

Town of Hinesburg
Development Review Board
September 16th, 2014
Approved 10/07/14

Members Present: Dennis Place, Zoe Wainer, Andrea Bayer, Dick Jordan, Ted Bloomhardt

Absent: Sarah Murphy, Greg Waples, Kate Myhre.

Also present: Alex Weinhagen (Director of Planning & Zoning), Peter Erb (Zoning Administrator), Freeda Powers (Recording Secretary).

Representing applications: Dave & Maureen Blanck, Nancy Wright & Steve Lidel, Brett Grabowski.

Public Present: Deb Cramton, Bruce Cote.

Zoe W. chaired the meeting, which was called to order at 7:35 pm.

The following change was made to the agenda: Move Hinesburg Center, LLC extension request listed in Other Business to item 4c.

There were no non-agenda comments.

Minutes: Zoe W. made a **motion to approve as amended the minutes of 9/2 meeting.** Dick J. **seconded the motion.** The Board voted **4-0.** Andrea B. abstained. Ted B. voted in lieu of abstention.

CVU Turf Fields: The application will be continued to a future meeting. Zoe W. **made a motion to continue the application to 11/18.** Ted B. **seconded the motion.** The Board **voted 5-0.**

Maureen & David Blanck: Conditional Use ct'd from 8/5. The applicants are requesting approval for three broad use types: office, retail, service establishment. Property located at 90 Mechanicsville Road in the Village Zoning District.

The applicants said the average unit in this small development is approximately 1,500 sq. ft. The intention of this request, they said, is to save time (and paperwork) for all parties—town staff, the Board, and the applicants and potential future business owners.

Zoe W. said parking and hours would be set if the Board were to grant approval to this request and reminded the applicants to consider potential uses that may not be able to conform to these set limits. Alex W. said if referring to an existing business, the use would be reviewed by the Board for site plan and conditional use revision. If referring to a new business, a zoning permit at least with the Zoning Administrator and possibly further review

by the Board would be required. The Board reviewed Section 4.2.2 regarding Conditional Use requirements (7 total).

Zoe W. voiced her reservations, saying in her view, the regulations intend to review each use. She said the town will at some time have more buildings like this, and she doesn't want to open the door to the option of no review for changing uses. Alex W. said Conditional Use approvals don't go away, so the practice thus far in the Planning & Zoning office has been to consider them viable regardless of ownership or type of use (so long as it fits the parameters of the original approval).

Peter Erb suggested language to address the circumstances in which impacts are increased. Also, he said, how does this impact permitting? Alex W. responded that zoning permits will continue to be required regardless.

Dick J. said his concern is that this (DRB review) is a public forum which would be circumvented if the Board approves this request. Peter E. said the permits are also posted publicly.

The applicant said they would be amenable to approval which limited hours to 7am-8pm 7-days/wk.

Andrea B. said the request seems like common sense to her.

Ted B. said he feels that the regulations are there to review each use. His concern is in the ability to cover all the bases in a blanket approval.

Zoe W. made a **motion to close the public hearing and ask staff to draft approval for further review at the 10/21 meeting**. Ted B. **seconded the motion**. The Board voted **5-0**.

Hinesburg Center, LLC: Site Plan/Subdivision Revision to combine Lots 42, 43 & 48 into a single lot 48. Site Plan & Subdivision Revisions which remove lot lines and create a single lot west of the Kinney building.

Brett Grabowski reviewed revisions which include moving the structure on this new lot 48 to the north by approximately 8'. Included also is a new proposed sidewalk in front of the structure (to the south) and increased landscaping around the entire building, including the area to the north.

Regarding the fountain, the applicant said he would like to go ahead and build this portion with permission from the state with respect to the current water hold up in Hinesburg.

Staging for this project will be done to the west of Kailey's Way as was done with the previous construction of the existing buildings. The applicant anticipates that the 8 parking spaces to the west of the building will be impacted and rendered unusable for regular parking during construction. Circulation patterns will be maintained however.

Maintenance of the park area will be the responsibility of the Hinesburg Center Association.

The dumpster location has been clearly marked on the revised plans.

Addressing concerns of snow shed onto sidewalks, the applicant noted the use of asphalt roofs for the main portion of the structure with porch roofs of metal which will have snow guards installed.

There will be general office and retail use of the commercial space, but the applicant said no specific uses are named at this time. Zoe W. pointed out that parking is the limiting factor of this site. She asked the applicant about the fill currently onsite to the west. The applicant replied that he intends to have that area cleaned up in a manner that coincides with the completion of this structure. Zoe W. asked for assurance that there be no undue adverse impact to the Creekside neighborhood when the final grading is done.

Peter E. suggested the Board require a date certain. Dick J. agreed. Brett G. asked for an extension to the spring of 2015. The Board agreed to condition the approval of this request.

Peter E. asked the applicant to clarify if this was now to be considered all one lot. The applicant said yes. Peter E. asked if Freeman Maples were still listed on the landscaping plans. The applicant said no. Peter E. asked if recycling is also available with the dumpsters. The applicant said yes.

Zoe W. reminded the applicant that vehicular circulation needs to be maintained and that parking internal to the site should remain clear overnight. The Board agreed. Zoe W. made a **motion to close the public hearing and direct staff to draft approval with conditions.** Ted B. **seconded the motion.** The Board **voted 5-0.**

Subdivision Revision for reconsideration of Condition #5 and Order #4 of the 1/28 approval. (Ct'd from 8/19). The applicant said the work has been done and only two items remain; the bike rack & pad installation in front of lot 41 which he has the rack already just needs the work crew to come out to pour the pad, and the screening of the transformer pad which he would like reconsideration of. He said that GMP does not like to have structures around the transformers. Zoe W. said she would prefer to have some testimony from GMP to certify that this is the case. Staff agreed to contact GMP for clarification on this.

Zoe W. made a **motion to continue the request to 10/17 pending GMP input.** Ted B. **seconded the motion.** The Board **voted 5-0.**

Extension Request for 12/7/13 approval to place fill in a flood hazard area. The applicant is requesting an extension to this previous approval. Zoe W. made a **motion to grant a 1yr extension**. Dennis P. **seconded the motion**. The Board **voted 5-0**.

Wright: Revision to Development on a Private Right Of Way Approval, granted on 7/1/14. The applicant is asking the Board to reconsider Order #1b & 2 regarding road construction and maintenance as they relate to the existing Wood Run Road. Property located at 213 Wood Run in the Rural Residential 1 Zoning District.

The applicants feel that to dig test holes in the existing road bed would act to undermine it rather than demonstrate compliance with the requirement of 12" of gravel. They testified, and submitted written testimony from John Cheeseman (plow man) and Ernie Murray (Road Maintenance) that the existing road is adequate and the road bed is well packed and solid.

The applicant noted that 11 parties live on this road and that there is an existing road association, and that all parties on the road are a part of the association.

Ted B. agreed with the testimony presented by the applicant that the road is in good condition and said it should be noted in the approval that the Road Association takes care of the road. He said it should also be noted in FOF #6 that evidence has been provided to testify that the road is in adequate condition and that it is maintained regularly by the Road Association and that the conclusion should be revised to reflect this as well.

Ted B. made a **motion to close the public hearing and approve the request noting that the Road Association maintains the Wood Run Road**. Dick J. **seconded the motion**. The Board **voted 5-0**.

Other Business: The Board acknowledged a written submission from Johanna White dated 7/28/14 regarding the 7/1/ DRB meeting.

Zoe W. noted the Open Meeting Law training is 9/22 at Town Hall at 7 p.m.

Zoe W. made a **motion to go into deliberative session to discuss the Green Street application**. Dick J. **seconded the motion**. The Board entered deliberative session at 9:25pm.

Respectfully Submitted, Freeda Powers---Recording Secretary