

Town of Hinesburg Planning Commission

August 22nd, 2012

Approved 9/26/12

Members Present: Joe Iadanza, Jean Isham, Carrie Fenn, Maggie Gordon, Kyle Bostwick, Tim Clancy, Johanna White and Bob Linck, Ray Mainer arrived at 8:07 pm.

Also Present: Alex Weinhagen (Director of Planning & Zoning), Peter Erb (Zoning Administrator), Renae Marshall (Recording Secretary) .

Public Included Bill Marks.

Joe Iadanza chaired the meeting, which was called to order at 7:30 pm.

Rural Area Regulations & Town Plan Revisions

Alex stated that the purpose of this meeting is to review the feedback provided by Peter Erb, the Zoning Administrator, regarding the proposed changes. It was decided that they would go through his comments in order, as time would allow. Peter was present to discuss his points with the Commission.

Objective #1—Expanding Allowed Uses

Bob L. felt that “long-term” should be omitted in the first sentence of paragraph one to avoid redundancy. Jean I. suggested that “natural systems” might need to be defined or replaced with different wording in the second sentence of paragraph one. Bill M. suggested removing the remaining of the second sentence after district. After some discussion, the Commission decided to replace natural systems with natural “ecosystems” and have the sentence end with district.

The Commission discussed Peter’s concern regarding stand-alone businesses that may not be directly related to the agricultural and forestry uses of the rural districts. Peter feels that the way it is written, businesses could come in that are outside of the agricultural and forestry uses of the district. He feels the current noise standards and conditional use review standards will not appropriately control these new uses.

Alex pointed out Peter’s concern regarding the interpretation of the definition for low-impact agribusiness. Peter questions what the test would be for “integrates into the rural character” of the neighborhood and has a “negligible to small” impact on surrounding properties.

Alex stated the purpose is to ensure the business can operate in such a way that it will not negatively impact neighbors. He went on to say that traffic limits are outlined for home occupations (cottage industries) but we have not outlined this for low-impact agribusiness.

Carrie F. suggested using the cottage industry limits that are outlined in 5.2 to provide parameters for the low-impact agribusiness. After a lengthy discussion, Joe I. felt that it might not be in the Planning Commission’s best interest to rush into the idea of including the cottage industry limits because it may invite types of business that we may not want in these areas.

Alex noted that he would review the cottage industry definition/limits prior to their next meeting after the public hearing.

Discussion then moved on to the RR2 District Purpose Statement. The Commission reviewed Peter's suggested changes. Bob L. felt core forests should be changed to core wildlife habitat. Peter had recommended defining large blocks of undeveloped forestland by tying it to the current use minimum size of 25+ acres. Bob L. suggested removing the word large and after forestland, add "larger than 25 acres in size".

Alex directed the Commission to the new & revised allowed uses. He stated that the proposed changes were intended to expand the types of allowed uses in Hinesburg's rural areas in order to help ensure the future of the working agricultural and forest landscape. Initially, the proposed business would come to the DRB for conditional use. They will be asked questions related to expected traffic, business, employees, etc. An increase in business could then be determined by the conditional use application.

Peter expressed concern with allowing small-scale businesses that have the potential of growing into something that doesn't belong in these rural areas. Peter suggested including some way of clearly defining the amount of allowed growth before a business is no longer meeting the set limits to continue in that rural area. Joe I. agreed it would be wise to define allowed growth in this area for business

Peter suggested they use the defined cottage industry limits on traffic, # of employees, etc. Bill M. questioned if the DRB decision can outline how many deliveries per day a facility would be allowed. Alex replied that yes, if there is a connection to a conditional use review standard, the DRB would be able to create those limits.

Peter cautioned the Planning Commission to be consistent when adding cottage industry limits with the low-impact agribusiness. He also advised the PC to consider the impact on the surrounding roads. Peter pointed out that traffic would be impacted in these areas by these proposed uses.

Alex stated that any potential business in these proposed areas is intended to be low-impact because the rural (dirt) roads can't handle the traffic impact of higher impact businesses. Peter asked the commission to take into consideration the location and impact of each proposed business for a specific area. He suggested that they look through the list of new and revised uses and check to see if any would not belong in certain areas.

Alex pointed out that the definition that is included for agricultural originally came from the state's broad definition. Peter would like some reference for scale of a farm that would be considered in the definition. Jean I. suggested we might use the state's definition of agriculture to define the scope.

Alex then brought the group's attention to the definitions of Agricultural Accessory Uses and Integrated Agriculture. Alex suggested there were a couple of ways to deal with this. First, improve these integrated agricultural & accessory uses. Second, improve the definition of agriculture.

Tim C. stated the original intent was to try and preserve open lands in the rural sector and allow landowners the opportunity to make money off of their land by retaining a working landscape and not just a pretty landscape.

Peter feels the commission needs to define “clearly subordinate to retail sales of on-farm products. He feels there should be some sort of test. Bill M. suggested we add “the cultivation & use of land, as a viable business, for growth”.

Joe I. suggested that a significant portion of what is for sale and what is consumed by farm. Jean I. stated that the more agriculture we have in the area, the more services that farmers have available. Alex encouraged the commission to include a definition of subordinate.

Kyle B. stated that farm stands would only be viable in a location that has sufficient traffic to maintain their business. Alex advised that currently farms could have farm stands in rural areas.

Peter advocated that the stand-alone farm stands should be a conditional use so there will be a check-list that it would have to meet in order to get approval.

Jean I. agreed that we should consider the impact of these stand-alone businesses on traffic, etc. We must consider how we will deal with them. Maggie G. suggested we limit them by road class, as increased traffic patterns would have a greater impact on the class III & IV roads. Alex clarified that stand-alone farm stands & farmer’s markets are only currently allowed in the village & commercial districts.

Joe I. felt that the farm stand should be kept as a permitted use and the farmer’s market should be a conditional use. Joe I. added that we should consider limiting these types of uses to class II or better roads. He also suggested that the Commission look at the definition of farmer’s market. He questioned what does “independent sellers mean—one person at cash register or each individual selling separately.

Alex discussed Peter’s continued concern to include definitions—Under Agricultural Accessory Uses, he would like definitions for “retail sales of a limited number” and “clearly subordinate to retail sales of on-farm products”. Peter explained that when at least 50% of the product comes from outside of the property, it becomes a commercial use.

Jean I. suggested that “limited number” be taken out. Peter cautioned that this would become a permitted use that would not make it subject to any sort of review process. After a lengthy discussion, it was decided to consider removing “limited number” and clarify subordinate.

Joe I. asked the Commission to move away from that discussion and revisit it at a later date. He suggested moving any miscellaneous comments to the public hearing.

Alex reminded the Commission that the public hearing is scheduled for September 12th in the main hall at 7:30 pm. He asked everyone to reach out to people in order to get the word out and encourage as much attendance as possible at the public hearing. Alex stated that he would be posting daily on Front Porch Forum and using other means of advertising.

Discussion continued regarding the format of the public hearing and the amount of time allotted for giving an overview of the proposal. The overall consensus was to keep the

presentation as brief as possible to allow ample time for questions and comments from the public.

Minutes from July 25th, 2012 meeting:

Joe I. **MOVED to approve** as amended. Jean I. **SECONDED the motion**. The motion **PASSED** unanimously.

Minutes from August 8th, 2012 meeting:

Jean I. **MOVED to approve** as amended. Ray M. **SECONDED the motion**. The motion **PASSED** unanimously.

Joe made a **MOTION to adjourn**. Ray M. **SECONDED the motion**; all in favor. The meeting adjourned at 10:10 p.m.

Respectfully Submitted,
Renaë Marshall--Recording Secretary