

Town of Hinesburg
Planning Commission Meeting Minutes
August 11, 2021

Approved – August 25, 2021

Members Present: Lenore Budd, Barbara Forauer, Nina Friscia, John Kiedaisch, Rolf Kielman, Denver Wilson (via Zoom).

Members Absent: James Donegan, Marie Gardner.

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

Members of the Public: Peter Carse, Kate Kelly, Josh Leckey, Kathleen Newton, Tony St. Hilaire.

Rolf K. called the meeting to order at approximately 7:04 PM.

1. Agenda Changes

2. Public Comment for Non-agenda Items

None.

3. Minutes of July 14 and July 28 Meetings

Barbara F. **made a motion, and** Lenore B. **seconded, to approve the minutes of July 14 as amended. The motion passed 6-0.**

The minutes were amended as follows:

- P1: Strike “Public Hearing” from the title of Agenda Item #3
- P2: Line 4 – strike “it can be in place for” and replace with “this issue can be better understood” so that the sentence reads “Alex W. said that there is a question of whether to wait for development until the purchase of a truck, and that one of the conditions of approval for Haystack was the confer with the Selectboard on timing of such a purchase, so that this issue can be better understood when the Development Review Board (DRB) conducts final review.”
- P4: Renumber Agenda Item #6 as Agenda Item #5

Lenore B. **made a motion, and** John K. **seconded, to approve the minutes of July 28 as presented. The motion passed 6-0.**

4. Solar Project – Community Alliance Church

a. Review project

Josh L. presented the project, saying that the Community Alliance Church has been looking at ways to shrink their environmental footprint and that they are proposing a 50 kilowatt (kW) solar project. He says that the size of the project will generate more power than the church needs, and that they plan to use one third of the energy and give the remainder to the community (the neighboring preschool will take some and the Town has the capacity to take net metering credits on its accounts). He said that this local aspect of the project ties to the preferred site designation that the applicant is requesting. He said that the project will not be viable without the preferred site designation. He noted that the project was presented to the Selectboard last week, which agreed to the preferred site designation contingent upon Planning Commission review and approval as well. He walked through the preliminary layout and noted that the project would be set back from Pond Road and that existing vegetation along the eastern and

northern edges of the property will help filter views of the project. He said that the project would not infringe on any of the regulated buffers and that it would be mindful of the community garden that is also onsite.

Alex W. said that a recently adopted Town Plan revision incorporated a new energy chapter, which discusses preferred sites. He said that the language refers to state guidance on the definition of a preferred site, that the Town did not define all of its preferred sites, and that the Town intends to identify additional preferred sites on a case-by-case basis, using state criteria and protocol. He said that this designation would require a letter of support from the Selectboard, Planning Commission, and Chittenden County Regional Planning Commission (CCRPC) in order for the Vermont Public Utility Commission (PUC) to approve it. Josh L. added that they plan to file the application with the PUC at the end of August. Rolf K. asked whether the Planning Commission's comments could be incorporated into the application submission, and Alex W. replied that yes, they can. He added that staff can also draft a letter of support.

b. Discuss request for preferred status

Barbara F. asked about the sets of panels and whether they are stationary. Josh L. replied that they would be stationary and wouldn't be tracking angles of the sun. Barbara F. asked about housing to the north, noting that the trees screens are deciduous and additional screening may be needed. Josh L. said that they have not yet heard feedback from residents about the screening. Rolf K. said that there could be a diplomatic placement of some trees that could fill in some gaps. He said that a bit more screening, especially in wintertime, would be good.

Barbara F. asked how close the project would be to Patrick Brook. Josh L. said that consultants will delineate the stream and the riparian buffer. He assured that the project will be outside the buffer, and that the construction project will follow state guidelines for erosion and mitigating runoff. After the construction phase, there should be no meaningful impact on runoff. Barbara F. asked about bird safety. Josh L. replied that the natural consultant will address impacts on bird breeding habitat. He said that the panels will be stationary, so doesn't anticipate any negative impact on birds. Lenore B. asked whether the grass would be bird nesting habitat. Josh L. replied that this is a concern with larger projects. Alex W. said that this is a very small area.

Lenore B. asked if the fencing needs to be outside the buffer. Alex W. said that the panels need to be outside the buffer, but the fencing doesn't necessarily need to adhere as well. John K. asked what the panels look like. Josh L. said that he doesn't have that information currently but can send it to Planning Commission members. He noted that this type of solar array is somewhat ubiquitous around the Vermont landscape, that it is a pretty standard solar array, and has a small footprint.

John K. asked how energy sharing would work. Josh L. said that it's done by accounting, and that Green Mountain Power (GMP) tracks the energy flowing in and then assigns it to different accounts. John K. asked how much construction area will be needed, given the proximity to the community garden. Josh L. replied that construction activity will be limited to business hours, Monday through Friday.

Lenore B. spoke about soils and wetland buffers and that those resources should not be disturbed. Josh L. replied that the project is designed to stay out of wetlands and their buffers. He said that it is more difficult to avoid primary agricultural soils, since most developable space is mapped as prime soil space. He said that they have worked with the State on standard conditions to limit impacts on prime soils and

that the proposed approach would mitigate impacts rather than avoid those areas. He said that the soil would be stockpiled on site.

Rolf K. suggested that rather than having one row of six arrays, the project could have two rows of three and shift the site further south, to lessen impact on gardens to the north. Josh L. said that they do events sometimes in the church lawn and don't want to take away that space.

John K. asked about the life of this type of equipment. Josh L. replied that it typically lasts around 20 years. He said that decommissioning rules in the state require the removal of certain facilities and restoration after the project's useful life.

Denver W. asked if there is a set of standards that defines 'preferred sites.' Alex W. replied that they have some standards, but that it is generally guided by the natural resource areas in the Town Plan. He said that preferred sites cannot be located in natural resource areas, but that there is generally some flexibility for location once those resource areas have been accounted for.

Denver W. made a motion, and Lenore B. seconded, that the Planning Commission approve the project as preferred site status with the addition of screening per the language that was previously discussed at the north end of the project site and considerations to preserve the natural resources that are on site. The motion passed 6-0.

5. Rural Residential 1 District Zoning

Continued from 7/14 meeting

a. Observations from July 28 field trip

Rolf K. said that Kate K. was very informative about the settings around vernal pools and called attention to many of the natural features on the field trip to the Mount Pritchard area. Alex W. asked if there are any takeaways from the field trip regarding ongoing conversation around the RR1 district. Lenore B. said it would be good to find a way to keep the forest intact. Rolf K. said that a forestry consultant also rode along and had some thoughtful observations and has been helping the landowner for around 30 years. Rolf K. said it was a good reminder about the extent of wild areas within Hinesburg and that it stands in stark contrast to some of the areas in RR1 that are around Richmond Road. He asked how certain parts of this zone can be protected.

Lenore B. said that Kate K. also spoke about the connections and corridors between the wildlife areas and that protecting connectivity can be a real challenge. Denver W. asked what kinds of construction and development interfere with the wildlife connectivity, and whether a driveway would be an example of that interference. He said that the Planning Commission should take care not to infringe on property rights, while also maintaining protections for wildlife. He said that the terrain in the Mount Pritchard area will also provide some protection, as it makes development difficult. Nina F. disagreed, saying that more protection is needed. Rolf K. said that selected areas of RR1 could move into the same direction as other districts, like RR2 and the Agricultural Districts, because it would permit the kind of clustering that the Town would like to see and preserve the parts of Town that may not be developable. He said that the Town could consider consolidating parts of RR1 with other districts.

b. Discuss possible zoning revisions—district lines, development potential, development standards, etc.

The Planning Commission reviewed the map of RR1 with district lines drawn by Lenore B. Alex W. said that Lenore's lines span the roads, which are a break from the current delineation of the district, and it

distinguishes these areas that are more densely settled from the areas like Mount Pritchard area. He said that it also recognizes that the northeastern area is different from the rest of the district in that it doesn't have the same level of development and subdivision.

Barbara F. said that there are four distinct sections that could be a new zone, which are the Mount Pritchard area, the area east of Lake Iroquois, and two additional sections in the southern part of the. Current RR1 district. She asked about creating a new district with special needs, or whether some of these areas could be incorporated into the RR2 district.

Tony St. Hilaire said that he and other landowners in the area are concerned about limiting flexibility for their land. He noted that there are only 7 landowners in the entirety of the Mount Pritchard area, and that there are some areas that are developable and others where the terrain limits the development potential. Alex W. said that he would be interested in discussing what kinds of development patterns are possible in the future, to help calibrate future conversation about what development density ought to be in that area. He said that because there are so few landowners in that area, direct outreach to communicate and gather feedback and input is feasible and should be conducted.

Kate K. said that connectivity and corridors need to take into considerations animals that need large, undisturbed lots to thrive. She also said that there are changes to forest habitats that occur when they are cut up, such as more invasive species that follow roads and edge habitats and that then work their way into the forest. She added that protecting larger forest blocks is crucial to protecting the diverse habitat and species in the area. Alex W. added that the extent to which the Town can help landowners keep those parcels largely intact means that there are smaller development lots and larger retained land. He said that the Town wants to prevent fragmentation of land and also fragmentation of ownership, which helps both with the tax burden and better forest management.

Denver W. emphasized the idea of not dividing zones by roads, since zones tend to be similar on both sides of roads. He said he liked that about Lenore's line drawings. He said that rather than look at whether land has or has not been developed, they should be looking at land and determining whether it should or should not be developed in future. He emphasized the importance of reaching out to landowners. Rolf K. said that targeted outreach to the 7 landowners would be very important. Alex W. suggested outreach options. Denver W. said that a letter from the Town is a good approach. Alex W. said that if Planning Commission members are willing to chat with constituents, then that would be good. He said that he'd like to communicate with constituents in whatever way makes the constituents the most comfortable.

Alex W. said he will draft a letter to send to constituents and will give the Planning Commission a list of letter recipients. He also suggested that Planning Commission members outreach constituents on the list, if there are constituents with whom they have personal connections.

6. Other Business & Correspondence

- a. Zoning revisions – Home Occupation Contractor Yards & Vehicle Repair Services – Selectboard requests further changes

Alex W. said that the Selectboard had their public hearing last week about these proposed zoning revisions. He said that public participation included Kevin McDonald as well as the owners of a current contractor yard. He said that one issue that came up was the prohibition on processing materials on site, and that one contractor conducts some topsoil processing as an important component of their business. He said the Selectboard asked if the Planning Commission could consider some sort of compromise or

allow a limited amount of processing (such as a limited number of days per year that processing can occur). He said that another issue had to do with the vehicle repair services component of the regulations and specifically the requirement that repairs be conducted inside a garage. One repair services owner said that he conducts work outside when he can't fit the vehicle in his garage. Alex W. said that the Selectboard would like the Planning Commission to talk about possible flexibility around this language. Rolf K. suggested that this be lead item at next meeting, to discuss how to constructively modify those components of the regulations.

b. Agenda item requests for August 25 meeting

In addition to the zoning revisions, the Planning Commission will also review the final version of the Village Area design standards.

Rolf K. adjourned the meeting at approximately 9:08 PM.

Respectfully submitted,
Amy Coonradt, Recording Secretary