

**Town of Hinesburg
Planning Commission
March 08, 2017
Approved March 22, 2017**

Members Present: Maggie Gordon, John Kiedaisch, Barbara Forauer, James Donegan, Dennis Place, Joe Iadanza, Jeff French, Rolf Kielman arrived at 7:57 pm

Members Absent: None.

Public Present: None.

Also Present: Dawn Morgan (Recording Secretary), Alex Weinhagen (Director of Planning & Zoning)

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

Agenda Changes: Discussion regarding potential uses for the VT Gas Geprags Park easement compensation funds was added to the end of the agenda.

Public Comments for Non-Agenda Items: None.

Housekeeping Changes – Zoning & Subdivision Regulation Revisions

Alex W. began by saying that there are 6 zoning “housekeeping” items that need additional discussion by the Commission. He said that he will then draft revised language for the Commission to review at a later meeting. He suggested the Commission discuss 2 items per meeting with a goal of completing them in April. The Commission agreed.

- **Use of a camping vehicle as a long-term residence – allow or prohibit**

Alex W. said that the camping vehicle definition needs updating for clarity on the ability to reside in a camping vehicle long term. He said the regulations currently allow someone to reside in a camping vehicle that is readily movable for an indefinite period. He went on to say that the only requirement is the need to meet setbacks and the need for the landowner to either dispose of wastewater in an on-lot septic system or get a “special permit” from the Zoning Administrator for the use of a holding tank or chemical toilet.

There was general discussion and examples given of people living in recreational vehicles (RV’s), campers and mobile homes, either temporarily or long-term (e.g., farm labor, vacationing relatives,

people with uninhabitable primary dwellings, etc.). Alex W. clarified by saying that there is a section in the regulations allowing the issuance of a temporary use permit in conjunction with a construction project, and said that this regulation would not apply in those instances. He also said that the regulation does not apply to tiny homes or mobile homes. Alex W. specified that this regulation applies to the traditional understanding of camping vehicles that are on wheels and would typically be used for camping (e.g., RV, Airstream, Winnebago, pop-up camper).

Maggie G. asked if there is currently a time limit and Alex W. said there is not. James D. asked if there were any State level requirements for what needs a septic system. Alex W. said the State has waiver provision for the need for a wastewater and potable water permit if the camping vehicle is truly designed to accommodate wastewater and potable water. Alex W. noted that some camping vehicles are not designed with water in mind. He said the State is clear that those vehicles are not exempt and the landowner would need figure out a way to deal with wastewater.

Dennis P. said that some people have camping vehicles that are not designed with water in mind, and they sometimes dispose of their wastewater in the primary dwelling's sewer system. He noted that a situation like that would add bedrooms to the primary dwelling. Alex W. agreed that a situation like that could be an issue, but said that current regulations are unclear as they simply call for vehicles to either connect to an existing septic system or have a means to dispose of wastewater.

There was general discussion about how to better define the regulation, e.g. limits on allowable duration, number of camping vehicles, etc. Joe I. suggested an allowable duration of 6 months to 1 year, and requiring a permit renewal after that time frame. Jeff F. asked if the regulation should consider disallowing the use of sewer and water within the Town to mitigate the burden on the Town's system. Alex W. indicated that the Town is not likely to have enough cases to be a significant burden on the Town's system, but that when this situation arose in the past it was difficult to deal with and warrants clarification in the regulations.

Joe I. said that he believes there should be a maximum duration, and Maggie G. said that she was in favor of a 6-month duration with the possibility of one permit renewal. Dennis P. noted that permitting could be difficult to enforce since many people have RV's parked in their driveways year-round and there is no way to know if someone is living in them or not.

James D. gave an example of a person who has an empty lot and lives in a camper during the summer every year, and asked if Maggie G.'s suggestion would result in them only being able to do that for 2 years. Joe I. said that the 6-month mark would fit the definition of "long-term", and summer season camping would fall into the "short-term" category. John K. asked if short-term campers would be required to get a special permit, and Maggie G. asked if the wastewater requirements would also apply. Joe I. suggested that a short-term duration, 3-4 months for

example, would not fall under the permitting requirements. Joe I. went on to summarize his understanding of the discussion as defining long-term residence as 6-months with one opportunity for an extension. Dennis P. asked if, after a long-term residency, the occupant would be required to move the vehicle, and Alex W. responded that only the occupancy would be limited. James D. suggested allowing a 6-month total duration to accommodate people who leave periodically and come back. Alex W. said that he would work on the details and prepare a draft proposal for the Commission to review at a later meeting.

- **Electronic message signs – allow or prohibit**

Alex W. showed an example of various electronic message signs (e-signs) on screen. He said that there are currently 3 e-signs in town: one at Jolly (Mobile), one at Jiffy Mart and one at CVU. Joe I. noted that signs at the 2 gas stations are static and are simply used to take the place of the traditional signage. Joe I. went on to say that the CVU sign is scrolling and can more easily pull driver's eyes away from the road. Maggie G. agreed that scrolling signs are distracting, but did not think the regulations could discriminate between scrolling and non-scrolling signs.

Alex W. said that the purpose of this meeting's discussion is only to clarify whether or not e-signs are allowed. He said that there are many resources available to help guide potential regulation language, should the Commission decide they want to allow e-signs. Alex W. said that currently our regulations prohibit flashing lights and neon signs, but do not address digital style signs that are typically comprised of many small LED bulbs. He went on to say that current regulations do not allow light source visibility (i.e. visibility of a light shining on a sign), but with many e-signs the light source is the sign itself. Alex W. said that now is the opportunity to address the regulation and provide more clarity.

Maggie G. reiterated that it is difficult to prohibit certain digital signs but not others. Alex W. said that ideally the Town would allow the gas station signs and prohibit everything else as they are not consistent with the town's character. However, he agreed with Maggie G. that it would be difficult to legally differentiate certain types of e-signs.

Jeff F. asked if TV's at the gas pumps qualified as signs. Alex W. responded that the regulations define "signs" as something that is used for advertising that you can see from a public road. John K. asked if the regulations had to name every type of sign not allowed. Alex W. replied that the regulations currently prohibit certain types of signs, but the DRB has the ability to approve other types of signs not listed. Alex W. went on to say that if certain types of signs will not be permitted then those should be specifically named in the regulations.

Rolf K. asked about regulations surrounding internally illuminated signs. Alex W. responded that those are not prohibited but the regulations show a preference toward externally lit signs.

Maggie G. asked what would happen if the Hinesburg Community School decided they wanted an e-sign and Alex W. said that it would be cleaner to prohibit all e-signs. John K. asked about portable signs such as the side of a vehicle for special events. Alex W. said in that case, if it was deemed by the Zoning Administrator that it qualified as a sign it would require a permit. There was brief discussion regarding sandwich boards.

Rolf K. asked if the Commission saw any conflict between e-signs and internally lit signs, as there seems to be a strong similarity. Jeff F. said he did not feel that either should be allowed as a way to preserve the night sky. Maggie G. and John K. agreed. There was additional discussion about internally lit signs and Dennis P. said that he did not have an issue with them as long as they weren't flashing.

Alex W. said that he would draft language for the Commission's review.

Village Growth Area – Rezoning & Design Standards (cont'd from 2/22 mtg) – mixed use definition

John K. noted that the goal of this conversation was to concentrate on the definition of mixed use. Dennis P. inquired about the Blackrock proposal. There was discussion about large projects with master plans broken into smaller phases. The Commission acknowledged that from a master plan perspective a project might have an appropriate mix of residential, light industrial, commercial units and green space. But if the project is implemented in phases, there are difficulties surrounding how to regulate an appropriate mix, particularly if completion of the full master plan is uncertain.

Alex W. encouraged the Commission to define some parameters surrounding mixed use, and there was discussion of establishing a geographically based phasing parameter with an emphasis of development in contiguous sections and not just along the Rte 116 corridor. Joe I. suggested devising a ratio of appropriate Rte 116 frontage to depth that could be applied to each section. Joe I. went on to say that if phases are required to be self-sustaining, then that ratio would need to be more of a range because one ratio won't work for each section. Maggie G. agreed. Dennis P. said that they might want more light industrial in the first phase in case the other phases are not completed. There was additional discussion about the best way to define mixed use parameters and how to encourage continuity between the existing village and new development.

Alex W. said that community feedback he receives is often about large developments that are designed with singular styles and plain architecture. He suggested including a larger component of light industrial in each phase, which could force variety and encourage developers to create designs that are “outside of the box”. Alex W. went on to say that light industrial development requires infrastructure such as loading docks and outdoor storage space, so if it is required in each phase developers would need to get more creative in their designs.

The Commission reviewed the inventory spreadsheet on screen and Rolf K. noted that the town was comprised of roughly 50% residential, with the remaining uses comprising the other 50%.

John K. suggested the Commissioners might go home and look up the definition of mixed use online. He said that there is a lot of information available that might assist in focusing this discussion.

Alex W. said that he felt he had some good concepts to work with, such as the use of pictures or drawings, emphasis on each phase being both contiguous and complementary to its surroundings, and 4 main use types (residential, light industrial, commercial and open space). Maggie G. said that she would like to see some language about requiring light industrial uses. Alex W. asked if the Commission felt ready for him to draft language. Rolf K. said that he agreed with John K.’s suggestion to look for information online, but that it would also be helpful to have some proposed language to help focus the discussion.

Minutes of 02/22/17 Meeting: John K. **made a motion to approve the 02/22/17 minutes as written.** James D. **seconded the motion.** The Board voted **6-0.** Dennis P. and Jeff F. abstained.

Potential uses for the Geprags easement compensation funds from VT Gas to the Town

Joe I. said that the Select Board has requested input from the various Town boards for what the easement compensation funds should be used for. The group brain stormed and discussed several options.

Joe I. said that he had thought about the future needs of the town and came up with a few ideas: support for Act 64 (clean lake initiative), planning for village area stormwater and streamlining the zoning and subdivision regulations.

There was general discussion about the funds going toward the support of Geprags and other parks, recreational uses and/or a scholarship fund. Maggie G. suggested a revolving loan fund for community projects. Barbara F. suggested creating a committee to set priorities and criteria for how the funds are utilized.

John K. said that there is a program at UVM that is looking for 10 towns to participate in in a program that focuses on developing rain gardens along town roads, sidewalks and some individual residences. He suggested that it could help with the town's storm water.

Jeff F. suggested attaining professional help to guide the Planning Commission through some of the growth challenges the town is facing, in terms of infrastructure, how to phase projects, better define zoning regulations, etc. Jeff F. went on to say that how these funds are used seems like a charged issue in the community and it also made sense to him to create a committee. He indicated that it might be good to have the committee solicit public input as well.

The Commission agreed to recommend appointing a committee to set priorities and criteria for how the funds are used.

Rolf K. made a **motion to recommend that use of the funds ultimately be studied by a diverse committee of Hinesburg citizens that has an open and transparent process to study with care and take the time necessary to come to a good outcome.** Jeff F. **seconded the motion.** The Commission **voted 8-0.**

Other Business & Correspondence

- Town Plan – Select Board review update and time horizon – Alex W. said that the Board discussed the Plan at a recent meeting. He said he is working with the Town Administrator to devise a schedule for the Board to review the Plan in a compartmental fashion. Alex W. said the goal is to try and hold public hearings before the summer break, hopefully in May or June.
- Notice – Town of Starksboro, March 9 DRB hearing on a 2-lot subdivision on Mason Hill North near border with Hinesburg – Alex W. informed the Commission of the notice.

Joe I. **made a motion to adjourn the meeting.** Rolf K. **seconded the motion.** The Commission voted **8-0.**

The meeting adjourned at 9:48 pm.

Respectfully submitted,

Dawn Morgan, Recording Secretary