Town of Hinesburg
Planning Commission
December 16, 2015
Approved 1-13-2016

Members Present: Dennis Place, Maggie Gordon, Aaron Kimball, Joe Iadanza,

Rolf Kielman, Russell Fox.

Members Absent: James Donegan, Kyle Bostwick, Jeff French.

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

Public Present: Bill Marks.

Joe I. chaired the meeting, which was called to order at 7:34pm.

Agenda Changes: There were no changes to the agenda. There were no public comments for non-agenda items.

Solar Array & Commercial/Industrial Screening Standards—Revisions to Zoning Section 5.6& 5.6.5: The Board reviewed the second draft of the solar array screening standards, including now a purpose statement. Joe I. said #5 re: screening materials, consider striking coverings for chain link fencing (also called cyclone fencing). Maggie G. said she feels we should keep it and clarify that it should be in combination with natural vegetation. The Board agreed.

Bill M. said the Conservation Commission has some concern with Rural Districts and protecting them. This appears to be one standard for all zones, does this include the Village Growth Area? Also, it appears to be grouped in with other uses. Joe I. said it has been spelled out in the Act 56 language that this is to group/cover uses the same (commercial & industrial). Bill M. said the concern is that it might be easier to have higher screening standards in rural areas, particularly for the neighboring property owners. Also, he said, it is not clear what the Boards viewpoint on limiting impacts to views from public roadways vs. private properties. The statute does not exclude views of neighboring property owners. They are interested parties for a reason, after all, he pointed out. Also, the nature of screening should be considered; a double row of cedars is the best practice. He recommends mandating sufficient height and yearly maintenance. Joe I. said the Board did address the issue of screening for year round. Height, he went on, can't be mandated as the regulations can't require something that will lessen the solar gain of an array. Bill M. suggested they could put tall trees/screening along some sides if not all. Joe I. said there are other options regarding screening and he does not feel comfortable just stating cedars only. Remember, he said, the intent is to break up the visual impact, not to block projects entirely. Bill M. said what does "breaking up" visually mean? Joe I. said Section 9 touches on this. Bill M. said he feels it is in fact ascertainable to visually block solar array projects and said 8' cedars are available at nurseries. Joe I. said as a Board, we realize that our charge here is covering solar, commercial and industrial development. We need to put in reasonable requirements. Bill M. asked if the language specifies that all districts must be covered/treated the same. Joe I. said no. Bill M. asked can we qualify the view from residential development. Joe I. said that loosens it in his opinion, this language simply states "you must screen".

Rolf K. said #6 in his opinion sets a fairly high standard, no easy task. Additionally, he suggests adding to #8 some allowance for maturation and screening. In his view, this would be appropriate. He said until now, we've not had a high bar and he feels that what we have set here is achievable and purposeful. He feels the DRB will require something adequate regarding #6. Aaron K. said it is also not completely about hiding but rather a harmonious combining of new and what is existing. He agrees with Rolf K. and feels that we should address maturation of screening. There should be some expectation of intention of screening purpose. Bill M. asked who is responsible for maintenance (i.e., replace dead vegetation, trees, etc.). Joe I. said solar arrays are a special case—the DRB will not see solar array development projects as they are overseen by the Public Service Board (Act 56). The PSB allows screening standards to be taken into their account in review. Even then, they are not required to consider our standards in that review. If the PSB is doing the work for the community, they will put the onus on their applicant.

Alex W. said Joe is right—we have no enforcement here.

Chuck R. asked about triggers/thresholds as noted in #7. Alex W. reminded the Board and audience that it is not hard to create contiguous areas. The language proposed has kept the contiguous area at over 1 acre. Chuck R. said break up solar visually but understand it as it relates to other development. There was some discussion about the Village Growth Area (VGA) and how solar fits in with the same standards as to commercial development. To lower the bar—does it encourage solar development? But also, commercial? Joe I. said he likes the language *blend in with its surroundings* as this changes in each district. Rolf K. agreed, saying that will change in the different context of each district. Alex W. said as Peter Erb used to put it, a project should fit into the landscape, not become it. Bill M. suggested specifying materials preferred in each district. Joe I. feels that would not be beneficial. Maggie G. said she feels that the draft language adequately covers all the different districts.

Joe I. said the draft does need to include language to address year round screening.

Rolf K. reworded #8 to reflect landscaping maintenance and a year round basis to meet the goals of this section.

The Board discussed a time frame as noted in #8. Joe I. said the solution here needs to be reasonable. If we want the PSB to take it into account, we need to not prohibit what they are trying to do and need to be sensible. We can sometimes accomplish less by trying to accomplish more. Chuck R. said he likes the time frame; 3 years may be reasonable. The Board agreed 5 years sets upfront reasonability for projects. Rolf K. said a good deal depends on intelligent placement in the first place.

Chuck R. asked the Board to consider regulating height. Russell F. said what is "reasonable" in cases of elevation changes. This spurred new discussion regarding breaking up visual impacts vs. hiding entirely larger scale projects. Russell F. cautioned against specifying certain height requirements. Dennis P. agreed, saying remember, this is not applying to solar projects only.

Chuck R. asked what happened to the viewfinder concept in the original draft. Maggie G. said the Board was primarily trying to focus the conversation on screening and trying to get language out quickly. Rolf K. said it has potential—the viewfinder concept—but a bit like giving dimensions, not a simple thing. Joe I. said the language is simplified for now for expediency; we can tweak it at another time.

The Board felt ready for a public hearing on 1/27 or 1/13.

<u>Minutes from 12/9/15:</u> Maggie G. **made a motion to approve as amended** the minutes of 12/09. Aaron K. **seconded the motion.** The board **voted 6-0.**

<u>Other Business:</u> The VT Gas Pipeline project has its 401 Water Quality Certificate amendment.

Rolf K. made a **motion to adjourn.** Maggie G. **seconded** the motion. The meeting adjourned at 9:07pm.

Respectfully submitted,

Freeda Powers, Recording Secretary