

Town of Hinesburg
Planning Commission Meeting Minutes
October 13, 2021

Approved – October 27, 2021

Members Present: Lenore Budd, James Donegan, Barbara Forauer, John Kiedaisch (via Zoom; joined during agenda item #5), Rolf Kielman, Denver Wilson (via Zoom).

Members Absent: Nina Friscia, Marie Gardner.

Also: Alex Weinhagen (Director of Planning & Zoning)

Members of the Public: None.

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 September 22 Meeting

James. D. **made a motion, and** Lenore B. **seconded, to approve the minutes of September 22 as amended. The motion passed 5-0.**

The minutes were amended as follows:

- P.1: Item 4, paragraph 1, third sentence: replace “business” with “project”.

4. RR1 District Zoning Revisions

- a. Revisit Conservation Commission recommendations (August 11 memo)

Alex W. said that he would like to focus on one of the Conservation Commission’s recommendations and review the existing conservation subdivision design standards.

- b. Review existing conservation subdivision design process

Alex W. began by noting that these standards in the subdivision regulations apply within the Town’s rural areas, which include the Agricultural Zoning District and the Rural Residential 2 Zoning District. He said that it does not apply within the Rural Residential 1 Zoning District, but that because some of the areas of the RR1 district appear more similar to the RR2 district, the Planning Commission could explore applying some of the standards to portions of the RR1 district.

Alex W. reviewed the standards, which are in Section 6.12, and which outline a process for designing development in these areas and calls out specific resource areas. He said that in these districts, the process for development begins by identifying the resources on the land in question and developing house sites and other features around them. He said that the process would first identify the primary resources, such as wetlands, wetland buffers, flood hazard areas, steep slopes (25% or greater), surface waters and their setback areas, and endangered species and their areas, and prohibit development in

these areas. He said that the process would then identify the secondary resources, such as moderately steep slopes (between 15-25%), prime agricultural soils, core wildlife habitat, wildlife corridors, deer wintering areas, and important cultural features (such as stone walls), and require that any development in these areas is minimal. He said that once these areas are identified, any sites should be designed and located to benefit from these features, and that finally, lot lines should be drawn.

Alex W. noted that one of the recommendations from the Conservation Commission was to consider whether this process could apply to portions of RR1 district, as well as consider whether core wildlife habitat should be elevated from a secondary to a primary resource (in general, not just in the RR1 district). He said that these standards seem appropriate to apply to the Mount Pritchard area and Lavigne Hill Road, and that those areas could benefit from them.

Rolf K. asked how well this process has worked for the Town and developments. Alex W. said that it has been extremely helpful for larger projects to be able to use the resource maps and visualize where they can and cannot develop, though Hinesburg tends to have more small projects than large ones, and that the larger projects aren't in the rural districts. He added that there hasn't been enough development pressure in the more rural parts of Town to really put the standards to the test. Denver W. said that it seems relatively straightforward to identify the best spots on properties to place house sites. Alex W. agreed, but said that the standards necessitate having a specific conversation with applicants about resources during the development review process.

Lenore B. asked if these standards only pertain to the subdivision process. Alex W. replied that they are written into the subdivision process in detail and are also included in the zoning regulations so that it could apply beyond subdivision review if projects trigger a higher level of DRB review (such as a site plan review). Lenore B. asked if they should apply to other, smaller projects or single lots, noting that if the Town is concerned about habitat fragmentation, then it may be worth applying the standards to more types of properties. Alex W. replied that it is important to balance property rights with regulations. He suggested reviewing lots in the Town that are undeveloped.

Lenore B. asked about requirements for long driveways, noting that they could impact core wildlife habitats and fragmentation. Alex W. replied that the regulations allow for development at the edges of core wildlife habitat but prohibit development in the middle of them with access via a long driveway. He said that the regulations do permit development in core wildlife habitat if there is no other reasonable way to access a house site, though impact must be minimal.

Rolf K. asked whether other Planning Commission members think that these standards should apply to some areas of RR1, and how these standards could apply. He suggested looking at the RR1 district map using the resource area overlay to see where the unconstrained and constrained areas are. Alex W. said he could produce a map that includes *all* resource elements to show those constrained/unconstrained areas. Denver W. said that he supports this exercise but expressed concern about elevating some secondary resources to primary resources, noting that some of the state maps that are source data are not necessarily accurate or as current as they could be. He cited the example of deer wintering areas,

noting that these are subject to change year-over-year, based on tree species and the movement patterns of deer.

Alex W. will produce district maps including these resource overlays for discussion at the Planning Commission's following meeting.

c. Core wildlife habitat – definition, extent, secondary or primary resource?

No discussion at this time.

d. Intact forest blocks – recognizing ecosystem services/value

No discussion at this time.

5. Grant Application – Neighborhood Development Area Designation

a. Municipal Planning Grant Program

Alex W. said that Town leadership feels that seeking Neighborhood Development Area designation status for Hinesburg is appropriate at this juncture, and began describing the Neighborhood Development Area designation program. He displayed the Town's current Village Center designation area map. He noted that this designation gives benefits, such as tax credits for property owners who conduct code improvements and façade improvements. He also pointed out the Village Growth Area, which is comprised of a handful of zoning districts. He noted that the Neighborhood Development Area designation would be outside of the Village Center designation but would be within walking distance to the Village core. He said that if Hinesburg were to achieve that designation status, the area would overlap with some of the Village Growth Area. He said that the designation would help housing projects by exempting projects of certain sizes from Act 250 requirements and by substantially reducing how much the developers would have to pay the State for water and wastewater permitting fees for those projects.

Alex W. noted that the Meadow Mists project when first proposed had wanted to obtain Neighborhood Development Area designation and that they were successful in receiving that designation from the State (though the designation has since lapsed). He also noted a new proposed housing project for affordable senior housing that is interested in seeking that designation as well.

Alex W. noted that the designation may necessitate several zoning modifications (such as potentially adjusting density allowances). He said that the Town could hire a consultant or seek assistance from the Chittenden County Regional Planning Commission (CCRPC) in order to determine what zoning regulations would need to be modified and also to help put together and submit an application for the designation in 2022. Rolf K. asked if these designations are in perpetuity. Alex W. replied that the designations are for between 3 and 5 years and then would need to be renewed (which is a less onerous process). Rolf K. asked if areas in overlapping designations (like the Center and Neighborhood Development) would have the benefits of both designations. Alex W. said he would confirm with the State whether areas can only be covered under one designation or overlapping designations.

Alex W. said that for this year's planning grants, they will apply for the Neighborhood Development Area (NDA) designation. Lenore B. asked if the timing would be such that the new development would be able to benefit from the NDA designation. Alex W. replied that the applicant will not begin construction until fall of 2022, but they may pursue a smaller NDA designation of their own.

James D. said that the designation would give many benefits to developers looking to implement projects in the Town. He asked what the benefits of this NDA designation would be for the Town and community. Alex W. replied that the benefits do generally accrue to the developers, but that if the developers are creating projects that are needed within the community, then the community realizes those benefits as well. He also noted that State-recognized designated areas of municipalities are prioritized when it comes to applying for other State grant funding for projects within those designation areas.

Lenore B. asked if the Town would be able to choose the consultant if they were successful in obtaining the grant and asked what the consultant's deliverables to the Town would be. Alex W. replied that the Town would be able to choose and that candidates could include CCRPC and other planners. He said that deliverables would include an analysis of Hinesburg's regulations compared to the NDA requirements and the Zoning for Great Neighborhood recommendations, as well as assistance with the updating process and the preparation and submission of the NDA application itself.

Rolf K. **made a motion, and Barbara F. seconded, that the Planning Commission authorizes staff to proceed with the Neighborhood Designation Area application. The motion failed 4-2 (James D. and John K. voted nay).**

b. Municipal Bylaw Update Program
No discussion at this time.

6. Planning Project Review, Workplan, FY23 Budget

Alex W. said that the Town is putting together the Fiscal Year 2023 budget for voters to consider at Town meeting in 2022. He said that he has put together a budget for the planning department that is moderately larger than it has been in past years, given the work that is needed in order to implement the Town Plan (among other activities). He noted the main components of the planning budget. He also noted the main projects that the Planning Commission has been working on.

Lenore B. asked if there are external deadlines for some of these projects. Alex W. replied that the Town Plan does not specify hard deadlines other than outlining which projects are short/medium/long-term. He said that the cannabis project does have some harder deadlines for zoning revisions, as retailers will begin to open up shop later next year. Rolf K. asked about level of priority in the Town Plan for the continued pursuit of walkability and alternative means of transportation within the Village Growth Area. Alex W. showed the Town Plan's traffic and transportation goals, noting the areas that are high priority. The Planning Commission then reviewed the current projects within its workplan and upcoming projects for the next year. Current projects include the Village Growth Area zoning revisions, home occupation contractor yards zoning revisions, RR1 district zoning revisions, river corridor regulation zoning revisions, and water/wastewater allocation system new zoning regulations. Future projects include new zoning regulations around cannabis establishments, reviewing various miscellaneous zoning revisions, discussing the NDA designation, discussing density allowances and bonuses for the Village Growth Area, discussing other regulation revisions in the Village Growth Area, addressing Town Plan high priority action items, revisiting Shoreline District zoning, maybe exploring funding options for a consultant for a comprehensive regulation overhaul, and any ideas that planning commissioners have.

John K. expressed interest in exploring funding for studying and analyzing certain areas of the Town in more depth, for things like examining groundwater quality and opportunities to protect the trees in rural areas. Alex W. replied that it would be helpful to understand the projects that the Commission

wants to pursue and where information gaps are, in order to determine if consulting resources and funding could be available. Denver W. suggested that Commissioners review the list of future projects and come prepared to discuss them at a subsequent Planning Commission meeting.

7. Other Business & Correspondence

a. Route 116, Route 2A intersection scoping study – October 28 meeting

Alex W. said that VTrans began a project to examine whether to have a traffic light at the intersection of Route 116 and 2A, and will be holding a local concerns meeting on it on October 28 at the Hinesburg Town Offices in order to solicit local feedback.

b. Agenda items for the October 27 meeting

Alex W. said that they will discuss new RR1 maps, review a final version of the Village design standards with sketches. He also noted an interest from Chad Hayden to conduct a site visit for Planning Commissioners to observe topsoil screening.

Rolf K. **adjourned the meeting at approximately 9:19 PM.**

Respectfully submitted,
Amy Coonradt, Recording Secretary