

**Town of Hinesburg
Planning Commission
June 13, 2018
Approved June 27, 2018**

Members Present: Maggie Gordon, James Donegan, Marie Gardner, Dennis Place, Jeff French, Joe Iadanza, Barbara Forauer, John Kiedaisch

Members Absent: Rolf Kielman

Public Present: Marty Illick (Lewis Creek Association), Jean Kiedaisch, Johanna White

Also Present: Alex Weinhagen (Director of Planning & Zoning), Kate Kelly (Recording Secretary)

Maggie G. chaired the meeting, which was called to order at 7:32 PM.

Agenda Changes: No changes.

Public Comments for Non-Agenda Items: None.

Stormwater Planning:

Maggie G. introduced Marty Illick, Lewis Creek Association (LCA). Marty I. thanked Alex W. for coming to Water Matters event, and mentioned they focused on Hinesburg at the event. At the event, they compared to Shelburne and looked at the costs of completing build out without thinking about the best/cheapest way to do it.

Marty submitted a one page summary of the event for discussion: for Hinesburg, priorities were tighter regulations, outreach, and implementation. LCA is happy to coordinate with Hinesburg to assist with these priorities.

Lewis Creek Association partnered with Responsible Growth Hinesburg, Town of Hinesburg, and Lake Iroquois Association for the event. Milone & McBroom helped with planning for town garage/river corridor repair in Hinesburg. As background, LCA deals with the entire Lewis Creek watershed, and also encompasses the LaPlatte watershed; they do data collection on streams in various towns from Bristol to Shelburne, Ferrisburgh. All data goes into state/federal database; data collection is volunteer run but analyzed by the state lab.

LCA is excited to partner with the Lake Iroquois Association, who is monitoring Patrick Brook. Maggie G. asked how long data has been collected at Patrick Brook. Marty answered LCA used to collect there. They know there are issues at Patrick Brook; Hinesburg is trending toward stormwater impairment

(phosphorus, bugs, fish). If we were designated as impaired, we would have immense costs to repair (Shelburne is looking at \$4 million plus \$3 million repair costs). If we were to have similar costs, Hinesburg taxes might get so high that lower socioeconomic classes may not be able to live here.

Planning: Hinesburg has some class A soils that are great for infiltration. Marty I. recommended putting these on a list for conserving them, also mapping them, and use them to plan buildout. Alex W. mentioned that they had discussed placing future stormwater treatment areas on the official map. They didn't look at the best soils for infiltration, so this is a good opportunity to update the official map with these areas, and use those soil maps to identify those locations best for stormwater treatment.

Marty I. discussed groundwater recharge studies; we could do it here (Alex W. said we haven't done this). In Charlotte, "areas of high public value" were added in to their official map using these groundwater recharge studies.

Alex W. asked about walking down the document Marty I. provided and touching on what members have questions on. Maggie G. thought this would be a good idea. Jeff F. requested specifics of how we'd accomplish each of these priorities.

Marty I. mentioned that LCA is working with CVU and other schools in the area, to deal with stormwater issues. She mentioned that the three-acre provision is coming out soon – Alex W. clarified this provision states that any site with 3 acres or more of impervious surface, even if it doesn't have a stormwater permit, will now need to get a permit.

Maggie G. began going through Marty's document:

- Buffer and LID requirements – Alex W. stated that we have these buffer & LID (low impact development) requirements in the regs already. Jeff F. asked if these buffers are large enough. Alex W. answered that our buffer sizes depend on the water body; he doesn't know if they are large enough, but doesn't feel we have a reason to change them at this point. Marty I. talked about checking the fluvial erosion hazard delineation area, and Alex W. stated that in the village, the buffers generally are large enough to encompass these fluvial erosion hazard areas.
- Require simple low-tech treatments on smaller development projects and private and public roadways -- Alex W. stated that the board required that smaller projects still have to have a stormwater plan and make incremental improvements. More to be done for public and private roads. Town has a deferred project to improve standards on public roads, and some discussion about road standards on private roads. Marty I. asked about looking at the soils, e.g. in a 5 acre parcel, like staying out of best soils for infiltration. Alex W. said we do require them to explain how they are using the best soils for infiltration. Dennis P. asked what this is normally used for outside town – on-site septic, and/or area for infiltration.
- Use stormwater treatment plan to guide development -- Covered under LID. Alex W. wondered if we have met the standard Marty I. is thinking of under LID.

- Identified areas of good infiltration -- In town, one area was around Kinney Drug, we let it go (stormwater treatment, but also impervious surface).

What would be helpful? Alex W. said we are falling down on education part. We rely on watershed groups to help us with this. Marty I. suggested it needs to be in annual work plan. Alex W. is happy to add this to the list of things to do in the future.

Marty I. asked how much we'd like to partner with water quality stuff going on, or just have meetings so we know what is going on to inform buildout. Discussion ensued about the location of water quality data (Marty I. suggested posing the question to Milone & McBroom; raw data are available. Sampling plan is based on questions LCA is asking. LCA writes an annual report.) Marty I. suggested she can send reports to Hinesburg, and perhaps they could adjust their sampling design based on Town of Hinesburg questions.

John K. and Dennis P. left the meeting at 8:10 PM.

Hannaford Project Discussion:

Joe I. stated that the memo echoed where board was years ago. He has no problem with the letter. PC sent basically the same memo years ago to DRB, and it was not taken into account as they had hoped. However, they tried to raise the same issues with the Act 250 commission, weren't successful. The reasons for that haven't changed. Jeff F. asked what reasons were. Joe I. answered that the official map allows for process to acquire land. Although Act 250 commission recognized that we had this parcel on our official map, we had no acquisition fund to back up the official map; they were concerned about generality of uses for parcel. Neither of these have changed; he doesn't know if this judgment would stand today.

Jeff F. asked if we need to be more specific. Alex W. clarified that the map and documents that back it up (not the letter) need to be more specific, and (Joe I. added) a mechanism from town to show we are serious. Alex W. pointed out that this memo isn't for Act 250, this is for the DRB, who will hopefully take these concerns seriously. Joe I. was concerned about the fairly short timeline, could set up more work for the town.

Jeff F. heard "location is unsuitable" in reading the letter (instead of "deny"). Joe I. noted PC can't deny/approve this application, only state our understanding. Maggie G. stated she didn't think we needed to worry about the likelihood/future of this memo. James D. thought it looked good. Barbara F. said the letter was clear, but wondered if the farmer's market was off the table (already covered) at previous DRB meetings. Discussion ensued.

Jeff F. **made a motion to recommend the memorandum as drafted.** James D. **seconded.** The board voted **5-1**; Marie G. opposed.

Alex W. stated that Hannaford's has asked for a continuance to the first meeting in August (Aug. 7). This will give plenty of time for the DRB to receive and review this memo.

Barbara F. asked why they have been able to present without a complete proposal. Alex W. stated because it was deemed complete. They are working on more submittals.

John K. and Dennis P. returned to meeting at 8:22 PM.

Members of the public left the meeting.

Village Area Design Standards: Review second draft of public open space (greenspace) design standards - continued from 5/9 and 5/23 meeting

Alex W. said the most significant changes to this draft stemmed from James D.'s comments about the formula. Rolf's K.'s comment about basing on the number of bedrooms was also changed. He also added a section at the end, not quite finished, about off-site credits (based on Dennis P.'s comment).

Dennis P. asked if 100 bedrooms is about a half acre (20,000 sq. ft.). What could you do on a half acre? Alex W. replied that he could give examples.

John K. ran some numbers and asked if you could split the open space into 2,000 sq. ft. parcels. Perhaps we should clarify this. Joe I. commented that the regulation also states that the space needs to be useful, which may help here. Discussion ensued, and Alex W. clarified that each individual open space needs to be at least 2,000 sq ft.

Dennis P. asked about if you didn't have enough land on site to create your open space. Alex W. stated you'd then have to buy your way out (land preservation fund). John K. stated that the land preservation fund has in the past preserved farm and forest land. Why not contribute to public open space fund instead? Alex W. stated that another fund doesn't exist; maybe land preservation fund could be a surrogate until new fund is created (DRB could institute this with the adoption of this reg). Dennis P. asked about if we need to have a spot picked out already – Alex W. responded this would be good to do via official map.

Discussion ensued about funding, and most agreed a dedicated fund would make more sense; we could forward this recommendation along with the standards to the Selectboard.

Joe I. above ground utility infrastructure – don't want to force people to put it on the periphery. We want to encourage master planning, phasing. Is it ok for a developer to plan a bigger space even if doesn't correspond to phase? Alex W. stated we want them to be able to plan bigger spaces instead of a bunch of 2,000 sq ft spaces. But we do want each phase to stand on its own in case future phases don't happen. Joe I. wondered about a piggy bank at each phase. Alex W. would like each phase to

include building a green space. Joe I. suggested you must put in green space for phase 1 that is abutting future phases' space. Alex W. said putting money aside generally hasn't worked well in the past. Discussion ensued about location of green space and phasing.

Marie G. stated she doesn't support a piggy bank where the money hangs out for 10 years.

Barbara F. stated that credits/building off site seems like a loophole. Marie G. stated it needs to be overseen by the DRB. Alex W. responded that for a medium size parcel where they don't have the space to commit to green space, they can contribute to this fund, and it's harder for takings issue to come up. We ask them to explain why the provision of open space presents a hardship, and to ensure that the project has sufficient access to greenspace. For a larger parcel, only 50% can be off site.

Barbara F. asked about greenspace of Thistle Hill – they are trails in woods. Town has easement to trails, not through woods.

Jeff F. is interested in Dennis's idea of where to have this space. Dennis P. replied he would think we'd want one big park – why aren't we funding this right now (e.g., lot 1)? Discussion ensued about development and funding of green space in lot 1 and the area behind the police station.

John K. asked if we can use the official map to identify these spaces. Maggie G. stated we have talked about the map already. Alex W. said we need to add our desired parks on the official map with details on what we want there.

Joe I. was concerned about flexibility (if developers come in with great ideas that don't correspond to map). Alex W. said we can always revise the official map, the initial DRB meeting can be joint meeting with PC to have developer revise map. Jeff F. agreed, but it doesn't always work to be flexible. Joe I. and John K. hoped to make it a requirement that the developer come in prior to submittal of application.

Joe I. left the meeting at 9:02 PM.

Alex W. stated that other towns do have these requirements to pre-submittal meeting requirement.

He wondered if having an official map (draft 2) would be useful for next meeting? Maggie G. and John K. agreed this would be useful and not inappropriate.

Jeff F. is concerned about going back to Act 250 court, with no funding mechanism, etc. Dennis P. suggested we should talk to landowner, barter, etc. Maggie G. asked about requirement of having official map – Alex W. stated we are not required to have it. The map is not meant to interface with Act 250 process, it is only for municipal review. Act 250 is a state level review, that asks if a project is

consistent with official plans. Maggie G. stated that we need to have money in official budget to pass Act 250; Alex W. wasn't sure it was as simple as that.

John K. asked about developers coming in to discuss before application submittal. Discussion ensued about asking applicants to come in early before submittal.

John K. had concerns about 60 ft. road frontage. Alex W. stated it mirrors residential requirements. Maggie G. stated this requirement applies "unless the DRB approves lesser amount." John K. is ok with that. Barbara F. mentioned the pocket park by Kinney; discussion ensued.

John K. stated his concerns about:

- p. 3 "concentrated stormwater...large rain gardens" (what is large? Too vague)
- "being on site" can we just say being within and outside the project area?
- "amount of contribution...but realistic enough so that it makes sense" (Alex W. says this needs to be fleshed out)

Maggie G. asked about the next step. Alex W. will set this aside, then focus on drafting an official map version 2 with existing open spaces.

Minutes of 5/9/18 and 5/23/18 Meetings:

John K. **made a motion to approve the minutes of 5/9/2018.** Marie G. **seconded.** The board voted **7-0.**

Dennis P. **made a motion to approve the minutes of 5/23/2018.** Jeff F. **seconded.** The board voted **5-0.** John K. and Barbara F. abstained.

Other Business & Correspondence:

- Discuss changing meeting start time to 7 PM
Most can make 7 PM. We don't know about Rolf. **Next meeting will be 7 PM.**
- Review memo to Select Board regarding housekeeping zoning changes
Alex W. - Statute requires you to submit report, and he drafted a memo to the Selectboard. SB was concerned about access for folks with disabilities, and felt the current facilities with drive-through weren't causing problems. Jeff F. wondered about moving drive throughs to back of building. Alex W. stated something like this would hold up the entire package of changes, or we could put it on a list for the future. John K. asked if the restriction on restaurant drive-throughs still stands. It does.

Jeff F. **made a motion for Alex to submit the memo as drafted to the SB.** Barbara F. **seconded.** The board voted **7-0.**

Alex W. mentioned an upcoming conference in September: Leading Locally: Design Review, in White River Jct.

Alex W. asked about summer vacation plans.

Maggie G. **adjourned the meeting at 9:26 PM.**

Respectfully submitted,

Kate Kelly, Recording Secretary