

Town of Hinesburg
Planning Commission
February 10, 2016
Approved 2/24

Members Present: Dennis Place, Maggie Gordon, Aaron Kimball, Joe Iadanza, Jeff French. James Donegan, Rolf Kielman and Russell Fox arrived at 7:33pm.

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

Public Present: Lynn Gardner, Tim Casey, Brett Johnson, Brian Thibault.

Joe I. chaired the meeting, which was called to order at 7:31pm.

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

Solar Array & Commercial/Industrial Screening Standards: Ct'd from 1/13 & 1/27. The Board reviewed the revised draft provided by staff and offered input: Jeff F. offered some clean-up in #6 and said he feels having #5 & #6 separate might be helpful. He added, we want to keep the revisions based on feedback. Aaron K. agreed, saying and possibly expanding based on feedback to exempt the Industrial 1 zoning district. Maggie G. said she appreciates the purpose statement and feels it is adequately specific to apply to new development, not existing.

Lynn Gardner spoke from the audience, reiterating his concerns around the internal screening requirement in #6. He said again, that internal screening simply does not work in the I1 district. He is concerned with future interpretations of this language. The I1 district allows for outdoor storage, and buildings tend to get moved, rebuilt, etc. Changes to the parcel are part of the business, he said and the nature of the district. He strongly recommends a site visit for the Board to better grasp what he means. Joe I. said the language says "and/or". Lynn G. said he has served on and participated in the Planning Commission since the 1970's. The south part of Hinesburg, he said, is a different area. Alex W. agreed with Lynn's comments, saying the Industrial Districts were created differently and they will look different, and that is ok.

Aaron K. suggested a possible solution to exempt non-static areas such as Lynn described vs. solar, which is a static use of the land. However, he noted, we cannot call out solar specifically. Joe I. again said he feels that the language of "and/or" suffices. Rolf K. reminded Lynn that the same could be said for the owner of a business. He said he feels as Joe does that the language seems soft, reasonable enough to him. He said he does understand the concerns being raised.

Jeff F. said he feels that the lumber yard is well screened, which raises for him the question of screening from where? From what perspective? From the street? Per previous comments, he suggests we also consider elevation and slope; again, absorbed into the surroundings, but from what perspective?

Tim Casey spoke from the audience, voicing his concern with the internal screening standard as well. For him, this would be an impossible standard to implement and meet as trees and vegetation are considered contaminants to his product (sand & gravel) and pose safety risks at his business.

Russell F. suggested a carve-out for “working yards”. Joe I. said he prefers specific statements. Jeff F. suggests language which states the screening requirement is not to be an impediment to the functionality of the business being run. Joe I. said but how do we define that? Economic viability or usage?

Brett J. said this is a good conversation to have; it is flagging this as an issue. He feels the language allows us to have a conversation with the Public Service Board (PSB). Typically, he said, internal screening doesn’t happen with solar arrays. In that respect, he said, having the opportunity for this conversation is good even if the efficacy of the standards are questionable. Lynn G. said right—this is only advisory to the PSB review but locals will have to comply. He said the legislature may revise Act 56 based on Towns feedback across the state; in that regard, we may be premature. Joe I. said nothing is set in stone; the state will change and so will we. We would still like to have some language in the regulations in time for the 2016 building season. Dennis P. suggested language to say internal screening is not necessary if an applicant can demonstrate that it will adversely affect their business.

Alex W. said #6 is run-on with many carve-outs. He urged the Board to consider if it is necessary. Internal screening seems to be the main concern. The Board could go back to the original version with edge screening.

Brett J. suggested language which specifies screening not needed if compatible with the intended zoning for the district. Lynn G. suggested not applying it to permitted or conditional uses. Jeff F. said it might make sense to apply the internal screening standards to the residential zones as they are truly a different “sense of place” vs. the industrial zones.

Joe I. said he understands the desire to exempt the industrial zones. #6 is the only one that mentions internal screening and the and/or language is a “may” to the DRB. Jeff F. agrees with that interpretation. He reiterated that we do not want to negatively impact businesses. Maggie G. asked do we want internal screening to be an option. Or could we be more specific, i.e., anything greater than 1 acre use edge landscaping, internal landscaping or both. Joe I. said it is not a benefit to have internal screening only, though.

Russell F. said he likes tying to permitted/conditional uses. Joe I. said this is captured in 5.6.5. Alex W. said it seems like a strange way of approaching the concern. Joe I. said he likes the idea of a trigger and he does not want to eliminate #6. He suggested revising it to read “shall” utilize “and” internal screening (4.3.8 shall still apply). He went on to say that internal screening lessens the potential density, but not the function, of solar arrays. Rolf K. said he agrees with Alex W. regarding #6—we could combine #6 & #5 with the intention re: exemptions. Joe I. said if we do eliminate #6, we should add to #4 reference to topography as it relates to screening. Rolf K. agreed. Alex W. reminded them that this is covered also in the purpose statement.

Maggie G. said remember, the goal here is not to hide completely, but to break up visually. Alex W. said also, if a project cannot demonstrate an ability or willingness to screen appropriately, then maybe they don’t belong in Hinesburg, maybe they belong somewhere else where there are no screening standards.

Lynn G. said in his opinion, I1 is not best used for solar projects. Jeff F. said he feels that Rolf K.’s proposed language addresses Lynn’s’ concerns. Maggie G. said she likes Rolf K.’s suggested language as it combines what’s important to us--breaking up visual impact and absorbing into surroundings. She

feels there is adequate protection here for folks in the I1 district. Russell F. said he is in favor also. James D. said he is in favor of Rolf and Dennis' proposed language. Dennis P. said he likes it but doesn't feel it does enough. The DRB, he feels, will interpret this to still require internal screening. Jeff F. said he likes Rolfs' suggested language and added an emphasis on edge screening; he also agrees with Dennis' proposed language. Rolf K. and Maggie G. both felt that the preamble covers the edge screening adequately. Aaron K. said Section 4.3.8 also goes into that. Aaron K. also agreed with Dennis P.'s language, saying it is a valid point to allow the applicant to demonstrate their case.

Village Growth Area Zoning Revisions: Rolf K. said we are starting to generate authenticity and restate the purpose on actuals. The Board briefly reviewed the data collection as it stands. Percentages are not yet calculated and additional information needs to be gathered from the Lister Cards on the 3rd floor of Town Hall.

Minutes from 1/13 & 1/27:

Aaron K. **made a motion to approve as amended** the minutes of 1/13/16. James D. **seconded the motion**. The Board **voted 8-0**.

Maggie. **made a motion to approve as amended** the minutes of 1/27/16. Aaron K. **seconded the motion**. The Board **voted 8-0**.

Other Business:

Magee Hill Road solar project update from the 2/1/16 Select Board meeting.

Election of Officers: Aaron K. **nominated** Joe I. as Chairperson. Joe I. **accepted** the nomination. Aaron K. **nominated** Maggie G. as Vice Chairperson. Maggie G. **accepted** the nomination. The Board **unanimously approved of the nominations**.

Joe I. made a **motion to adjourn**. Dennis P. **seconded** the motion. The meeting adjourned at ***pm.

Respectfully submitted,

Freeda Powers, Recording Secretary