

Town of Hinesburg
Development Review Board
October 18, 2016
Approved November 1, 2016

Members Present: John Lyman, Dennis Place, Sarah Murphy, Rolf Kielman, Ted Bloomhardt, Dick Jordan arrived at 7:32 pm, Greg Waples arrived at 7:32 pm

Members Absent: None.

Representing Applications: Rocky Martin, Gail Henderson-King, David Kelsey, Ben Avery

Public Present: JT Burke, Joe Bissonette

Also Present: Dawn Morgan (Recording Secretary), Alex Weinhagen (Director of Planning & Zoning), Mitchel Cypes (DRB Coordinator & Zoning Administrator).

Dennis P. chaired the meeting, which was called to order at 7:30 pm.

Agenda Changes: None.

Public Comments for Non-Agenda Items: None.

Minutes of 10/04/16: John L. made a **motion to approve the 10/04/16 minutes as written.** Rolf K. **seconded the motion.** The Board voted **5-0.**

Rocky Martin & Cheryl Eichen: Conditional use review for an accessory apartment. The applicants are proposing to construct a single story frame building for an accessory apartment on their approximately 41-acre property located at 526 Fern Road in the Rural Residential Zoning District.

The Applicant described the project as a wood-framed, single story structure that will be separate from the house and located on Fern Rd., which is off of Piette Rd. The approximately 900 square feet structure will be occupied by the Applicants. Greg W. inquired about power and the Applicant responded that it will be continued underground from the house. The Applicant said the pad is located near the house.

Rolf K. asked what the distance between the two buildings would be and the Applicant said approximately 800 feet. Rolf K. asked if there was a zoning requirement regarding distance, and Alex W. responded that there is not a distance requirement but there are restrictions on creating an additional access drive, which is not an issue in this application.

There were no public comments.

Dennis P. made a **motion to approve the written draft as written**. Rolf K. **seconded the motion**. The Board **voted 7-0**.

UVM Medical Center/Haystack Crossing, LLC: Revision of a Subdivision Final Plat. The Applicant is proposing elimination of the previously proposed Alfalfa Lane between Lots 1 and 2 of the Haystack Crossing subdivision, approved on April 5, 2011. The land associated with Alfalfa Lane would become part of Lot 2, which UVM Medical Center plans to purchase. UVM Medical Center's Hinesburg Family Practice occupies Lot 1 located at 37 Haystack Road. Lot 2 is directly east of Lot 1 on Shelburne Falls Road at the intersection with VT Route 116. Both lots are within the Village Northwest Zoning District.

The Applicants gave a presentation overview of the project revisions explaining what they believe the benefits are for both UVM Medical Center and the Town. The Applicants propose eliminating Alfalfa Lane from the plan and using that land to increase the acreage of Lot 2. The Applicants explained that UVM Medical Center plans to purchase Lot 2 for future development and they would like Lots 1 & 2 to be contiguous.

Greg W. asked why the lots need to be contiguous. The Applicants responded that although there is not currently a project in development they would like to preserve the land as a land bank for future development. Greg W. inquired about access with the removal of Alfalfa Lane and the Applicants responded that Haystack Road would be the access point to Lot 2. Dick J. asked if Haystack Road is on Lot 4, and Alex W. confirmed that it is.

The Applicant further explained that the change will minimize a curb cut onto a Town road, particularly one so close to the Route 116/CVU Road intersection.

The Applicant noted that there was an irrevocable offer of dedication for Alfalfa Lane filed with the Town when the project was approved. The Applicant has discussed this with the Selectboard, who has indicated that they are amenable to relinquishing the offer if the application revision is approved. General discussion regarding the offer followed.

Greg W. inquired about whether the parking lot in the existing facility provided appropriate space and the Applicant replied that it is adequate for the current building. There was general discussion about zoning requirements for parking lots.

The Applicant said that the proposed revision is contingent upon the UVM Medical Center purchase of Lot 2. They said that the medical center still needs to do their due diligence on the lot, so if the sale does not go through then this approval is void.

Sarah M. asked about the effects on Lot 4. Alex W. Said that there is not much impact on Lot 4 as there will still be multiple access points to Lot 4.

Benjamin Avery (representing the BlackRock/Haystack Crossing, LLC application) spoke and said that they are in support of this revision as long as it does not present an issue for the Board regarding the Haystack Crossing, LLC project in the future.

Dick J. asked for confirmation that this application only adjusts property lines, not ownership, and the Applicant confirmed.

Ted B. made a **motion to approve the written draft as written**. Rolf K. **seconded the motion**. The Board **voted 7-0**.

Other Business:

- Haystack Crossing, LLC: extension request - Sketch Plan Approval of a major subdivision and PUD. Environmental Court decision dated 4/21/16.

Ted B. **made a motion to approve an extension of 6 months** Greg W. **seconded the motion**. The Board **voted 7-0**.

- Will & Colleen MacKinnon: extension request - Sketch Plan Approval of a 2-lot subdivision. Decision dated 2/16/16.

Alex W. explained that this is one of the 10-acre subdivisions that has and extended time horizon. Greg W. asked what the cutoff date is and Alex W. replied that applicants need to have their final approval from the Board by March, 2018. He explained that most of these applicants will request an extension and have their survey work completed in 2017.

Greg W. **made a motion to approve an extension of 6 months**. Dennis P. **seconded the motion**. The Board **voted 7-0**.

- Torry & Daniel Tucker: extension request – Sketch Plan Approval of a 2-lot subdivision. Decision dated 5/17/16.

Alex W. explained that this is an application for a subdivision in the RR district and need more time to complete their survey. Dick J. asked which application this was and Alex W. said it is located on the corner of Pond Road/CVU Road/Mechanicsville Road.

Dennis P. **made a motion to approve an extension of 6 months**. Greg W. **seconded the motion**. The Board **voted 7-0**.

- Progress update on Town well exploration: Benjamin Avery said that BlackRock Construction will begin drilling by the end of the month. He said they have been working with Town staff on an agreement to drill a test well, at BlackRock's expense, in a location as determined by a hydrologist hired by the Town.

Benjamin A. said that, according to the agreement, BlackRock would get a portion of the water produced from a successful well so that they could proceed with phase 1 of their project. He said that the balance of the water would go into the Town's system to be allocated to other projects. Benjamin A. noted that there are several other potential sites on other parcels, and if this agreement works then it could serve as a model for other projects.

Greg W. asked if there was a concern about the same contamination that affected the Town's wells. Benjamin A. responded that the State and hydrologist have not expressed that concern.

There was general discussion about the location of the potential well site.

- Training: recent zoning changes pertaining to landscaping and screening requirements in commercial and residential districts

Alex W. explained that the Selectboard adopted minor changes in zoning regulations as a result of Act 56 that was passed by the legislature in 2015. Alex W. said that the Act gave municipalities that ability to adopt screening requirements for renewable energy facilities, particularly solar.

Alex W. further explained that if the municipality adopted these requirements then the Public Service Board would have to pay attention to those requirements when approving such projects.

Alex W. said the changes have resulted in a modification in the Purpose Statement of section 5.6 in the zoning regulations which is the section on design standards for commercial industrial uses. Alex W. said that Act 56 calls for any screening requirements for energy facilities to also apply to commercial industrial uses, so the changes are appropriate for this section.

Alex W. said that the new regulations apply to projects that require site plan approval, including ground mounted solar installations over 15kW. He said that smaller installations are excluded as well as roof mounted solar, home occupations, accessory apartments, farms, commercial forestry operations and the like.

Alex W. noted that there is a difference between landscaping and screening. He said section 5.6 is focused on screening, which is about softening the visual impact of a project within context of its surroundings, as opposed to attempting to hide a project.

Alex W. mentioned that these changes do not trigger the screening requirement for existing plans. There was general discussion about the application of the new language and how it applies to future Board decisions.

- News/Announcements/Correspondence

Alex W. announced that Mitchel Cypes has been hired for the DRB Coordinator position. Mitchel will continue as the Zoning Administrator until a new Administrator is hired.

The meeting adjourned at 8:11 pm.

Respectfully submitted,
Dawn Morgan, Recording Secretary