

**Town of Hinesburg  
Planning Commission  
February 13, 2019  
Approved March 13, 2019**

Members Present: Maggie Gordon, Dennis Place, Barbara Forauer, John Kiedaisch, Rolf Kielman, Jeff French

Members Absent: Joe Iadanza, Marie Gardner, James Donegan

Public Present: None.

Also Present: Alex Weinhagen (Director of Planning & Zoning), Kate Kelly (Recording Secretary)

Maggie G. chaired the meeting, which was called to order at 7:01 PM.

**Agenda changes:** Alex W. mentioned an update from Jeff F. on Water/Wastewater Committee's work during Other Business or during their work plan discussion.

**Public Comments for Non-Agenda Items:** None.

**Village Area Public Open Space Design Standards:**

Maggie G. suggested finishing the discussion tonight, in order to schedule the public hearing.

Jeff F. arrived. Alex W. stated that the discussion ended at last meeting with concern over the amount of public open space created. How could scenarios play out with various future developments?

Maggie G. asked Rolf K. if he had calculated how much public open space would be existing if full buildout occurred, and he replied he did not. He did not include anything outside the Village Growth Area, nor was Hinesburg Community School, or unbuildable areas (setbacks from streams, etc.).

Alex W. replied that he had done some digging about Peter Erb's comment that 5% was a minimum recommendation of open space, and that it should be more than this; he couldn't find anything online, but queried his Planners group, and learned that most don't have a fixed number, but they do have open space plans. In terms of recommendations from national recreation and parks association, they used to recommend a certain amount of green space per 1,000 people, but now they say it needs to be determined by local desires and park types. Jeff F. said he found the number 10-15% on a smart growth website. Rolf K. mentioned that his first job was in Europe, and they had a minimum of 20%. He commented that an overall look at the map of the Village Growth Area makes it seem like there is not much public open space inside it.

Alex W. displayed a map with the existing town properties and official map elements within the Village Growth District (and bordering areas). Rolf K. commented that it is encouraging to see the elements that are outside the Growth Area.

Alex W. asked the Commission to consider what type of public open space should be provided within developments to complement the larger Official Map elements. John K. asked what we will support within those spaces; Alex W. replied that these drafts describe the usage of these spaces well. Maggie G. said we still lack destination areas (e.g., where to go with picnic lunch). Alex W. replied that we have planned them on the Official Map (lot 1, Blomstrann, Quinn properties). He asked what we want the smaller spaces within developments to do. He commented the current draft says that they can opt out (to build in an Official Map element instead). Is this what we want?

Maggie G. suggested we look at the Blackrock development. Would we be ok if all public open space went into the orange area (Official Map element), and the rest of the development had nothing else? Alex W. said their proposal is ~250 dwelling units and ~50,000 sq. ft. commercial space. This would be 1.3 acres under these standards. The current Official Map elements are 3.7 + 4.7 (linear) acres. They would need to build 1.3 acres, and set aside 8.4 acres. Alex W. asked if these can be coincident. John K. asked what total percentage of Blackrock would need to be public open space. Alex W. calculated that Blackrock (within Village Growth Area) is ~37 acres. Official Map Elements within this are 3.4, 1, 1.5 = ~6 acres. This is about 16% of the overall 37 acres. Discussion ensued about whether it would be nice to have additional small spaces scattered within the development.

Maggie G. said it is good to know that a certain amount of Official Map elements will be developed. Alex W. pointed out that Joe I. had a different view of it, that there was no guarantee that Official Map elements would be developed, if the Selectboard chose not to.

Rolf K. pointed out that if a developer put in senior housing, it would be nice to have small elements of open space near it. Alex W. said the developer did propose senior housing near the southern end of their property, and they showed garden space (not public) near it. Barbara F. said if you go through Creekside, there are no benches – it would be nice to have something there to stop and rest. Alex W. pointed out on the map the public spaces in Creekside, and noted that none of these were developed (just grass). Developer had proposed soccer field behind Creekside, but the Army Corps of Engineers said they could not (because it is converted wetland). Jeff F. asked if the area further north of there would all be non-developable of the same reason. Alex W. said not all, but it would be problematic, and is within flood hazard zone.

Maggie G. said she was looking at Blackrock proposal; Alex displayed it, and described the public well location and 5 lots that are no longer there. Maggie G. said it is fairly dense. She asked if we would like to see more small spaces in there. Alex W. pointed out robust linear public open spaces (sidewalks with trees). Jeff F. pointed out the space behind the houses to the north, which seems to be more private

space for those nearby lots. Rolf K. showed community garden, and asked if it is public open space or private? He wondered why the developer didn't put the larger buildings next to the public space.

Dennis P. pointed out that we can't even get lot 1 developed. We need to get a jump-start on these properties, to make them get developed.

Jeff F. wondered about putting parking belowground, and green space above? Rolf K. pointed out that area E on the Blackrock proposal already has parking below. Alex W. replied that he didn't know about the water table, and the possibilities there.

Rolf K. felt that Dennis P.'s instincts were good; if he could be assured that developer would locate large structures near Official Map elements it would be fine.

Jeff F. asked if the Commission could make this a design standard (that large buildings must abut large open space)? The Commission replied you could.

Dennis P. pointed out it is not a long walk; Alex W. agreed that the scale is important.

Maggie G. said we are asking for green space that has a purpose, which is helpful. We will get at least some developed into official space. Alex W. said we could go to public hearing if we are comfortable with it.

John K. asked about the standards we'd be addressing at public hearing. Alex W. replied that we'd be talking about these standards (developing small open spaces in this location or buying out to develop official map elements elsewhere). Rolf K. said it leaves a gray zone for the DRB, but if it includes 16-18% of area, he's ok with it.

All agreed to move forward to a public hearing, at same time as the one for the Official Map revisions. This public hearing will take place on March 13 (later changed to March 27).

#### **Planning Commission 2019 Work Plan:**

The Commission discussed upcoming work (architectural & streetscape design standards, density allowances & bonus revisions, etc.).

Jeff F. gave an update on the Water/Wastewater Allocation Committee's recent work, which was developed because of the town's limited amount of water, and the fact that our wastewater treatment plant will soon need an upgrade. Water is an asset to the town. Previously, it's been first-come first-serve. To manage growth, Williston uses a scoring allocation – their Selectboard designates how much water (number of homes) will be allowed each year. Then, your plan gets scored after you've gone through DRB process, to receive your allocation. When the developer comes for their water allocation

from the Selectboard, there's a minimum number they're expected to meet. If there are multiple projects for that year, they would be scored. Alex W. added that the Committee is recommending that the Development Review Board do the judging/scoring (at the front end of review process). Once a year, the DRB would take all projects that have been through conceptual level phase, and those that have scored highest will get the allocation.

Rolf K. asked about what the scoring would be based on. Jeff F. listed the criteria (and added that they are weighted differently): public infrastructure (connecting trails, sidewalks, roads, paths, transportation improvements, wastewater treatment systems that treat additional water beyond the development), job creation (if they actually have a lease for mixed use buildings, and provide living wage jobs with benefits), housing needs (senior, affordable). Dennis P. asked if one side of 116 would get more points than the other based on this. Jeff F. replied that they also have residential points, which should balance this out.

Barbara F. asked about if the developer is in the process of building and decides they will change it; Alex W. replied that the Selectboard will have claw-back provision.

John K. pointed out there will be work and staff required to review the developer's scoring sheet, etc. Alex W. replied that the Williston planner said it is in plain terms, easy to understand.

Jeff F. continued with criteria for the scoring system: stormwater treatment (points based on ranked system), village proximity and re-development (how far away you are as you walk from focal points: police station, PO, town offices, HCS), energy efficiency and renewable energy (Efficiency Vermont code plus standards), and renewable technologies.

John K. asked about the tie-in with impact fees. Alex W. said it is separate from impact fees; the only tie-in would be if the developer offers to provide a fire truck, and then perhaps the impact fee would go away for them, and they could also have increased points in Water/Wastewater scoring system.

Maggie G. asked how close they are to being finished, and how the Planning Commission will be involved). Alex W. said they will likely be close to done at the end of this month/early next month. The Selectboard will have to talk about it for a couple meetings to decide if they want to adopt it. He commented that this will go through Zoning, so then it will land in the Planning Commission's lap. Alex W. said the Commission will have to do some (hopefully minimal) work on it, and go through public hearings with it.

The hope is that, with this system, development projects will be better than they would be otherwise, and Hinesburg will get some of the things it wants.

Barbara F. commented that Vermont recently got a poor ranking (C or C-) on our water; this is a timely discussion.

Discussion ensued about other projects on the work plan. Maggie G. mentioned RR1 that kept getting pushed down the road. John K. commented on previous projects (stormwater assessment last happened in 2012, flood hazard area revision 2009 and 2011). He felt that due to changes in climate and larger developments, stormwater review should be moved up the work plan. He also asked about rural roads that need improvement; Alex W. replied that the town was required to do an assessment of roads and areas that need improvements, and that this assessment has been completed. Alex W. will get an update on this from Renae M.

Rolf K. suggested more enrichment (speakers, panel discussions).

**Minutes of January 23, 2019 Meeting:**

Maggie G. and John K. made amendments to the minutes.

Barbara F. **made a motion to approve the minutes as amended.** Dennis P. **seconded** the motion. The Commission **voted 6-0.**

**Other Business & Correspondence:**

None. The Commission discussed their next meeting, Feb. 27 (Alex W. will be absent).

The meeting adjourned at 9:01 PM.

Respectfully submitted,

Kate Kelly, Recording Secretary

## Village Area Design Standards

Possible additions/revisions to section 5.22 and section 10.1 (Zoning Regulations)

DRAFT 6 – for legal review and peer review – 9/14/2018

### New Definition in section 10.1

**Public Open Space:** An area for general public use that provides for recreation, relaxation, and social interaction via meaningful, well-designed, and usable green space and hardscape. Examples of public open space areas suitable in the village growth area include parks, greens, plazas/squares, community gardens, trail systems, recreation areas. Site improvements vary based on the intended uses, and typically include landscaping, sidewalks and bike paths, trails, benches, picnic tables, playground equipment, sculpture and other art installations, gazebos, etc.

### New section within Section 5.22 (Village Area Design Standards)

#### **Public Open Space Standards:**

##### Applicability

Public open space shall be provided in development projects with 10 or more new residential dwelling units (or equivalent for congregate care), or 6,000 square feet or more of new non-residential space. Although the provision of public open space to coincide with appropriate Official Map elements is encouraged, the requirements of this section may be satisfied in locations not identified on the Official Map. The provision of public open space is not meant to preclude the provision of private open spaces, the use of which may be limited to specific neighborhoods, residents, or landowners.

##### Size & Location

Public open space shall be reviewed and approved by the DRB, and shall be of a type, design, size, and location to attract and facilitate community use and enjoyment. The necessary size will vary depending on the intended use, the nature of the development and surrounding neighborhood, and the proximity of other public spaces. In no case shall the size be less than the following:

Residential Development: 200 square feet per dwelling unit<sup>1</sup>

Nonresidential Development<sup>3</sup>:

<u>Building Floor Area<sup>2</sup> (sq ft)</u>	<u>Minimum public open space (sq ft)</u>
6,000 – 13,500	2,000 sq ft
13,501 – 50,000	15% of building floor area
50,001 +	the greater of 7,500 sq ft or 10% of building floor area

<sup>1</sup> Equivalent for congregate care.

<sup>2</sup> Total floor area of all floors for all non-residential space.

<sup>3</sup> Minimum for mixed residential/non-residential projects is summed – e.g., a project with 100 dwelling units and 12,000 square feet of non-residential space would need a minimum of 22,000 sq ft of public open space (20,000 sq ft for the 100 dwelling units plus 2,000 sq ft for the 12,000 square feet of non-residential building floor area).

Public open spaces shall be designed to complement rather than duplicate other nearby public spaces, as well as adequately and safely accommodate the proposed activities — i.e. consider appropriate dimensions, type of walking surfaces, ground covers, seating, water features, shrub and tree planting, lighting fixtures, play structures, and other hardscape. Trails and pathways outside of the open space area may constitute up to 30% of the minimum public open space size requirement. A 10 foot width

shall be used for the purpose of calculating trail/pathway area, unless the DRB approves an alternative width. The following areas shall not count toward the minimum public open space size requirement: roads, access drives, parking areas, sidewalks and bike lanes along adjacent roads, stormwater treatment areas (e.g., detention ponds, swales/ditches, constructed wetlands, etc.), above-ground utility infrastructure (e.g., cabinets, vaults, telecommunication boxes, HVAC equipment), ground-mounted solar installations, flood hazard areas, stream setback and buffer areas, steep slopes exceeding 15%, wetlands and wetland buffer areas.

Public open spaces shall be in prominent locations that are easily accessible to the general public, in proximity to uses that generate significant pedestrian traffic (e.g., high density residential) or attract the general public (e.g., retail, service establishment, restaurant), and connected to surrounding uses and other nearby green spaces via bike/pedestrian infrastructure. With the exception of trails and pathways, public open spaces shall comply with the following:

- They shall include at least 60 feet of road frontage, unless the DRB approves a lesser amount that provides adequate access.
- The shape/configuration shall be adequate to support the intended use.
- Larger, contiguous blocks of public open space are encouraged as these tend to allow more uses than a collection of separate, smaller areas.
- Long, narrow open spaces with the smaller of the length or width less than 20% of the larger dimension shall be avoided, unless approved by the DRB.

#### Features/Amenities

Public open spaces shall include:

- Landscaping, hardscaping, artwork, and structures (as appropriate) that provide visual interest and encourage public use.
- Shade trees (beyond merely street trees) to provide summer shade and vertical differentiation.
- Sidewalks or paths to facilitate easy access within the space.
- Bike storage – e.g., bike racks, bike lockers, etc.
- Outdoor seating appropriate in type and quantity for the intended use.

Above-ground utility infrastructure (e.g., cabinets, vaults, telecommunication boxes, HVAC equipment) shall be placed at the perimeter of the public open space to the greatest extent possible, and shall be well-screened. Ground-mounted solar installations shall be placed and designed to be functional and visually interesting. As noted above, utility infrastructure and ground-mounted solar installations placed within a public open space do not count toward the required minimum size.

#### Off-site Allowance

With the exception of connecting trails and pathways, the required public open space shall be provided within the project area. However, to ensure flexibility for both the Town and the applicant, the DRB, at its sole discretion, may allow required public open space to be provided outside of the project area. Open space outside the project area shall be within or immediately adjacent to the village growth area zoning districts, and the same design standards listed above shall apply.

#### Contribution Alternative

In lieu of providing public open space as required by these regulations, the DRB, at its sole discretion, may allow an applicant to contribute to the improvement of an existing village growth area public open

space, or contribute to a suitable Town fund that will be used for the creation or improvement of public open space in the village growth area. In such cases, the applicant shall demonstrate the following:

- Providing the required public open space would present a hardship.
- The project will have sufficient access to other open space areas.
- For parcels 10 acres or larger, at least 50% of the minimum required public open space is being created within the project area.
- Coordination with the Select Board regarding the proposed improvement outside the project area and/or the contribution to the suitable Town fund.

NOTE -  
recommend  
that the  
Select Board  
create a  
suitable fund

Amount of contribution. For parcels less than 10 acres, the contribution amount shall be no less than \$10 per square foot of the minimum required public open space that is not being provided within the project area. For parcels 10 acres or more, the contribution amount shall be no less than twice the projected cost of the proposed public open space (and related features/amenities) to be created within the project area. Examples:

Calculation examples

**Project A:** Two acres; 12 dwelling units; 3,000 sq ft non-residential floor area  
12 units x 200 = 2,400 sq ft open space; 3,000 sq ft non-resid = 0 open space  
Minimum public open space = 2,400 sq ft

Contribution Alternative:

Minimum on-site open space = 0

Cost of on-site open space = 0

Minimum contribution = \$24,000 (2,400 sq ft x \$10/sq ft)

**Project B:** 20 acres; 60 dwelling units; 10,000 sq ft non-residential floor area  
60 units x 200 = 12,000 sq ft open space; 10,000 sq ft non-resid = 2,000 sq ft open space  
Minimum public open space = 14,000 sq ft

Contribution Alternative:

Minimum on-site open space = 7,000 sq ft

Cost of on-site open space = \$40,000 (see note)

Minimum contribution = \$80,000 (\$40,000 x 2)

**Project C:** 40 acres; 100 dwelling units; 20,000 sq ft non-residential floor area  
100 units x 200 = 20,000 sq ft; 20,000 sq ft non-resid = 3,000 sq ft  
Minimum public open space = 23,000 sq ft

Contribution Alternative:

Minimum on-site open space = 11,500 sq ft

Cost of on-site open space = \$45,000 (see note)

Minimum contribution = \$90,000 (\$45,000 x 2)

Notes:

- One acre = 43,560 square feet
- Cost of on-site open space is variable. Actual cost of on-site open space and related amenities will depend on what is proposed and approved.