

**Town of Hinesburg**  
**Planning Commission**  
**March 14, 2012**  
*Approved*

**Members Present:** Joe Iadanza, Carrie Fenn, Bob Linck, Tim Clancy, Ray Mainer arrived at 8:41.

**Members Absent:** Johanna White, Kyle Bostwick, Jean Isham. Tom Ayer resigned due to his election to the Selectboard.

**Also Present:** Alex Weinhagen (Planning/Zoning Director), Freeda Powers (Recording Secretary), Bill Marks, David Fenn. Presenting NRG Wind Turbine Presentation: Martha Keenan.

Joe Iadanza chaired the meeting, which was called to order at 7:32pm.

**NRG Wind Turbine Presentation:** Martha Keenan spoke on behalf of NRG explaining to the board that NRG plans to replace the previous turbine installed in 2004 with a different model which will be in a different location (southwest of previous turbine). She presented two photo simulations to show the board what the proposed new turbine will look like, done to scale for accurate perspective to landscape.

Tim C clarified that this presentation was strictly informational and Alex W said yes, explaining that wind turbines connected to the electric grid (like this one) are exempt from our local development review process. Joe I said the commission sometimes writes a letter to the state as an informal record of support, as was done in 2004.

Martha K gave details on the new turbine, explaining that it will be quieter than the previous turbine, white in color, and produced & manufactured in Barre, VT. She referenced two existing turbines in Vergennes and at Dynapower in S. Burlington, which are models like the one being proposed. She said NRG's goal is to increase their electricity production in order to lower their power bill and save money.

Bob L asked what the current % of electricity being produced by NRG is. Martha K said currently they produce about 65% of their electricity used. She said they anticipate the new turbine contributing enough to put them up to 100%.

Bill M asked why the old turbine is being replaced. Martha K said the new turbine is better technology and also cited better ease of access from the NRG property as opposed to previous access which was through an adjoining lot.

Bill M asked about the elevation of the new turbine. Martha K said although the new turbine is actually taller than the old, because it will be placed on a lower elevation on the property, the top elevation will be about 30' lower.

Bill M asked if the turbine is expected to catch as much wind in the new location as the old one did at the top of the hill. Martha K said yes.

David Fenn asked about the noise from the new turbine. Martha K said it is expected to be quieter than the previous turbine.

Bob L asked what the life expectancy of a wind turbine is. Martha K said it is uncertain because there are not a lot out there that are more than 20 years old. She said they undergo yearly maintenance and said they may need to be looked at around the 20 year mark as gears wear down making the units overall less efficient.

Tim C asked about the environmental impact, specifically on birds. Martha K said there is an increased environmental impact with the larger turbines, (also with alternated layouts) but that by industry standards, the one going up at NRG is considered small scale and being a single unit, has relatively little impact. She cited the turbine currently up at the Geprag's park area saying there are no known problems there with regard to bird population.

Joe I asked if NRG had considered potential future development at the site. Martha K said yes, and noted that the base of the proposed turbine is only about 10sq ft. and said it will not affect land use to the south.

Joe I asked about creating a "safety zone" around the turbine in case the turbine should fall. Martha K said they did not feel that was necessary as the proposed turbine is so short (120'). Tim C asked then should there be a 121' radius around the turbine for that safety zone? Martha K said the turbine will be about 300' from the NRG building and does not feel that there is a potential safety concern in that regard.

Joe I recognized that it may not be an issue but cautioned that NRG should be aware of keeping future development options open and viable. Alex W said in relation to the Official Map, there are no community facilities planned aside from the existing trail in that area.

Martha K said at the end of the installation, NRG will have 4 weeks of public tours to see the new turbine and said it will also be available through the schools for public viewing online so that folks can actually watch the energy production taking place.

Alex W asked if there are more turbines proposed for that area. Martha K said no, NRG feels that solar energy is easier to put up and added that they've done all they can do for now as far as solar also.

The Commission was unable to offer the letter of support at this juncture as there was not a quorum until Ray M arrived later. Bob L offered to compose the letter of support at a later point.

### **Rural Area Zoning; Improving Subdivision Design Standards—cont'd from Feb 22<sup>nd</sup>.**

Rural Area Zoning Objective #2.

Alex W asked if the board would like to consider applying these design standards to broader zoning, not just to subdivisions. Tim C said it may not be practical to apply them town-wide. Bill M asked if existing lots will be exempt from new design standards. Alex W said yes, noting that most designs are already in place as part of the "envelope" when permits are given. He also noted that the board can not retroactively apply new standards and reminded them that

once subdivision permits are granted, they do not expire and could be approved years before new regulations and standards for building on the site.

Bob L agreed the standards should apply elsewhere but said he can't imagine how. Alex W said the most common permit request the town sees is for additions to existing homes and Accessory Buildings. He said in his opinion, these standards seem like overkill for these examples. Bill M felt this could have unintended consequences and said it might make sense to exempt additions or accessory uses, but he feels the new standards should apply to altogether new structures.

Carrie F asked about density and Alex W said that is covered in another section and assured her that density standards do apply to all development.

Joe I cautioned that applying these standards to individual lot development will bring more inquiries before the DRB and the Zoning Administrator, Peter Erb.

Bill M cautioned also that there is an increase in potential for improper development if these design standards are not applied to more than subdivisions, without review by the DRB.

Bob L said Peter E (Zoning Administrator) could offer recommendations. Joe I thought this was a good idea, saying the language could make those recommendations, not requirements. Tim C agreed, saying those could be like the "ground rules" laid out for land owners, conceding there will be no way to "police" these standards.

In regards to environmental Primary & Secondary Resource Areas, Jean I asked how a regular person can identify all of these sensitive areas on their property. Alex W said the town has the ability to provide property owners with this information.

Joe I said he wants the whole board together to discuss this further.

Bill M suggested adding a reference to Ridgelines in Primary/Secondary Resource Areas. The board has previously had discussions around ridgelines/scenic views and Alex W said his impression from those discussions was that the board did not want to regulate unless the development would potentially block a view. Bill M suggested that the board reference elevation thresholds as does the Green Space Plan, saying development is more easily regulated that way.

Bill M reminded the board they are not just dealing with aesthetics; there are real and actual consequences from building on a slope and at higher elevations (including erosion, septic treatment, and waste water runoff). In his opinion, Ridgelines should clearly be a Secondary Resource Area.

Alex W said the board would need to decide on how to define such an elevation break. Bill M suggested a demarcation line of 400-700'. The board agreed that sounds too low. Alex W agreed to put together some maps with Bill M to show elevations.

Bill M suggested adding Fluvial Erosion Hazard Areas with Flood Hazard Areas in #1. He also asked for clarification on the Wetlands Classification System. Alex W said the classification system is a state construct and noted that not all wetlands are mapped.

Tim C asked why we use the state's classification system for wetlands. Alex W said the town can regulate wetlands more stringently than the state (state regulates only Class 1&2 wetlands).

Bill L asked how wetland regulation applies currently. Alex W said levels of impact on a wetland are measured by the size of the area impacted ( i.e., impacting 1 acre of wetlands).

Carrie F suggested defining the size of a wetland area to determine if it should be considered a "primary resource area".

Alex W agreed to check with other communities to see how they regulate wetlands.

Bill M suggested adding Moderate Slopes (15-25%) as Secondary Resource Areas. Carrie F said slopes with a grade below 25% are already somewhat regulated due to road standards. Alex W said that is true, noting that the Selectboard proposed road standards between 10-16% citing public safety concerns beyond those grades. Bill M said if public safety is a concern to the selectboard and fire/rescue then he feels it should be reason enough to include the 15-25% grade in design standards. Joe I clarified that road grade standards are not the same as building development standards.

Joe I said he feels that 15-25% will impact a great deal of the town. Bill M said he still feels it is important to avoid slope development when possible in order to lessen intrinsically high impacts.

Alex W agreed to generate maps showing the 15-25% grades and have them for the board's review next meeting.

Joe I went on to #2. Carrie F asked about the phrase "with adjustments." Alex W said the intent of the language was to recognize that the density could be lower. He said it is not intended to supersede the existing density calculations. The board agreed to omit this reference and address it in Density Standards.

Joe I asked what standard the DRB put on the term "minimize impact." Tim C said he feels that it asks developers to consider all reasonable alternatives which might lessen environmental impacts. Joe I said he feels it refers to the % of land being impacted. Tim C cautioned the board not to put # thresholds in the language as he feels it will create the expectation that the threshold is the "build up to this" limit, actually resulting in greater potential for adverse impacts.

Joe I clarified that they are trying to give applicants simplified expectations. Carrie F agreed, adding that design standards must work with the land.

Bill M suggested changing the language to "minimize impact *to the extent practicable.*" The consensus of the board was to leave the language as is.

Bob L made a few editing changes in the draft language. The board agreed to borrow language from Forest Area Standards in regards to maintaining access to Agricultural Areas. Carrie F suggested changing “*may* be required” to “*will* be required” in Agricultural Area Standards.

The board discussed the 200’ “buffer zone” from residential wells, deciding the buffer zone relates more to protecting the water quality of the wells and agreeing it is practical in separating land uses. Bill L agreed to do some research on this topic for further discussion.

**Minutes from February 22nd, 2012 Meeting:**

Joe I **MOVED to approve** as amended. Ray M **SECONDED the motion**. The motion **PASSED 5-0**

**Other Business:**

No other business.

Joe I **MOVED to adjourn**. Carrie F **SECONDED the motion**. The motion **PASSED 5-0**. The meeting adjourned at 10:05pm.

Respectfully Submitted,  
Freedra Powers  
Recording Secretary