Town of Hinesburg
Planning Commission
August 14, 2013
Approved August 28th

Members Present: Aaron Kimball, Tim Clancy, Maggie Gordon, Grace Ciffo, Jean Isham, Johanna White, Joe Iadanza.

Members Absent: Kyle Bostwick, Bob Linck.

Also present: Alex Weinhagen (Director of Planning & Zoning), Freeda Powers (Recording Secretary).

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

There were no public comments for non-agenda items.

RR1 Zoning Revisions:

Johanna W. and Maggie G. presented their findings on the Mount Pritchard area to the board.

Primary concerns/constraints in the area are wildlife habitat, steep slopes and resulting runoff. Low density and residential housing are significant in this area. It could be noted that the area tends to feel like a transition between farmland and the village. Allowed Uses are mostly not applicable to the area (with the possible exception of a sugaring operation). It was suggested the Allowed Uses could change from permitted to conditional.

Maggie G. said the Design Standards are similar to those in RR2. She suggested tying density to the level of road access. Joe I. cautioned against this, saying he's not sure that's what we want for the top of the Mount Pritchard area. He said 15A/U is probably ideal for the area for density. Maggie G. said it is currently at around 15.5A/U which would mean the area is basically built-out, leaving little room for growth. She said she would like to do whatever is necessary to protect the large block of forested area (wildlife habitat) with development around the periphery. Joe I. said development will likely follow that pattern naturally due to the steep slopes. Jean I. also cautioned forethought about development-created runoff on those slopes or higher elevations.

The board viewed steep slope maps of the area. Alex W. noted the board can acknowledge the uniqueness of the area in the Purpose statement to protect the intended wildlife corridor. Joe I. reminded the board of the option of expanding the Shoreline District to include the greater Watershed. If this goes forward, it will impact the delineation of this area. Jean I. said it makes sense to her to have accepted uses that reflect this specific and unique area.

Joe I. noted that there is mostly meadow in the only agriculturally viable lots available in the area; the most potential will be in forestry. There are several larger lots in the area already enrolled in Current Use, which does require a forest management plan.

Maggie G. said the board should discuss and determine the southern boundary to this potential subarea; it could be Place Road or CVU road. Joe I. suggested using the CVU lot lines rather than adhering to the road lines.

It was noted that there are many 10A lots along Pond Road, which are mostly built-out due to their smaller size. Tim C. noted that density set at less than 10A will result in small, dense development on the non-sloped areas, and suggested this is something to be cognizant about so as not to allow it to get out of hand. Joe I said in his opinion, dense clustering is probably the ideal development pattern for this area. He said this won't impact most lots along Rte.116 and Pond Road as they are (mostly) not sub-dividable. Therefore, it won't change the road frontage much. He suggests setting the density on other prioritized concerns (i.e., deer wintering habitat, vehicle traffic impact, etc.). He also suggested enhancing the PUD option which might turn the emphasis on upfront planning in order to limit development footprint and protect the steep slopes and forests. Alex W. suggested Conditioning the subdivision option as PUD so people have the obligation to set aside open space. Tim C. questioned the logic of making development here even more restrictive than in the RR2 district. He said he does not see the area as being that different from RR2. Maggie G. asked Joe I. if he sees the RR2 PUD requirements as adequate for this area. Joe I. replied that if it's optional (the PUD process), you're not fully protecting your resource (in this case, the large forested area and steep slopes). Maggie G. asked, do the Design Standards in RR2 go far enough to protect the resources? Alex W. said no; Storm Water Control remains a primary concern.

Joe I. also voiced concerns around road cut standards relating specifically to Pond Road, which play a part in that storm water control and runoff out of driveways and roads that punch up the steep sloped areas. Tim C. said he would prefer to see density in the area set at 10A/U. Joe I. said he understands that in some ways; the area is easy to get in/out of, it is close to municipal services, and therefore a slightly higher density may make sense. However, he said, in order to preserve the character and wildlife habitat, density needs to be lower.

Tim C. suggested requiring PUD planning with any land over a certain acreage (perhaps 40A or 50A). Alex W. said this is actually a common tactic among other municipalities. He went on to briefly describe the difference between Minor vs. Major subdivisions, suggesting that the board might consider setting a number (4 or more? 6 or more?) which would trigger PUD development requirements. Tim C. said he feels it's time to look at the PUD development option as the *stick* rather than the *carrot.* He is interested in keeping development out of the interior of this area. Maggie G. urged caution on this idea; saying it could backfire with landowners choosing instead to do conventional subdivisions over a period of years. The board felt it would be beneficial to get feedback from the large land owners in that area to see how they feel about this option.

Rural Zoning Revision Proposal:

Alex W. updated the board on the progress of the Select Board on their Rural Zoning Proposal. The Select Board met again on 8/5/13 but have made no further progress on their discussions. Public input will be taken on 8/19/13, after which the Select Board will decide to hold another public meeting or to send back the work to the Planning Commission. There is still no consensus around Objective #3. He encouraged people to attend the public meeting on 8/19 at 7pm.

Alex W. also mentioned that there is a requirement for Planning Commission comments to be reported back when the Select Board suggests any changes to the proposal. The board went through the suggested changes.

In Objective #1: "Low Impact Agribusiness" use. Instead of allowing agricultural and forestry equipment sales as a standalone or primary use, such sales would have to be incidental to a use that focused on repairs of said equipment. Jean I. said in her opinion, the repairs will bring in more traffic than sales alone. Joe I. said he would be in favor of this change *if* the sale is not the primary use. Tim C. cautioned against being overly restrictive. Jean I. suggested supplying the Select Board with the definition of "Low Impact Agribusiness".

In Objective #2: Conservation Subdivision Design (locating building sites). Alex W. noted that there are some properties that will end up being undevelopable if no provision is made to allow access across primary resource areas. In such cases, proper engineering combined with minimized impact area may be able to provide reasonable access that complies with our road standards and public safety access. Jean I. noted that the DRB decides most cases that face this issue. Alex W. said the discretion of the DRB is if the applicant *can* access a lot for development. The board agreed to strike the word "*practical*."

In Objective #3: Determination of Allowable Density. Alex W. noted that there is a need for language to address existing undeveloped lots, as well as conversion of single-family homes on existing developed lots to duplexes or multi-family dwellings. The revision will allow this sort of infill to continue as long as subdivision is not required. Joe I. said in his opinion, a pre-existing nonconforming lot no longer meets the density. Tim C. agreed, saying the goal here is to control density and he feels they should not allow further noncompliance. Alex W. said this is functionally different than a subdivision and added that likely very few lots would ever do this. The board seemed overall against this suggested change and agreed to rewrite to clarify pre-existing lots to be allowed conversions to Single Family Homes *only*.

Also in Objective #3: Pre-existing lot density subdivision exemption. A new temporary provision to give landowners with 10-12A more time to do a subdivision to create one additional lot. This exemption would sunset three years from the date these regulations are adopted. Tim C. said he feels that three years is too long. Joe I. asked what the average time frame to get a subdivision is. Alex W. said 1.5 years (at least 6 months for a minor subdivision). Tim C. suggested the provision begin based on the applicants' approval date rather than submission date. Joe I. asked how many extensions are currently allowed on a given application. Alex W. said the application first goes through Sketch Plan approval, which is good for one year at which point the applicant would need to reapply. Jean I. suggested there should be a limited number of extensions. Joe I. suggested a shorter time frame, perhaps one year. Tim C. suggested 18mos.

Municipal Planning Grant:

The board agreed to email Alex W. individually with their ideas for possible projects. Grant application due 9/30/13.

Minutes of July 24th, 2013:

The board agreed to postpone the minutes from 7/24/13 to the next meeting.

Other Business:

Shelburne is modifying its Zoning Regulations; public hearing 9/12/13.

Hannaford Act 250 Hearing update: Joe I. attended the day long hearings at Town Hall. He said there were good points made on both sides. There are no plans to widen Rte. 116 at Patrick Brook as previously proposed.

Maggie G. made a **motion to adjourn.** Johanna W. **seconded the motion.** The board voted **7-0.** The meeting ended at 10:33pm.

Respectfully Submitted,
Freeda Powers--Recording Secretary