

**Town of Hinesburg
Development Review Board
June 6, 2017**

Approved July 11, 2017

Members Present: Andy Greenberg (Alternate), Jonathan Slason (Alternate), Sarah Murphy, Dennis Place, Dick Jordan, Ted Bloomhardt, Rolf Kielman

Members Absent: John Lyman, Greg Waples,

Representing Applications: Torry Tucker, Daniel Tucker, Alan Norris, Andrew Stolberg, Stephanie Spencer

Public Present: Robin Edelman

Also Present: Dawn Morgan (Recording Secretary), Mitchel Cypes (Development Review Coordinator, Alex Weinhagen (Director of Planning & Zoning) arrived after 8:45 pm

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

Agenda Changes: Mitchel C. recommended rescheduling the 7/4/17 meeting to 7/11/17 since the June 20, 2017 meeting was scheduled only for site visits and that cancelling the 7/4/17 meeting would move decision deliberation to the 7/18/17 meeting, which is only 3 days short of the decision deadline. The Board agreed.

Mitchel C. said that the Tucker application, which was item #4 on the agenda, would be a quick request for a continuance. He suggested switching it with the Norris application, which was listed as item #3 on the agenda. The Board agreed.

Public Comments for Non-Agenda Items: None.

Minutes of 05/16/17: Ted B. made a **motion to approve the 05/16/17 minutes as amended.** Rolf K. **seconded the motion.** The Board voted **6-0.** Sarah M. abstained.

Torry & Daniel Tucker: Final Plat Review of a two - lot subdivision proposed for a 2.15 - acre property located at 56 Pond Road (at the intersection with Richmond Road) in the Rural Residential 1 Zoning District. Lot 1 would be 1.10 acres and include the existing barn, which will be converted into a house. Lot 2 would be 1.05 acres and include the existing house.

Mitchel C. said that the Applicant, while working on the application, realized that there was an issue that needed to be addressed. He said that the Applicant was requesting a continuance.

Ted B. **moved that the application be continued to the 7/11/17 meeting.** Dennis P. **seconded the motion.** The Board voted **7-0.**

Alan & Nancy Norris: Conditional Use Review for Development in a Stream Buffer Area – The applicants are proposing to construct a PUD access road that crosses a stream buffer area. The property is a 23.96 - acre parcel in the Agricultural and Residential 2 Zoning Districts located at the southern edge of the village area, on the west side of VT Route 116, across from New South Farm Road and Buck Hill Road West. This application is a request for a renewal of an approval issued on June 2, 2015, which has expired.

Mitchel C. explained that the application was an updated version of the previous approval.

The Applicant said that the previous decision only allowed for 1 year for the stream buffer crossing, but it is a major undertaking and has since been delayed due to water and sewer restrictions. He said that the application was extended last year but the extension expired on June 2nd, 2017.

There was some discussion regarding the location of the stream and how the current site plan differs from the original, largely as a result of zoning and density changes years ago. Jonathan S. noted that the previous finding calls for an 18-foot road with 1-foot gravel shoulders. He said that would result in 20 feet of impervious surface, and suggested that should be acknowledged in the decision. Ted B. and Mitchel C. suggested adding “plus 1-foot shoulders” to conclusion #2.

Jonathan S. said that he had noticed some active use on site during the last few days, even though the permit had expired. The Applicant said that he had planted street trees over the weekend, and Jonathan S. indicated that the observed activity was separate from the tree planting.

There were no public comments.

Dick J. **moved to approve the Conditional Use Re-Approval as amended.** Dennis P. **seconded the motion.** The Board voted **7-0.**

Alan & Nancy Norris: Request for a subdivision amendment to remove a condition requiring sidewalk completion prior to a certificate of occupancy for the third building.

The Applicant said that at the 3/17/15 hearing there was a discussion about phasing of the sidewalk completion. He said that his understanding from the hearing was that the completion of the third building would be the trigger to begin construction of the sidewalk. However, the Applicant said that the decision required installation of the sidewalk prior to a certificate of occupancy for the 3rd building (or three years after the issuance of a certificate of occupancy for the first building, whichever comes first).

The Applicant said a grant for the sidewalk has since been received. He said that the Regional Planning Commission is now in charge of the sidewalk project and the Applicant no longer has control of the timing of installation. Dennis P. asked if the sidewalk was guaranteed to be installed with only the timeline in question, and the Applicant confirmed.

The Applicant requested that the requirement either be removed from the decision or be restated to not require sidewalk installation until after occupancy of the third building. There was discussion about

the site plan, order of building construction, and the lengthy time frame of sidewalk construction in general.

Sarah M. asked if the Applicant would be comfortable with a 3-year time duration and the Applicant agreed. Jonathan S. noted that public sidewalks are often outside of a developer's control, and gave an example of an adjacent landowner opposing an easement. Andy G. expressed concern about no longer tying the sidewalk to the project.

There was additional discussion about ways to word the decision to ensure that the sidewalk is completed in a timely manner. Jonathan S. noted that the Board had previously deliberated over the decision and expressed concern over modifying the previous decision. The Board agreed to change the language in the decision to call for sidewalk installation before issuance of a building permit for a fourth building, or 3 years after the issuance of a certificate of occupancy for the first building.

Ted B. made a motion to direct staff to draft modified conditions of approval. Rolf K. seconded the motion. The Board voted **6-1**.

Stephanie Spencer: Final Plat Review of a two-lot subdivision of an approximately 21.3-acre property located on the east side of Turkey Lane in the Agricultural Zoning District. Lot 1 would be 3.05 acres and include a proposed house and garage accessed from Turkey Lane. Lot 2 would be 18.25 acres and remain undeveloped. Lot 2 is proposed to be merged with an adjacent property also owned by the applicant. Continued from May 16, 2017 hearing.

Rolf K. recused himself from the meeting.

The Applicant showed a drawing of the property on screen. He pointed out the neighboring properties and the location of the proposed subdivision. The Applicant indicated relevant features such as screening vegetation, utility location, erosion control, etc. He said that the neighbors were in agreement about the screening to be installed along the driveway.

The Applicant said that since the last meeting they have had an opportunity to review the plan and the footprint of the home and parking area is 9,644 feet, which is below the 10,000-foot limit. Sarah M. asked if they plan to install a garage later, and if so would a stormwater plan be required. Alex W. said the regulations would not require such a plan, but the DRB could require it as a conditional of approval. However, he said that this warrants discussion.

The Applicant said that even though they do fall under the stormwater plan requirement, they are putting into place mitigating measures such as culverts along the driveway. There was some discussion about stormwater flow on the property, and the challenges of increasing the size beyond the 10,000-foot limit at a later time.

Ted B. asked about septic plans and permitting, and the Applicant said they would hear back in 30 days. Dick J. asked if there was an issue with having two mound systems in close proximity and Dennis P. indicated that there would not be an issue.

Jonathan S. noted that he and Andrew Stolberg occasionally ride the bus together but said that no ex parte discussions take place and therefore there should not be a conflict of interest. Jonathan S. asked

about developmental density and the Applicant confirmed that 1 unit would be allocated to Lot 1 and the other to Lot 2. There was some additional discussion about developmental density and the size of the driveway, and Mitchel C. confirmed the minimum width of a driveway in Hinesburg is 12 feet.

There were no public comments.

Dennis P. **made a motion to direct staff to draft an affirmative decision.** Dick J. **seconded the motion.** The Board voted 6-0.

Rolf K. returned to the meeting.

Other business

- Mitchel C. said that staff is in the process of creating an itinerary for the next meeting, which will include a trip to look at some sites. He said the meeting may begin a little earlier than usual.
- Jonathan S. said that he, Andy G. and Dennis P. attended a meeting with the Regional Planning Commission. He said that there was an emphasis for including time during the year where the Board can get together to train and review regulations.
- Rolf K. said that he has found it helpful to see examples of other well-done developments outside of our own community. Dick J. suggested a “photo excursion” where the Board can review on screen various examples of such developments.
- Alex W. led the Board in a training session on iPads.

The meeting adjourned at 9:20 pm.

Respectfully submitted,
Dawn Morgan, Recording Secretary