

Planning Commission Reporting Form for Municipal Bylaw Amendments 6/2/2014

Proposed Revisions to Hinesburg's Zoning & Subdivision Regulations Stormwater Control for July 23, 2014 Planning Commission Public Hearing

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 Planning Commission will hold a public hearing at the Town Hall on July 23, 2014, at 7:30 pm 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: establishing stream buffer areas town-wide to maintain existing riparian vegetation; 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, as well as a report on how the proposed changes comply with State Statute and the Town Plan, 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. A list of the affected section headings follows, as required pursuant to Title 24, Chapter 117 V.S.A Section 4444 (b).

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.

Section 4.3.1a: Require adequate vegetative buffers and erosion control along rivers, streams, and lakes to protect water quality, allow natural channel modification, and protect buildings. Consider differentiating buffers based on land use.

The proposal will have little to no affect 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 affect 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.