

Town of Hinesburg
Planning Commission
November 14th, 2012
Approved 12/12/12

Members Present: Joe Iadanza,, Carrie Fenn, Maggie Gordon, Jean Isham, Johanna White, Bob Linck, Ray Mainer, Kyle Bostwick

Members Absent: Tim Clancy

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

Public Included: Bill Marks, Jean Miner, and Stewart Pierson

Joe Iadanza chaired the meeting, which was called to order at 7:33 pm.

Rural Area Regulations & Town Plan Revisions

Joe I. began by asking if there were any comments from the public or if any new feedback had been received since the October 24th meeting. Jean Miner stated she was here to see if there were any changes that have been made since the last meeting she attended. She asked for clarification as to whether the Selectboard has authorization to approve these changes as they are or to make further changes or does it go to a town-wide vote. Alex replied that yes, they can go ahead and approve or make further changes and then approve.

Joe I. stated that since the public forum, the following changes have been made:

- 1.) Take-outs are no longer included in the formula. Primary resources are still recognized but they are not included in the formula.
- 2.) There are also more minor, technical changes recommended by Peter Erb, Zoning Administrator

Joe I. noted that copies of the revised plan would be available to the public after the next meeting in December.

Alex explained the timetable as follows:

- 1.) The Planning Commission would like to submit the proposal to the Selectboard by the end of this calendar year.
- 2.) The Selectboard won't begin to discuss the proposal until after budget work is completed in late January. Most likely sometime in early February, the Selectboard will begin reviewing the proposal.
- 3.) The Selectboard will hold a minimum of two formal public hearings.
- 4.) It could be as late as next summer before anything is finalized.

Joe stated that they would finish up where they left off with the Zoning Administrator's comments. Joe I. stated that they left off on the "by-right density bonus" for PUD's issue that Peter E. asked for clarification regarding what the intention was.

Alex clarified that they have made changes to the PUD (Planned Unit Development) section of the regulations so that both the conventional and PUD forms of subdivision are equivalent regarding the design and review process but the PUD has certain advantages for

a land owner and developer (have the ability to ask for waivers of particular zoning dimensional standards and you are entitled to a 25% density bonus) along with some extra requirements. In order to utilize a PUD, you must do a comprehensive master plan for the overall property and set aside green space that will serve some sort of function.

Unlike under the current regulations, the revised language automatically gets the 25% density bonus. The Board spent a lot of time discussing the “by right” density bonus to address Peter’s concern. Alex feels the DRB process will protect this, as the green space will go on the original plat. The Board felt that the current language in Objective 3 Section 4.5 #5 is sufficient and decided to leave it alone.

Alex stated two items have come up in the last few meetings that he had questions about:

- 1.) New allowance for low-impact agribusiness as a new use--how does that dovetail with the current allowances for cottage industries in current regulations?
- 2.) Section 2.5.5—Multiple uses on a single parcel. Zoning was founded on the principle that you get only one principal use per lot.

Alex wondered if these low-impact agribusinesses that are stand-alone businesses—do they tie into the cottage industry? Jean I. thought these two would blend well together. Alex offered that you could remove the cottage industries section of the regulations and use some of that language for the low-impact agribusiness. The cottage industry regulations were written to apply to everyone regardless of the district they are in with certain restrictions.

It was noted that the Cottage Industries have strict guidelines as to what type of business falls under this category with regard to traffic, hours of operation, size of property, number of employees, etc. Unlike home occupations, cottage industries can be stand-alone uses with a requirement that the building has to look like a house or barn and be returned to that use if it is no longer in business.

The Planning Commission spent considerable time discussing what traffic limits would be appropriate to be considered a low-impact agribusiness. Joe I. felt the original language was attempting to reference this by using the term “has a low to negligible impact”. Currently the DRB has qualitative judgment with regard to the impact on roads. Ultimately, the Planning Commission agreed to leave it the way it is as they felt the low-impact agribusiness definition was sufficient.

Bill Marks questioned if the noise standards were addressed in the uses as he felt that was one of Peter’s concerns. Alex stated it would be dealt with during the DRB conditional use process and in the Performance Standards in Section 5.12.

The next question was with regard to Section 2.5.5—Multiple uses on a single parcel. Zoning is founded on the idea that you get only one principle use per lot. The issue is as we add these additional uses within the Agricultural and Rural Residential 2 Districts, we need to carefully consider which ones we envision that would occur on a property that already

has a house on it and which ones would be stand-alone uses. A Farm Café clearly states that it has to be on a property with a farm. Integrated agriculture allows you to do all sorts

of other uses in addition to the farm. However, with the Function Hall—Alex is not sure that this one was figured out properly. Is this Function Hall intended to be a secondary use to the farm or would we like to include that as an integrated agricultural use, which allows for a combination of things as a conditional use. After some discussion, the Planning Commission decided to stay with what they had in regard to integrated agriculture.

Alex asked how the PC would like to proceed in terms of the scenic resources element of the proposal.

Discussion took place with regard to how to best narrow down the scenic vantage points and how to accurately rate them. Bob L. felt this might be challenging to capture the entirety of the view, and this view changes depending on the direction of your approach, weather, timing, etc.

Maggie suggested taking a picture of each of the 37 scenic vantage points and posting them on a website utilizing survey monkey for people to vote on. They discussed whether this might be enough to encourage more involvement to make it a worthwhile effort. Jean I. wondered if instead of including the scenic resource map, perhaps we enhance the language in the general standards #3 in the Objective 2 document.

Joe I. feels if we are going to have language in this proposal to consider scenic view sheds as a secondary resource then we need to have a definition for those views; it can't be subjective. Alex stated that one easy option would be to kick it out from the secondary resource list. Acknowledge that we couldn't figure out how to deal with it at this time but recognize there is a general standard that talks about visual absorption of the landscape and not to protrude above ridgelines.

Alex asked the commission what their vote would be between the following choices:

- 1.) Complete the Scenic Resources Map and include it in the Town Plan
- 2.) Take out the map; modify the Town Plan and say more work needs to be done.

Bob L. stated that he didn't feel the Planning Commission had completed their work with regard to the scenic resources yet. He didn't feel comfortable submitting it in its current state.

After considerable discussion, the Board decided to eliminate the scenic resources map as well as eliminate scenic resources as a secondary resource and take out the new paragraph from the Town Plan that was to be added to the scenic resources section. Maggie G. expressed interest in placing this on the list of things the Planning Commission wants to look at in the future. Joe I. stated that the Town Plan as a whole is something that we want to look at. Joe I. agreed with Maggie G.'s earlier idea to survey the public regarding which scenic areas they liked. He suggested holding a public forum night with regard to the scenic resources and show pictures of the areas currently listed on the map. The Board discussed initiating a survey (Survey Monkey) in order to elicit the most public feedback. Alex noted that they had previously discussed wanting to work on community outreach for the next Town Plan next year.

Alex stated that concluded the questions he had and he would work on a new copy reflecting all of changes that were discussed.

Minutes from October 24, 2012 meeting:

Ray M. made a **MOTION to approve as amended.** Joe I. **seconded the motion.** The motion **PASSED 6-0.** Jean I. & Johanna W. abstained, as they were not present at that meeting.

Other Business & Announcements:

Alex stated that he had received correspondence from Vermont Gas regarding their proposal to expand their service to Middlebury and Vergennes. The plan would be to follow the VELCO line from the northern side of Hinesburg onto Charlotte Road and then follow Baldwin Road and the Baldwin Road right of ways until exiting town. Currently they are preparing an application for review by the Public Service Board and are providing the required 45 day notification. Alex stated that there are maps that show the corridors and aerial photos of each segment along it.

Carrie F. noted that it does go through Geprag Park. Alex stated that a resident had questioned if this would be legal as Geprag Park has a deed restriction designating that it be used only for educational & recreational purposes. Alex stated that anyone interested was welcome to take a look at the information provided by Vermont Gas.

Alex also stated that the Town of Shelburne has set a hearing date of December 13th for another zoning revision proposal. Their current proposal is in their Lakeshore Zoning District with regard to the expansion on non-conforming structures. They are getting rid of volumetric restrictions and moving toward footprint limits. Alex asked if anyone would like to see the proposal. Bob L. stated he would like to see it so Alex will forward him a copy.

Next Alex discussed the current status of the Public Safety Facility. Alex showed a map of the latest plans for the public safety facility. Johanna W. asked about the validity of rumors regarding the Town selling off a portion of the lot (where Police Station currently is) to help fund a portion of the project. Johanna W. strongly felt this would not be a good decision. Alex confirmed that this had been discussed but they have received much of the same feedback.

Alex showed the location of the Police and Fire Stations, Town Green/Common, location of Farmer's Market (right off Route 116 with on-street parking in front of it).

Alex also showed the build-out of the property where Kinney Drugs is currently located. He stated that Bristol Bakery is currently looking at the building next to Kinney Drugs. If this goes through, they are looking at a potential opening date of March 2013.

Joe I. made a **MOTION to adjourn.** Johanna W. **SECONDED the motion;** all in favor. The meeting adjourned at 9:50 p.m.

Respectfully Submitted,
Renaë Marshall--Recording Secretary