenda items for October 26 meeting

Alex W. noted that at the next meeting, they will continue the RR1 discussion and have a public hearing around the energy regulation revisions.

c. November 9 meeting – upstairs or fully remote?

The Planning Commission decided that they will meet in the upstairs location for the November 9th meeting.

d. November 23 meeting – cancel or reschedule (evening before Thanksgiving)

The Planning Commission decided to cancel their November 23 meeting.

Denver W. **adjourned the meeting at approximately 9:27 PM.**

Respectfully submitted,
Amy Coonradt, Recording Secretary