

Town of Hinesburg
Development Review Board
January 19th, 2016
Approved 2-2-16

Members Present: Dennis Place, Ted Bloomhardt, Andrea Bayer, John Lyman, Dick Jordan, Greg Waples.

Absent: Sarah Murphy.

Representing Applications: Alan D. Norris, John & Julie Eastman, Ted Bloomhardt.

Public Present: A.W. Harris, Nancy Anisfield, Terry Wilson, Theora Ward, George Bedard.

Also present: Freeda Powers (Recording Secretary) and Annie Geratowski (DRB Coordinator).

Dennis P. chaired the meeting, which was called to order at 7:32pm.

Agenda Changes: There were no changes to the agenda. There were no non-agenda items to discuss.

Minutes: Dennis P. made a **motion to approve as amended the minutes of 1/5/15**. Greg W. **seconded the motion**. The Board voted **6-0**.

John & Julie Eastman: Sketch Plan Review of a 2-Lot subdivision of their 11.2 acre property located at 324 Sherman Hollow Road in the RR2 district. Lot 1 would be 4.3a and include the existing house and Lot 2 would be 6.9a and include a proposed house site.

The Board viewed parcel maps. The applicants have submitted this application due to the new regulations and their available window to subdivide their land. They may be inclined to build a smaller house in the future and down-size. The original sketch plan discussed the proposed house site which the applicants recognize is in close proximity to wetlands. They can see land closer to the NE corner that would be drier. The pond is there year round. Staff comments were acknowledged. The Board wanted to know if the area was steep off Sherman Hollow. The Applicant said no. Greg W. said the map shows 15-25% slopes where the driveway is located. Dick J. said the driveway could go up by the NE to reduce the grade concern. Greg W. asked if Mike Anthony (the road foreman) had been consulted yet on this application. The applicant said no. Annie G. said that input would likely come at Final review. There was some discussion about grade standards in driveways. The Board believes there is a limit between 10-16% and anything steeper than that likely requires an engineer.

Dick J. noted Map 2 and asked if what he was seeing were small structures. The applicant said they were in fact wood piles; mostly made up of storm debris.

Dennis P. asked about the wetland delineation. Greg W. said that might have an impact on the driveway location. George Bedard spoke from the audience saying it behooves the Applicant and the Board to have that wetland delineation done with the state early in the process. He reminded the Board and the Applicant that wetlands are not necessarily all mapped as such anymore and it is important to have the state survey the area to confirm and ascertain the true wetland delineation on any given parcel. The

Board felt it would be prudent to allow the Applicant some time to have this done (state can only do this once spring has come).

Dennis P. **made a motion to continue the hearing to 7/19/16.** Andrea B. **seconded the motion.** The Board **voted 6-0.**

Ted & Carol Bloomhardt: Sketch Plan Review of a 2-Lot subdivision of their 10.1 acre property located at 1381 Silver Street in the Ag District. Lot 1 would be 4.5a and include their existing home and buildings and Lot 2 would be 5.6a including a proposed house site accessed from a right of way (ROW) over Lot 1.

Ted B. recused himself from this discussion as a board member.

The current driveway, house and garage were noted on parcel maps. The Board also noted a change in elevation between the two proposed parcels of the lot. There you find a steep and rocky area/outcropping, Ted B. said, and from there the field is open with SE views of Mount Abraham. Greg W. said the driveway seems close to the southern lot border. Are there slopes there? Ted said yes, gradual slopes to the field which is flat below and which drains eventually to a culvert to the south. Greg W. asked if there are any concerns with potential storm water runoff impacts due to the new impervious surface (to the Cassidy property specifically). Ted said no, as the water will collect and runoff as it naturally does. He does not feel this is an issue of concern.

Dick J. noted solar collectors on the site map. Ted said that area is graveled and the access to them is graveled. He agreed that he could in fact use that as part of the driveway and revise the proposal as such.

Dennis P. asked about the building envelope remarks in the staff comments. How does the Applicant feel about this? Ted said he does not have a problem with putting a building envelope on what would be Lot 1 (the existing house and garage) but is not sure what the purpose would be and he would want it to contain the other outbuildings as well. He said the front yard is mowed grass and is not really of any real Ag use as it is. Dennis P. said he is also not sure about adding building envelopes to preexisting lots. He personally does not recommend it. Greg W. said he does not see the need either.

Dick J. said there is the potential for issues with storm water runoff with the 90degree turn in the proposed driveway. Ted said there is the possibility for a detached garage at that area. He said he would be sure to allow access for emergency vehicles, etc.

Dennis P. asked if the applicant had a storm water control plan. Ted B. said he will need to run the numbers to see if this project will even trigger the need for one; if he does need one he will provide one. Dennis P. opened the discussion to the public.

Terry W. spoke, as an adjoining landowner, he asked about the proposed house site distance to his property line. Ted B. estimated it at 50'. Terry W. voiced his concern with possible view intrusion from his home. Ted B. said he currently has no plans to sell or develop the lot. He will of course, take into consideration, Terry's' concerns and offered to walk the area with Terry to attempt agreement at an amicable location site.

Terry Harris spoke from the audience, as a neighbor to the south, he said he has a covenant not to build beyond X' from Silver Street and wondered if Teds' deed also held such language. Ted said no. Greg W. said that covenants are like private rights and are not enforced by the Board.

George B. spoke from the audience, regarding the building envelope issue on the existing home and structures; this is a perfect opportunity for the Board to decide how it will address this issue for consistency. Also, he said, there are a lot of hydric soils on the parcel to the south. The state, he said, might actually consider that area wetland. This should be determined. Elements of storm water will need to be addressed on the Applicants land prior to its travel onto and across neighboring lands. The ANR website is a great resource, he encouraged the Applicant and others to use it.

Greg W. said there is no evidence before us of wetlands on this property. George B. cited a previous application (Carrins) for reference here. Again, he said, it would be beneficial to the Applicant to have clear wetland delineations done. Dennis P. said any good engineer would look at a site in terms of soils etc. in his determination of the build ability of that site. George B. said it is no longer a guarantee that an area is not protected by the state just because it is not mapped as such. This, he said, has become a slippery slope in wetland delineation.

Dennis P. said he does not want to force any applicant to do this; we recommend it in terms of assisting the applicant. Greg W. said what burden do you want on the applicant, George? George B. said the Applicant should be calling the state rep, having them come out to the site and do a report. The Board discussed the issues with this; hydric soils are not a protected resource in this district and the state won't do delineations in the winter months. Alan N. spoke from the audience, saying he thinks that George has a good idea here. Greg W. said it is not required for any applicant by him. Dick J. agreed.

Greg W. made a motion to close the public hearing and direct staff to draft conditions of approval. Dick J. seconded the motion. The Board voted 5-0.

Alan & Nancy Norris: Revision of a Final Plat approval to remove a condition of approval for their 23.6 acre property located on the west side of Rte. 116 at the southern edge of the village in the RR2 and Ag districts. The applicant is requesting that the condition prohibiting site work until water is available be removed since a new water system, with committed capacity to the planned unit development, will be on line in July 2016.

The Board and the Applicant discussed the Towns' success in locating new wells with 260gpm. There will be no foundation pouring at this time; the Applicant said only the driveway, underground utility lines, fill, storm water ponds and associated vegetation will be installed at this stage.

Dennis P. made a motion to approve the application. Andrea B. seconded the motion. The Board voted 6-0.

Greg W. made a motion to go into closed deliberative session. Dick J. seconded the motion. The Board went into closed deliberative session at 8:36pm.

The meeting adjourned at 8:50pm.

Respectfully submitted,
Freeda Powers, Recording Secretary