

**Planning Commission Reporting Form
for Municipal Bylaw Amendments
6/2/2014; last revised 5/13/2015 (per Selectboard revisions to proposal)**

**Proposed Revisions to Hinesburg's Zoning & Subdivision Regulations
Stormwater Control
for May 18, 2015 Selectboard Public Hearing**

This report is an update to the original report dated 6/2/2014. The Selectboard made minor revisions to the Planning Commission proposal, and pursuant to 24 V.S.A §4442b, the Planning Commission shall amend this report accordingly. Other than minor stylistic/formatting changes, the Selectboard's only substantive change was to the erosion control section – specifically, to increase the initial time period for requirement #8 (stabilization of disturbed areas) from 7 days to 14 days. This change has no impact on the three findings below.

This report is in accordance with 24 V.S.A. §4441 (c) which states:

When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. The report shall provide:

(A) Brief explanation of the proposed bylaw, amendment, or repeal andinclude a statement of purpose as required for notice under section §4444 of this title,

The Hinesburg Selectboard will hold a public hearing at the Town Hall on May 18, 2015, at 7pm to receive public comment on proposed changes to the Zoning Regulations and Subdivision Regulations (both last revised November 5, 2013). The purpose is to revise and bolster requirements for stormwater control. The proposal includes, but is not limited to: requiring basic erosion control when soil is disturbed in any permitted development project; requiring compliance with State stormwater control standards for projects with 10,000 square feet or more of new impervious surface (e.g., rooftop, driveway, parking areas, etc.); requiring the consideration of and encouraging the use of Low Impact Design (LID) practices; requiring applicants to cover the cost of review by independent consultants if required by the Development Review Board. The geographic area affected is town-wide.

Copies of the proposed changes are available on the Town web site (www.hinesburg.org) and at the Planning & Zoning Office at the Town Office located at 10632 Route 116. The Planning & Zoning Office is open 8am to 4pm Monday through Friday. For information please contact the Planning & Zoning Office, 482-2281 ext 225.

Background

Stormwater runoff is water resulting from rainfall that does not get absorbed by the surfaces it touches and can be observed flowing over yards, streets, buildings, parking lots, and other surfaces when it rains. Stormwater is ultimately conveyed to our local streams, rivers, ponds, and lakes – sometimes with treatment, but often times simply by direct conveyance without treatment. In northwestern Vermont, most stormwater is not treated adequately before it empties into streams, rivers, and lakes. The sediment and pollutants in the water are carried downstream and eventually make their way into Lake Champlain. Stormwater runoff, and the pollutants it

contains, affects the health of our streams and Lake Champlain, compromising public resources that many of us cherish. Beyond water pollution, unmanaged stormwater also causes erosion, flooding, and unstable streambanks. When stormwater does not drain properly it can result in soggy lawns, flooded streets, and wet basements.

Since January 2013, the Planning Commission has been learning about and discussing stormwater runoff and control. The Planning Commission's proposed regulation revision is needed, but will only help address stormwater from new development on a site by site basis. The Planning Commission also recommends that the Selectboard take additional non-regulatory measures, and recognize the importance of municipal stormwater management and infrastructure. The Town should be actively planning for more stormwater control and treatment infrastructure as well as the continued maintenance of the limited infrastructure we already have. Occasional grants and partnerships with non-profit groups are insufficient. The Selectboard should explore municipal funding mechanisms (e.g., special assessment districts, capital budgeting & impact fees, regular budget allocations, etc.) to provide the necessary resources for staffing, project planning & implementation, and maintenance.

Pursuant to the Hinesburg Town Plan (section 4.3), the Planning Commission recommends that the Town better address stormwater runoff through: 1) Education/outreach; 2) Town infrastructure projects and improvements; 3) Improved regulations for new development. The proposed regulation revision is just one piece of the solution.

Findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:

The proposal furthers the goals and recommendations in section 4.3 (Surface Waters) of the Town Plan. The proposal derives from the following specific plan recommendations:

Section 4.3.2b: Study the current and future impacts of storm water runoff on the town's surface waters, and consider writing tighter provisions in the regulations. Consider innovative and "low impact development" techniques that help minimize stormwater runoff.

The proposal will have little to no effect on the availability of affordable housing.

2. Is compatible with the proposed future land uses and densities of the municipal plan:

The proposed changes will have no effect on future land uses and development densities.

3. Carries out, as applicable, any specific proposals for any planned community facilities."

Not applicable at this time. As noted above, the Planning Commission recommends that the Town begin more proactive stormwater planning, which may in the future include related community facilities.