

# Town of Hinesburg Planning Commission

May 4, 2016

Approved 5/28

Members Present: Joe Iadanza, Maggie Gordon, Rolf Kielman, Jeff French, Dennis Place, and Aaron Kimball, James Donegan.

Absent: Russell Fox.

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

Public Present: Alan Norris, Peter Erb, Andrea Morgante, John Keidaisch.

Joe I. chaired the meeting, which was called to order at 7:36pm.

**Agenda Changes:** The Board agreed to add review of draft storm water letter as Agenda Item #4.

**Public Comments for Non-agenda Items:** None.

**Interim Bylaw Recommendation to Selectboard:** The Board acknowledged new insight into the numbers which indicates to them that we may in fact be over the thresholds for phosphorus and ammonia levels. The Board discussed the implications of the new information. They discussed options for treatment levels and the associated costs. The Town consultant says there is likely to be a 4-5 year "clock" to hit the states' targets in wastewater and make required improvements. In terms of funding, the Board recognized that help from the Feds is not likely but that some help from the state through Act 64 is possible. There was a funding mechanism discussion. Payment wise, the Board agreed, we're likely going to bond for it in a town-wide vote. The users will have to pay the cost back. The Town could increase allocation and hookup fees for new users.

Dennis P. asked about the impact a moratorium would have on development projects in process. Alex W. explained that developers know that they'll be in the process a while, they see no reason to shut down development discussions and see the costs as a part of doing business. Jeff F. said hookup fees have an economic impact on the type of development that takes place, and this unintended consequence should also be considered.

Alan Norris spoke from the audience, saying the costs should be shared by the entire town, not just the developer or just the rate payers. Joe I. said this is a valid point. The whole town votes on something which only a portion of them will be paying for.

Peter Erb spoke from the audience, asking the Board to remember that through build-out, things change. The concentrated growth area is pretty stretched. Future growth should be considered. He urged caution in that respect and encouraged a reconsidered growth area, saying "don't squander precious resources" (i.e., green space). He feels that the current regulations are not ideal.

Joe I. said it seems the only solution to get cost down is to encourage growth and spread costs. The question then becomes how to best encourage growth and prepare for contingencies. He said we can 1) limit build out with minimum treatment, 2) increase housing to lower cost. How do we approach our

options with the least cost to users and how do we encourage that result? He feels we need help from the developers. We need assurance of follow through on commitments from developers. Maggie G. asked at what point is a developer vested. Alex W. said the town attorneys say at preliminary plat submittal, the developer is vested in the regulations. Maggie G. asked if there is any benefit in ensuring no other large projects get to preliminary plat. Alex W. said the benefit is that if you decide that the zoning passed in 2009 for the growth area should be revised, interim zoning gives you time to change or revisit that.

Peter E. said consider the funding source. Alan N. cautioned against changing the rules, saying they were enacted with a lot of time and consideration. Peter E. said the biggest glut of development is upon the Town, and if developers are already vested, an ordinance won't affect them.

Joe I. said personally, he does not have a problem with density. His goal was to plan for scarce resources. He felt that interim zoning made sense. With the new information gained regarding the state thresholds and our actual numbers, we have a much larger bill to face. How best to pay for it becomes the focus. If we still want development, what would we do with density both to pay for a system and to work towards conservation? John K. asked if the Planning Commission focused on infrastructure capacity. Alex W. said they charted the max build out for each district and showed the wastewater capacity. They did in fact talk about it. They didn't size density to fit that; it wasn't used as a capacity, the Commission set density as they did to achieve goals and they anticipated a not fully built-out village area. Jeff F. said interim zoning was about a concern with pockets of development, but what's the other limiting factor for growth? Water. Alex W. said the assumption is that we could get the water.

Rolf K. said he is for a compact, dense village. He is concerned with a pattern emerging from the regulations as written. There is a lack of community understanding of infrastructures role. We have room for better understanding this connection to development potential. It ought to be prescriptive, he said; X amount of development per year. He argues in favor of interim zoning. It allows time to discuss what type of development we want and at what pace. It allow us to more constructively guide developers to ensure the growth we're looking for.

John K. said an ordinance must identify where the break down is and where to go for ideas, be concise and convincing. Maggie G. said that is a good point. The issue, she said, is not density but design. John K. encouraged specific language to determine design standards, etc. Joe I. said this is a salient problem now: Waste water. Planning in the face of constrained resources.

Dennis P. encouraged clarity in the Mixed-Use Regulations.

Jeff F. said lack of design in the regulations is a concern of the Conservation Committee as well. He said it would be good to have a design role at the office as part of discussions with developers (a Design Review Committee).

Andrea Morgante spoke from the audience, saying she would like to get information from the state vs. the consultants to better understand costs.

The Board agreed to resubmit their 2015 memo to the Select Board with changes to the language to address the sewer service area. The Board was ok with Expansions or Redevelopment of existing structures. They said no to: Residential development of 3 or fewer new units, Senior Housing,

Perpetually Affordable Housing, Manufacturing, etc., Industrial Zones, and Municipalities. They agreed they do not want to shut developers out. Joe I. made a **motion that the Planning Commission moves to submit to the Selectboard their recommendation to implement interim zoning based on the general language put together June, 2015 to remove all items except #1 and the area covered in interim zoning extended from the residential uses in the VGA to all areas not covered by exclusion in the wastewater treatment area.** James D. **seconded the motion.** The Board **voted 6-1.** Dennis P. said he is in favor of interim zoning but not the exceptions. He encouraged a change of #2 to allow, urging other commissioners not to shut out the average individual landowner. The Board agreed. Dennis P. **made an amended the motion to add #2.** Rolf K. **seconded the motion.** The Board **voted 7-0**

Due to the late hour, the Board agreed to delay further discussion of the Waste Water Memo to the next meeting.

**Other Business:** The Selectboard meets on May 9<sup>th</sup> all are encouraged to attend.

The meeting adjourned at 10:26pm.

Respectfully submitted,  
Freedra Powers, Recording Secretary