

# Town of Hinesburg PLANNING COMMISSION MEETING

November 9, 2011

Approved November 30, 2011

**Members Present:** Jean Isham, Joe Iadanza, Carrie Fenn, Johanna White, Tom Ayer, Bob Linck

**Members Absent:** Tim Clancy, Ray Mainer, Kyle Bostwick

**Also Present:** Alex Weinhagen (Planning/Zoning Director), Bill Marks, David Hirth, Mike Bissonette

## **Rural Design Standards & Expanding Rural Area Uses**

The Commission reviewed feedback from the October 26, 2011 Rural By Design community forum. **Jean I** noted that people in her discussion group mentioned the need to consider potential impacts of expanded rural area uses on community services (e.g., Town roads) and neighborhoods. She also related a comment that the Town should find ways to ensure that hunting can persist, so as to avoid deer overpopulation problems like what Shelburne Farms is experiencing. **Carrie F** noted that her group also discussed consideration of potential impacts for specific uses, including commercial composting (e.g., odors, truck traffic) and stand-alone commercial slaughterhouses. **Tom A** commented that many people don't really know the size and scale of Vermont slaughterhouses. He said the ones he has seen (e.g., formerly there was one on Route 2A in Williston) are pretty small-scale, and impacts would be minimal. **Jean I** noted that there also used to be one on Oak Hill Road in Williston – an agricultural and rural residential area. **Johanna W** said we should research the parameters and potential impacts related to slaughterhouses. **Alex W** encouraged Commissioners to remember the differentiation between an on-farm slaughterhouse and a stand-alone slaughterhouse. They both could constitute a commercial use subject to local zoning, but the scale and intensity of the use might differ substantially. **Jean I** suggested getting information on limits set by the State of Vermont for the number of animals slaughtered for on-farm operations.

**Joe I** said the common thread on this issue in his discussion group was the scale of the operation/use. He heard people saying that adding a new commercial use in the rural areas was fine if the use was small-scale with little impact to the surrounding existing uses. If the use had a moderate impact, then it should go through some sort of standards-based review. If the use was more industrial in scale with substantial impacts, it should not be allowed because it would change the rural character substantially. **Bob L** said that his group also talked about the issue of scale with regard to allowing rural lands to be used for event venues. He mentioned the Owls Head berry farm in Huntington/Richmond as an example of a berry farm that also hosts occasional concerts for the benefit of their berry customers. His group felt this type of event venue usage was acceptable, and more in keeping with Hinesburg as opposed to the

Boyden Valley Farm in Cambridge, which receives much heavier and more frequent use for events (e.g., weddings, etc.).

**Tom A** noted that there is a big difference in land utilization between Hinesburg's former dairy farms, and the small-scale diversified farming operations that we see today. He said these smaller farms will not be able to keep as much land open simply through conventional agriculture. He said these farmers need to have options and incentives to keep the land open and working. **Johanna W** said she firmly believes that the Town needs to expand zoning options to help keep farm land productive. **Joe I** said his discussion group did not want local regulations to require that open land be kept open (i.e., via occasional mowing, etc.), but rather that this should be incentivized. His group also felt that the Town should also incentivize solar energy technology.

**Alex W** said it seemed the basic considerations for expanded commercial uses in rural areas included: scale, intensity, road impacts, noise. He said that some of these are dealt with broadly in the conditional use review standards in section 4.2 of the Zoning Regulations. **Bill M** said those standards are pretty general, and would benefit from some greater specificity.

**Johanna W** reviewed comments from her discussion group on the questions related to scenic resources. She said there was a diversity of opinion as to whether and how scenic resources should be factored into development review. Some members of her group felt scenic resources were subjective and should not encroach on a landowner's flexibility to design a good subdivision. Other members felt that it was a good idea to be more specific about what scenic resources are significant and where they are located. **Jean I** said her group discussed the importance of wildlife habitat. **Alex W** said his group was largely unanimous in its support for the protection of wildlife habitat. **Joe I** said that his group thought the primary/secondary resource division was a good strategy.

The Commission discussed next steps for this portion of the rural area zoning project:

- Develop & define new rural area uses
- Update the Conservation Subdivision Design protocol
- Develop a simple set of design standards to help conserve working forest (including access)

**Alex W** noted that the Town of Shelburne has an interesting allowance for "integrated agriculture" in their zoning, which allows for a wide range of on-farm commercial operations that are secondary to the primary farming operation. **Jean I** suggested that we keep these new allowed uses relatively broad, in order to keep the framework simple, allow flexibility, and allow for future uses that we aren't yet aware of. **Tom A** said the Commission should strive to keep the entire review process simple – both for innovative agricultural and forest uses and for residential subdivision. **Jean I** said she would research more about the State's agricultural exemption (from local zoning) for horse operations – e.g., riding arenas, etc. **Alex W** will work on the next steps mentioned above in the hopes of delivering more/revised draft language to the Commission at the next meeting.

## **Rural Area Zoning – Continuing Public Outreach**

The Commission discussed how to continue public outreach on this project. **Alex W** said he felt it is important to keep reaching out to the community in multiple venues to educate people about the project's three basic goals (see below). Continued outreach should serve to familiarize people about the issues and the project, give them a chance to be heard, and provide the Commission with more feedback. All of this should help create a better package of zoning revisions, while reducing misconceptions and controversy. **Alex W** said the three basic goals of the project are:

- 1) Expand landowner options with more allowed uses – allow for innovative uses that will help rural landowners keep land open and in production.
- 2) Improve our development design standards to increase clarity and predictability in the review process, while ensuring that important resource areas are accounted for.
- 3) Remove uncertainty in the review process by defining maximum residential development potential in an equitable manner such that the land speaks for itself, future tax burden is minimized, and landowner equity is assured. Establish a clear formula for development density, and then focus development review on coming up with the best possible design.

**Johanna W** asked about meeting with individual landowners – something the Commission had discussed some time ago. **Alex W** suggested neighborhood living room meetings. **Bob L** noted that it would also be valuable to meet individually with some landowners who might not attend a neighborhood meeting. **Alex W** suggested proceeding on multiple fronts with a 2-2-2 goal by the end of year. In other words, two neighborhood meetings, two individual landowner meetings, and two meetings with existing Hinesburg organizations. **Johanna W** volunteered to contact the Lions Club, and ask for 5-10 minutes at an upcoming meeting to talk about the project. **Jean I** volunteered to do the same at the Hinesburg Business and Professional Association winter social. **Alex W** asked Commissioners for assistance in planning a couple neighborhood living room meetings. He said he would also have a table at the December 17 farmers market to educate and invite feedback. **Mike B** mentioned that the Winter Carnival in February might be another good venue for this if that wasn't too late.

## **Energy Efficiency Interim Zoning Proposal**

The Commission reviewed the draft proposal language. This language stems from the discussion at the October 12, 2011 meeting. Its purpose is to change the zoning (section 5.23.2 #1) so that new homes no longer need to meet the higher Energy Star standard. Instead, new homes would simply need to demonstrate compliance with the minimum statewide residential building energy standard (RBES). **Jean I** offered several corrections. Both **Jean I** and **Johanna W** suggested rewriting and clarifying the last sentence in the interim provision in order to clarify which versions of the standards apply. **Johanna W** mentioned the idea brought forward by Bart Frisbie at the October 12 meeting, regarding charging a fee for certificates of occupancy, and

then waiving this fee for projects that go beyond the statewide minimum energy efficiency code (e.g., waivers for Energy Star homes). **Mike B** encouraged the Commission to keep the regulations straight forward, and not to over regulate. **Johanna W** moved to submit the Energy Efficiency Interim Zoning proposal to the Selectboard, as amended. **Joe I** seconded the motion. The motion PASSED 6-0.

### **Minutes from October 12 and October 26, 2011.**

**Jean I** suggested that the Commission defer approving these minutes until the next meeting, in order to give everyone more time to review them. **Tom A** asked that a question he asked at the October 12 meeting be added to the minutes.

### **Other Business & Announcements.**

The Commission agreed to reschedule the November 23 meeting to November 30 in light of the Thanksgiving holiday.

**Alex W** updated the Commission on several development projects that are in the works – e.g., next building to be built in the Hinesburg Center project (corner building next to Kinney Drugs), next phase of the Thistle Hill project, discussions with Cathedral Square about the possibility of senior housing in Hinesburg.

**Jean I** closed the meeting @ 9:45pm

**Next scheduled meeting:** November 30, 2011

Respectfully Submitted,

Alex Weinhagen  
Director of Planning & Zoning