

# **Town of Hinesburg Planning Commission**

**July 10, 2013**

Approved 7/24/13

Members Present: Aaron Kimball, Bob Linck, Tim Clancy, Maggie Gordon, Kyle Bostwick, Grace Ciffo, Jean Isham, Johanna White, Joe Iadanza. Also present: Alex Weinhagen (Director of Planning & Zoning), Freeda Powers (Recording Secretary). Public included: None.

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

The board opened the meeting with observations and discussion from the Lake Iroquois site visit at the June 26<sup>th</sup> meeting. Bob L. said he recalled hearing several property owners from around the lake say that they have never seen the lake level as high as it currently is due to the extensive rains we have been hit with since May. He found the visit very interesting. Grace C. said she noted a visible difference in growth of milfoil in the less populated areas and more around areas with condensed camp development. Alex W. cautioned that due to the high lake levels, it may be difficult to properly ascertain the more heavily choked areas and also noted that milfoil growth can vary from year to year. Grace C. said she recalled homeowners in the area noting that the problem has increasingly gotten worse over time. Jean I. asked if the milfoil is ever “harvested”. Alex W. said the Lake Iroquois Association does some mechanical removal around the public beach and boat access areas and said other, private land owners, may or may not, based on personal use or preference. He said there is currently no lake-wide effort to remove the invasive species.

Bob L. said it is important to have the setbacks but it is also important to educate landowners about the importance of vegetative buffers vs. lawns-to-the-lake. He noted there are very few undeveloped lots in the Hinesburg area of the lake. Aaron K. said he was personally surprised to see at the site visit just how close to the water some of the camps actually are. Joe I. noted that the development pattern really differs versus neighboring towns which also share frontage on the lake. Bob L. said this is likely primarily an access issue and noted that the access roads around the Hinesburg portion of Lake Iroquois are very close to the lake itself. He said from his perspective, storm water runoff is a paramount impact on the quality of the lake.

Jean I. asked if there have been any comments from landowners or homeowners of the lake areas regarding recent erosion due to the heavy rains. Alex W. noted that the Washburns (Shadow Lane residents) did mention a fair amount of sediment from Shadow Lane that had washed out in recent storms.

Tim C. said he was impressed with how *few* existing structures actually conform to what the board is considering and discussing. This led him to pose the question; *what* exactly are they discussing this issue for? I.E., is this discussion aimed at addressing those few remaining undeveloped lots? Or for future camp conversions? He encouraged the board to consider the purpose of the conversation. He noted that existing setbacks and buffer zones were seriously lacking based on the site visit. He wonders if this conversation is realistic or a huge opportunity. Johanna W. agreed. Joe I. said if there are so many preexisting nonconforming uses going on, how would new regulations even be applied? Jean I. said she believes there is already an ordinance which restricts expansions beyond the existing footprint. Joe I. said even so, the current language is not adequate. Alex W. said current regulations do allow (for example) expansion to the rear of the property, and so long as it remains in compliance with neighboring property lines. He noted the current expansion of noncompliant structure requirements, which consist of 4 criteria. He went on to say that the language had been made flexible to allow the DRB room with applicants and said the DRB does wrestle with this issue. He reminded the board that they can make changes if they see fit. Jean I. reminded the board to take a longer view.

Kyle B. said he is steadfast that education will have the biggest impact. Bob L. said he feels that the Lake Iroquois Association have tried education and suggests we should get a feeling for how those results have turned out. Joe I. said the immediate impact is further from the shore, that is also where the most future development potential lies. He feels the board should focus on mitigating the root causes if sediment is a real concern.

Jean I. asked if there are any Design Standards for driveways. Alex W. said not for driveways; unless they are as part of a subdivision and even then only in relation to emergency access. He said there are no specific standards on such things as grade, ditching, width, etc. Aaron K. asked if such standards are possible. Alex W. said yes, absolutely.

Johanna W. said it would be nice if we could educate and encourage people to do things they should, but she remains unsure of just how to generate more community spirit vs. “my land, my rights” attitudes. Grace C. suggested beginning by asking the local lake associations what is working for them. Jean I. asked if everyone who lives on the lakes belongs to an association. Alex W. said he is unsure. Grace C. said from her experience in communicating with people who live there, there appears to be little cohesiveness.

Alex W. said every year the town applies for a municipal grant in the amount of \$15-\$20,000 (Deadline end of September) and suggested the board consider outreach projects that may relate to this topic.

Jean I. also suggested getting feedback from the Lewis Creek Association, which may be a good resource for info and experience for models that *work*.

Grace C. also suggested a fund which could be used to help lakeshore land owners purchase the proper plants etc. which she says will show that the town *cares* and is *seriously thinking* about the quality of the water. Johanna W. liked that idea and expanded on it, suggesting providing shoreline land owners with a list of what plants are best for assisting in infiltration or erosion control.

Tim C. reiterated his desire to have set standards in place. Jean I. added that she would like to see standards for those higher elevations which have a direct impact on lake quality. Aaron K. agreed to get in contact with Jessica \*\* who works in the Williston Planning & Zoning office as well as the Conservation Commission. Alex W. agreed to draft some regulations and noted the boards' desire to focus on education and outreach.

### **Shoreline Regulations—Community Survey (cont'd from 5/8)**

The board reviewed the survey results, provided by Alex W, via Survey Monkey.

Based on the results of the survey, the board saw that for Q#1, the primary response indicated Scenic Views as the most important. Kyle B. said that is an interesting result, and wonders if those responses are from the lake or from elsewhere, looking at the lake. Alex W. noted that we can separate out the results based on where respondents said they live.

Based on the results of the survey, the board saw that for Q#2, respondents indicated frequent use of the lakes, mostly daily, weekly or monthly. This result confirmed for the board that the lakes are very active and busy.

Based on the results of the survey, the board saw that for Q#3, Invasive species, Water Quality, Septic Systems & Runoff were the highest concerns for respondents. Alex W. noted perhaps we should have changed the answer options to scale, but nevertheless, the results do give a clear indication of primary concerns.

Based on the results of the survey, the board saw that for Q#4, the strongest responses were in favor of setbacks between 75'-150' (75% of responses).

Based on the results of the survey, the board saw that for Q#5, the option of "unsure" as an answer split the responses quite severely. (Nearly 1/3 responded "unsure"). Roughly 45% responded affirmative. Alex W. noted this indicates that people need information to make informed decisions. Tim C. said the responses do indicate a willingness to change.

Based on the results of the survey, the board saw that for Q#6, the majority of respondents (over 90%) are residents of Hinesburg. Based on the results of the survey, the board saw

that for Q#7, many live on or around the lakes (36%); 22% were respondents from the RR Areas.

Based on the results of the survey, the board saw that for Q#8, there is a very strong desire to restrict commercial uses at the lakes (81% say yes, it should be restricted). Kyle B. and Jean I. both felt that is reasonable.

Based on the results of the survey, the board saw that for Q#9, 59% of respondents felt the development around the lakes was “just about right”, 25% feel it is “too much”.

Based on the results of the survey, the board saw that for Q#10, 67% of responses were affirmative.

Based on the results of the survey, the board saw that for Q#11, 74% of responses were affirmative.

Based on the results of the survey, the board saw that for Q#12, respondents felt as though Education, Land Use Regulations, Town Projects and then Property Rights were listed as the top 4 concerns.

Based on the results of the survey, the board saw that for Q#13, there were 43 open responses. Alex W. said he would like to post the results to the Town Website and email them to the board members. Aaron K. asked if we received any paper responses. Alex W. said that he was asked for two paper copies, only one of which was returned. Kyle B. said he would like to know how people heard about the survey. The board wants to look at the responses according to those who lived on the lakes vs. not. Alex W. agreed to splice the data and provide the results to the board.

### **Gifford Memo Discussion:**

The board discussed a memo distributed by Alex W. from Roy Gifford, a resident on Sunset Lake. Roy G. was concerned that the survey wasn't asking the right questions, identifying two specific issues that he thinks the Town should be discussing; Agricultural Impacts & Water Control Structures (dams).

In his concern regarding agricultural impacts, Roy G. noted that beyond the runoff and erosion impacts of development, there are also impacts from agricultural use around the lakes. The Town can't regulate accepted agricultural practices through zoning, and he feels we could address the issue via direct landowner outreach, education and possibly assistance.

The memo from Roy G. also noted water control structures (dams), saying no one seems to have responsibility for maintaining or repairing the dams and he feels the Town should discuss this to figure it out.

Tim C. said he feels since these two topics are beyond regulation, he does not see what the board can do in regards to them. Alex W. said education and outreach can help in addressing the agricultural concern for landowners who are small enough to not trigger the states farm exemption. Jean I. said there is very little agricultural use actively going on now and that the state standards to define agriculture are very low.

Alex W. suggested a board member could volunteer to contact the VT Agency of Agriculture to learn more about how they encourage or require livestock to be kept out of waterways. Grace C. agreed to do this.

In regards to Roy G.s concern with the existing dams in the town, which are privately owned and unmanaged, Aaron K. said it seems the Town should be showing leadership. Alex W. said this is a good topic to think about, not as a regulatory issue but rather as a proper planning issue. He suggested further research on this topic as well. Jean I. agreed that the town ought to have a better handle on this and agreed to take on the topic for research. Tim C. and Joe I. both see the dams as a potential legal concern. Joe I. added he feels the Town should be maintaining the dams. Tim C. said he feels getting an accurate list of ownership & inventory will be a good place to begin on this issue. Municipal assistance may also come from VLCT. Jean I. said it seems like this may be a Select Board discussion.

**Shoreline District:** The board had some discussion around the Shoreline District, considering whether or not to expand it to include the larger watershed. Aaron K. said Williston has an overlay district which we may want to consider modeling after. Alex W. noted that Williston is unlike Hinesburg in that they do not have a shoreline district, which we do. Bob L. said there is such a different development pattern between the two towns; it would be hard in his opinion to go lockstep with them. Alex W. agreed, saying it may be a good idea to talk with the Williston P&Z department, but that he is not sure our regs will “match up.” Joe I. agreed, adding he sees no problem with Hinesburg “going it alone” on this, that the two town plans are not diametrically opposed. The board agreed to bench this discussion to future meetings.

**Minutes from 6/12/13:** Jean I. **made a motion to approve as written** the minutes from 6/12. Bob L. **seconded the motion.** The board voted **9-0.** Johanna W. made a **motion to approve as written** the minutes for the 6/26 meeting. Grace C. **seconded the motion.** The board voted **8-0.** Jean I. abstained as she was not present for the Lake Visit on 6/26.

**Other Business:** Alex W. updated the board on the progress of the Select Board on the RR2 proposed regulations. So far, the Select Board has held 9 meetings which discussed the RR2 proposals. The Select Board has indicated a desire to see some changes. Alex W. said they wanted a small change in Objective #3, which would offer a 3yr window to allow owners of 10-12A lots to subdivide if they chose. They also wanted some clarification on how existing lots would be treated that were below 10A. Alex W. said the Select Board also had questions regarding Objective #2, which aims to protect resources. The concern is with properties that have resources running through them. The Select Board feels there should be offered a provision for Conditional Use in order to gain access to the interior of the lot. Joe I. said he is encouraged by the Select Board tone and the quality of the questions and concerns they are raising.

Kyle B. made a **motion to adjourn**. Jean I. **seconded the motion**. The board voted **9-0**. The meeting ended at 10:03pm.