

**Town of Hinesburg  
Planning Commission  
May 8th, 2013**

DRAFT

**Members Present:** Grace Ciffo, Joe Iadanza, Jean Isham, Tim Clancy, Johanna White, Maggie Gordon, Aaron Kimball. Johanna White left at 8:42pm.

**Members Absent:** Bob Linck and Kyle Bostwick.

**Also Present:** Alex Weinhagen (Director of Planning & Zoning), Freeda Powers (Recording Secretary). *Public Included:* John Roos, Meg Handler.

Joe I. chaired the meeting, which was called to order at 7:37 p.m.

Joe I began the meeting by asking if the public had any comments for non-agenda items. There were none.

**Hannaford Act 250 Review**

The Board picked up on discussions from 4/24 regarding taking party status at the upcoming Act 250 prehearing. Jean I. suggested designating two board members so that each could attend the prehearing (happening 5/15) and the hearing (date TBD, likely held in June). Jean I. also mentioned she is still receiving email contacts from the applicant on the Hannaford project. Alex W. said he will address that as those email contacts should be going to the Town Clerk for further dissemination to the boards.

Tim C. agreed to be the designated board representative for the Act 250 prehearing on May 15<sup>th</sup>. Maggie G. agreed to be the “back up” board representative for the Act 250 prehearing and hearing. She will attend the prehearing on May 15<sup>th</sup> and the hearing once a date has been announced. The board agreed to designate Tim C., Joe I., and Maggie G. as Planning Commission representatives for the Act 250 hearings. Joe I. asked if they are required to sign off on the memo being submitted. Alex W. said no, but you can if you want to.

Jean I. asked if we take affirmative steps at the prehearing. Alex W. explained that at the prehearing, the board will submit their memo stating their role and stance on the project. He said that may or may not require further clarification from the Act 250 board.

Tim C. said he felt that the previous PC meeting’s discussion about the *process* was very informative and helped him gain a better understanding and asked if the Selectboard and DRB were as clear on that process at the time of the Hannaford project review. Alex W. assured him they were. Joe I. said this entire process is new territory in many ways; the mechanics are understood, it’s the \*\*\*\* that is interpreted differently by each party.

Aaron K. asked Alex W. about his recent comments at the Selectboard in which he mentioned Criteria #9 as applying to the Planning Commission’s comments. He said he thought the board had discussed their comments as applying under criteria #10. Alex W. said he had considered criteria #9 and decided it was not applicable. Joe I. said the major consideration on the part of the Planning Commission was the Official Map, which is related to criteria #10 and that is what the board had previously discussed and decided upon.

Tim C. asked Alex W. what was the reaction from the DRB and from the SB regarding the Planning Commission’s decision to take party status at the upcoming hearings. Alex W. said there was not much reaction from the SB as they were rather busy with other agenda items and did not discuss

this topic as a board at their meeting. He said the DRB has yet to be notified of the commission's decision.

John Roos spoke from the audience, noting that the Selectboard has not yet rendered an opinion in regards to the Official Map, he wonders if it would be prudent to ask them to do so. Jean I. voiced reservations about asking the Selectboard to do that. Joe I. agreed, saying that for planning tools, he feels the Planning Commission is the right body to make that argument, but added that he is not personally surprised that the Selectboard didn't comment on the Map and points out that the PC has deferred on other issues before as well.

### Shoreline Regulations – Community Survey

Jean I. told to board that the state regulations regarding shorelines has stalled out and will not be progressing any time soon as the state awaits more input on the issue. Joe I. said this is disappointing to hear in light of the mounting facts.

The board resumed work on formulating a community survey for data collection on Water Quality/Shoreline District concerns. Alex W. provided the board with a draft survey created using suggested topics/concerns identified by the board at previous discussions.

Maggie G. inquired on the best title for the survey. Alex W. suggested anything that clarifies what the aim is, i.e. Regulation/Planning/Protection. Tim C. said he would like to be clear that this is a Planning Commission inquiry.

Tim C. said in his observations, most residents of the town *view* the lakes (Sunset & Iroquois) but don't engage directly with them on a regular basis. Jean I. agreed, but also noted that over the course of time, most residents *do* have some direct relationship with the lakes.

Tim C. noted there are no questions on the draft survey that address regulations as a concern. He would like to address this as he feels there is a general fear of *overregulation* and we should get a gage on that. Aaron K. said this would be a good place to also mention what's going on with the state regulations. Alex W. said this could either be tacked on to Q#2 or put as a separate question on its own directly regarding regulations.

Aaron K. suggested that Q#1 & #2 be qualified with something like "Do you own land that is on one of the lakes?"

The board decided to change the language of Q#2 to read: **What do you see as the most significant challenges facing the Lake Iroquois and Lake Sunset area?**

Meg H. reminded the board the importance of staying focused on *Water Quality*, not on Lake Quality, which is interpreted very differently. She suggested they stay away from social issues (i.e., conflict of uses) and keep in mind it's not about how *pretty* the lakes are, or if people are having fun while using them; it's about the water quality, which is poor at this time. Joe I. said this is a good point! There is little the Planning Commission can do about some of these concerns, it's important to stay focused on actionable feedback if possible.

Maggie G. asked for clarification on "views *from* the lakes." Alex W. said this refers in part to how people use their lake access; is there vegetative buffers or are we seeing "lawns to the lake"? He suggested this can be tweaked to read *impact on scenic views*.

Meg H. asked the board to be clear about why they are conducting the survey in the first place. Tim C. said it is somewhat a counterbalance to small vocal groups who tend to show up to public

meetings and sway board decisions and control where regulations are going. The survey is an attempt to get access to a broader subset of the Town. Meg H. cautioned the board that in the State's regulation work, she sees the two biggest concerns or pushback issues as being perceived infringement of personal rights and costs to landowners.

The board discussed and agreed to add questions related to vegetative buffer zones as well as to address existing, non-complying structures which may do expansion work which directly effects road use/impervious surfaces/runoff.

Aaron K. asked Meg H. about how the state deals with restrictions on lakes; what are they, who sets them and how are they enforced. Meg H. said VT Fish & Wildlife manages lake restrictions, which include such rules as no jet-skies on bodies of water smaller than 1A. Mostly, violations are reported by neighbors or local lot owners of the area.

Tim C. said we're evaluating a few things in this survey, but we are not addressing runoff. He asked if there should be a separate question directly asking about this issue. Joe I. noted it is mentioned in Q#2. Grace C. said that is almost getting into an entirely different survey. Alex W. reminded the board they have had discussions about town-wide storm water protection and control.

Alex W. recommended the board also consider year round vs. seasonal uses on the lakes. Meg H. agreed, saying sometimes the underlying issues are unclear (i.e., increased road use). Tim C. suggested considering a density question looking at the possibility of expanding the district to include the watershed. Alex W. said that would be fine, but recommends not using the word *density*. Alex W. reviewed the three major concerns the board faced when discussing the RR1 & AG districts; 1. Are Allowed Uses proper? 2. Is the development pattern proper, and 3. Are the design standards appropriate? Joe I. pointed out that the Shoreline district is different from the other districts previously discussed given its size and location. In his opinion, it is entirely residential. Jean I. asked about Home Occupations. Joe I. said he thinks those are by right. Alex W. said Joe I. is correct. The board agreed they should be clear on the size of businesses being considered.

Aaron K. asked about other municipalities; Lake Iroquois occupies parts of Richmond, Williston and St. George as well as Hinesburg and he feels you cannot adequately address water quality of a body of water without considering all of the sources feeding it. Tim C. said he feels that complicates the issue to expand the survey to other towns. Joe I. said he understands the concern, but said we cannot solve problems originating in other towns. Alex W. offered adding language to address this (*adjacent or surrounding towns*) in Q#8, **Where do you live?** He asked Aaron K. if he was looking for a more specific question or just looking for better coding on where the answers are coming from. Aaron K. said the latter.

The board reworked Q#3 & #4 to have a preface which asks **"Did you know that Williston requires new structures to be set back at least 150' from the shoreline? Did you know that Hinesburg requires new structures to be set back at least 75' from the shoreline?"** with the question to follow; **"How far do you think new structures should be set back from the shoreline in order to help protect the lakes?"**

The board agreed to add clarification to Q#5, explaining what the watershed is and its impact on the lake (i.e., drains to lake).

### Rural Residential 1 Zoning District Revisions

Joe I. made a motion to table discussion on RR1 Zoning District Revisions. Tim C. seconded the motion. All approved, the board voted 6-0.

**Minutes from 4/10/13 & 4/24/13 meetings:** Jean I. made a **MOTION** to **approve minutes from the 4/10 meeting**. Aaron K. **seconded the motion**. The motion **PASSED 6-0**. Jean I. made a **MOTION** to **approve minutes from the 4/24 meeting**. Grace C. **seconded the motion**. The motion **PASSED 6-0**.

**Other Business & Announcements:** Maggie G. and Johanna W. attended the Upstream/Downstream Workshop. Maggie G. said she enjoyed it and got to hear a lot of interesting talks.

Alex W. mentioned upcoming St. George land use regulation revision discussions taking place on May 22<sup>nd</sup> if anyone is interested in attending the public meeting they can.

Alex W. said the Selectboard resumes its discussion on RR1 Zoning proposal at their 5/20 meeting; density, exemptions and allowed uses are all raising questions.

Joe I. made a **Motion to adjourn**. Jean I. **Seconded the motion**. The meeting adjourned at 9:52p.m.

Respectfully Submitted,  
Freeda Powers--Recording Secretary