Town of Hinesburg
Development Review Board
November 18, 2014
Approved December 2, 2014

Members Present: Zoe Wainer (arrived 7:43pm during Martin application review), Dennis Place, Ted Bloomhardt, Greg Waples, Dick Jordan (arrived 7:45pm during Martin application review), Sarah Murphy, Andrea Bayer.

Alternate Members Present: Kevin Cheney, John Lyman

Members Absent: None.

Staff present: Peter Erb (Zoning Administrator) Alex Weinhagen (Director of Planning & Zoning). Representing Applications: Loren (Tinker) Palmer, Wanda Wilking, Trevor Lashua (Town Administrator), Jen McCuin (Recreation Coordinator), Roger Kohn, Doug Henson, Joe Bissonette, Tom Ayer.

Public Present: Laura Carlsmith, Andrea Morgante, Kyle Bostwick, Tom Giroux.

Dennis P. called the meeting to order at 7:30pm.

Agenda Changes: None.

Minutes from 11/4/14: Greg W. **made a motion to approve as amended** the minutes from 11/4/14. Andrea B. **seconded the motion**. The Board voted **5-0.**

Palmer – Subdivision Revision – Final Plat Review – 2693 Shelburne Falls Road
Tinker Palmer explained his request for final plat approval for an interior easement line revision to a previously permitted 2-lot Subdivision in the Agricultural Zoning District. There will be no changes to any lot lines that were approved. The proposal will revise a wastewater easement area shown on two separate subdivisions and approved/recorded subdivision plats – 1) a two-lot subdivision approved on 6/5/2012 (recorded on slide 196-D; plat date 3/30/2012); 2) a two-lot subdivision approved on 12/17/2002 and re-approved on 7/1/2003 (recorded on slide 50-C; plat date January 2002). The 2002 approval created a 10.1-acre building lot now owned by Stephen Palmer. The 2012 approval separated the existing farmhouse on Shelburne Falls Road (lot 1) from the remaining undeveloped field (lot 2). The previously approved plats show a wastewater easement on the 10.1-acre Stephen Palmer lot (2941 Shelburne Falls Road) and across lot 2 (undeveloped Palmer Family Trust property) for the benefit of the existing farmhouse on lot 1 (2693 Shelburne Falls Road). These easement areas were created to allow for a wastewater replacement area for lot 1. As a result of the State wastewater permitting process, it was determined that the wastewater replacement area for lot 1 had to be located in a different area instead of on the Stephen Palmer lot. The new easement area is more proximate on lot 2, and is in fact adjacent to lot 1.

Greg W. **made a motion to close the public hearing and approve the decision (approval) as drafted**. Ted B. **seconded the motion**. The Board voted **5-0**.

Martin – Conditional Use for Building Demolition – 10750 Route 116

Wanda Wilking (Neville Company) was present to represent the applicant/landowner – Craig and Melissa Martin. Wanda explained that per Section 5.22.3 of the Zoning Regulations, the applicant is requesting conditional use approval to demolish a pre-1940 barn/garage in the Village Growth Area. Per section 4.2.4 of the zoning, conditional use review of multiple family dwellings must incorporate site plan review standards in accordance with section 4.3, in this case for the creation of the parking area in the location of the building to be demolished. The subject parcel is located at 10750 Route 116, Tax map Number, 20-50-47.000, in the Village Zoning District. It is developed with a multi-family dwelling with four apartments and the accessory structure proposed for demolition at the end of the driveway.

Greg W. asked why the applicant wants to take down the building if it is not falling down. Wanda gave several reasons: building is in poor condition, removal would allow for one additional parking space, the building appears not to be historically significant.

Roger Kohn asked where the structure was located. Alex W. explained that it sits on the western side of the property, behind the primary apartment house. He then showed pictures of the structure from various angles. Zoe W. asked if any feedback had been received from the Hinesburg Historical Society. Alex W. said that Jean Miner from the Historical Society had done a site visit, and subsequently indicated that she didn't feel the building had any significant historical value. Peter E. clarified that the building's construction date is uncertain, but is definitely before 1940, likely in the early 1900's.

Laura Carlsmith, an abutting landowner to the west (Green Street property), said that she is happy to see the garage be removed, and would like to respectfully request that the applicant do some cleanup of debris on the hillside to the west of the structure. Andrea Morgante said that she doesn't feel this structure contributes to the streetscape of Route 116, so removal is OK; however, she would like future reviews of this type to consider the context and not just architecture or historic significance. Roger Kohn seconded this sentiment.

Sarah M. asked if landscaping will be necessary for the parking area that will take the place of the building. Peter E. said no additional landscaping will be necessary given the location and the existing landscaping – e.g., tall cedar hedge to the north, wooded hillside to the west. He clarified that the applicant is planning to install a fence on the western side of the parking area for safety and to help screen headlights from shining into houses on the adjacent Green Street property. Laura Carlsmith said that headlight screening would be appreciated. Wand Wilking said that fencing will be installed, but the final disposition my take until after winter is over. Ted B. asked if there are specifics on the fence design. Wanda Wilking said there are no specifics at this time (i.e., haven't determined a fence design), but that the fence will be installed.

Dick J. raised a potential concern about asbestos given the building's age and the fact that it is sided in what appears to be old asphalt shingles. Dick J. suggested requiring testing and proper disposal prior to demolition. Ted B. disagreed and suggested simply tying the completion of the project to the performance standards (section 5.12, Zoning) that deal with hazardous dust, vibration, noise, etc. Discussion ensued and several board members agreed that the approval should simply include advisory language regarding the need to comply with State and Federal requirements for demolition of older buildings with possible asbestos.

Zoe W. **made a motion to close the public hearing and accept the draft decision (approval) as amended**. Dennis P. **seconded the motion**. The Board voted **7-0**.

Town Recreation Fields – Final Reviews – Subdivision, Site Plan, Conditional Use (2)
Trevor Lashua, Town Administrator, presented the applications on behalf of both the Town and the landowner (Haystack Crossing LLC; Bissonette Family). The applicant is seeking the following four final approvals for a new Town recreation field area:

- Subdivision Final Plat for a two-lot subdivision
- Site Plan for the municipal recreation area
- Conditional Use for development in a stream buffer area
- Conditional Use for development in a flood hazard area

The subject parcel is approximately 84.5 acres, and is located on the west side of Route 116, south of Shelburne Falls Road and north of Patrick Brook; parcel # 16-20-56.500. The property is located in two zoning districts. Approximately 39 acres on the eastern side is in the Village Northwest zoning district, with the remaining 45 acres to the west in the Agricultural zoning district. The property is largely undeveloped with the eastern half comprised of agricultural fields, and the western half comprised of woodland. The parcel to be subdivided is lot 4 from the 2011 4-lot Bissonette subdivision (approved plat recorded on slide #191A). The Applicant proposes to create a new 8.11-acre lot on the western edge of the agricultural fields, which will be improved for municipal recreation fields and related infrastructure. This new lot is numbered as lot 5, and is entirely within the Agricultural zoning district. With the exception of an access road to lot 5, this application proposes no new development on the retained land (lot 4). With that said, there has been coordination between the Applicant and Black Rock Construction regarding Black Rock Construction's conceptual-level proposal for extensive development on the eastern side of lot 4.

Three recreation fields are proposed – two large rectangular fields suitable for a variety of sports (e.g., soccer, football, lacrosse, etc.) and one baseball/softball field. Supporting infrastructure includes: an access road from Shelburne Falls Road; a 77-space parking lot; a 10-space overflow parking area; a multi-purpose building (e.g., equipment storage, restrooms, concessions, etc.); a playground area; landscaping; drainage.

Subdivision Review:
Trevor Lashua clarified that the multi-use building shown on the plans would likely be built later (as funding allows), and that in the interim, two portable restrooms would be placed in the same general vicinity as that future building. Greg W. asked which portions of the project and related infrastructure would be installed first. Trevor Lashua said that the first phase will include the access road, parking area, and the two multi-use fields. The baseball field, the multi-use building (restrooms, concessions, equipment storage, etc.), and the playground would be installed later as funding allows.

Roger Kohn (attorney, drafting deed language for the Town) noted that the attorney for Haystack Crossing LLC (Joe Fallon) had recently submitted draft legal language for the irrevocable offer of dedication and temporary trail easement. Roger Kohn addressed the Town's disposition with regard to road maintenance and sharing provisions for the access road. He said the Town is not interested in joining the previously established Haystack Crossing road association. He said the draft deed language spells out a reasonable method to achieve shared road responsibility, and that this has been agreed to by attorneys for the various parties (e.g., Haystack Crossing LLC, Fletcher Allen Health Care, Cairns). The deed language indicates that the specifics of the shared responsibility will be determined at a later date by all parties, but that the responsibilities will be shared in a reasonable fashion. He also explained the

utility easement and water/wastewater easement on lot 4 for the benefit of lot 5. The water/wastewater easement location is to be determined. Alex W. indicated that it is not shown or noted on the plat, and should be noted as a floating easement.

Discussion ensued about the request to allocate one dwelling unit of development potential to the recreation field lot, even though the deed will restrict the Town's usage of the property to recreation fields. Peter E. explained that Haystack Crossing LLC is seeking to gift lot 5 to the Town, and that assigning a dwelling unit of future development potential may allow the value of that gift to be higher.

Peter E. explained his concern that the access road specifications in the plans may be more than what is necessary, and therefore may result in unnecessary expense for the project. Doug Henson (project engineer for the Town, Lamoureux & Dickinson) said that the road specifications he prepared are recommended for this site, and are the same as what he would recommend for a subdivision on similar terrain/soils. With that said, he indicated that the amount of gravel could be reduced from 24" to 12" if desired, with the understanding that the road may experience issues under heavy traffic (especially truck traffic). There was discussion of possibly using 12" of gravel initially, and adding more if issues arise.

Peter E. noted that underdrains are not proposed, and that these were required for the initial portion of the road that was constructed to access Hinesburg Family Health (Fletcher Allen property). Doug Henson said that underdrains aren't necessary for this gravel access road, and that they could be added later (along the sides of the road) if deemed necessary for future development on lot 4. Dick J. noted that the concern he raised during the preliminary review was about full construction of the road base (to account for possible future development) only from Shelburne Falls Road to the stream crossing – i.e., where the road location is fixed and won't be changed by future development plans.

Peter E. reminded the Board about the issue noted in the staff report regarding the need for a minor design change to accommodate pedestrian access (path, sidewalk, etc.) from the access road around the southern end of the parking area into the interior of the site. Without this, pedestrians enter the site at the entrance to the parking lot where there is a lot of traffic conflict. Several Board members agreed that this should be addressed.

Site Plan Review:
Zoe W. asked whether there was a need for parking lot lighting to account for use of the facility near sunset. Trevor Lashua and Doug Henson said that no field lighting or parking lot lighting is proposed, and that they understand additional DRB review would be needed if any was proposed in the future. Doug Henson pointed out that the three islands in the parking lot are sized and landscaped to allow for future pole-mounted lights. Jen McCuin said field and parking lot lighting are not needed per the Town's existing understanding of the use and demands of the future recreation fields.

Tom Ayer noted that the landscaping budget is actually higher than the minimum spending requirement outlined in the regulations per the overall project cost. Andrea Morgante noted that the actual cost of the landscaping will likely be less than what was presented in the cost estimate. Greg W. said that the project will have to comply with the landscaping plan, but could certainly come in under the estimated landscaping budget. Peter E. cautioned that proper nursery stock plantings will be required.

Peter R. read an email recently received from the Hinesburg Fire Chief (Al Barber) regarding the need to have emergency vehicle access to the fields. Doug Henson proposed accommodating this via the

pedestrian path at the southwest corner of the parking lot. Kyle Bostwick asked about the playground area.

Stream Buffer Review:
Doug Henson explained the history of the existing culvert at the stream, which was installed when the Bissonette family put in the water/sewer line in 2011-2012. He offered to verify with the original project engineer (Trudell Consulting Engineers) the adequacy of the culvert with regard to handling large stormwater flows. He also offered to do a detail plan of erosion control, stormwater control, and plantings in the buffer area to supplement the overall erosion control plan shown on sheet 8.

Andrea Morgante asked that the culvert evaluation take into account increased impervious surface from the planned Route 116, CVU Road intersection improvement.

Flood Hazard Review:
Alex W. explained that no staff report was prepared on this application because the project only impacts a small amount of flood hazard area at the western edge of the fields. No structures are proposed in this area, and there will be no net fill - i.e., no impact to flood storage capacity. He also indicated that the application was reviewed by the State floodplain personnel with no issues raised. Doug Henson verified that within the flood hazard area, materials will be removed and replaced (for better base soil for the field), but there will be no increase in net fill.

Zoe W. **made a motion to continue the public hearing on these applications to the December 2 meeting**. Greg W. **seconded the motion**. The Board voted **7-0**.

Other Business: None. Zoe W. noted that there will be no deliberation on the Galiga, Janda 2-lot subdivision sketch plan decision (hearing closed on 11/4) because staff is still working on the draft decision.

The meeting adjourned at 9:20pm.

Respectfully submitted,
Alex Weinhagen, Director of Planning & Zoning