

**Town of Hinesburg
Planning Commission
April 24, 2019
Draft**

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

Members Absent: Jeff French, Rolf Kielman

Public Present: Sherry Osborn

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

Maggie G. chaired the meeting, which was called to order at 7:00 PM.

Agenda Changes: None.

Public Comments for Non-Agenda Items: None.

Revisions to Official Map and Zoning Regulations:

Maggie G. said this is the second meeting for reviewing public feedback on the Official Map and Zoning Regulations. She suggested beginning with discussion of lot 15. The Commission received comments from absent members Jeff French and Rolf Kielman, and reviewed Rolf K.'s comments.

John K. asked about the location of the wetland, and Alex W. displayed it from the Lot 15 Committee report. John K. clarified that the Lot 15 Committee took these boundaries directly from the developer's documents. Barbara F. asked John K. if this is accurate; John K. replied he is not an expert, but feels it is a wetland.

Maggie G. said it's worth noting all comments (including those who didn't want it on the map).

James D. felt it should partially be a commercial location, as the Town decided not to pursue it after the Hannaford application. He felt we should reduce the amount marked as public space.

Rolf K. and Jeff F. both suggested (in their written comments) marking a portion of it public space.

Barbara F. asked if it is too late to change the zoning on that parcel to 20,000 sq. ft. Maggie G. replied we had discussed changing the zoning from the village district to commercial. Joe I. said it was brought up during housekeeping, but it was a larger issue so was set aside.

Joe I. gave his opinion on lot 15, which is that the large Village Growth area was going to need space, and this was a large continuous central space for uses in town. If we remove some of lot 15, it preserves the rec path but doesn't preserve space we need in Village Growth Area, so we would need to make this space up somewhere else. John K. agreed (how/where can we replace this area?). Joe I. suggested the lot next to the shopping plaza on Mechanicsville, or increasing the amount of space on the Quinn property. He felt we should plan conservatively, not after there has been over-development and we can't get that space back.

Marie G. felt that area #36 would be the area to go to. Maggie G. brought up the central location of #34 and its usefulness. Joe I. commented that is why we thought of that space (and they believed at the time it was not developable).

John K. felt that the Selectboard reaction was to taking via eminent domain, not a reaction about it being a priority for the future.

Marie G. felt the town is split, maybe 50-50 if we had a vote. The Selectboard's decision weighs in to her opinion, as they didn't seem to want to pursue. She felt that having this public space in the middle of the Village Growth Area may not be necessary. She added that the lot may be developable now.

Joe I. commented that this space would be useful for the future Quinn property, but less so for Village NW and NE districts. Maggie G. commented that the elevation and amenities are different between the Quinn property and number 34. Joe I. said if you remove 34 entirely, you'd need to redefine 36 (make it at least as big as 34, and possibly merge uses).

Dennis P. asked what would happen if the Selectboard chose not to pursue 36. Joe I. replied that the Planning Commission has done all it can do and made good recommendations. He said 34 is a special case; normal Official Map process couldn't proceed there, so that brought it to eminent domain. The Official Map is anti-eminent domain.

Dennis P. felt we should go after obtaining land where we want a park. Maggie G. said if we've done our job (specifics of what we want on these areas), a developer couldn't come in and claim they've provided a part of it and build on the rest. Dennis P. commented that the Quinn development could be 20 years or more away. Joe I. said the center of mass isn't there yet, and so it is difficult to pick a specific area to prioritize. John K. replied to Dennis P.'s comment we don't need lot 34 to be developed right now, but to maintain a placeholder for the future, yes, we need to maintain it as a placeholder. He wouldn't recommend to Selectboard that they should do a park there currently.

Alex W. said that many comments were from people thinking about today's situation. He questioned why we need one there in the future. He stated that very little development will be occurring around that area (#34) in the future. Maggie G. disagreed; she commented that there is little public open space south of #34. Lyman Park is for walking dogs, throwing a frisbee. Maggie G. contended you wouldn't eat a sandwich there (Lyman Park), have a conversation, etc. Alex W. asked what change in the future would warrant a park at lot 15. Alex W. asked why Lyman Meadows residents would want to seek out park space in Commerce Park. Maggie G. said we don't know what Commerce Park will be like in 50 years; it could be mixed use. She believed that if you build it they will come. Marie G. said there are benches around town, but no one uses them. Maggie G. said we are rich in playing fields, but there are lots of other type of parks that we need. The Commission discussed traffic going by this area. Joe I. stated he was prepared to give up on the whole of lot 15.

Marie G. commented that she would see more possibility for space in #31, #32, #33. Joe I. viewed #33 as trail buffer. #31 and #32 are possibilities, but if we only preserved these areas as public space, otherwise it would not serve the public well.

Dennis P. agreed with Marie G.'s comments on #31 and #32, and also mentioned Geprag's as a potential area for such space.

Barbara F. commented that she has no reason to go to Bissonette Rec Area, but an area people could meet would be great.

John K. asked about the function of lot 15; it has been developed as commerce all the way to Patrick Brook. Lot 15 currently functions as buffer for watershed; the Hannaford proposal would move water through, and wouldn't treat it. He felt it is our responsibility to leave it unbuilt on to allow it to function as it does now. Can we preserve that function and still use other land? Tom Ayer said eminent domain is for critical public reason; John K. agreed with him, but said there is a critical public reason (stormwater and water quality).

Sherry Osborn thanked the Commission for their work. Her hope was that lot 15 would be retained on the Official Map, for stormwater and water quality. She could imagine a mixed use on the property. She lives in Lyman Park condos; she can imagine a small part of the parcel becoming a park or gathering space, especially for those challenged physically, where walkers/wheelchairs could get there. As a Lyman Park resident, open space playfield is great, but it is not a gathering space. Some people will bring a picnic to Lyman Park and sit under trees, but it is rare. She also commented that we have a lot of water, and it isn't always going where she wants it to go.

Maggie G. said most are in favor of keeping all or part of 34 on the map. Alex W. displayed Jeff F.'s suggested areas to keep on the map. John K. suggested mapping the lot in a striped color to preserve wetland, allow commercial, develop public space. Do we have to specify which areas are developable, and which are preserved? Joe I. replied it makes sense to define which area is preserved and what the

uses are. He suggested you could state how many sq. ft. available for commercial, and how many are for low impact recreation use. Joe I. said area boundaries are negotiable. He also added that the Selectboard should start a fund to invest in these future areas. Alex W. suggested figuring out what portion is “lost” if partial as a second step. He added that this seemed to meet requirements of having a space not on a road, better access from existing path, and benches facing each other.

On the displayed Lot 15 Committee report map, Maggie G. suggested keeping #3 and #4 for preservation, and allowing #1 & #2 for potential commercial use. Alex W. described possible uses for these areas. Maggie G. discussed example B, on page 5. This would allow for a building (ignoring the word “civic”), and public garden plots, open air theatre, playground/basketball court. Is the area to the SW adequate, or do we need SE area as well (which impedes on the wetland a little)? Maggie G. said we should think big. There’s no getting it back once it is developed. She was in favor of setting aside the entire lot, but her second choice would be keeping #1 as a building space. Joe I. suggested specifying protection of wetland.

The Commission discussed the length of time the Official Map is valid; it is valid until re-examined by the Commission, whether that is 4 years or 10 years.

Jeff F. (in his written comments) proposed keeping number #3 and a bit more of #5 on the map. James D. suggested keeping #3, #4, and #5. Joe I. suggested pushing back the boundary to allow more buffer between #2 and #5. Joe I. said if you’re going to get rid of #1, the Commission should make up that 1.5 acres somewhere else. And same with #2, so make up 0.5-0.8 acres somewhere else. He felt that it is a good goal to take care of Lake Champlain and our drinking water.

John K. felt they should leave the entire lot on the Official Map; his second choice was having #1 developed as commercial/mixed use.

Barbara F. would cede # 1, or her second choice is to cede #1 and #2, and expand west on #2 to preserve a larger buffer.

Dennis P. said he’d like to find a more usable space for public space, and move on from this one. There is plenty of other space. He suggested Geprag’s Park. We have Thistle Hill and other developments; why are we deciding we need a park now? In addition, the Selectboard didn’t even let lot 1 get developed. This would be a hard area to turn into a public space. He felt allowing only #1 to be developed would be making lot 15 unusable, as it’s only those with deep pockets that can develop it. Joe I. commented that NRG couldn’t develop because they needed to put in 80 feet of pilons to support their building (cost issue). The second developer couldn’t afford to develop. Joe I. felt the most you’d end up with there is open air theatre, ball court, etc. (not civic building).

Maggie G. reviewed Rolf K.’s comments.

Joe I. made a motion to change #34 to partial public use, partial commercial development, with numbers 3, 4, 5, and an additional 50 ft. buffer taken out of number 2, to be kept on the Official Map, with an additional 2 acres to be added to another parcel on the Official Map, number 36.

He clarified that the buffer would be from the present edge of #5 definition.

John K. **seconded the motion.**

Alex W. asked about uses; was Joe I. envisioning moving the potential civic building to #36? Joe I. said no, he only envisioned a restroom, picnic table, with buildings in #36. Should some of this acreage be moved to numbers 31/32 for a civic building? Joe I. said he intended to create contiguous open space park. He said they could split it, but he didn't know ratios to maintain the uses, so preferred to keep it all together on #36.

John K. said bigger rec/gathering space is important; he sees this occurring on #34; 5 acres up on #36 doesn't fit. Joe I. suggested discussing what uses to preserve on #34: wetlands, bandshell/open air theater, preserve existing walkway.

The Commission clarified the description: eliminate wording of civic building and associated parking. Maggie G. read the new description.

Joe I. modified the language of the motion from "with an additional 2 acres to be added to another parcel on the Official Map, number 36" to "**with the area no longer on the Official Map inclusive of #1 and the majority of #2 to be replaced with additional area on parcel #36**".

The Commission **voted 6-1**; Dennis P. opposed.

The Commission continued with their list of items to discuss re: Official Map. Barbara F. mentioned phase II of Creekside (unrelated to the Official Map).

Alex W. mentioned Blumens' comment (they live on Silver St.). The future trail is shown going across their horse pasture; they are happy to have the VAST trail in winter, but not in the summer because this is their pasture. The Trails Committee agreed that there are sufficient sidewalks in town to not need to double cross the LaPlatte. The Committee agreed that would be fine to discard the section that double crosses the LaPlatte.

Len Duffy made comments about the descriptions: he suggested getting rid of planner-ese wording (non-linear roadways, bulb-outs, etc.). Maggie G. said it is true that we do sometimes speak in a language others don't understand, but it is good to have options at our disposal. Joe I. said this is common developer language. Marie G. wouldn't change it. Alex W. said Len Duffy said there should be priorities given to these items. The Commission would make recommendations to the Selectboard

along with the fiscal plan, but John K. said this isn't part of the Official Map. Joe I. said we will discuss, but these would likely be the highest chronological priorities.

Jeff F. and Mike Buscher both suggested a greenspace/path connection between 32 and 33. Alex W. said that in prior discussion, the Commission felt the sidewalk leading to the Riggs Rd. intersection would be ok to access 116, and noted a direct connection from 32 would go through an existing house. He asked if the Commission would like a trail or sidewalk to get to 116? Joe I. commented that going south to 12 is safer. If you go north you go up a grade, and visibility goes down. The Commission chose no additional trail/public space to be added there.

In regards to the Public Open Space Design Standards:

Peter Erb's comment that the formula yielded too little public open space had already been addressed.

Mitchel C. commented that because the formula required public open space for non-residential square footage, and it's already hard to get developers to do non-residential space, requiring this may be a disincentive for those projects to happen.

Mitchel C. commented that currently the language talks about trails and allows them to be used for only 30% of public open space. This is for trails outside public open space area. If there were trails that wandered through a public open space, they should be treated the same way as trails off, and all should be capped at 30%; the Commission agreed.

John K. said there were a few things on Rolf K.'s comments that we would need to come back to. Rolf K. suggested linking #33 to CVU, 116, and SE to Mechanicsville. The Commission felt there is too much wetland to link SE to Mechanicsville.

At the next meeting, they will take a look at the final map, and the memo to the Selectboard.

Minutes of April 10 Meeting:

Maggie G. made some minor amendments.

Joe I. **made a motion to approve the minutes of April 10, 2019** as amended, and John K. **seconded the motion**; the Commission **voted 7-0**.

Other Business & Correspondence:

Alex W. mentioned that at the May 6 Selectboard meeting, they will be discussing the recommendations of the Water/Wastewater Committee. They'll also be discussing impact fees for police and fire, and potential future fees. Also, Alex W. will be talking about regaining Village Center designation from state.

The Police Chief selection process is moving forward, down to two candidates (internal: Anthony Cambridge, and external: an officer from Swanton). April 30 and May 1 will be meet and greets and Selectboard interviews.

Fire Station had been looking at Tailhook building for expansion. Working with Hillview Design, they concluded that Tailhook isn't viable. Hillview is designing conceptual building footprint for all various elements (fresh on lot 1, or whole different place). In their programmatic review, they are looking for an aerial truck and ambulance service. Renae M. said that would be a heavy lift for the community. Dennis P. asked about current fees; after 6 years they go back? Alex W. said it can be requested to go back after 6 years, but some has been spent. The May 6 Selectboard discussion will be about changes in fees.

On the May 22 Planning Commission meeting, Maggie G., John K., and Rolf K. are trying to bring speakers in to give presentations to prime the Commission for drawing up architectural design standards.

Barbara F. said Winooski Rec. Dept. trying to collect 500 pounds of plastic. There are 6 utility boxes on Commerce St.; she'd like to perhaps have a contest for painting ideas to perk them up. She added that Alex W.'s emails from Strong Towns are interesting.

The meeting adjourned at 9:06 PM.

Respectfully submitted,

Kate Kelly, Recording Secretary