

**Town of Hinesburg
Planning Commission
March 23, 2016
Approved 4/13**

Members Present: Joe Iadanza, Maggie Gordon, Russell Fox, Rolf Kielman, Jeff French.

Absent: Dennis Place, James Donegan and Aaron Kimball.

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

Public Present: Michael Kiernan

Joe I. chaired the meeting, which was called to order at 7:33pm.

Agenda Changes: There were no changes to the agenda.

Public Comments for Non-agenda Items: Michael Kiernan spoke from the audience regarding solar array projects in the context of an ongoing pollinator crisis. He educated the Board on this multi-dimensional crisis, noting that Vermont has 17 species of bees, 7 of which are endangered, 2 of which are already gone. Solar arrays, he said, are a value-add opportunity to nourish our pollinators. He encouraged a long-range view of such a perspective; look ahead, see the link between preserving a resource, increasing the native pollinator population which in turn increases the states' apple crop, etc. The positive benefits continue their ripple effect in such a proposal. This approach differs from the current one for solar sites, which typically pays little attention to the grasses growing there and which require twice yearly mowing. This new approach may cost a bit more at the onset, and will require some watering to be done in the first year or two, but the pollinator foliage will not require mowing maintenance and once established will be a self-sustaining and bio-diverse system supporting some of the most important members of a healthy food chain. He said that GMP and Encore Redevelopment are onboard with this idea and interest is growing all over the state. Michael encouraged board members and members of the public to learn more and get involved by researching the Bee The Change movement.

Miscellaneous "housekeeping" Zoning & Subdivision Reg Revisions: The Board continued the process of addressing years' worth of regulation touch-ups, clean-ups and language changes to the Subdivision Regulations. Going one by one on the 16 pages of items, the Board decided the following: Ct'd from 3/9

- 20.) Re: Accessory Uses/Structure Definition; Russell F. cautioned against too much specificity, which he feels rules out ideas we may not have considered. Joe I. said the language of "customary" feels too restrictive to him, indicating that you can't do what hasn't been done before. He feels this item requires more thought. Alex W. suggested calling out non-residential/typical or "customary". The Board put this item aside for later discussion.
- 21.) Re: Parking in the front yard, gas stations & canopies; The Board discussed this and Redevelopment of existing properties, parking in front, non-complying situations. Jeff F. suggested defining parking spaces with lines/striping/painting. Joe I. said the bylaws do address non-conforming/non-complying structures. The regulations are written as a right to reestablish within a time frame so there is an avenue there to continue the noncompliance. He added that

he can see the benefit of the suggested clarification. Alex W. said he disagrees with the town attorney's interpretation. Alex feels strongly that a new building should be required to meet the latest (new) regulations (in the case of a complete renovation of a site with reconstruction of buildings, etc.) Maggie G. said she supports that 100%. Russell F. however, said he cannot agree without consideration of other factors. For example, he said, what about in a case of disaster such as fire? Insurance will cover the cost of a rebuild of the building, it will not cover the costs to meet new regulations which will then become a financial burden on the landowner. Rolf K. said we need to define "substantial redevelopment". Maggie G. suggested tying to an acreage or % of parcel trigger.

- 22.) Re: Increasing building height limitation; it was noted that several neighboring towns do have ladder trucks (fire/emergency) which could be deployed to Hinesburg. Additionally, the Town is seeking to gain a smaller unit.
- 23.) Re: Drive-thru allowance & prohibition; The Board considered whether or not to apply to drug stores, etc. Joe I. said he has no problem with the differentiation. Banks, he said might benefit in the context of safety. Pharmacies, perhaps benefit in the context of health & safety. But food, etc., he said, he is not sure we want that in the remaining Village area in the context of pedestrian safety. We should be clear in what is acceptable, by tweaking language in 5.22. The Board agreed this is a larger issue for later discussion.
- 24.) Re: Convenience Stores vs. Retail Establishments (Section 3.8.4 & 3.8.5); The Board discussed the different regulations for development in the Commercial District vs. the Village Growth Area and how this relates to indoor vs. outdoor sales. Alex W. suggested clarifying with definitions. The Board agreed this item required more discussion.
- 25.) Re: Zoning Permits, CO's & Driveway Permits; Alex W. described circumstances in which the Zoning Administrator becomes the "town cop" and suggested shifting this role to the Police Department or the Select Board. The Board agreed to suggested changes.
- 26.) Re: Structure definition; The Board agreed to suggested changes.
- 27.) Re: Building height definition (Section 10.1); The Board agreed to ask Rob Bast for feedback regarding average height.
- 28.) Re: Lot coverage definition (Article 9); The Board agreed to clarify and separate for intent. The Board was not in favor of a sidewalk exemption. Joe I. said he does not feel that a patio is a pedestrian amenity and would consider it impervious surface area. He said remember to frame it in the context of the Town Goals in regards to water quality. The Board agreed, the hard part will be in picking the numbers.
- 29.) Re: Cottage Industries; The Board agreed to recommended revisions.
- 30.) Re: Expansion of a Non-complying Structure; Joe I. said so long as changes or expansions do not change the peak height. There was some discussion regarding impacts on neighbors' view sheds, particularly in the Shoreline District. Rolf K. suggested limiting roof area not to exceed 50% or something. The Board agreed to leave it for now.
- 31.) Re: Appeal timeframes; The Board approved and Alex W. noted that changes have already been made to meet state statutes.
- 32.) Re: Outdoor Lighting; The Board felt this was already addressed in Jeff F.'s comments on LED lighting. Joe I. said he likes the idea of siting examples in the standards.
- 33.) Re: Home Occupations Traffic Allowance; Joe I. said staff suggestions about acknowledging road status/conditions are a good idea, he feels that taking the numbers out leaves the language

too subjective. He suggests tying to class of road, by roads alone, or by paved vs. dirt etc. A percent of impact is also an option (i.e., an increase of road traffic of X%).

- 34.) Re: Neon sign prohibition; The Board agreed, the same concept as LED should apply.
- 35.) Re: Demo/Removal/Alteration of Historic Village Structures; The Board agreed to consider design standards which specifically address Historical Structures. The Village Steering Committee could draft language.
- 36.) Re: Height limitations & conditional uses in commercial district; The Board agreed that most items of concern would be covered by Public Service Board (PSB) review. Section 2.7 also addresses the height concern.
- 37.) Re: Utility Cabinets Exemption from Structure Definition; The Board agreed language should be added to the utility structure definition.
- 38.) Re: Sign Regulations; The Board agreed that the base, or post, of a sign is not intended to pull the attention but rather the sign itself should be the main focus. They feel that it's all part of the advertisement or sign otherwise or if the post is uniformly part of the composition.
- 39.) Re: Access issue for lots that have a strip of land as an access to public road; The Board agreed that Section 5.7.4 should have both access by easement and access by a strip less than 50'. They agreed to remove the 11/72 reference.
- 40.) Re: Clarifying review standards for land filling; The Board agreed this item required further thought and outreach perhaps to Peter Erb and contractors.
- 41.) Re: Motor Vehicles, farm equipment sales, service and repair facilities; The Board agreed to recommended changes.

Minutes from 2/24 & 3/9: Minutes were deferred.

Other Business: The Shelburne Planning Commission will meet on 4/14/16. The Board acknowledged a correspondence from Vermont Gas Systems regarding questions on the Open Meeting Law. The Select Board will meet on 4/4/16 regarding the waste water study and WW/H2O Allocation Ordinance and solar screening proposal.

Russell F. made a **motion to adjourn**. Rolf K. **seconded** the motion. The meeting adjourned at 9:59pm.

Respectfully submitted,

Freedra Powers, Recording Secretary