

**Town of Hinesburg**  
**Development Review Board**  
**May 17th 2016**  
*Approved 6/7*

Members Present: Dennis Place, Ted Bloomhardt, John Lyman, Dick Jordan, Greg Waples. Sarah Murphy arrived late.

Public Present: Ed Sengle, Robert Millikin, Robin Edelman, David Haber, Cheryl Park Kupersmith, John Niles, Elizabeth Niles, Charles Niles, Lars Cartwright, Michael Kupersmith, W.L. Dennison, Joe Donegan, Sylvia Geiger, Paula Brennan, Al. Cleary, J.H. Stuart. Henry M.

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

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

**Agenda Changes:** The Board agreed to delete discussion on Trevithick in “Other Business”.

**Minutes of 5/3:** Greg W. made a **motion to approve as amended the minutes of 5/3/16**. Ted B. **seconded the motion**. The Board **voted 5-0**.

**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. (Ct’d from 5/3).

Stormwater drawings and text were submitted. The Board acknowledged new soil and drainage maps as well as written submission from Cheryl Park Kupersmith. Soil maps indicated dense clay as well as some areas of good soils. Shallow ledge and ridge were also noted. Drainage areas on Lot 3 & Lot 4 will be 1.61A and 3.73A. Flow numbers were looked at, and show no change in erosion with grassy swales on site. Per Section 6.6.2 #4 of the new regulations, it will be scheduled for inspections. Storm water infrastructure is typically inspected annually. The Applicants feel that homeowners are capable of doing this and reporting. A minimum of stormwater runoff from the site has been the goal.

Greg W. asked if self-reporting is realistic. The Applicant feels that it is. Ted B. said there is a lot of bureaucracy to reporting such a minimal stormwater infrastructure manually for something of minimal impact. The Applicant said they could go 5 or 10 years. Greg W. said the Board can condition approval in the case that negative impacts downstream are found, the Applicant must address them.

The Town Road Foreman is ok with the turn-around where it currently exists. The Class 4 portion of the road up to the Lot 4 driveway will need to be upgraded to class 3 standards. Class 3 roads must be 18’ wide. The Applicant will have to speak with the Selectboard if they wish to request a waiver for this. The Class 4 portion of the road is currently about 10-12’ wide. The Board and Applicant agreed that 18’

seems excessive in this case to serve one home and the Applicant will take their request for a waiver to the Selectboard. The other option would be to relocate the driveway.

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 6-0**.

**Nancy Jenkins:** Final Platt Review for a two-lot subdivision of a 10.0A property located at 249 Leavensworth Road in the Ag District. Lot 1 would be 2.21A and include the existing house. Lot 2 would be 7.83A and include a proposed house site, two existing barns and other structures.

The Applicants said they will be taking 20' off the existing barn in order to meet setbacks. The Applicant showed the new driveway, to serve Lot 2 and the silo. The existing driveway is to be discontinued, scarified and reseeded. The Applicant is amenable to removing the existing culvert if the Board should require it, but noted that the west side of the driveway is very stable, and removing the culvert will not change runoff and it could remain without negative impacts. Dick J. said removal of the culvert may improve the roadside ditch. Greg W. said he is in favor of removal of the culvert.

Dennis P. opened discussion to the public.

Landon Dennison spoke from the audience, saying the upper portion of the driveway frequently washes out in storms and he encouraged attention to storm water runoff.

Robert Miller spoke from the audience asking why it was necessary to place the property line in such a way as to require removal of part of the barn. Ted B. explained the setback requirements. Robert M. voiced his concern with site line of the new proposed driveway near the crest of the hill. Greg W. said that the Applicant was placing the driveway to the west to improve the site distance. The Applicant confirmed this, adding that the town Road Foreman mandated the new driveway location as well. Robert M. suggested moving it to the east to avoid the existing wetlands also. Ted B. said if a better location for the driveway is found, they can Condition that.

Sarah M. asked the Applicants if the exiting barn has a basement. The Applicant said no, it is on a slab which will likely also be removed (20').

Allison Cleary spoke from the audience, asking the Applicant the age of the barn. The Applicant said it is from the 1800's. Allison C. encouraged the Applicant and the Board to consider the impact to the rural character of the area.

Landon D. spoke again, saying he is happy with the driveway where it is proposed.

The Applicant said that Lot 1 would be put up for sale immediately. He would like the Board to condition the removal of the 20' portion of the barn (and slab) to take place at the time of development of Lot 2 in the future. The Board explained that they could not render an approval which creates a nonconforming situation.

Greg W. made a **motion to close the public hearing and direct staff to draft conditions of approval**. Dennis P. **seconded the motion**. The Board **voted 6-0**.

**Stephanie Spencer & Rolf Kielman:** Sketch Plan Review of a 2-Lot subdivision of a 21.4A parcel located on Turkey Lane in the Ag District. Lot 1 would be 18.4A and remain forested. Lot 2 would be approximately 3A and include a proposed house site accessed from Turkey Lane.

Greg W. noted that the Staff Report has reversed Lots 1 & 2. Annie G. agreed to revise.

Greg W. asked for clarity around the density allocation of this property. The Applicant said there is one house on Lot 2. The remaining 18.4A is in a conservation easement.

The Applicants are talking about merging Lot 1 with adjoining property they own to the south to address Access Requirement concerns. They have spoken with neighbors to the north (Habers) about the possibility of a shared driveway for Lot 1.

Dennis P. opened discussion to the public.

David H. spoke from the audience, with his wife Robin. They are neighbors to the northwest. They ask for provisions for aesthetics, privacy, impacts to property value and character of the neighborhood. It seems to them that the way review is handled and regulations are written, it favors a person to disrupt an area and neighbors have no means to address concerns in an actionable way. This is just an aside, they said. In terms of this proposal, they have concerns with the potential impact to their well and want assurance of no negative effects. Dennis P. explained that well shields etc. must be respected and assured them that engineers are required to meet state standards for this. David H. voiced concern with impacts to natural habitat and local species. Annie G. said the state maps do show bat habitat however there is not a large area of tree clearing in this proposal. Robin H. inquired on procedure and the limitations on legal submissions. Annie G. explained the procedure to her and told her that written submissions on proposals must be received by the close of the public hearing and that verbal comments such as rendered tonight are as valid as written comments and are part of the record.

Greg W. made a **motion to close the public hearing and direct staff to draft conditions of approval.** Dennis P. **seconded the motion.** The Board **voted 6-0.**

**St. Jude's Catholic Church:** Site Plan Review for exterior lighting at the 1.87A property located at 10759 Rte. 116 in the Village District. The Applicants propose adding two lights to the parking area.

Henry M., facilities manager, presented this application to the Board, requesting to add 2 new lights to the parking area to compensate for the lower light cast by the single existing light which was recently upgraded and no longer provides the same coverage.

Greg W. noted that there were several aspects of the original site plan that had not been implemented and encouraged the Applicant to consider remediation. The Applicant said there are two areas previously noted for parking on the site which are now green space. Annie G. said that the site appears to be functioning as is and suggested some remediation with plantings around the sign. The Applicant said that in their experience, plantings along the sidewalk die due to salt. They noted the existing trees and said there is little room to include new plantings in that front area. Ted B. said he is ok with the request for additional new lighting. He is ambivalent about screening the parking lot.

Dennis P. opened discussion to the public. There were no questions or comments.

John L. said he feels the site is good as is. Annie G. said she now agrees having observed the trees on the site map and rethinking the space available.

Greg W. voiced his disappointment in the ongoing failure to fulfill the original plans, but said he is ok to approve tonight's request for additional lighting.

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 6-0**.

**Other Business:**

\* Water Matters Part II May 24<sup>th</sup>, all invited.

\* Spring Planning Forum in June by VLCT at Lake Fairlee.

\* Re: On Record Review; the Board agreed to let Staff put this as an agenda item on their next meeting.

\* Douglas and Pamela Ford: 6-Month Extension of a Sketch Plan Approval—Greg W. made a **motion to approve**. Sarah M. **seconded the motion**. The Board **voted 6-0**.

\* Brenda Farrington: 6-Month Extension of a Sketch Plan Approval—Dennis P. made a **motion to approve**. Greg W. **seconded the motion**. The Board **voted 6-0**.

Greg W. made a **motion to close the public hearing and go into deliberative session**. Dennis P. **seconded the motion**. The Board entered deliberative session at 9:07pm.

Respectfully submitted,  
Freedra Powers, Recording Secretary