Town of Hinesburg
Planning Commission
January 11, 2012
Approved January 25, 2012

Members Present: Jean Isham, Joe Iadanza, Carrie Fenn, Johanna White, Ray Mainer, Tim Clancy, Tom Ayer, Bob Linck, Kyle Bostwick

Members Absent: None

Also Present: Alex Weinhagen (Planning/Zoning Director), Freeda Powers (Recording Secretary), Bill Marks

Jean Isham chaired the meeting, which started at 7:37pm.

Rural Area Zoning Revisions:
Alex W reviewed the three major objectives for the rural area zoning revisions: 1) Expand allowed uses to help rural landowners maintain the working landscape, 2) Improve subdivision design standards to clarify how development fits into the natural landscape, and 3) Develop a predictable and fair development density expectation. Alex W presented the Commission with draft regulation revision language to address the first two objectives. This draft language represents a compilation of the Commission's previous discussions and previous draft language. The Commission began reviewing the objective #1 document.

Alex W noted that in addition to defining new and expanded uses, the objective #1 document begins with revised purpose statements for the Agricultural and Rural Residential 2 zoning districts. He noted that the current RR2 district purpose statement is particularly in need of improvement because it doesn't address/recognize forest land uses, which are the primary purpose for this district according to the Town Plan.

Joe I addressed the language used for Development Density in purpose statement for the AG district: "Clustering" sounds limiting, implies no other options. Alex W explained that "clustering" was used in order to allow for higher density development in a smaller overall footprint. Kyle B points out that in some cases, we have the ability to protect a large portion of a lot, will we need to address minimum lot size? Alex W said minimum lot size will be covered in Objective #3—and emphasized that the plan is to break free of current minimum lot sizes, perhaps down to as little as ½ acre. Ray M feels that "clustering" doesn't in reality prohibit other options, but agrees that the language may be misunderstood to be limiting. Kyle B suggested changing the language to something like "including, but not limited to…" Bill M considered eliminating the word "acceptable".
Alex W reminded the board that the idea is that we want landowners to have full flexibility based on the character of the land. Joe I expressed concerns regarding density and suggested a couple ways to calculate allowances for the number of possible houses per acre. Alex W reiterated that the density issue will be covered in the Objective #3 draft language that will be

discussed at a later meeting. Tim C said minimum lot size will definitely affect density for larger subdivisions (e.g., 20-30 lots), so you don't want to ignore or eliminate it. Alex W reminded the board that that really isn't a usual scenario in the Hinesburg area. Bill M expressed that a reduced impact on natural resources is the intent.

Alex W addressed the new and revised allowed uses in the draft language. The language adds to current regulations some definitions (i.e., Commercial Agricultural Operations, Forest Management), and Alex W encouraged the board to consider adding them to the village northeast district in the village growth area as well. A consideration to add Farm Stand & Farm Market to the AG district and to include new Agricultural Accessory Uses (i.e., Sleigh Rides, Corn Maze, Tastings, etc) as a permitted use was also presented. Kyle B asked for a clear definition of "subordinate" as used in the proposed agricultural and forest management accessory use language (re: does it pertain to revenue?). Alex W clarified that it does not dictate a revenue criteria. It infers the proposed accessory use will in fact *not* be the primary use of the property. Tim C emphasized that we want farms to make revenue, so this is a good step, but what if the proposed subordinate project takes a large portion of the land? AW questioned the need to clarify *subordinate* in all senses of the word, including revenue and reiterated that in cases where the proposed subordinate use were greater than the main lot purpose, the use would be "Integrated Agriculture" or "Integrated Forestry", and would go through the Conditional Use Review process by the Development Review Board, and would therefore be open for input and feedback from neighboring or interested parties. Tim C remained concerned that the aspect of revenue should not be on the permit as a condition. He feels that proposed projects should be subordinate to land use, but not to revenue. Uses that are subordinate to the primary ag/forest land use should be permitted; otherwise such uses should be conditional.

Alex W asked the board if they want to clarify "subordinate" and if they are comfortable allowing accessory uses without a permitting process? Joe I says trip calculations and effect on traffic must be taken into consideration as well. Alex W clarified that the proposed project must be an accessory to (related to) the main use of the lot. Tim C reiterated that the goal is not to restrict farmers. Jean I asked what if someone wanted to build a facility in order to facilitate accessory use (i.e., build a hall for weddings). Alex W explained that this would be covered as a conditional use under "integrated agriculture" if the facility was used with some regularity as a commercial endeavor. In other words, someone who hosted a wedding once a year on their farm likely wouldn't even come under the purview of zoning. Bob L suggested that "including but not limited to…." leaves it too open. Tim C voted to accept language as written/presented.

Bill M voiced his concern that biodiversity be addressed. Bob L agreed that protection of biodiversity should be put in, maybe just in the purpose statement.

Alex W asked the board about the proposed Outdoor Recreation uses (permitted and conditional), does the board want to talk about that now or skip it? Joe I said it's an important issue that could affect a lot of large land owners. He has concerns about the "hobbling" language presented as a permitted use. Alex W said current regulations in the RR2 District only allow outdoor recreation facilities without large supporting structures. He said we are trying to parrot the current regulations while opening up opportunities. Tom A wants to make sure that

the Conditional Use Review is not overwhelming. He sites Conditional Use Review Standard (4.2.2) #2: *The character of the area affected, and the essential character of the neighborhood or district in which the property is located.* He feels that this is too restrictive and is open to complaints by neighbors. Alex W reminded the board that the DRB is in place to field those issues, so that neighbors are heard, but do not make the decision. Bill M gave an example of someone wanting to make a ball field. Alex W said currently this would be a conditional use, and that the new language would shift that to a permitted use. He reiterated that any non-residential use still has to go through Site Plan Review, which gives the DRB a chance to discuss traffic, lighting, etc. Basically, permitted use does not exempt a project from the Site Plan Review process by the DRB. Jean I wanted a definition of a "hunting preserve". Alex W said there is not currently a definition of the term "hunting preserve."

Alex W addressed the idea of a Bed & Breakfast as another form of accessory use. Tim C voiced concerns about the idea of a B&B bringing an increase in traffic. If given allowance for, say, 15 guests, that could potentially mean 15 more vehicle trips--a potential for an unexpectedly high increase in traffic. Jean I suggested making the permit reflect the number of rooms offered rather than the number of guests (i.e., limit of 4 guest rooms).

Alex W addressed the idea of a Farm Café allowance and cautioned the board against allowing what is essentially a stand-alone restaurant. Tim C once again suggested removing the reference to revenue when discussing "subordinate." Tom A wanted to address the term "seasonal" when discussing ideas such as a Farm Café as he feels there needs to be some level of review for what is amounting to a restaurant. He felt that farm cafes should utilize some amount of products produced on the farm. Alex W said it is a Conditional Use and therefore is subject to the review process by the DRB. Kyle B contemplated the suggested sq ft of 1,000 and wondered if that should be increased. Alex W encouraged the board not to make the sq ft unlimited, and stated that 1,000 sq ft is a widely accepted suggested size. The board generally agreed that sq ft should not be made unlimited but should not be less than 1,000 sq ft. Jean I also commented that location plays a role in what venue people will want to build.

Ray M asked for clarification on Integrated Agriculture, asking does the farm have to be selling items produced on the farm? Joe I said the term "subordinate" regarding revenue again becomes an issue. Alex W suggested tweaking the sentence, "*Agricultural operations that include activities that may not be directly related to the agricultural use,"* to allow non-farm products that are not related to the farm use. He also suggested restricting the "other uses" list and/or having a waiver process available for allowances. Joe I gave the example of an integrated agriculture operation attempting to sell tractor tires, and arguing that these are in fact related to the activities on the farm. Alex W suggested replacing the "related to the suite of activities on the farm" language with an allowance for retail sales of non-farm products that are related to what is produced on the farm. Jean I suggested that the board come up with new language to categorize non-farm product items that could be sold (i.e., tools, accessories, apparel etc).

Bob L wants clarification in regards to Small Scale Agribusiness; what constitutes "small"? Joe I suggested that it refer to the % of the land being used. Jean I added that the proposed project should not disturb surrounding area or neighbors. Alex W encouraged the board to do more

research on these issues, take time to review the draft language, and proposed that the board take the week to review Objective #2 for review at Jan 25th meeting.

Minutes from December 14, 2011 Meetings:
Bob L MOVED to approve the December 14, 2011 minutes as amended. Johanna W SECONDED the motion. The motion PASSED 9-0.

Other Business:
Alex W asked for feedback on "Living Room Meetings." Jean I said she felt it was productive and said she received good feedback from those who attended the meeting at her home on December 15th.

Tim C suggested that the board could have an extra meeting in the month of February (if needed) as there will be 5 Wednesdays as a result of the leap year.

Carrie F MOVED to adjourn. Bob L SECONDED the motion. The motion PASSED 9-0. The meeting adjourned at 9:55pm.

Respectfully Submitted,
Freeda Powers
Recording Secretary