

**Town of Hinesburg**  
**Planning Commission Meeting Minutes**  
**July 26, 2023**

*Approved August 23, 2023*

**Members Present:** Lenore Budd, Nicholas Chlumecky (via Zoom), Barbara Forauer, John Kiedaisch, Alison Lesure (via Zoom), Denver Wilson

**Members Absent:** James Donegan

**\*\*There are currently two vacancies on the Planning Commission.**

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

**Public Present (In person):** Jennifer Decker

**Public Present (via Zoom):** Margaret McNurlan, John Little, Andrea Morgante

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

**1. Agenda Changes:**

None.

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

None.

**3. Minutes from July 12, 2023 meeting:**

Denver W. **made a motion, seconded by** Lenore B., **to approve the minutes from the 7/12/23 meeting as amended. The motion passed 5-0.**

**4. Public Hearing – Zoning & Subdivision Regulation Revisions:**

*Continued from 6/14/23, 6/28/23, and 7/12/23 meetings*

Alex W. reminded the Commissioners that the public hearing for the proposed zoning and subdivision regulation changes began at the June 14th Planning Commission (PC), and was continued to meetings on June 28<sup>th</sup>, July 12<sup>th</sup>, and July 26<sup>th</sup>, to allow for additional public comments and feedback.

**a. New public comments and questions:**

Jennifer Decker said she was in support of making sure the PC's proposal is environmentally sound and for allowing the PC to take as much time as necessary to do that. Jennifer added that she believes wetlands are a precious natural resource and considers them to be "flood insurance" for the town. She noted that 10- or 15-acre density seems to prioritize people who have the wealth to purchase that land and build on it, and that shouldn't be what we are prioritizing. She suggested there are ways to create a plan that preserves the natural world as much as possible, and condenses development and discontinues to practice of creating more layers of privilege.

**b. Recognition of new comments received:**

Responsible Growth Hinesburg (RGH) submitted commentary indicating their support for the proposal and agreement with the Hinesburg Conservation Commission's (HCC) recommendations – specifically consideration of changing some secondary resources to primary resource designation in the most rural districts.

**c. Continued discussion of revisions based on feedback received:**

See ([https://www.dropbox.com/sh/cgyuva5pj7vk5yd/AACqux49EDUnJwG-yqPHq\\_q4a/2023/062823/rr1\\_zoning\\_revisions/revision\\_recommendations\\_alex\\_062723.pdf?dl=0](https://www.dropbox.com/sh/cgyuva5pj7vk5yd/AACqux49EDUnJwG-yqPHq_q4a/2023/062823/rr1_zoning_revisions/revision_recommendations_alex_062723.pdf?dl=0)) for each comment.

The Commissioners continued to review feedback received from the public throughout this process, and discussion occurred about what changes should and shouldn't be made to the draft proposal based on the feedback. Some of the topics addressed that the meeting are detailed below:

The Conservation Committee (CC) recommendations included: add high priority connectivity blocks (area that connects habitat blocks and allows for wildlife movement) as a secondary resource; make interior forest blocks, core wildlife habitats and connectivity blocks primary resources; lowering the development density allowance in these resource areas; and finally increase the protection area around vernal pools so that there would be no development within 100 feet and to limit disturbance within 600 feet of the pool. The CC also advocated for the protection of the mapped wildlife corridor along Richmond Road, which has been discussed previously. Alex W. said that if the PC were to convert core wildlife habitat and some of the other connectivity features to primary resource types, it would mean that entire parcels would be off-limits to development and added that he didn't think that would withstand legal challenge. Lenore B. and John K. agreed that a larger discussion about resource designation was needed. John K. added that he would not support a proposal that didn't include the suggestions from the CC. Barbara F. agreed with John and asked if there was a way to look into the legal and financial implications of changing the resource area designations. Alex W. said that if the resource designation were to change, it would immediately remove all development potential from most of the properties in the hill section of town – and he didn't think that would pass the Selectboard or a public hearing. Denver W. said that preventing someone from building one house on their property, because of the resource areas, is wrong. John K. said that he would like to see what the implications of this decision would be and whether it will remove all possibilities of development – which from his point of view was harsh, but important and probably necessary. He added that we need to stop filling our land with too many people and all of the activities they come with. Denver W. said this conversation is worth an agenda item at another meeting, and Lenore B. said that she thinks this is biggest topic they need to address in this process. Barbara F. added that the CC are the experts in her book. Alison L. added that looking at maps of these areas would be helpful.

Jennifer Decker said she thought the purpose of allowing the public to comment was to make changes to the proposal, based on the public feedback. Jennifer also reiterated her desire for the Commissioners to discuss more affordable and accessible housing at a time when she can attend (she had to leave the meeting before it concluded).

Simplify the proposal by combining the Rural 1 and Rural 2 into one larger district because the purpose statements and allowed uses were largely the same. There was general consensus this was a good suggestion to move forward with. Nick C. asked if there were long-term implications to think about before making this change.

Development density calculation based on the “developable portion” of a parcel, not total acreage. Alex W. noted the current regulations calculate development potential based on

the total acreage, and there are no “take-out” sections that are considered undevelopable. Lenore B. said she thought this was a different project and could be looked at another time, and Denver W. agreed.

Protections for vernal pools/wetlands, and whether going above and beyond what the State requires is necessary or not. John L. noted his opinion that town zoning should not go beyond what the State requires in terms of resource protection, which was in contrast to the CC recommendation for greater protections of these areas.

Lake Iroquois water quality issues and the feasibility of updating the Shoreline district or creating a watershed district/overlay. Apply the conservation design standards in this area. There was consensus that this should be a separate project to review.

Discussion of the creation and usage of campgrounds – size of cabins; insulation; primitiveness; duration of use/seasonal usage/time limitation; emergency vehicle access, etc.

Adjustment of certain district lines to ensure an entire property is included in one district (i.e., Laster development on Mechanicsville and Munson property).

**d. Home Act (Act 47, S.100) requirements:**

There was general discussion regarding the requirements of the Home Act that have gone into effect, and the impact on the proposed Res-3 zoning district.

**5. Vermont Flooding & Planning Implications:**

There was discussion of the catastrophic flooding that has happened in Vermont this year, and the implications of climate change for current and future planning purposes. Alex W. noted there has been talk of updating the Town’s flood hazard regulations to be more consistent with the state regulations and the most recent terminology being used. Alex W. said the town could work on improving the road standards for both municipal and private roads, so that specific details like culvert size and capacity could be applied to development. Andrea Morgante commented on the importance of lobbying for greater regulations at the state level that recognize how a watershed is functioning and the systems within those watersheds, and the need to look beyond the size of a culvert and go upstream to where the problem is and work to solve the issue there. Andrea also noted that municipalities can work with the state to inform greater regulation of water management. There will be more discussion about this, and the possibilities for future planning, at a later date.

**6. Other Business:**

**a. Planning news and announcements**

John K. recommended a Brave Little State episode that looked at how water movement has changed in the state over the course of 100 years or more.

**b. Agenda items for August 9, 2023 meeting**

Denver W. **adjourned the meeting at approximately 9:29 PM.**

Respectfully submitted,  
Danielle Peterson, Planning & Zoning Administrative Assistant