

Town of Hinesburg
Planning Commission Meeting Minutes
March 9, 2022

Approved March 23, 2022

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

Members Absent: Nine Friscia, Marie Gardner.

(There is currently one vacancy on the Planning Commission)

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

Members of the Public: Maggie Gordon, Kate Kelly, R Mobbs, Ellen Talbert, Andrea Morgante, Dennis Place.

Denver W. called the meeting to order at approximately 7:04 PM.

1. Agenda Changes

None at this time.

2. Public Comments for Non-agenda items

None at this time.

3. Minutes of February 9 and February 23 meetings

Lenore B. **made a motion, and James D. seconded, to approve the minutes of February 23 as amended. The motion passed 5-0 (John K. abstained).**

The minutes were amended as follows:

- Include citation in first sentence of Item #6 that the information was received from Keith Levenson of the Vermont Department of Public Services.

The minutes of February 9 were tabled until the following meeting, to allow for a review of the recording regarding a specific public comment during discussion on Agenda Item #3 (RR1 District Vision).

Alex W. noted that the minutes of January 12 state that the NRG electric vehicle charging station is open to the public, but he received feedback that it is not open to the public and wanted to state that clarification for the record.

4. RR1 District Vision

- a. Discuss community feedback and Town Plan direction

John K. said it would be helpful if names could be attached to locations in terms of whoever had public comments. Alex W. said he could prepare a map showing that. Lenore B. noted that public comments can generally be grouped between those who lived in the more densely-and less-densely populated areas.

Denver W. said that the process of soliciting public comments from RR1 landowners solidified that the Richmond Road corridor seems like it's a different region. He said that the motivation behind revisiting RR1 was that while this is an unknown area and contains different pieces of geography and terrain, Mitch C. confirmed that the Richmond Road area has the most lots that are non-compliant with current

zoning. Denver W. noted that additionally, everyone who made public comment from the more rural areas were in agreement that they don't want to reduce the minimum lot size for subdivision. Denver W. proposed creating an Upper Village area, saying that it reflects what they are trying to accomplish with this. It would change the Richmond Road corridor to its own zone, which would reflect what's already happening with the Town sewer allowances. He said that landowners are interested in a density requirement rather than a minimum lot size requirement. He suggested changing it to a 3-acre density rather than a 3-acre lot size and also allowing smaller lot sizes (like 0.5 acres) which would treat them similarly to RR2. Lenore B. agreed, saying that it reflects their observations of a more rural and less rural portion of the district. She also brought up the previous proposal of divorcing the zoning district boundaries from roads, which might make sense in some places. She said that in terms of the Richmond Road area, it may make sense to keep it as RR1 and move the other areas in RR1 to RR2 or other districts (rather than creating new zoning districts for them). Denver W. replied that the Richmond Road area already has exceptions, and the exercise would be to define a transition area between the Village and the more rural areas. He agreed with divorcing the zoning boundary lines from roads, though that might be a heavier lift in terms of effort. Alex W. said it would not be difficult to define a new district and its minimum lot size, setbacks, allowed uses, and development density allowances. He said that there was a lot of trepidation from several larger landowners about changing the zoning at all. He said that if they were to shift portions of RR1 to RR2 and the Agricultural districts, it would shift development potential substantially. He suggested that the Planning Commission could leave the most rural areas of RR1 where they are, or shift them to a much less dense allowance, or pick something in between. He said that the idea of separating the Richmond Road corridor from the rest makes sense. He said that the Town Plan says that they need to recognize that the more rural portions of RR1 are different from the rest of RR1 and that the Planning Commission should determine a course of action for those areas as well as the Richmond Road area. Dan B. said that the RR1 district is diverse, and that the Richmond Road corridor is very different from the rest of the district. He said that in the more rural areas, changing requirements from a 3-acre minimum to a 0.5-acre minimum and leaving it at a 3-acre density would encourage clustered development further from the center of town. He said that at a 3-acre lot size minimum, a lot of those lots are forested lots that stretch deep. He said that if they change from minimum lot sizes to density requirements, they would instead be encouraging more development down on the road. Alex W. said that it would be easier to develop if they did that, but that it could lead to more cluster sprawl in the rural areas and more development outside of the Village Center. Dan B. said that they need to find a balance for what different property owners want.

Alex W. said that it would be interesting to hear from Planning Commissioners where those breaks between more settled and less settled portions of the district would be. Specifically, he would like to hear feedback on where that Upper Village area is and where the break would be between that and the more rural parts of the district. Lenore B. suggested that the location of the natural resources in the district and feedback from the Conservation Commission could help demarcate those breaks. Barbara F. noted that Place Road is not on town water and sewer and referenced a written recommendation from Maggie Gordon and Johanna White from August of 2013 that suggested that Place Road should be the southern border of RR1 (and noting that the current southern border is CVU Road). Alex W. said that it makes sense to sweep existing neighborhoods into a more developed district and keep the more rural parts of the district focused on the areas outside of those established neighborhoods. He said that areas along Pond Road, Place Road, and Pond Brook Road are different from the areas on top of Dynamite Hill Road and Lavigne Hill Road. He said that divorcing the district lines from the road would help do that.

Denver W. reminded the Planning Commission that they're not identifying what has or has not been developed but what they want developed and what they do not want developed. He said that Pond

Road fits the definition of rural residential in that there are houses on both sides of road but it is not as dense as Richmond Road. He said that if they remove the Upper Village zone (the Richmond Road area) out of RR1 and look at Lavigne Hill and the Mount Pritchard area, it's no longer as diverse. He asked, conceptually, whether the Town should encourage a number of small lots to be built, or if they want them spread out. He said that they could stick with a 3-acre minimum lot size, or they could allow more development but fewer subdivisions by including a density requirement. He said that this could enable landowners to use their land as intended without sprawling out lots.

James D. said that a 3-acre minimum for RR1 goes against some of the other areas in the Town Plan and that it is too dense. He said that 3-acre lots are not really rural. He said it would be a big mistake to assume that Mount Pritchard's terrain would prevent development; people might be able to develop there. Barbara F. agreed, asking where residents would get water in those areas if they are not on Town water or sewer. She asked whether a map exists that shows water availability in these areas. Dan B. noted that there are source water protection areas that are mapped, though they don't show the direct sources. Alex W. noted that those maps also show well yields. She expressed concern that there may be a water scarcity down the road. She said that the forested areas should be protected, since they are a wonderful natural resource.

Barbara F. asked whether the Town's goal is to develop or preserve some of the resources. Denver W. noted that the Mount Pritchard area would be a fantastic Town forest, but that it is privately owned. He asked whether the Town has considered buying properties in the Mt. Pritchard area to acquire to make a town forest. Alex W. replied that no, the Town has considered a purchase of that kind, though it is a good question.

Dan B. agreed with James D., saying that there are areas of Mount Pritchard that seem more like RR2.

Alex W. wondered if there is a middle ground approach, such as recognizing that portions of RR1 are rural, but are sandwiched between some middle-density areas. He noted concern among landowners that these RR1 portions would be as restrictive as RR2 and the Agricultural districts in terms of density, and that many landowners want flexibility for their acreage.

Denver W. said that the development along the roads conforms to what they've been discussing in terms of their vision of a rural residential transition zone. He asked about the feasibility of regulating lots that are adjacent to the road. He suggested that they could still have a 3-acre minimum lot size like what RR1 currently has, but could subdivide if the lot is located adjacent to the road. That way, it would prevent overdevelopment further up into the woods.

Dennis Place said that many landowners are good stewards of their land and they want to be able to continue to have the flexibility to give land to their children or to sell it. Alex W. said that the flexibility that is built into RR2 and the Agricultural districts says that there is a fixed number of subdividable lots, so that a landowner knows what their development potential is, but any subdivision revision hearing will debate where on the property the house can be. He noted the Town's conservation design subdivision regulations, to keep development away from resources. Dan B. noted that Dennis's property is surrounded by development. Alex W. said that that is a great comment, that it's important to locate properties in the context of the Town.

James D. asked Dennis P. what kinds of uses he'd like to have on his property that aren't currently allowed. Dennis P. noted that he constructed a barn to house some of his sugaring equipment and that

he would also like to use it as a wedding venue or event space. He noted that any venue would need to be at least 500 feet from other houses. Alex W. noted that the Town added a use type to the RR2 and Agricultural districts for additional use flexibility. He said that regulations like this should also be examined to determine if the Planning Commission would like them to apply to portions of the RR1 district, for added flexibility. Some Planning Commissioners noted that they would need to consider noise and disturbance for neighbors, if those kinds of uses become allowed. Alex W. said that uses like these would need to go through the conditional use process with the Development Review Board (DRB), and that there would be conditions imposed if necessary for noise, traffic, etc.

Andrea Morgante left comments in the Zoom chat stating that land and water are part of a system that extends beyond property lines, and that landowners may see them as resources.

Barbara F. noted that Act 171 tasks municipalities with protecting forest blocks and wildlife corridors, and that is something to consider when examining these large blocks of property like in the Mount Pritchard area. Alex W. agreed, saying that they will need to balance those needs with flexibility for property-owners.

Barbara F. noted that the Conservation Commission is in the process of updating the natural resource inventory and resource maps, and that the update should be ready soon.

Denver W. reiterated his proposal, which would entail carving out an Upper Village area and maintaining 3-acre minimum lots and letting the terrain guide development. He said that feedback from Commissioners on not dividing zones by roads may have some power and could allow some development within some buffer of the road where places like Place Road and Pond Road have houses all around them. Dan B. brought up that it is not cost-effective to have development deep in forest—ice storms could bring down utility lines and people could be without power for some time.

Alex W. said he could draft a proposal for the Planning Commission to react to. Denver W. said that having a proposal to discuss would be a good and productive approach for the next meeting. Other Planning Commissioners agreed. John K. said that if they allow themselves to move the district lines off of roads, he asked where they should be put them. He said that the Shoreline District has a buffer, which isn't related to property lines. He asked where lines would be drawn on the east side of Richmond Road and whether they would follow property lines or whether there would be a buffer. Alex W. said that he will draft a proposal with several options and said that his preference would be that zoning lines adhere to property lines, so that property-owners know which district their property falls in. Alex W. said that it hasn't really been an issue, if properties in the Shoreline District are in two different districts.

Alex W. said that he could likely have a proposal ready for the second meeting in April.

- b. Discuss goals and framework. Provide staff with direction for drafting of zoning revisions
- c. Discuss process and time horizon for drafting and review

5. Zoning Revisions – energy action items

- a. Discuss which energy standards to focus on – e.g., electric vehicle charging readiness; solar-ready roofs

No discussion at this time.

- b. Provide staff with direction for drafting of zoning revisions

No discussion at this time.

6. Other Business & Correspondence

a. News, announcements, etc

Alex W. said that Jan Blomstrann is a large property owner who used to own NRG systems (which she sold); she retained the 66 acres of land that it is on. He said that she went through a master planning process in 2013-14 that led to a sketch plan approval from the DRB, which was an extensive plan for development on the property. He noted that after that, the municipal water system was not in good shape and didn't have the capacity to serve a project of that size, which has also happened to the Haystack Crossing and Hinesburg Center II development projects. He said that she also was in touch with Champlain Housing Trust (CHT) to have some residential component as part of her master plan. She said that she wasn't interested in developing her property, but would set it up and pass it off to someone else. CHT announced last week that Jan had agreed to donate 46 acres of her property to CHT, which could lead to as many as 100 perpetually affordable homes and 40-ish market-rate houses. He said that the question about water becomes important, since the new well isn't online yet. He said that once the State grants the Town a permit for the new well, the Town would work with Haystack as it begins development. He said that in the best case scenario, the well could be online summer/fall of 2023. CHT will start their permitting process this year so that when the well comes online, they could start construction on the donated Munson land. Dan B. asked whether jobs will be created in addition to the residential housing that would be going in. Alex W. replied that the Haystack project will have mixed-use development in it.

Alex W. said that the Haystack Crossing project is very close to submitting their final application for Town-level review as well as their Act 250 review. He said that Hinesburg Center II is also close to submitting a final application. They will be trying to go forward with multiple phases (rather than just the first phase) and are seeking a waiver of preliminary plat and move directly to final plat. He noted that Kelly's Field II (Senior Housing Property) just submitted their preliminary plat application. He said that additionally, the Laster property had a revised proposal for just the first phase, which has been on pause, but that they anticipate that it'll move through the review process this summer.

Alex W. also noted that the DRB will be discussing contractor yards (and design standards?) at its next meeting.

b. Agenda items for the March 23 meeting

The Planning Commission will discuss zoning revisions (energy action items) at its next meeting. Alex W. also noted that the Housing Committee wants to have a conversation about inclusionary zoning at some point.

Denver W. adjourned the meeting at approximately 9:31 PM.

Respectfully submitted,
Amy Coonradt, Recording Secretary