

**Town of Hinesburg  
Development Review Board**

**July 21, 2015**

Approved 8/4

Board Members Present: Dick Jordan, Dennis Place, Andrea Bayer, Ted Bloomhardt. Sarah Murphy, Kevin Cheney, John Lyman. Members Absent: Greg Waples.

Representing Applications: Bill Maclay, Peter Lazorchak, John & Laura Lomas, Kathleen Carty Couture, George Bedard,

Public Present: Butch Holcomb.

Also present: Alex Weinhagen (Director of Planning & Zoning) and Freeda Powers (Recording Secretary).

Dennis P. chaired the meeting, which was called to order at 7:31pm.

**Public Comments for Non-Agenda Items:** There were none.

There were no changes to the Agenda.

**Minutes of 6/2:** Ted B. made a **motion to approve as amended the minutes of 6/2/15.** Sarah M. **seconded the motion.** The Board voted 7-0.

**Minutes of 6/16:** Ted B. made a **motion to approve as submitted the minutes of 6/16/15.** Sarah M. **seconded the motion.** The Board voted 7-0.

**Dam:** Revision to Previously Approved Subdivision Final Plat—(Ct'd from 10/21, 12/16, 2/03, 3/17 & 6/2). Bill M., Peter L., and George B. represented this application. They showed the Board revisions to their submission. They showed elevation maps to demonstrate visibility. The property, at just over 500' elevation, has limited view corridors to it. They showed a series of photos taken from Gilman Road to show where the proposed houses will be (screened by existing trees). The site concept rendering also showed an existing buffer of dense pines and a meadow which are to remain. In general, they said, the revisions result in smaller building lots and additional solar envelopes. The proposed hedgerow will also be maintained along the roadway. The applicants reviewed the benefits of their revised proposal: increased screening, improve one of the proposed storm water detention ponds into a rain garden design, solar access, restoring VT meadow aesthetics, management of invasive species. The applicants will maintain their existing stormwater strategy. The applicants have withdrawn their request for "Street Lighting" and also request relief from the general term "*regeneration of mature forest*" as it applies to the land within each individual lot that is outside of their approved building envelopes.

Changes to Lot 1 include a smaller lot size in order to increase connectivity of the meadowland. They have identified existing trees to remain and proposed densified buffer, addition of a solar envelope to the south/west of the house site.

Changes to Lot 2 include an additional 49 trees to fortify the existing vegetation and to increase the buffer between it and the adjoining parcel. The new building envelope has been moved to the north in

order to increase the solar access. The existing swale will be deepened and slightly relocated to the west and extended to improve existing runoff.

Changes to Lot 3 include moving the building envelope to the north. The applicants note that this is a densely vegetated lot as is.

Lot 4 is located on the uphill side of the road and the applicants note that there are no proposed changes to the rear setback. The building envelope is adjusted to the east and a solar envelope is added to the west side.

Changes to Lot 5 include a reduction in the building envelope size, now located in the southerly portion of the original location and addition of a solar envelope to the south and west. The applicants have also identified existing trees to keep on Lot 5.

Ted B. asked for clarification on the plans for storm water. Peter L. said the proposal meets the state criteria and maintains the natural hydrology of the site. There are 3 areas which are natural drainage swales; the proposal includes 3 detention ponds (now 2 ponds & 1 raingarden) and 3 culverts will be installed. The applicants also acknowledge that some culverts will be needed under some of the proposed driveways. There are no changes to their overall storm water strategy. They have been in conversation with Butch Holcolmb regarding a swale that catches runoff on the Dam property and discharges into a pond on his property. They have agreed to enhance the drainage to lessen ponding and overflow into his swale. A single pipe discharge will be at each of the 3 proposed ponds. These will then disperse through a level spreader to achieve proper sheet-flow.

Kevin C. asked about any anticipated impacts of the detention pond on Lot 3 to the proposed solar envelope on the same lot. The applicants felt that there would be no negative impact one on the other, that in fact they may both be enhanced by the open space created.

The applicants noted that plans include planting trees approximately every 25' between homes (every house is to have a min. of 2 trees).

Ted B. asked about the distance between Lot 1 and the adjoining neighbor. The applicants said approximately 75'.

George B. spoke to the potential for transplanted trees from the site vs. nursery stock limitations.

Sarah M. asked about the proposed solar envelopes. The applicants said the regulations encourage solar use. Sarah M. said they seem to be far from the houses for that. The applicant said the purpose is to increase solar access and minimize shading. The owners are not required to keep the areas clear but it gives them the option to do so. Alex W. added that these solar envelopes are similar to what the Town has done in the past with Forest Clearing Areas.

Ted B. asked for clarification with the proposal for planting trees within the existing hedgerow (specify species selection, etc.). Alex W. suggested the applicant identify a suite of species and minimum size. The applicant said they can submit that. Dennis P. asked if the trees on each lot will be the responsibility of the lot owner or the association. George B. said the trees in common and open spaces will be the responsibility of the association; any trees on individual lots will be the lot owners responsibility.

Dennis P. opened discussion to the public.

Butch H. spoke from the audience, asking about the 100' buffer on the plans between his property and Lots 2 & 3. The applicant said it will be actually more than 100' in some places.

The applicant said they will modify the association language to reflect the home owners landscaping responsibilities.

Ted B. made a **motion to close the public hearing and take up in deliberative session.** Dick J. **seconded the motion.** The Board **voted 7-0.**

**Couture:** Conditional Use for Expansion to a Non-Complying Structure in a Stream Setback Area.

Kathleen Carty Couture represented this application for a 14' X 24' deck addition to the north side of an existing home. This application does not increase the existing non-compliance of the structure. There was a draft decision before the Board. Dick J. said the stream setback area is intended to protect homeowners and their property. He asked that the applicant consider deck design in terms of run-off when they construct. Ted B. said the application seems to meet the standards.

Ted B. made a **motion to close the public hearing and approve the application.** Dennis P. **seconded the motion.** The Board **voted 7-0.**

**Weimersheimer:** Conditional Use for an Accessory Apartment in a New Accessory Structure. Peter W. represented this application which seeks to erect a building to be used primarily as a wood shop with storage for a tractor and equipment. The upstairs will be finished with a bed, bath and small kitchen as a place to stay for family, etc. The applicant has already got the proper state water permit. The Board acknowledged written submissions from Nancy Dyer and Bruce Dumelin in support of this proposal. The Applicant said the proposal meets all size requirements and will meet all standards regarding the Division of Fire & Safety. There was a draft decision before the Board, which was amended to reflect the correct address of the parcel.

Dennis P. **made a motion to close the public hearing and approve as amended the draft decision.** Sarah M. **seconded the motion.** The Board **voted 7-0.**

**Green Street LLC:** Subdivision Plat Minor Reivision. Alex W. explained to the Board that this was a revision to the wording only, to reflect additions of paths, sewer easements etc. Ted B. **made a motion to approve the revisions to the plat.** Dick J. **seconded the motion.** The Board **voted 7-0.**

**Lomas:** Sketch Plan for a 2-Lot Subdivision. Andrea B. recused herself from this application review as she is close friends with the applicants. John & Laura Lomas represented this application, which seeks to subdivide an existing 21.6A parcel into Lot 1; 18.6A with existing house and Lot 2; a 3A building lot. The proposed driveway for Lot 2 will be off Weed Road where Paul List currently has his gate.

Dennis P. said it will be important to be clear about the Weed Road Association and who is required (or if at all) to join it and also asked about visibility of the driveway to Weed Road.

Dick J. asked about potential further subdivision potential. Alex W. said no, this will be the final subdivision for this parcel.

The applicants explained that funding fell short this year for delineation and reclassification of the wetlands on site and therefore their plans for the wetland easement are at this time on hold.

Sarah M. suggested the applicants also consider a smaller parcel for Lot 3 in order to maintain and preserve their Current Use enrollment status. Alex W. reminded the Board that their Current Use enrollment as it relates to this application is the Applicants' risk solely and not the Boards' concern.

The Board acknowledged a written submission from Patrick Grangien, a neighboring land owner, who asks that the Applicant address agricultural runoff from the cows currently being kept on the parcel. Dennis P. noted that Ag Use is above DRB review. Alex W. said the Town is working to connect the Applicants with the Agency of Agriculture to address the issue. The Applicants acknowledged the problem and said they would like in the future to get out of the Current Use program altogether and reestablish the land as a functioning wetland.

The Board made some editorial changes to the draft decision before them. Ted B. **made a motion to close the public hearing and approve as amended the draft decision for approval.** Dennis P. **seconded the motion.** The Board **voted 6-0.**

**Other Business:** Alex W. said the Town is making progress on hiring in all positions. There may be some DRB scheduling changes for the month of August. NRG has requested a continuance of their application to a later date in September.

Ted B. **made a motion to adjourn.** Dennis P. **seconded the motion.** The Board **voted 7-0.** The meeting adjourned at 9:23pm.

Respectfully submitted,

Freeda Powers, Recording Secretary