

**Town of Hinesburg**  
**Planning Commission Meeting Minutes**  
**February 9, 2022**

*Approved March 23, 2022*

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

**Members Absent:** Nina Friscia. Marie Gardner.

(There are currently two vacancies on the Planning Commission)

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

**Members of the Public:** Frank Babbott (in person), Connie Kendall, Melissa Humphries, John Little, William Chatoff, Lisa Daggett, Rachel Kring, Drew Lepple, Rachel Manikian, Tony St. Hilaire.

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

**1. Agenda Changes**

None.

**2. Minutes of January 26 meeting**

John K. **made a motion, seconded by** Lenore B., **to approve the minutes from the January 26, 2022 meeting as presented. The motion passed 5-0.**

**3. RR1 District Vision – community questions, comments, discussion**

Alex W. said that this item comes from an action item in the Town Plan, which calls on the Planning Commission to evaluate the Rural Residential 1 (RR1) zoning district, which has a mix of both densely-populated areas (in the central portion) and more rural areas (such as the Mount Pritchard area). He said that the Planning Commission is tasked with determining if the RR1 district could be split and/or zoned differently than it is now. He said that this discussion seeks public input from RR1 residents and property-owners to inform that process.

Denver W. opened the discussion up to the public.

Connie K. said that she owns an 84-acre parcel in the northern portion of RR1 and already has a number of restrictions to her property. She said that she does not want further restrictions placed on her property. She said that her property has primary and secondary resources, slopes, and wetlands in it, that half of her parcel would go to open space, and is limited by road access. She said that if she were to develop the parcel, she would try and pursue a Planned Unit Development (PUD), and would try and avoid going through the Act 250 process by limiting the number of lots on development to 9. She suggested that the Planning Commission consider a new conditional use for the property to develop 10-14 small seasonal cabins for rentals and retreats.

Melissa H. said that she would like to see some standards to address properties that are dilapidated. She expressed concern with the amount of development that is now occurring. She said that prior to more development, more consideration for infrastructure should be given.

Drew L. spoke about potential areas that could be developed in the RR1 district. He cautioned the Planning Commission about changing the density limits to a larger size, saying that it might lead developers to move deeper into the woods. Denver W. said that they have received input from the Conservation Committee and share those concerns about developing in wildlife habitats. He asked staff about the implications of moving to a density rule instead of a lot size rule for RR1. Alex W. replied that zoning regulations will look at the minimum lot size requirement, and in RR1, the minimum size has to be 3 acres (unless doing a PUD, which provides more flexibility) if someone wants to subdivide. He said that density in this context means the number of houses or dwellings per unit area, and that a 3-acre minimum lot size doesn't mean that there is only one house allowed per every 3-acre lot. He noted that the Town is not specific about the maximum development density in the RR1 district, meaning that approval of development plans has historically been conducted on a case-by-case basis. He said that in the Agricultural District, the Town teased apart density and lot size requirements and made lot sizes much more flexible. He said that they are determining whether that could occur for the RR1 district as well.

Lisa D. asked whether lot size and density requirements would be determined by the Planning Commission for each parcel, and Alex W. replied that yes, proposals are considered on a case-by-case basis now, and they are striving to implement one rule for all parcels. Lisa D. said that she thinks that the 3-acre minimum lot size is sufficient.

John L. spoke about setback requirements, saying that it would be good to have setbacks be consistent across districts, and suggested that a universal ten-foot setback be applied.

Tony S. said that he has a 47-acre property that he is not planning to develop. He said that the current 3-acre minimum is sufficient.

Frank B. acknowledged the subjective nature of some of the current regulations as they pertain to the RR1 district. He said that he likes the flexible nature of PUDs. He said he would be in favor of (for example) 3 half-acre lots on a 10-acre parcel, as long as they were concentrated in one place and left the majority of the parcel untouched. He cautioned against the Town regulating itself into a corner.

Melissa H. asked about splitting the RR1 district, since the Richmond Road area seems to be characteristically different than other more rural parts of the RR1 district. Denver W. replied that the Richmond Road section of RR1 is different from other sections, and that the zoning is different because that section is on the Town's sewer system (the minimum lot size is 1 acre instead of 3 acres). He agreed that the Richmond Road area is different and that the Planning Commission is considering the potential to separate it. Denver W. asked how it would affect Melissa's lot. Alex W. noted that Melissa H's property is not served by municipal sewer and her minimum lot size is 3 acres. Denver W. asked how she would be affected if the minimum lot size requirement was decreased to 0.5 acres (like in RR2). Alex W. replied that reducing the minimum lot size is only half of the equation, and that it would also depend on density—how many lots would be allowed based on overall acreage. Denver W. clarified that even if density is maintained at its current level, changing the minimum lot size to 0.5 acres would not affect Melissa H. because density is currently one unit per every 3 acres, so she would be unable to further subdivide.

Alex W. noted the written comments that were submitted pertaining to potential changes to the RR1 district.

He noted comments from Kathleen Newton stating that they would like to retain flexibility to plan for their property in the future, that their land would likely support an additional two lots but that they would like to keep it undeveloped at this time.

He noted brief comments from Jillian Ojala in support of increasing the minimum acreage for density, as they are not interested in seeing a significant amount of new development in their area of the district.

He noted comments from William Parkinson saying that they are interested in providing their children with lots from their parcel on which to build houses, and suggested that the Town take an approach that would consider the capability of a lot instead of the size of a lot.

He noted comments from Peter Parkinson, who notes many obstacles to lot development and the subdivision process. He said that development should not be any more difficult or expensive than it currently is.

Alex W. noted that there will be a second discussion on this topic at the February 23 Planning Commission meeting.

#### **4. Public Comments for Non-agenda items**

None at this time.

#### **5. Public Hearing – Zoning Regulation Revisions – Home Occupation Contractor Yards and Home Occupation Vehicle Repair Services**

*Continued from January 26 meeting*

- a. Public input & discussion – questions, concerns, ideas

Alex W. noted that this hearing was continued to give neighboring municipalities' Planning Commissions an opportunity to provide input. No member of the public gave input at this time.

Denver W. closed the public hearing.

- b. Consider a motion to forward proposal to Selectboard

**John K. made a motion, seconded by James D., that the contractor yards and vehicle repair services regulation revisions as presented be submitted to the Selectboard for their consideration. The motion passed 5-0.**

#### **6. Zoning Revisions – energy action items**

- a. Review RBES base code vs. stretch code

Alex W. said that he has provided detail to the Planning Commission on both the Residential Building Energy Standard (RBES) base code and stretch code. He said that the stretch code is almost in alignment with the Planning Commission's goals for increased energy efficiency for building envelopes and readiness for electric vehicle charging and solar-ready roofs, but he thinks that it does not go far enough. He said that, for example, the stretch code only requires Level 1 charging readiness for electric vehicles, which would take 35 hours to go through a full charge. He said Level 2 charging (higher voltage), it would take 8-10 hours to go through a full charge for an electric vehicle, which is more rigorous than the stretch code. He said that the stretch code is very specific and detailed about solar readiness on roofs, though it is based on roofs that are facing a certain direction (and if the roofs are faced in a different direction, the solar standards do not apply). He said that requirements could be

firmer and synched up to lot design revisions in the Town's building design standards that the Energy Committee is currently proposing.

Lenore B. asked where changes would need to be made in the regulations to include requirements are more energy efficiency, electric vehicle charging readiness, and solar readiness. Alex W. replied that Section 5.23 of the zoning regulations (Energy and Green Building) would be the most appropriate place in the regulations in which to drop new zoning revisions around energy requirements for new development. He said that other requirements may need to be included in the subdivision regulations. He said that some communities use unified bylaw, but Hinesburg has a zoning bylaw and subdivision requirements, which only apply if someone is doing a subdivision, and that it would need to ensure that both sets of regulations are consistent when they are updated.

Alex W. recommended using the stretch code's requirements around electric vehicle charging readiness for Level 2 charging. He said that solar-ready roof regulations would require more discussion around how to compel new homes to orient their roofs to be solar-ready, since it doesn't make sense to require a solar-ready roof if the roof is oriented in a different direction. He asked whether the Planning Commission would want to make this a requirement or allow a certain amount of flexibility. Denver W. said that he would like to adopt the stretch code requirements with the addition of Level 2 charging, since it is an easy way to make improvements. He said that requiring new residences to have solar-oriented roofs is more challenging. He said that the Planning Commission should further discuss ways to incentivize solar panels, but not require it.

Barbara F. asked about requirements for electric chargers for houses without a garage. Alex W. said that the code anticipates that situation, saying that the requirement is for an outlet and ability to plug in where the car is parked.

Lenore B. asked if current or planned developments and buildings would be grandfathered into these changes and would not need to comply. Alex W. replied that he thinks that buildings that are currently in the process of being approved would need to adhere to any changes that are made between the time they began and the time they seek a building permit, but said that he would need to seek a more legal opinion.

Barbara F. expressed support for the stretch code requirements. She asked about density bonuses, and whether they mention solar or vehicle-charging. Alex W. replied that density bonuses are only available in the Village Growth Area, and includes a threshold amount for overall geothermal and biomass energy usage for developments. He said that to date, no projects have taken advantage of them. Barbara F. said that the Energy Committee had suggested changes, and asked whether they recommended adopting the stretch code. Alex W. replied that the Energy Committee is recommended strengthening language in the subdivision regulations that developments be more solar ready.

John K. expressed concern that the stretch code requirements would have negative financial impacts for people. He said that there are some subtle items in the stretch code that could greatly increase the cost of building. The Planning Commission discussed conducting outreach to architects or builders to get a sense of the different financial costs of the RBES base code, stretch code, and net zero energy requirements. Alex W. said that he could also reach out to Efficiency Vermont and non-profits such as Champlain Housing Trust for cost information. Denver W. said that he would reach out to members of the Energy Committee and other subject matter experts in the community for additional cost information. Barbara F. said that she would reach out to solar installers to determine costs. Alex W. said

that depending on the cost differential, the Planning Commission may want to consider an equity component to the regulations, so as not to exclude lower-income residents.

- b. Discuss possible electric vehicle charging readiness requirements

This item was discussed above in item #6a.

- c. Discuss possible solar-ready roof requirements

This item was discussed above in item #6a.

## **7. Other Business & Correspondence**

- a. News, announcements, etc

None at this time.

- b. Agenda items for the February 23 meeting

Alex W. noted that items include a second Rural Residential 1 District listening session and a continued discussion of the energy action items. Alex W. also noted that there may be a new Planning Commissioner joining the board beginning with the February 23 meeting.

Denver W. **adjourned the meeting at approximately 9:19 PM.**

Respectfully submitted,  
Amy Coonradt, Recording Secretary