



Town of Hinesburg
Planning & Zoning Department
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MEMORANDUM

TO: Selectboard & Town Administrator
FROM: Alex Weinhausen, Director of Planning & Zoning
DATE: November 5, 2014
RE: Stormwater Regulation Revisions – Planning Commission Proposal

At their October 8, 2014 meeting, the Planning Commission (PC) voted to forward a zoning & subdivision regulation revision proposal to the Selectboard. This is a revision to our stormwater regulations for new development. See the attached six-page document with the proposed revisions. Our architectural sketch artist (Rolf Kielman) is putting the finishing touches on diagrams to be inserted on page 3. I will forward these along shortly. We already have a page dedicated to this project on the Town website at <http://www.hinesburg.org/stormwater/>, which can be found via a link on the Planning & Zoning page. This webpage has background material and overview information, along with the Planning Commission proposal.

I'd like to attend an upcoming Selectboard meeting to briefly explain the proposal – the rationale and the basic mechanics. In the meantime, please peruse the attached 3-page introduction to why stormwater matters, along with the actual 6-page Planning Commission proposal. I'd like to create a Frequently Asked Questions document both for the Selectboard and community members, but will wait to do that until you have a chance to peruse the proposal and formulate some questions.

Now that you have the PC proposal, here are the remaining steps in the process:

1. Review the material and decide if you want to make any further changes. The Planning Commission spent almost two years discussing and working on this draft. This included several iterations of feedback from the Zoning Administrator, and extensive review by a professional stormwater engineer. Feedback was also received from State agency personnel and regional planning commission staff. Substantial feedback from community members was received at a July 23, 2014 public hearing. Additional research was done and the proposal was changed to address that public feedback. Selectboard changes are certainly possible. I just wanted you to know how thoroughly the Planning Commission has scrutinized issue and the proposal.
2. Make any changes and then schedule a public hearing.
 - a. Public notice/warning must be 15 days prior to a hearing.
 - b. There are special warning requirements (VSA Title 24, Chapter 117, Section 4444).
 - c. Any changes to the proposal must be filed with the Town Clerk and PC.
3. Hold the public hearing.
4. Decide if further changes are needed.

- a. If you make ANY further changes (except for grammar, punctuation, numbering, etc.), then you must warn and notice another public hearing.
 - b. If you make no changes, then you can proceed with adoption.
5. Adopt the regulation revisions*. You can do this at the same meeting as the public hearing if there are no additional changes. You simply need to close the hearing first.

*** Note – if the revisions are not approved by 7/23/2015, they are considered disapproved.**

Normally, the Selectboard takes action by voting on regulation revisions. However, you can defer to the voters, and hold a town-wide vote (via Australian ballot) on the proposal instead of a simple Selectboard vote. If the Selectboard does take action to adopt changes, citizens do have the right to petition for a popular vote on the proposed changes. A petition by at least five percent of the voters, filed within 20 days of Selectboard adoption can force a popular vote on the regulation revisions – via Australian ballot.

If the Selectboard feels there are problems with the proposal, you can choose to take no action or vote to reject the proposal (after a public hearing), and return it to the Planning Commission with guidance on the issues that need further work.