

Town of Hinesburg
Development Review Board
February 21, 2017
Approved March 7, 2017

Members Present: Greg Waples, John Lyman, Sarah Murphy, Dennis Place, Ted Bloomhardt, Rolf Kielman, Dick Jordan arrived at 7:36 pm

Members Absent: None.

Representing Applications: Jason Barnard

Public Present: Leo O. Beshaw, Rob Goodwin, Frank Babbott, Greg Glade, David Morgan, Betsy Patrick, Rufus Patrick

Also Present: Andy Greenberg (Alternate Member), Dawn Morgan (Recording Secretary), 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 02/07/17: Ted B. made a motion to approve the 02/07/17 minutes as amended. Greg W. seconded the motion. The Board voted 6-0.

Theresa D. Giroux Revocable Trust: Sketch Plan Review for a 2-lot subdivision and planned unit development (PUD) located at 429 Richmond Road in the Rural Residential 1 Zoning District. The applicant is proposing to sub-divide an undeveloped 8.47-acre parcel into two parcels. One parcel will be approximately 3.0 acres with a proposed 3-unit multi-family residential structure. The second parcel will be approximately 5.47 acres with a proposed 4-unit multi-family structure.

The Applicant began by describing the project and showing a sketch plan drawing on screen. He said that last year lot 1, a 2-acre lot with an existing house, was subdivided and this 2nd proposed phase is for a 2-lot subdivision. The Applicant said the remaining 8.4-acre parcel is located on Richmond road with an existing paved access drive up to the main house with a 50 foot right of way proposed.

The Applicant said that lot 2 will be 3 multi-family units on a 3.0-acre existing field, tucked up against the tree line. He said that lot 3 is proposed to be 4 multi-family units on 5.4-acres. The project is proposed to have adequate parking for lot 2 on the lower side and parking on the upper side for lot 3. The Applicant said that each unit will be served by municipal water and sewer when the allocations become available. He said that there is already some allocation for lot 2 but not currently enough for lot 3. The Applicant said that there is currently municipal water and sewer leading up to the existing house, with sewer mains on Richmond Rd., and that upgrades would be needed in order to serve the dwellings.

The Applicant said the proposal is for a PUD to allow for flexibility of design so that the buildings, parking lots and infrastructure can be tucked away leaving a majority of the parcel open as common land for use by the units. He said that there would be approximately 1.5-acres of common land with a community walking path for use by the units on lot 3 linking up to existing trails on the property and leaving the northern portion of the property wooded. The Applicant said there would be limited clearing around the parking lots but they plan to leave a buffer of tree screening along the westerly boundary with Orchard Commons Homeowners Association (OCHA).

The Applicant said that the proposal was designed to consolidate the amount of property used, take advantage of the gentle topography, minimize clearing, and leave the existing open area available for use as a common area for lot 2.

Greg W. asked why the proposal was for 2 PUD's instead of a single PUD, and the Applicant clarified the application is for 2 lots with a single PUD. Ted B. asked why the application was for 2 lots, and Mitchel C. said regulations call for a maximum of 4 multi-family units in the RR1 districts. Greg W. inquired as to why that wouldn't be waivable as other requirements are, and Mitchel C. said that it could be possible.

Greg W. went on to say that lot 2 doesn't make sense to him as a separate lot because there is not a significant amount of common land associated with it and it appears that the Applicant is attempting to simply avoid setbacks. He went on to ask if the owners of lot 2 would have access to the common land on lot 3. The Applicant said that they do meet all of the setbacks. The Applicant went on to say that lot 2 could potentially have deeded access with an additional trail leading to the common land. The Applicant said that the waiver being requested is for the Richmond Road frontage on lot 3, which is 147 feet as opposed to the typically required 200 feet. The Applicant went on to say that there would be one existing access road that will have to be widened and upgraded, but no new curb cuts are proposed.

The Applicant acknowledged that the project could be designed as 1 parcel and PUD and then request a waiver for the 4-unit maximum regulation. He went on to say that from a design and layout perspective the 2 parcels are naturally divided by the driveway. Sarah M. asked if they would still need a waiver for the road frontage if it was designed as 1 parcel, and Mitchel C. said they would not.

Dick J. said that he agrees with Greg W. that the common land would be more functional if it was one space. The Applicant noted that the parcels could be sold individually more easily if they are separate. The Applicant went on to say that they want to see the project done well and could provide deeded access between lots for the common area. Dick J. said that deeded access could prove to be problematic if there was separate ownership. The Applicant responded that some of that would depend on how well the covenants were written.

Rolf K. asked if they would be rental units or sold and the Applicant indicated that has not yet been decided. There was some discussion about past projects where potential buyers were unable to get financing unless each unit was on its own footprint. The Applicant said he would research the issue.

Rolf K. inquired about the quantity of parking spaces for 4 units. The Applicant noted that there were handicapped and visitor's spaces included and Mitchel C. said that the regulations call for 2 spaces per unit. Dick J. remarked that if they are 3-bedroom units a home with parents and a teenager could conceivably utilize 3 spaces. There was some discussion about the location of the parking lots and the Applicant said that they placed them in front of the units in part to shield the existing home and neighbors from headlights. Rolf K. noted that there are ways to orient the units in addition to what was

presented on the sketch plan. He suggested the Applicant reference a development in South Burlington for alternate design ideas.

Greg W. noted that the project would create additional impervious space and asked if the Applicant had given thought to ways of mitigating stormwater runoff down the Richmond Road ditches. The Applicant said that they are looking at stormwater treatment systems and talked about some potential ideas. The Applicant went on to say that there should be enough space to allow for catchment and treatment. Dick J. asked if each lot would have their own stormwater plan and the Applicant said that from a State perspective it would be one plan. Dick J. went on to say that one lot could end up with significantly less common area as a result of installing stormwater catchment areas. Dick J. also said that he would support the idea of having 1 lot instead of 2. The Applicant responded that he does not anticipate the catchment ponds taking up much common land area.

Dennis P. opened the hearing to the Public. David Morgan, a neighbor from OCHA, said that he is the co-water commissioner for a common well serving 11 households. He said that the proposal is close to directly up the fall line from their well head and that it is within their water source protection area. David M. asked what the project intended to use as heating fuel and the Applicant said they had not decided yet. The Applicant said if David M. could provide him with their WSID number they would look at the map for reference. David M. said he would provide the number and the Applicant went on to say that they were not looking at using fuel oil or underground storage tanks, which would be a concern for the source protection area.

David M. said that he was also concerned about the use of pesticides, herbicides, fertilizers, etc. and asked if they could mitigate or eliminate their use. He said that he would provide a list to the Applicant and the Applicant said they could prohibit those items from use through the covenants. David M. asked if there would be any clearing outside the zoning setbacks for lot 3 and the Applicant said he does not see much reason to go clear much further north. The Applicant went on to say that the next set of drawings will show infrastructure, stormwater ponds, and the associated anticipated clearing limits.

David M. noted that the project's description indicated that the project has taken into consideration the most recent energy guidelines, and inquired as to what that meant. The Applicant said that they would like to be above minimum efficiency standards and that will be more specific as the project develops.

Greg Glade, a neighbor from OCHA, also expressed concern about the water source protection area. He also expressed concern about potential surface runoff, and Greg W. said that the development should not increase runoff across their property. The Applicant said that he does not anticipate any additional flow across the property. Greg G. said that the existing trail is a former VAST trail and is now out of use. The Applicant said that there were no easements found in relation to the trail.

Sarah M. referenced a letter received from Steven Aube, which expressed concern for noise and additional traffic. Sarah M. asked if the road would be widened on lot 2 and what the setback would be. The Applicant confirmed that it would be widened onto lot 2 and that the setback would be approximately 5-10 feet. Ted B. noted that the Steven A. suggested additional screening between the driveway and their property and the Applicant said they could look at that possibility. Greg W. asked if there is a ditch on that side and the Applicant indicated that the ditch is on the opposite side of the driveway from Steven A.'s property.

Greg W. steered the conversation back to the question of whether the application should be for 1 or 2 parcels. There was general conversation regarding the matter and both Ted B. and Sarah M. said they feel the common land should be shared by both parcels. Greg W. that he has concerns about having lot 2 as a separate PUD and encouraged the Applicant to explore alternatives. The Applicant said that from a tax and ownership standpoint, it is simpler to have common land tied to a specific owner. There was additional general discussion regarding density regulations and what alternatives might be permitted.

Rolf K. reiterated his suggestion for the Applicant to explore other unit design ideas. Dick J. asked if there were plans for low income units to be included and the Applicant said that it has not yet been discussed. General conversation regarding lot configuration options ensued, and the Board agreed to continue the hearing until the next meeting in order to provide the Applicant with additional time to explore other options.

Ted B. made a **motion to continue the hearing to the March 7th meeting**. Rolf K. **seconded the motion**. The Board **voted 7-0**.

Other Business:

Hinesburg Center, LLC/David Lyman (Phase II): Decision deliberation for Sketch Plan application. Hearing closed on 2/7/17. Decision due by 3/24/17.

John L. listened to the discussion but did not participate. Rolf K. expressed concerns about the elevational adjustment needed for the project. There was general discussion regarding the amount of fill required and the potential floodplain effects. The Board agreed to wait and see what the Applicant proposed on the preliminary plat application. Ted B. asked to add the language “provide the following information” to the first Order of the Draft.

Dennis P. made a **motion to approve the draft decision as amended**. Ted B. **seconded the motion**. The Board **voted 7-0**.

Catamount Malone/Hinesburg, LLC (Cheese Plant): Decision deliberations for Site Plan review. Hearings closed on 2/7/17. Decisions due by 3/24/17.

Sarah M., Ted B. and Dick J. suggested including language to the effect of “the 3rd and final island” with regard to the island that will be installed within 1 year. There were some grammar change suggestions and a discussion about how to specify island location and design expectations. Sarah M. suggested including language to the effect of “equal in size to the other islands” and the Board agreed that they should be similar to the proposed island to the West. Greg W. suggested language specifying shade trees should be included.

Sarah M. made a **motion to approve the draft decision as amended**. Greg W. **seconded the motion**. The Board **voted 7-0**.

Catamount Malone/Hinesburg, LLC (Cheese Plant): Decision deliberations for Conditional Use review (development in a stream buffer). Hearings closed on 2/7/17. Decisions due by 3/24/17.

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

News/Announcements/Correspondence

Mitchel C. said that there are 2 applications on the agenda for the next meeting, in addition to the continued Giroux project application.

The meeting adjourned at 9:02 pm.

Respectfully submitted,
Dawn Morgan, Recording Secretary