

**Town of Hinesburg**  
**Planning Commission Meeting Minutes**  
**August 25, 2021**

*Approved September 8, 2021*

**Members Present:** Lenore Budd (via Zoom), James Donegan, Barbara Forauer, Marie Gardner (via Zoom), John Kiedaisch, Rolf Kielman (via Zoom), Denver Wilson (via Zoom).

**Members Absent:** Nina Friscia.

**Also:** Alex Weinhausen (Director of Planning & Zoning).

**Members of the Public:** In person - Kevin McDonald, Arnold Hayden, Chad Hayden, Vaneska Litz, Darren Johnson; Via Zoom - Jennifer Chiodo, David Harcourt, Maggie Gordon, Kathleen Newton, Kate Kelly.

Rolf K. called the meeting to order at approximately 7:00 PM.

**1. Agenda Changes**

None.

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

None.

**3. Minutes of August 11 Meeting**

John K. **made a motion**, and Barbara F. **seconded**, to **approve the minutes of August as submitted. The motion passed 7-0.**

**4. Zoning Revisions – Home Occupied Contractor Yards & Vehicle Repair Services**

a. Review items needing further discussion/work per Selectboard August 4 public hearing  
Alex W. noted that these are a set of zoning changes that would impact existing regulations regarding home occupation contractor yards and home occupation vehicle repair services, which are both covered in Section 5 of the zoning regulations. He added that the Planning Commission held a public hearing on these proposed revisions in April and incorporated public feedback at that point. He said that the Selectboard additionally held a public hearing on the proposed revisions on August 4, that there were comments from several business owners, and the Selectboard felt that those comments merited further discussion with the Planning Commission to address those issues.

i. Contractor Yard – allowing limited processing of material (e.g., topsoil screening)  
Alex W. noted that the current proposal allows for the storage of material but prohibits on-site processing of them and that there has been a request to add more flexible language.

Arnold H. said that he would like the proposed language adjusted so that they could screen topsoil on a limited frequency. He said that his business only screens topsoil and does not crush material. He said that if they have to start buying topsoil, it will be detrimental to the business. He said that his business removes topsoil from lawns, screens it for rocks and roots, and returns it or sells it. He said that when excavation occurs, there are certain minimums for topsoil replacement that need to be met.

Chad H. noted the difference between screening topsoil and crushing gravel. He described the disposal of the screened-out material, emphasizing that those materials are not being processed.

Marie G. asked about the screening process and whether that is mechanized. Chad H. said that the material is processed through a machine that shakes the material to shift out the soil from the rocks, roots, and other matter. Denver W. asked how loud the screening process is. Arnold H. replied that it is no louder than digging a foundation with an excavator. Barbara F. asked how long screening takes. Chad H. replied that they would like to be able to screen for the entire business day (8 AM to 5 PM), depending on how many jobs require topsoil processing, for one week per month. Rolf K. asked if processing is constrained by poor weather conditions. Arnold H. replied that yes, wetter weather makes it more difficult to process.

John K. asked how this could be monitored. Chad H. suggested that contractors who want to screen could either send the Town an email or fill out a form to log screening dates.

Vanezka L. said she has concerns about relaxing on-site topsoil processing requirements, saying that it would interfere with her quiet enjoyment of her property. She said that it would also set up conflict between neighbors, and that it would be unenforceable. She also said that adjacent topsoil processing activities would lower the value of her home. She additionally noted that other surrounding towns do not permit on-site material processing. Chad H. replied that he is able to purchase topsoil in surrounding towns. Alex W. clarified that the issue is more about processing topsoil in residential zones.

Jennifer C. said that she lives next to HLG, which is noisy and not consistent with a residential neighborhood. She suggested that when contractor yard regulations are looked at, it would be good to think about the coexistence of businesses and the people that live in neighborhoods.

David H. said that if permission for processing is granted, there needs to be a quantifiable limit or restriction to the amount of related noise. Arnold H. and Chad H. noted that their excavator and other equipment are louder than the screening equipment used to process topsoil. Darren J. suggested setting a noise limit. Alex W. said that the commission discussed this issue prior to finalizing its initial proposal, recognizing that noise is a significant issue. He said that at the time, the Commission decided that noise is a bigger issue than just for contractor yards and may require a noise ordinance versus a provision in specific zoning regulations. John K. said that the length of time of noise should be taken into consideration as well as the loudness of the activity.

Lenore B. asked if there are reasonable ways to mitigate noise with screening or barriers. Denver W. said that it is a consideration that could be pursued as a potential compromise.

Maggie G. said that the revisions were sent back to the Planning Commission from the Selectboard so that these important conversations can take place. She said that if processing could be scheduled well in advance, that seems like a reasonable solution.

ii. Vehicle Repair Services – allowing limited outside work on oversized vehicles

Alex W. noted that the current proposal allows for very limited outside work in order to move a vehicle into a building for service, and that there has been a request to add more flexibility to that language to allow for additional outside work.

Kevin M. said that his business will occasionally repair a vehicle that cannot fit into his shop, such as an RV or boat, resulting in the vehicle needing to be repaired outside.

Barbara F. asked if the outside work areas are visually screened from neighbors and the road. Kevin M. replied that yes, his work area is screened. Alex W. noted that the original proposal did add screening requirements. Denver W. said that the overarching issue is whether the activity creates noise disturbances that are bothersome to neighbors. He suggested defining the elements that the Planning Commission has concerns about, rather than focus on specific occupations.

Kevin M. also said that the limit on the number of vehicles for vehicle repair services is also problematic, especially when many people need their tires switched out at the beginning/end of winter.

b. Discuss next steps

Denver W. said that the Planning Commission should take the feedback heard today into consideration when further revising the proposed regulations. The Planning Commission will discuss this further at their next meeting.

## **5. RR1 District Zoning Revisions**

a. Discuss Munson request to change property from R2 to RR1

Alex W. said that the Munsons live at 134 Buck Hill Road and they have requested to have their 6-acre property located solely in the RR1 district. The property is currently split between the RR1 and R2 zoning districts, with 3.9 acres in the R2 district and the remainder in the RR1 district. He noted that they were entirely in the RR1 zoning district until the creation of the R2 district in 2009. He noted that the R2 district was created as a gateway zoning district that would allow for higher-density residential development, as well as provide some measure of traffic calming as vehicles entered the Village. He noted that the R2 district is intended to be a medium-density residential district (4 units per acre), whereas the current RR1 district is much more rural (3 acres per unit), and that the Munsons' request would result in less development potential on their property than today.

Denver W. said that the Munsons could choose not to develop their property more if they're worried about density on their property. Alex W. said that the Munsons' request is more about the future of their land than the current state of it. Lenore B. asked if the property is on municipal sewer and water. Alex W. said that the portion that is within the R2 district is in the service area for both municipal water and sewer. Barbara F. said that this change would be relatively simple and have limited impact. Denver W. agreed, noting that the Meadow Mist development accomplishes some of the development and traffic calming that the Town had been looking for in the R2 district. Denver W. said that the impact on the Town would be minimal one way or the other. Alex W. said that Commissioners should consider the larger changes being contemplated for the RR1 district when considering this request. Lenore B. said it would be good to know what the maximum buildout would look like. Alex W. said that if the entire property were located in the RR1 district, then they would be able to develop either one additional or two additional units (depending on whether the Town map or grand list has the correct acreage), and said that they could add an additional 15 (or 20—pending acreage question) units at current density limits in the R2 district. Alex W. said that he will find out the correct acreage for the property.

b. Revisit Conservation Commission recommendations (August 11 memo)

- i. Review existing conservation subdivision design process
- ii. Core wildlife habitat – definition, extent, secondary or primary source?
- iii. Intact forest blocks – recognizing ecosystem services/value

No discussion at this time.

## **6. Other Business & Correspondence**

a. Cannabis establishment regulations – schedule, town-wide vote, research needed  
No discussion at this time.

c. Notice – Town of Williston, September 7 public hearing on zoning revisions  
No discussion at this time.

c. Agenda items for September 8 meeting  
Alex W. said he would work with Rolf K. and Denver W. to put together an agenda for the September 8 meeting, as there are a number of potential items and they may not be able to cover all of them.

Denver W. (in Rolf K's stead) **adjourned the meeting at approximately 9:00 PM.**

Respectfully submitted,  
Amy Coonradt, Recording Secretary