



Hinesburg Select Board

Town Of Hinesburg
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Meeting Minutes - August 7, 2014

- Approved 8/21/14 -

Members Present: Jon Trefry, Mike Bissonette, Andrea Morgante, Tom Ayer, Phil Pouech

Members Absent: None

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

Public Present: Marge Sharp, Maggie Gordon, Joe Iadanza, Hannah Jackson, Kathy Beyer, Chuck Reiss

Jon T. chaired the meeting, which was called to order at 7:00 pm.

Non Agenda Items

There were no comments for non-agenda items.

Energy Efficiency Standards/Zoning Regulations Revision Proposal

The Board discussed the new energy efficiency standards regulation revisions as proposed by the Planning Commission. The goal tonight was not to take action on the proposed changes but to set the public hearing date. The Town has been managing with interim zoning for the past year and that expires this December. If the new changes as proposed are not implemented, we revert to Energy Star standards.

Jon T. asked why accessory apartments are not included in the proposed language. Joe Iadanza, Planning Commission Chairperson, explained that due to the existing structure being already non-compliant makes applying the changes to additional accessory apartments within the same dwelling an unreasonable application. Additionally, he said, the pre-existing non-complying structure (main residence) is already beyond the review of construction, making applying these changes almost impossible as the standards do deal directly with construction methods and insulation grades.

When adopted, we were using Energy Star. When they bumped up their standards, we felt it was no longer realistic—too stringent—for the average individual landowner/builder. RBES has two drawbacks, from the view of the Planning Commission; 1) it is not an auditable program and 2) it is a self-certifying program with no incentives. Energy Code Plus was put in place with an evolving standard by the state, and the PC felt it offered a consistent quality level with incentives as well.

Jon T. asked what are the differences between ECP and the state program, RBES? Joe I. explained that there are several differences, among them: insulation, appliances, air leakage standards. Chuck Reiss

spoke from the audience as a member of the energy commission, he said the ECP program standards are easy to achieve. Additionally, he said, it offers the ability for owners/builders to consult with Efficiency VT thereby allowing access to resources, understanding and education.

Mike B. asked about the difference in cost; while he understands the long-term savings offered, he wonders about the impact these changes have on home construction. Chuck R. said there is not a cost difference really the differences are in installation practices. Maggie Gordon, a member of the Planning Commission, quoted numbers offered by Efficiency Vermont which estimate the annual savings of building to the ECP standards in a typical 2,000 sq.ft. home \$460. She said owners often recoup their costs within the first 5 years. Andrea M. said it is important to remember too that there is a larger cost to the community if higher standards are not implemented in the form of greater utility and energy use, a larger carbon footprint, etc. She feels that ECP promotes better construction techniques and raises the quality standards. Maggie G. said it also benefits such projects as the ongoing Green Street development project as they try to create affordable housing. Tom A. said in his view, this debate is not about the program, but in requiring it. He said education is the missing piece here and strongly encouraged staff to assist and inform applicants as they come to the office for permits. He feels it would be tough to expect builders to be familiar with all the different standards out there. Additionally, Tom A. said he feels that concerns raised previously by the Zoning Administrator regarding the time and expense related to Conditional CO's are valid and should be seriously considered. Jon T. said he feels the proposed changes are a modest deviation from the state standard and he agrees that the 3rd party oversight offered through Efficiency VT will relieve the town of some of the burden.

Kathy Beyer spoke as a resident and from her connection with Vermont Housing, voicing her concerns regarding the variances in this aspect of building codes from town to town, which is unique in building codes in general. She cautioned against regulating building codes in the zoning regulations. She cautioned too that RBES certification is to be filed in the land records but language specifically states that if this is not done it will not cause a title search issue. This could potentially cause problems at the time of sale. She feels that the incentive language belongs in the density discussion. She said it is, in her view, dangerous to put building codes into zoning ordinances.

Maggie G. clarified that the builder verifies through Efficiency Vermont and so that oversight should curtail the concerns of title search issues. Phil P. said he is not worried about the title concern and feels that the proposal is inherently better due to Efficiency VT being a 3rd party verifier. In response to Hannah J.'s concerns regarding the variability between towns in energy standards, come January, the stretch code will begin and this will be a nonissue.

The Board agreed to open the public hearing on September 8th. Phil P. suggested some FAQs be submitted from the Planning Commission and Energy Commission at that time to aid in the discussion and questions. Andrea M. made a motion to warn the Public Hearing on 9/8/14 for discussion on the proposed energy efficiency standards. Phil P. seconded the motion. The Board voted 5-0.

Zoning Fee Structure Revision

The Board discussed and agreed to proposed zoning fee structure revisions provided by Alex Weinhagen. The Board understands that outstanding conditional C.O's are an issue for staff in the

Planning & Zoning office and are a real cost to the town. Jon T. made a clarification in the proposed language, noting that the threshold for Non-Residential Structures below, equal to or above 1,000 sq. ft. needs to be stated as > or <. He also asked staff for clarification; are non-residential structures commercial only? Alex W. said no, non-residential encompasses municipal, religious and some others. He went on to explain that these revisions to the fee schedule are an attempt to create some equality between large and small scaled projects. Typically, he said, fees do not come close to covering the cost of the development review process (maybe covering 20% of those costs). Jon T. made a motion to adopt the revised Planning & Zoning fee schedule amendment effective July 1st, 2014. Andrea M. seconded the motion. The Board voted 5-0.

Hinesburg Center Pocket Park Escrow

The Board was to review and discuss the final escrow agreement for the future proposed Pocket Park in the Hinesburg Center, LLC. Development project located by the Kinney Drug store. The agreement will be between the following parties: Developer, Hinesburg Center LLC (Brett Grabowski), the Town of Hinesburg, Mascoma Savings Bank and is to ensure that funds will be available for the future construction of the park area. The correct version of the agreement was not available to the Board at this meeting and will be taken up at a later date.

Barrows Zoning Fee Refund Request

The Board reviewed a written request from a resident who paid zoning fees but was unable to execute construction as planned in a timely manner and the permit they paid for expired in May. Impact fees will automatically be refunded. Andrea M. made a motion to grant the request to refund Chuck and Laura Barrows in the amount of \$640.62 . Phil P. seconded the motion. The Board voted 5-0.

Fence Removal on Richmond Road

Phil P. made a motion to authorize the Highway Department to remove the partially erected fence in the ROW on Richmond Road. Mike B. seconded the motion. The Board voted 5-0.

Intermunicipal Police Agreement

The Board discussed a proposed agreement with the neighboring town of St. George for limited police services. The contract provides an annual total of approximately 75hrs including but not limited to traffic control and community policing services. The request equates to roughly 1.5hrs per week and availability is based on staffing levels specific to on-duty officers. St. George agrees to pay Hinesburg \$50.00 per hour plus an additional \$10 per traffic stop. An additional \$30 per arrest is also available and an additional \$50/hr until the arrestee is processed. The general passive policy insurance coverage should also cover these contracted services. All 911 calls will still go to the Vermont State Police barracks. Mike B. made a motion to approve the intermunicipal agreement for police services between the town of Hinesburg and the town of Saint George for FY2015. Phil P. seconded the motion. The Board voted 5-0.

Lot 31 Funds Discussion

The Board discussed the funds resulting from the sale of Lot 31 to the Creekside Association in the amount of \$14,000. These funds are now part of the General Fund and the Board discussed designating the funds to a specific project(s). Andrea M. said she feels that Lot 31, which was originally designated for recreation space, was a town asset. She feels it would be appropriate to put the funds towards the Bissonette Recreation Fields or to Lot 1. Tom A. made a motion to designate the funds from the sale of Lot 31 in the amount of \$14,000 to the Bissonette Recreation Fields project. Phil P. seconded the motion. The Board voted 4-0; Mike B. abstained from the vote.

Town Report Discussion

Mike B. wondered if there is anything we could add to the Town Report. He suggested the following items of interest: share progress and reasons behind bond requests, costs of dirt roads vs. paved roads in terms of maintenance, visuals to better understand the municipal burden. Andrea M. said she likes Mike's suggestion of using the Town Report as a way to look forward and promote transparency. Renae M. said she would like the Select Board to think about this each year and offer ideas and suggestions towards the Report. The Board discussed alternate ideas for presentation and formatting.

Ratification & Signing of Agreement with AFSCME

The Board reviewed the contract, Renae M. noting that the table of contents will be revised and given to board members at a later date. This will be a 3yr contract with a 3% hourly wage increase each year. Union members contribution to Health Care will increase from 10% to 15% over the term of the contract. Phil P. acknowledged the process went well and thanked Renae Marshall for all of her hard work. Mike B. made a motion to ratify the agreement between the Town of Hinesburg and AFSCME Local 1343 for a three-year term beginning July 1, 2014 and ending June 30, 2017, and to authorize the Select Board Chair to sign the agreement. Phil P. seconded the motion. The Board voted 5-0.

Town Administrator Report

Trevor L. said having Renae working with him through the first week of transition has been invaluable. A plan is not yet in place and he suggested leaving the transition period open for another two weeks. Regarding staffing requirements and requests from the Planning & Zoning office, he said, staff indicates an increased need for professional services in reviewing large scale development projects. The Board discussed options and agreed that 8/21 will be the deadline for determining scheduling needs between the TA and P&Z offices. Phil P. suggested follow-up meetings to occur between the Town Administrator & Select Board to assess how things are going.

A training has been set up with VLCT for September 22nd. This training will be about 2 hours long and the Board discussed topics of interest for discussion, deciding on 1) Running an Effective Meeting, 2) Open Meeting Law, and something to address either Effective Communications or Roles of Committees.

A site visit to the Memorial Park on Rte. 116 was completed. Elm trees are a species VTrans does not like and is a concern to them.

The Rte. 116 sidewalk project is underway and making quick progress. October 15th is the final completion date. Alex W. may assist in map creation for the school to offer safe-route options for kids to address some safety concerns that have been raised regarding the intersection at Silver Street and Rte. 116.

An acrylic paint spill occurred today at the Rte. 116 & Silver Street intersection and has been cleaned up. The spill is not harmful and the paint dries clear.

Green Mountain Stage Race wants to use a portion of the Hollow Road on August 31st. The Board was okay with Trevor L. signing off on this.

Rena M. suggested having an official welcoming for Trevor L. at the VLCT training on Sept. 22nd. The Board was in agreement.

Select Board Forum

The Board discussed further the concerns raised about safety with the new sidewalk along Rte. 116. Andrea M. said she attended a training with Mark Fenton which demonstrated that sidewalks need to be everywhere and are a healthy way to promote physical activity within a community. Phil P. said traffic along Rte. 116 through the village is stopped in the mornings, and suggested taking that opportunity to approach and educate people in their cars. Jon T. suggested a new flashing yellow signal light on Silver Street.

Tom A. asked Rena and Trevor how the hiring was going on the open Waste Water position. Trevor L. said that will be discussed in the executive session.

Andrea M. voiced her concerns regarding the incomplete landscaping at the new police station.

Consider Approving Warrants

Phil P. made a motion to approve the warrants. Mike B. seconded the motion. The Board voted 5-0.

Consider Approving Minutes

Mike B. made a motion to approve as amended the minutes from 7/24/14. Phil P. seconded the motion. The Board voted 5-0.

Executive Session/Hiring of WW Manager, VT Gas response to easement at Geprags & Union Contract

Phil P. made a motion to go into executive session. Mike B. seconded the motion. The Board voted 5-0 and entered executive session at 9:24 p.m.

Respectfully Submitted,
Freeda Powers---Recording Secretary