

**Town of Hinesburg**  
**Planning Commission Meeting Minutes**  
**April 13, 2022**

*Approved April 27, 2022*

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

**Members Absent:** Nina Friscia.

(There is currently one vacancy on the Planning Commission)

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

**Members of the Public:** None.

Denver W. called the meeting to order at approximately 7:05 PM.

**1. Agenda Changes**

None at this time.

**2. Public Comments for Non-agenda items**

None at this time.

**3. Minutes of March 23 meeting**

Lenore B. **made a motion, and John K. seconded, to approve the minutes of March 23 as presented. The motion passed 7-0.**

**4. Village Design Standards**

a. Discuss Selectboard revision to the proposal: front porch requirement for new homes  
Alex W. began by noting that the Selectboard has been largely satisfied with the design standards, but raised two issues at their last discussion of the standards. One issue is related to the multi-story requirement for buildings, which could potentially discriminate against mobile homes and conflict with statutory requirements around equal treatment of housing. Alex W. said that he looked into this further and that there is no issue. The second issue pertains to affordability and how that could be negatively impacted by design standards such as the multi-story requirement, garage setback requirements, and particularly the front porch requirement for single-family and two-family homes. He noted that the Selectboard voted 4-1 (Maggie Gordon dissenting) to remove the front porch requirement from the proposed design standards for single-family and two-family homes (but not for other buildings, which still require a common entryway).

As a result of this, Alex W. said that the Planning Commission must update their report to explain the changes and judge to what extent the proposal conforms to the Town Plan and State statute. He said that he would like guidance on drafting the report for the Selectboard's May 18<sup>th</sup> public hearing on the topic. He said that extracting this one design standard does not fundamentally change the regulations and that it is specific enough that it still conforms to the Town Plan.

Lenore B. asked if the Planning Commission needs to revise the illustrations to go with the change. Alex W. said that the illustrations aren't regulatory, but are there to make the words (which are regulatory)

more easy to envision. She noted the illustration on page 9, and Alex W. agreed that note #3 for that illustration needs to be reworded and edited to align with this change.

Denver W. said that he is in favor of the Selectboard's perspective of trying to avoid adding design standards or requirements that would increase costs to building homes in the Town. He said that this change doesn't have a large impact on what the Planning Commission is trying to achieve and he agrees with revision.

Dan B. said that he agrees that a porch is a good design standard and interacts well with the street.

Lenore B. said that even if this element isn't required in the design standards, people will generally want to have a porch or some sort of entryway on their houses. Denver W. said that the removal of the front porch requirement will not likely change the walkability of a neighborhood, since many houses will still have them.

**b. Provide staff with direction for drafting a memo/report**

Alex W. said that he will edit the original report to add detail about the process and resulting changes as voted on by the Selectboard, as well as the Planning Commission's discussion about the Selectboard's changes. He again noted that this topic will be discussed at a public hearing on May 18<sup>th</sup>.

**5. Zoning Revisions – energy action items**

**a. Review draft zoning regulation revisions and subdivision regulation revisions**

John K. said that at the previous meeting the Planning Commission had had a discussion about the use of the State's base code (the RBES) versus its stretch code and had expressed a preference for using the stretch code where possible. Denver W. noted that the stretch code is not much more stringent than the RBES. Alex W. explained the points allocation system for the code, noting that the stretch code has more points that someone needs to achieve in order to meet its requirements. He said that when the Vermont Department of Public Service (DPS) updated the code in 2020, the difference in cost between implementing the RBES versus the stretch code was around \$5,000 (based on 2018-2019 costs).

Lenore B. expressed doubt that the Selectboard would like the use of the stretch code, since it will drive initial housing costs up for new buildings. Alex W. said that he isn't sure how the Selectboard would feel about the RBES versus the stretch code as it pertains to cost, and suggested that the Planning Commission invite the Affordable Housing Committee and the Energy Committee to their next meeting to get their opinion on this and to weigh in.

Denver W. asked whether the State's requirements for RBES and the stretch code are anticipated to change in the next several years. Dan B. replied that yes, the State is planning to make the current stretch code the base code for 2023, and have a more stringent stretch code in place. Alex W. agreed, noting his participation in a focus group pertaining to the energy code, adding that the codes will be made more stringent incrementally until 2030, at which point the code will be net zero. He said that if the Planning Commission adheres to the State's stretch code, it will become more stringent every 3 years for the next 9 years.

Denver W. asked if Hinesburg's draft zoning regulation revisions include specific language that mirrors the RBES, or whether the code is incorporated by reference. Alex W. replied that draft language in Section 5.23.2 references the code and stipulates that new buildings need to meet the stretch code (and

existing buildings must adhere to the base code). He said that Section 5.23.3 includes some of the RBES and stretch code-specific language, but largely incorporates the code by reference. He pointed out that where the draft language more specifically describes the State standards is in the solar-ready construction and electric vehicle connection sections. He said that these sections generally follow the stretch code, but noted that instead of requiring new buildings to follow solar-ready provisions if they have a roof that is at least 600 square feet and is facing south (which is what the stretch code says), the Hinesburg regulations would *require* southerly-oriented roofs to be at least 600 square feet in size *and* would then require them to follow the solar-ready provisions. He expressed concern about adopting this slight deviation and then needing to revise the Hinesburg code again if the State revises its stretch code provisions.

Denver W. said that he is hesitant about being so prescriptive about building a house with a south-facing roof, but conceded that 600 square feet isn't a large area. He said that it will add cost, but not much. Lenore B. said that she appreciates the flexibility in the language that roofs can be oriented between 110-270 degrees from due north. John K. said that this would allow eastern, southern, and western-facing orientation. He also asked whether there is a certain percentage of the 600 square feet that would need to be used for the solar panels, or only a portion of it. Alex W. replied that the actual requirement for total solar ready area is a 300 square foot minimum (once the 600 square foot area triggers the solar-ready requirement).

James D. said that the Planning Commission should reduce the required roof space for solar to 300 square feet for residential dwellings. He said that State requirements only really requires 300 feet, once the 600 square foot area minimum is met. He said that the cost burden could be reduced if they reduce from 600 to 300 square feet for the requirement. Alex W. said that he would like to reach out to DPS on why there is a two-tier requirement in the stretch code (600 ft and then 300 ft). He said James's point makes sense.

Denver W. noted the phrase "on-site renewable energy system" in the draft regulations, and asked if an outdoor boiler would meet that definition, since it's providing energy and it's renewable. Alex W. said that it would be good to develop a definition for on-site renewable energy systems. Marie G. asked about the implications of someone choosing to use community solar, and not having solar panels at the house they're constructing. Alex W. said that the language for exceptions largely aligns with the stretch code, but that he added an exception if the homeowner has a contract or other clear provisions for participation in an off-site community or net-metered renewable energy system.

Denver W. asked about the requirement for commercial buildings to have not less than 40% of roof area oriented between 110 and 270 degrees of true north, and whether the entire roof would qualify if it were flat. Alex W. said that that is a great question, since many commercial buildings are flat, and he will add language to address this.

John K. said that the regulations are trying to encourage a certain area of solar panels, not a certain area of roof. He suggested specifying a number of square feet with this orientation for solar panels. He said that the angle at which the panels are set matters, since they need to be placed on an angle on a flat roof. Lenore B. said that they are not compelling solar, but solar compatibility for roofs. Alex W. said that he agrees about the percentage of roof area, rather than percentage for solar, and asked whether there is a better metric than just 40% of roof area. He said that he would check with the State Department of Public Service and Chuck Reiss on this requirement in the code. Dan B. said that he would like to reach

out to Green Mountain Power to see how they handle and store excess energy during peak time, given that many residents aren't home and using energy at that time.

Lenore B. noted several minor typos in Sections 5.1.12 and 5.23.1, which will be adjusted for a future draft. She also asked about some of the language in Section 5.23.5(2), which has to do with the number of electric vehicle (EV) charging parking spaces per total number of employee spaces. She asked whether the requirement should be per total number of customers, since having EV charging for customers might encourage people to visit Hinesburg. Alex W. said that it might not be appropriate to put the burden of providing EV charging for customers on businesses, and that most people will charge their EVs at home at night. Denver W. said that the 10 employee parking spaces requirement works for some businesses, like NRG, but not somewhere like Kinney Drugs. He said that some businesses may not have enough employees to warrant EV charging, and it may be difficult to determine the number of known employees for certain businesses, which would make it difficult to enforce the regulation. Denver W. suggested changing the language to 1 EV charger per 10 parking spaces. Dan B. said that burden is then on the business, and said that it isn't known whether there will be centralized EV charging in future when electric vehicles are more widespread, saying that places could convert gas stations into EV charging stations in future.

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

### **a. News, announcements, etc**

Alex W. said that the Selectboard is holding public hearings on the Planning Commission's proposals on April 20<sup>th</sup> (contractor yards/vehicle repair services) and May 18<sup>th</sup> (Village-area design standards). He said that the Selectboard is also discussing water/wastewater allocation fees, since they are high to connect to municipal system, and impact the ability for affordable housing. He said that this topic arose at the last Selectboard meeting and that staff were asked to research the issue and come up with a recommendations.

### **b. Agenda items for the April 27 meeting**

The Planning Commission will invite the Affordable Housing Committee to the 4/27 meeting to discuss the cost/savings implications (short and long term) of adopting the energy stretch code, and how this might impact housing affordability. They will also invite the Energy Committee to a future meeting to discuss the stretch code.

Denver W. **adjourned the meeting at approximately 8:53 PM.**

Respectfully submitted,  
Amy Coonradt, Recording Secretary