

Town of Hinesburg
Planning Commission Meeting Minutes
February 23, 2022
Approved March 9, 2022

Members Present: Dan Baldwin, Lenore Budd (via Zoom), James Donegan, Barbara Forauer, Denver W. (via Zoom).

Members Absent: Nine Friscia, Marie Gardner, John Kiedaisch.
(There is currently one vacancy on the Planning Commission)

Also: Mitch Cypes (Development Review Coordinator).

Members of the Public: Frank Babbitt (in person); Dedra & Steve Gladstone, Connie Kendall, Susan & Drew Lepple, John Little, Kathleen Newton, Dennis Place, Tony St. Hilaire, and Peggy (all via Zoom).

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

1. Introduction – newly appointed Planning Commissioner – Dan Baldwin

Dan B. introduced himself, noting his experience working in the utility industry.

2. Agenda Changes

None.

3. Minutes of February 9, 2022 meeting

Approval of minutes was tabled until revisions are made to include on P2, paragraph six, last line:

“...Melissa’s lot. Alex W. explained that if the rules were similar to RR2, she would no longer be eligible for a subdivision.”

4. RR1 District Vision – community questions, comments, discussion

Denver W. noted that this is a continuation of a discussion from the previous meeting. He said that this is an opportunity to hear concerns and feedback from the public on the idea of ensuring that the current zoning in the RR1 district is appropriate for the regions within it.

Denver W. opened the discussion up to the public.

Dennis Place, a property-owner in RR1, asked about the plans for Place Road. Denver W. replied that the Planning Commission had discussed the Mount Pritchard area (north of Place Road), which is forested and mountainous. He said that the terrain and community of that area are similar to Texas Hill Road, which is in the RR2 district. Dennis Place said that Place Road has many one-acre lots. He asked whether the Planning Commission is considering separating Place Road from RR1. Denver W. replied that there is not a proposal on the table, but that the Planning Commission had discussed whether the density should be decreased in certain parts of RR1, and that certain parts of RR1 are more appropriate for development. He noted that RR2 has a density requirement. Mitch C. noted that in the Agricultural and RR2 districts, density is based on the type of road that the property accesses. He said that for a Class 3 road, the density is 12 acres and that a 36-acre lot (for example) could have three units on it. He said that it would be possible to subdivide two of those lots into half-acre lots each, but that the remaining 35 acres would not be subdividable. He additionally noted that the RR1 district allows for 3-acre lots except for areas connected to municipal sewer, which can have up to one-acre lots. Denver W. noted that changing the zoning in the area north of Place Road may not have much of an impact, as there are

topographical and habitat characteristics that would limit subdivision and development. Dennis Place agreed that there are enough restrictions that changing the zoning may not make much of a difference. He spoke about plans for his current property. He said he has around 40 acres of lands and that he plans to divide it between his children. He said that he'd recently built a barn and would be interested in hosting a farmers market or use it as a wedding venue on occasion, but that he can't currently do that in the RR1 district. He said that he would like more opportunities like this to use his property.

Connie Kendall, a property-owner in RR1, said that there are many topographical and habitat/resource-related restrictions in RR1 already and that any changes to the zoning will not have much of an effect. She said that she has some development plans to use the property in a low-impact way.

Dan B. asked what the vision was for the RR1 district in the last revision of the Town Plan. Mitch C. said that the action item in the Town Plan is to review the RR1 district and see if it can be better-defined, since it is less homogenous than other districts in the Town. He said that some areas of RR1 are more suitable for higher density and smaller lots, and there are other areas that are more rural and forested. Denver W. added that the RR1 district is like a buffer between the rural and the developed areas in the Town.

Mitch C. suggested looking at lot frontage in addition to lot size, since sometimes the frontage is a limiting factor in zoning regulations for development.

Denver W. asked whether the Upper Village Area (CVU area to Texas Hill Road), which is on Town sewer, is the most non-conforming area of the Town. Mitch C. replied that yes, that area has the most non-conforming lots. Denver W. said that the Mount Pritchard and Lavigne Hill areas offer good transition from developed to rural, but that the Richmond Road area stands out as not having that characteristic. He said that it seems that the current zoning density is working well for most of the public speakers (who are located in those more rural Mount Pritchard/Lavigne Hill areas), and that it sounds like they are in favor of a density management approach rather than a minimum lot size.

Dan B. asked if there will be pressure to keep lots smaller in the RR1 district. He asked whether any of the land is large enough in parcel to support certain agricultural or tourism enterprises. Mitch C. replied that though there is a half-acre minimum lot size in certain districts, there are not many half-acre lots in those districts. He said that the Town encourages concentrated development because it preserves slopes and forested habitats, but that he has not seen proposals for half-acre lots.

Kathleen Newton asked for clarification about 3-acre density requirements. Denver W. said that RR1 allows for a minimum 3-acre lot size, so that if someone had a 12-acre lot, they could divide that into 4 equally. He said that density management approach would look at how many lots there can be in total, and that they could be as small as half an acre. Mitch C. added that there are zoning allowances for Planned Unit Developments (PUDs), where concentrated development could occur, but there are additional requirements for that (such as shared amenities). He said that going to a density approach would also allow for concentrated development without those other requirements.

Mitch C. noted a written comment from Ellen & Mark Talbert, who live on Richmond Road and have a three-acre property and they would like to subdivide but cannot do so under current regulations.

Frank Babbott, who has property on Rocky Mountain Lane, asked if the impetus behind these revision efforts are connected with the massive growth that people think is a good thing in the Village District.

Mitch C. replied that no, this is an analysis of a particular district that is in between the denser and more rural districts in the Town. Lenore B. said that the Planning Commission is trying to look at all options and listen to the public and landowners in the area and that there is no specific proposal or set of proposals on the table.

Tony St. Hilaire said that he has 47 acres in RR1 and no intention to do anything with it. He said that he is not interested in condensed housing in the Mount Pritchard area (where he lives).

Drew Lepple conveyed written comment from Paul Stanilonis, who has property in a portion of the Mount Pritchard area. He said that Paul's vision for their property in the Mount Pritchard area largely consists of various forestry and conservation activities. Drew Lepple said that in terms of his own property, he would like to see the zoning stay as it is.

John Little said that it is important to keep agricultural land in Town, but it is also important to keep people and their kids in the Town through the ability to subdivide and transfer land. He added that he would like to see setbacks set at ten feet, for added flexibility for development.

Denver W. said that the Planning Commission will take all feedback received into consideration and continue to discuss the possibility of refining the zoning for the RR1 district.

5. Public Comments for Non-agenda items

None at this time.

6. Zoning Revisions – energy action items

- a. Discuss construction cost differential – RBES vs. stretch code; electric vehicle charging readiness; solar-ready roofs

Denver W. said that the information received from Keith Levenson from the State's Department of Public Service on February 18, 2022 was extremely helpful. He noted that he also shared information from a contractor who works on home improvements and renovations, who said that the minimum standard for new construction is already higher than the RBES. He said that a new home conforming to RBES would cost \$5,000, and around \$10,000 to meet the stretch code. He also noted that there would be annual net savings of \$228 for implementing the RBES and \$114 for the stretch code.

Barbara F. said that she would be in favor of making things as energy-efficient as possible.

Denver W. said that the Planning Commission needs to consider potential impacts on homeowners and individuals in this discussion, especially when it comes to the cost of implementing the base versus stretch codes.

James D. noted that the code at the statewide level will be revised next year and that the stretch code will become the new base code. He questioned whether to implement now at the Town level, if the State standards are being revised.

Denver W. noted that the stretch code would include requirements around electric vehicle charging readiness for new homes. He also noted that the Town is empowered to adopt more stringent code, should it choose to do so.

Dan B. asked if the State has a plan for interconnected electric vehicle charging for its road system. Denver W. replied that the State is putting funding into electric vehicle charging infrastructure, and that the Town is currently considering electric vehicle charging readiness as it relates to building new homes. Dan B. suggested that the Town follow the State's lead, since the State will be the entity that will build infrastructure and coordinate with utility companies to ensure more electric vehicle charging capacity.

b. General discussion of regulation revisions

Barbara F. asked whether there would be capacity on the Town side to enforce new code requirements. She also noted that she talked to a solar installation contractor who said that the electrician is the one who develops the pricing for solar readiness. Denver W. added that there is not a significant amount of additional cost to having a solar-ready roof on a new home. Mitch C. added that currently, developers/contractors need to self-certify that the house meets the RBES standards in order to receive a certificate of occupancy. He said that he is not sure whether there will be self-attestation for the stretch code.

Lenore B. suggested not ruling out other forms of solar usage, such as ground-based solar and shared community solar facilities, especially since roof-ready solar may be impacted or rendered ineffective by tall trees in surrounding lots. Mitch C. noted that regulations exist for subdivisions in the Village Growth Area in terms of both roof-ready solar and shared community solar facilities. Dan B. agreed that if property-owners plant certain trees, those trees may obstruct solar facilities for their neighbors. He asked whether there are regulations that would limit a neighbor's ability to obstruct solar (and Mitch C. replied that currently, there are not).

7. Other Business & Correspondence

a. News, announcements, etc

None at this time.

b. Agenda items for the March 9 meeting

Denver W. suggested continuing the energy action items conversation and potentially reach a decision on energy standards at the next meeting.

Denver W. **adjourned the meeting at approximately 9:04 PM.**

Respectfully submitted,
Amy Coonradt, Recording Secretary