

**Town of Hinesburg**  
**Development Review Board**  
**May 3rd, 2016**  
*Approved 5/17*

Members Present: Dennis Place, Ted Bloomhardt, John Lyman, Dick Jordan, Greg Waples, Sarah Murphy. Rolf Keilman arrived at 7:34pm.

Representing Applications: Brett Grabowski, Torry & L. Tucker, Gary & Mary Thibault.

Public Present: Renate B Parke, Awayne Schwab, Kyle Bostwick, Derek Siegler, Michelle Fischer.

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:** The Board agreed to move Agenda Item #5 to #1. There were no public comments for non-agenda items.

**Minutes:** Greg W. made a **motion to approve as written the minutes of 4/19/16**. Dennis P. **seconded the motion**. The Board voted **7-0**.

**Torry & Daniel Tucker:** Sketch Plan review of a 2 lot Subdivision of a 2.16A property located at 56 Pond Road in the RR 1 zoning district. Lot 1 would be 1.16A and include the existing barn and Lot 2 would be 1.0A and include the existing house.

Torry Tucker presented this application to the Board for a subdivision. He voiced his concerns with impacts from a proposed future sidewalk on Richmond Road. Dennis P. said the town road foreman said the former driveway on Richmond Rd. was taken out on Richmond Road and that a new curb cut would not be reinstated. Therefore, he said, any potential sidewalk is not an issue.

Potential utility pole sites were noted on the parcel map. The Board reminded the Applicant that utility lines must be underground.

Annie G. encouraged the Applicant to be mindful regarding the driveway ROW in relation to Lot 1 acreage (1A) and setbacks as this is a tight space. The Applicant said they have Warren Robinstein as their surveyor and that he will be sure to note that. Ted B. asked how the Applicants came to the total lot acreage of 2.16A. The Applicant said the property had been surveyed back in 1982.

The lots would both be served by town septic. There should be adequate water capacity.

Dennis P. opened discussion to the public. R. Parke spoke from the audience, saying she was just here to better understand the proposal. A Wayne Schwab spoke from the audience, asking to have all barns pointed out on the parcel map. There were a total of 3 barns noted.

Dick J. asked about utility access. Annie G. said the applicants will have to draft deed language to acknowledge this.

**Ted B. made a motion to close the public hearing and direct staff to draft conditions of approval. Greg W. seconded the motion. The Board voted 7-0.**

**Estate of Arlene O'Neil:** Preliminary & Final Plat Review for a 3-lot subdivision of a 235 acre parcel located on the west side of Leavensworth Road and the south side of O'Neil Road in the Ag District. Lot 3 would be 6.75A and include a proposed house-site for a four-bedroom single family residence. Lot 4 would be 13.11A and include a proposed house site for a four-bedroom single family residence. Lot 5 would be 215A and would continue being used for Ag purposes.

Annie G. said that the Applicant has requested a continuance. The Board agreed.

**Greg W. made a motion to continue the public hearing to 5/17/16. Dick J. seconded the motion. The Board voted 7-0.**

**The Applicant for the next agenda item was still not present. Sarah M. made a motion to amend the agenda by moving Agenda Item #4 to #6. Dennis P. seconded the motion. The Board voted 7-0.**

**Gary & Mary Thibault:** Sketch Plan review for the revision of a previously approved 6 Lot Subdivision located to the southwest of the Burritt/Baldwin Road intersection in the Ag District. Lot 1 would be approximately 4A and include the existing building envelope. Lot 2 would consist of the remaining 10+A and would be used for agricultural purposes and possibly include a house site.

The Applicants outlined their proposal for a 2 Lot subdivision. They are proposing a smaller building envelope on Lot 1 and make the lot primarily Ag land. They would like to sell Lot1 at some point in the future. On Lot 2, they would like to have a barn which they could reside in while they ultimately fulfill future plans for a family home on Lot 6. They expressed their strong desire to see Lot 2 remain in active Ag use and noted it is partially enrolled in the states' Current Use program. (Lot 1 is also enrolled in Current Use through primarily Forestry Management). Greg W. said while he understands that this proposal is permissible at this time, his density concerns from previous review of this proposal remain. He also reminded the Applicants that if they wish to reside in the barn, they will likely need to have septic there as well. The Applicants said it would be possible and noted that all septic will be located on Lot 6. Greg W. sited the topography of the site, the barn appears to be on a high point of about 50' and voiced his concerns with the prominence of the structure and potential overbuilding the site. The Applicants reiterated their strong desire to retain the open land.

There was a discussion regarding the definition and use of a barn vs. house. The Board expressed to the Applicants that if they request a house site (in which to live in the barn) they should be aware that in the future, once the land is sold, future owners would be allowed to tear down the barn structure and put up a single family home if they chose. The Applicant can put language in the deed. There was some question of the Boards ability to adopt deed language restricting development on Lot 2. Ted B. proposed applying the provision for farm housing in Section 5.2.5.

Dick J. inquired on the placement of the building envelope. The Applicant said they feel the proposed envelope is the best site on the parcel as it hides the structure from the existing Quackenbush home.

Greg W. proposed continuing the public hearing. The Applicant was amenable to this. Greg W. made a motion **to continue the public hearing to 6/7/16**. Ted B. **seconded the motion**. The Board **voted 7-0**.

**Hinesburg Center, LLC/David Lyman Phase II:** Preliminary Plat review for the 46A of undeveloped property commonly referred to as Hinesburg Center Phase II. The Preliminary Plat application includes 25+ lots, 69 dwelling units, 13,400 sq. ft. of commercial space and open/green space. Property located to the west of Kinney Drugs and north of Farmall Drive in the Village and Ag Districts. Hearing ct'd from 10/6/16.

John L. recused himself from this discussion.

Brett G. presented this application to the Board. He acknowledged that the Town has earmarked 3 additional locations for potential water sources; one of them being on the Lyman property. He is asking the Board a continuance as he works with the Town in its efforts to locate and fund new wells. Annie G. clarified that there is no current water schedule or guarantee and advised the Board and the Applicant that this application is likely to see further continuances. Dennis P. **made a motion to approve a 6 month extension to continue the public hearing on Nov. 1<sup>st</sup>**. Dennis P. **seconded the motion**. The Board **voted 6-0**.

**Other Business:**

- Ted B. **made a motion to approve a 6 month extension for the Frances decision**. Dennis P. **seconded the motion**. The Board **voted 7-0**.
- Greg W. encouraged the Select Board to adopt On the Record Review and clarified that the State does allow selective application. VLCT has additional information on this; staff will look into.
- Black Rock has appealed the Boards denial decision.
- John L. suggests that going forward, the Board be clear with regulations in decision language.
- The Select Board did adopt the Waste Water Ordinance last night. Details are not known at this time.

Greg W. made a **motion to close the public hearing and go into deliberative session to discuss the O'Neil decision**. Ted B. **seconded the motion**. The Board **voted 7-0 and entered deliberative session at 9:04pm**.

The Board came out of deliberative session and adjourned at 9:23pm. The Board approved the following decisions: the Board approved the O'Neil 2-lot final plat application 5-0.

Respectfully submitted,  
Freeda Powers, Recording Secretary