

Town of Hinesburg
Planning Commission Meeting Minutes
January 11, 2023

Approved January 25, 2023

Members Present: Dan Baldwin, Lenore Budd (via Zoom), James Donegan, John Kiedaisch (via Zoom), Alison Lesure, Denver Wilson.

Members Absent: Nick Chlumecky, Barbara Forauer, Marie Gardner.

Also: Alex Weinhagen (Director of Planning & Zoning).

Public Present (in person): Kathleen Newton.

Public Present (via Zoom): Kate Kelly, Andrea Morgante.

Denver W. called the meeting to order at approximately 7:05 PM.

1. Agenda Changes

None.

2. Public Comment for Non-agenda Items

None.

3. Minutes of December 14 & November 9 meetings

Denver W. **made a motion, seconded by Alison L., to approve the minutes of December 14, 2022 as presented. The motion passed 5-0 (James D. absent for vote).**

Denver W. **made a motion, seconded by Alison L., to approve the minutes of November 9, 2022 as presented. The motion passed 6-0 (James D. absent for vote).**

4. Rural Residential 1 District Zoning Revisions

(continued from the December 14, 2022 meeting)

a. Discuss vernal pool buffer areas in conservation design standards

Alex W. noted that Kate Kelly of the Conservation Commission flagged this for discussion in September when the Planning Commission was examining the conservation design standards, since vernal pools are a type of wetland that is ephemeral and does not show up on wetland resource maps (but are still an important resource). He noted that she suggested having provisions for that particular kind of wetland. Alex W. noted that they are a primary resource area, since they are considered Class 2 wetlands, though many of them are not mapped. He noted other states' regulations, which suggested increased buffering to prevent development in the pools and their immediate surrounding habitat. He said that his recommendation is to maintain the 50-foot buffer as required by the State, but create a secondary resource for the 250-foot buffer to preserve the resource but give developers flexibility on land.

Lenore B. said that a vernal pool without forested area around it limits the benefit of the vernal pool for the wildlife that exists in that habitat. She said that the combination of a vernal pool and surrounding canopy is critical. Denver W. said that he likes the proposal of a 50-foot buffer and having a 250-radius buffer as a secondary resource.

Denver W. asked Kate Kelly how far up the food chain the vernal pool energy impacts. Kate Kelly replied that there are many components and relationships within the food chain that humans are not yet fully aware of, and that vernal pools should be protected due to their intrinsic value as part of a bigger ecosystem.

Kathleen Newton asked how vernal pools are formed and defined. Kate Kelly replied that they have distinct characteristics and that in order to be protected under Vermont statute, they must support amphibian breeding habitats.

Denver W. asked how vernal pools as a resource could be regulated in the conservation design standards, since many of them are ephemeral and may exist one year and disappear the following year. He also asked how an undocumented vernal pool would become known, be confirmed, and be mapped. Alex W. replied that ecologists are often called upon to confirm locations of wetlands during a development application, which could also be employed for vernal pools. He also noted that if the Town or a state wetland ecologist notices either unmapped wetlands or hydric soils on a property, that is usually flagged for a developer to take a closer look prior to development. Kate Kelly concurred, saying that there is no definitive way when looking at a map to determine whether there is a vernal pool there.

Andrea Morgante emphasized the importance of the relationships between vernal pools and the surrounding forests and said that there should be more awareness of vernal pools and their locations. She said that the Conservation Commission could play an important role in protecting vernal pools during development.

Lenore B. noted that wetlands are protected by the State even if they are not mapped. Alex W. said that the Town tries to use hydric soil maps to warn developers that they may have unmapped wetlands on their properties.

Alex W. will put together draft language describing the vernal pool buffers for the Planning Commission to review at its next meeting.

b. Discuss/refine proposed district boundaries

Denver W. said that he agrees with the draft proposal for district boundaries as it stands. He said that it is reasonable to exclude the east side of north road from the Rural 1 District and keep it in the Residential 4 District, since there is different habitat on that side of the road. He said that they discussed including the property along Route 116 as part of the Rural 1 District, but he said that its habitat seems more like the habitat of the Residential 4 District, so he would be in favor of excluding it from the Rural 1 District. Denver W. noted that he would like the Buck Hill Road area to be part of the Residential 4 District, since he doesn't believe that either zoning designation will have much of an impact on its development potential. Dan B. asked what makes Lavigne Hill or the beginning of Beecher Hill Road different from the Buck Hill Road "island," since there are many small lots along the road that have been developed. Denver W. replied that there are large swathes of land on either side of Beecher Hill Road that are forest blocks. Alex W. added that they had also discussed having that area become part of the Agricultural District. He said that the southern section of Route 116 down by Lavigne Hill Road have more floodplain and wetland constraints and some larger parcels, which is why they were grouped into the Rural 1 District.

Lenore B. said that she would be comfortable with the district boundaries as proposed.

The Planning Commission then discussed where the conservation design standards should and should not be applied. Alex W. noted that there was consensus that they should apply in the Rural 1 District but should not apply to the Residential 3 District, but there is still the outstanding question of whether they should apply in the Residential 4 District. Alison L. said that they should apply to Residential 4 as a good baseline to have for development in that area. James D. agreed that the conservation design standards should apply to development in the Residential 4 district. Alison L. also said that her opinions on boundaries are also somewhat contingent on whether the conservation design standards are applied to certain districts. Denver W. said that he is neutral on whether the conservation design standards should be applied to the Residential 4 District. Dan B. said that applying the conservation design standards won't have much of an impact on the remaining developable lots in the Residential 4 District. Lenore B. said that she would like to see the conservation design standards applied to the Residential 4 District.

5. Other Business & Correspondence

a. News, announcements, etc.

Alex W. said that Hinesburg received a Bylaw Modernization Grant from the State to help examine the Town's zoning regulations with an eye to addressing the housing shortage. He said that there was an RFP posted and the Town has selected a vendor to work with them on this project (PlaceSense). He said that this project should kick off in February.

b. Agenda items for the January 25 meeting

Alex W. said that he hopes to take up the energy standards topic at the next meeting. He said that he would like to also discuss allowed uses, dimensional standards, and drafting district purpose statements related to the RR1 discussion at the next meeting.

Denver W. **adjourned the meeting at approximately 8:23 PM.**

Respectfully submitted,
Amy Coonradt, Recording Secretary