

Joe Colangelo

From: Alex Weinhagen <hinesburgplanning@gmavt.net>
Sent: Monday, September 09, 2013 10:13 AM
To: 'Joe Colangelo'; 'Jonathan Trefry'; 'Andrea Morgante'
Cc: 'Jonathan Trefry (work)'
Subject: RE: Rural zoning

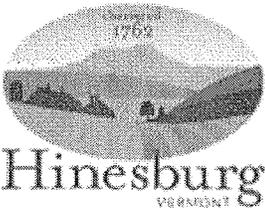
A separate motion for each (Town Plan, Zoning Regulations, Subdivision Regulations) would certainly work. However, if the motions are split, I recommend one motion for the Town Plan changes and one motion for the Zoning Regulation and Subdivision Regulation changes. The Zoning and Subdivision revisions very much hang together as a package, and should be treated that way – i.e., revisions to one doesn't make sense without revisions to the other.

Ultimately, I doubt that the form of the motion makes any difference with regard to what citizens can submit a petition for. The State statute clearly grants citizens the right to petition for a town-wide vote regarding regulation revisions, but does not grant that right for Town Plan revisions. If a petition were filed, it would result in a town-wide vote on the Zoning and Subdivision Regulation revisions, regardless of how the motion to adopt them was worded or packaged. See statutory language below. With that said, it's probably good to keep the motion for the Town Plan separate, just to make it easier for citizens to keep it straight.

VSA Title 24, Chapter 117, Section 4442d

(d) Petition for popular vote. Notwithstanding subdivision (c)(1) of this section, a vote by the legislative body on a bylaw, amendment, or repeal shall not take effect if five percent of the voters of the municipality petition for a meeting of the municipality to consider the bylaw, amendment, or repeal, and the petition is filed within 20 days of the vote. In that case, a meeting of the municipality shall be duly warned for the purpose of acting by Australian ballot upon the bylaw, amendment, or repeal.

Alex Weinhagen
Director of Planning & Zoning, Town of Hinesburg
hinesburgplanning@gmavt.net
www.hinesburg.org - Planning/Zoning page
802-482-2281 ext. 225
10632 Route 116, Hinesburg, VT 05461



Notice - Under Vermont Open Records law, e-mail and attachments received or prepared for use in matters concerning Town business, or relating to Town business, are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

From: Joe Colangelo [<mailto:jcolangelo@hinesburg.org>]
Sent: Monday, September 09, 2013 7:15 AM
To: 'Jonathan Trefry'; 'Andrea Morgante'
Cc: 'Alex Weinhagen'; 'Jonathan Trefry (work)'
Subject: RE: Rural zoning

Alex and I will discuss this morning. Thanks for reviewing the SB info and reaching out with these (very good) questions. It's helpful to go into the meeting tonight with answers prepared.