

Town of Hinesburg
Development Review Board
July 16th, 2013
Approved 7/13/13

Members Present: Dennis Place, Zoe Wainer, Greg Waples, Dick Jordan, Ted Bloomhardt, Sarah Murphy.

Also present: Alex Weinlagen (Director of Planning & Zoning), Peter Erb (Zoning Administrator) and Freeda Powers (Recording Secretary). Representing Applications: Steven & Carmi Rowell, Dan Coolbeth, Dennis Place, Andy Lambert from Trudell Consulting Engineers (Engineer for Place/Coolbeth). Public included: Russell Robinson, Deborah Newell, Fred Weinlagen.

Zoe W. chaired the meeting, which was called to order at 7:30pm.

Minutes from 6/02/13:

Zoe W. **made a motion to approve as amended** the minutes from 6/02. Dick J. **seconded the motion**. The board voted **5-0**. Ted B. abstained as he was not present at that meeting.

Steve & Carmie Rowell: (2-Lot Subdivision Final Plat)—The applicants are requesting final plat approval for a 2-lot subdivision in order to create one additional lot. This property is located on a lot approximately 11.7A on Weed Road, in the Agricultural District.

George Bedard (Surveyor) assisted the applicants with this application and addressed the board by first assuring them that the applicant has received the waste water permit and conditional use from the state for the driveway to pass through a small area of the existing wetland buffer. He noted the total impacted area is less than 2,000 sq. ft. (1,797). He said other than there, no other wetlands will be impacted.

George B. went on to describe the proposed driveway, which is 12' wide and will have a pull out half way down it. The septic will be located near the communal boundary and he said an easement has been achieved with those landowners in order to accommodate the 25' setback from existing structure requirements. He said there will be no new lawns within the buffer zone.

George B. noted that in the staff report, there is a request for planting trees or use of boulders along the boundaries. The applicant would like to plant trees along the western boundary and use boulders to help with visual boundary along the southern line.

George B. noted the position of the well; 190' from the southern boundary, saying the farmland to the south is not fit for modern agriculture and therefore does not pose any conflict. The well, drilled in 1986 and providing over 20g/min at 80', is a plentiful water source. Dick J. asked if there will be a second, separate well. The applicant said yes.

Zoe W. asked about access to electrical power. The applicant said Green Mountain Power (GMP) will tie into the transformer on the lawn area and go underground easterly. He said there is an

easement granted to GMP to allow access from the meter to the transformer. Zoe W. asked if each lot has to grant that easement. The applicant said yes.

Zoe W. asked for any public questions or comments. There were none.

Zoe W. went on to inquire about the road work already done on Weed Road. The applicant replied that they have done significant work already, including installation of larger culverts, cutting back of brush for improved visibility, widening, installation of pullouts, and the reconstruction of the curb-cut to create a safer entrance onto Shelburne Falls Rd.

Bill M. said that Conclusions #3 & #6 are redundant and suggested striking #6. Conclusion #3 and Order #2, related to use of boulders/trees should be amended to reflect what the applicant has offered.

Greg W. suggested that if Conclusions #3 & #6 are consolidated, language should keep reference to the building envelope.

Ted B. suggested language to read *"4-6 trees shall be planted along the western demarcation location..."*

Zoe W. made a motion to **close the public hearing and approve draft decision as amended.** Dick J. **seconded the motion.** All in favor, the board voted **6-0.**

Place/Coolbeth: (3-Lot Subdivision Sketch Plan) –Dennis Place and Dan Coolbeth represented this application, which seeks sketch plan approval for a 3-lot subdivision located on the north side of Place Road East. The subject parcel is approximately 10.4A and is located in the RR1 zoning district. There was a site visit prior to the meeting, attended by Zoe W. Sarah M. Ted B. Dick J and Greg W.

Steve and Deirdre Gladstone provided a written memo via staff to the board and applicant stating their concerns with this application. The memo states that *"as it is presently configured Place Road East is too narrow for cars to pass, has major potholes and erosion, no culverts and major washouts..."* and goes on to suggest *"that the DRB mitigate this impact by having...access from Place Road West."*

The board discussed their observations from this site visit. They noted the flat location at lot 2A, they looked at all proposed house sites, and noted an available power pole to lots 1&2 as well as a pole for access to lot #3. They viewed the existing culvert under the Robinson's driveway, walked the Class 4 portion of roadway and viewed the existing tractor access to the lower meadow which could work as potential access to that lot. The applicant noted request from the Zoning Administrator to adjust access to lot 2C to take advantage of less steep slopes.

Proposed plans show two septic systems; a pressurized system on 2B, and a mound system on 2C. Dick J. asked if the well shield will encompass the septic system. The applicant said no, that would only apply if the system were to be 100' away *upslope* from the well. Greg W. clarified how many homes have access from Place Road East. The applicant said a total of 7.

Zoe W. asked the applicant why he preferred access from Place Road East rather than from Place Road West. The applicant said he wants to keep the meadow open, and sited poor visibility and road contours on Place Road West which make access from the east more preferable. He went on to say that the road foreman, Mike Anthony, had assured him previous to this application that Place Road East is scheduled for upgrades to take place this fall. Greg W. asked if the meadow has any agricultural value. The applicant said he would like to keep it for access by potential future landowners to use as they like. Greg W. asked if the Robinson's easement impairs the ability to develop on these lots. The applicant said no.

The applicant addressed staff concerns regarding culverts. Peter E. clarified his concern, saying he wants the applicant to be cognizant about not putting a building envelope within the discharge area of the existing road culvert.

Russell Robinson said he agrees with the memo provided by the Gladstone's, and would like to see access to these lots via Place Road West. He said Place Road West is better maintained due to school bus access and will not require upgrades as will Place Road East. He would like to see new ditching to help with runoff but does not want to see the road widened. The applicant said all dirt roads require maintenance and reiterated his point that the road foreman has assured him that work on Place Road East is already scheduled to take place regardless of this application. Ted B. said based on the site visit, the road seems totally serviceable to him and he does not see the problems with access via Place Road East that he is hearing about. Russell R. said the road condition is worse in the winter with snow and also voiced his concerns about the roads' ability to handle construction vehicles. He went on to say that the timing of the road work seems suspect to him, as he has lived on Place Road for 15 years and has seen minimum work done on the road.

Zoe W. said in regards to construction vehicles, the board will consider that but it will not necessarily be tied directly as conditional. She also inquired on the creation of a Road Association, which the board usually requires at the time of subdivision. The applicant said while residents on Place Road are not required to join, he encouraged and invited them to do so. Buyers of these proposed lots will be required to join. Peter E. clarified that from the state's view, all common parties must share the responsibilities of road maintenance.

Deborah Newell spoke as an interested party, saying she requires access to her entire property at all times. The applicant assured her this will not be an issue. He voiced his opposition to the suggestion of tying the road work to the issuance of a C.O. by the Zoning Administrator. He said he will not be able to sell the lots with that condition. Ted B. suggested that if the town fails to do the scheduled road work as anticipated, then perhaps the applicant would be willing to take on that cost himself in order to move the lots quickly. Peter E. said in that case, the purchaser would be responsible for that road work, not the applicant. Alex W. said it would be more likely that the road work would be tied to the building permits, rather than the C.O.s. Dick J. said he feels that road improvements are not usually addressed in the Sketch Plan approval phase.

Ted B. said options include phasing the work to be done, or the applicant agreeing to take on the road improvements himself. The applicant suggested the board tie the condition to Lot3, keeping him on the hook in the overall project without holding up each lot. Dick J. said while he does agree

Place Road East needs some improvements prior to construction beginning, he does not see it as a fatal flaw for the sketch plan.

The applicant assured concerned parties that development will be phased so as to minimize the concern with excessive construction vehicle traffic.

Deborah N. asked if the applicant plans on selling the lots individually. Dan Coolbeth said that is undecided.

Zoe W. made a **motion to close the public hearing and approve staff decision as amended**. Bill M. **seconded the motion**. The board voted **6-0**.

Other Business: None.

The board discussed the **Town of Hinesburg Police Station application (7/02/13)**. Bill M. left the discussion for this application. The board made editorial notes in the draft approval from staff. The board agreed to clarify language in Order #2 to address the existing structure, lot and curb-cut of the existing police station and agreed to add such language to Conclusion #1. The board also agreed that the applicant *must reach an agreement with the Creek Side association prior to building permit issuance*. Ted B. made a **motion to approve draft decision as amended**. Dick J. **seconded the motion**. The board voted **5-0**.

Zoe W. made a **motion to go into deliberative session to further discuss the Place/Coolbeth application**. Greg W. **seconded the motion**. The board went into deliberative session at 9:28p.m. The board came out of deliberative session and Greg W. **made a motion to approve the Place/Coolbeth Sketch Plan decision as amended**. Zoe W. **seconded the motion**. The board voted **6-0**.

The meeting adjourned at 10p.m.

Respectfully Submitted,
Freedra Powers – Recording Secretary