

Town of Hinesburg
Development Review Board
December 5, 2017
Approved December 19, 2017

Members Present: Greg Waples, John Lyman, Sarah Murphy (arrived at 7:50 pm), Dick Jordan (arrived at 7:35 pm), Dennis Place, Ted Bloomhardt, Rolf Kielman, Andy Greenberg (Alternate)

Members Absent: Jonathan Slason (Alternate)

Representing Applications: Will MacKinnon, Jack Milbank, Kevin Francis, Dawn Francis, Jillian Bartolo

Public Present: Kelley Shea, Chris Shea

Also Present: Mitchel Cypes (Development Review Coordinator), Dawn Morgan (Recording Secretary)

Dennis P. chaired the meeting, which was called to order at 7:33 pm.

Agenda Changes: Mitchel C. requested adding an item under Other Business to discuss how the iPads have been working for the Board and whether they are ready to move to a paperless system.

Review minutes of the 11/07/17 meeting:

Ted B. **made a motion to approve the 11/07/17 meeting minutes as amended.** John L. **seconded the motion.** The Board voted **6-0.**

Will and Colleen MacKinnon: Final plat review for a proposed 2-lot subdivision of a 10.87-acre property located at 99 Black Dog Lane in the Agricultural Zoning District. Lot 1 would be 6.70 acres and include the existing house. Lot 2 would be 4.17 acres and include a proposed house site to be accessed via an extension of the existing driveway. Sketch plan approval granted 2/16/16.

The Applicant (represented by Will MacKinnon) explained that they do not have immediate plans for development of the subdivision. He said they are simply requesting approval before the deadline for approval of subdivisions of this size in the Agricultural Zoning District.

Greg W. said that he had no questions or issues with the application or staff report. Ted B. asked if there was an erosion control plan and the Applicant confirmed that there was.

Dennis P. opened the discussion to the public. Chris Shea (a neighbor) asked if there was a Town ordinance for the septic setback from the property line. The Applicant (represented by Jack Milbank) replied that there is a State setback requirement of 10 feet, but the trenches themselves are 25 feet. Jack M. went on to say that they have received all State water supply and wastewater permits. Ted B. noted that the Town defers to State requirements.

Chris S. asked about the darker gray area shown on the map, and Jack M. responded that the area represents a “no disturbance” area. There was additional discussion about the septic mound system

design and the well and septic shields. Chris S. said that he and other neighbors did not receive notification letters regarding this application, and Jack M. replied that certified letters were sent to all adjoining landowners as a condition of their State permit.

Greg W. moved to close the public hearing. Dick J. asked if there needed to be discussion about widening the road, and Mitchel C. replied that the Applicants are aware of the requirement and it is noted in the staff report.

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

Kevin & Dawn Francis: Final plat review for a proposed 2-lot subdivision of a 12.70-acre property located at 251 Butternut Lane in the Rural Residential 2 Zoning District. Lot 1 would be 10.14 acres and include the existing house. Lot 2 would be 2.56 acres and include a proposed house site to be accessed directly from Butternut Lane via a new driveway. Sketch plan approval granted 11/3/15.

Dennis P. asked if the drainage issue has been resolved with the Applicant's neighbor. The Applicant (represented by Dawn F.) showed the area of concern on the map and described the trench rework that they propose to do so that water drains onto their own lot. The Applicant (represented by Kevin F.) said that the neighbor agreed with the plan.

There was general discussion about the culvert, storm water drainage and the challenges of redirecting water due to the fact that the area is naturally wet and has two springs. Dick J. noted that the plan requires ditching on the neighbor's property, and asked if there were any issues creating an order requiring work on someone else's property. He went on to say that a signed agreement with the neighbor allowing ditching on their property would be a good idea.

There was additional discussion about options for redirecting the storm water discharge, and Jack M. said that there is a possibility to put a shallow ditch on the Francis' property that would slow down water velocity, and the addition of a plunge pool would also help redirect the water flow away from the neighbor's property. Rolf K. said that the suggested option seemed more favorable than ditching on the neighbor's property. Sarah M. asked if it should be added to the site plan and Dick J. agreed, saying that it would be prudent to document it as a known feature that can be maintained in the future.

Dawn F. requested the flexibility to move the power line at some point in the future, which could also require removing some trees. She described a potential new location for the line and showed the proposed location on screen.

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

Dick J. **made a motion to close the public hearing and direct staff to draft conditions approval.** Dennis P. **seconded the motion.** The Board voted **7-0.**

Jillian & Joseph Bartolo: Conditional Use review for the renovation of an existing barn/garage to create a 2-unit inn. The 22.0 + acre property, of which 14.4 acres are in Hinesburg, is located at 572 Tyler Bridge Road in the Agricultural Zoning District. The property extends into Starksboro and Monkton.

The Applicant (represented by Jillian Bartolo) said that they had recently purchased the property and would like to add the conditional use of an inn. She said the barn was built in 2008 and currently has 1 accessory apartment. She said that they would like to finish the remaining portion of the barn, add a two unit inn. The previous owners received a State wastewater permit in 2008 for three, one-bedroom apartments in addition to their existing three-bedroom single family residence.

Dennis P. asked if the Applicant was aware of the staff comment in the report that would require as a condition of approval the addition of two pull-offs to be used by the inn units for short duration stays only. Jillian B. said that she was aware of the need for pull-offs. Mitchel C. added that the Applicant has a 12-foot wide driveway, so the driveway by the two pull-off locations need to be expanded by six feet in width to a total width of 18 feet.

Dennis P. inquired about landscaping requirements. Jillian B. said that though they wish to add trees in the future, they are not proposing to place any new trees at this time. There are a lot of trees already on their property. They are requesting to utilize existing trees to provide screening. Mitchel C. described areas where existing trees would be maintained. Jillian B. said that she had tested the lighting impact with neighbors, both with and without foliage, and it was determined that the only light that the neighbors could see was a house light, which did not bother them.

Greg W. suggested that the Applicants make sure that the inn is in compliance with all Federal, State, and local regulations (e.g., ADA, egress, etc.) but noted that this just a suggestion and not a condition of the Board's approval.

Dennis P. asked if there was ample water and wastewater capacity for guests and Jillian B. said that there was, noting that there is a separate septic system for the barn.

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

Dick J. asked if they plan to have signage and Jillian B. said that they were not. There was additional discussion regarding parking spaces and complying with all accommodation requirements and laws. Ted B. suggested adding a condition of approval that the Applicants meet all State requirements and obtain any State permits required. Sarah M. asked about landscaping and the Board's consensus was that the current landscaping and screening was adequate.

Dennis P. **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**.

Other Business:

Mitchel C. asked the Board how the iPads were working for them and if they felt comfortable migrating to a fully paperless system. There was some discussion about the technicalities of accessing the Dropbox site, and the Board agreed to move to a paperless system.

Town of Hinesburg Recreation Fields: Decision deliberation -Revisions to the 12/2/14 subdivision, site plan, and conditional use approvals to reflect as-built conditions for a property located south of Shelburne Falls Road and west of VT Route 116. *Hearing closed 11/7/17.*

Final Plat Approval

The Board discussed whether the Applicant needed a new deeded right-of-way. Mitchel C. confirmed that the Applicant will need to move the right-of-way so that it matches the as-built. Greg W. said that from a legal standpoint, he did not think there was a requirement for a revised deed.

Dennis P. **made a motion to approve the final plat approval as amended.** Greg W. **seconded the motion.** The Board voted **7-0.**

Site Plan Approval

There was discussion about landscaping requirements and whether funds should be escrowed until the project was completed. Dick J. expressed concern that the project could be completed with enough funds left over to fulfill the landscaping requirements.

Greg W. suggested adding language to the approval to the effect of requiring the Applicant to return to the Board upon completion of the last infrastructure, at which time landscaping requirements will be determined. Mitchel C. agreed to work on draft language for the requirement for the Board's review at the 12/19 meeting.

Stream Buffer Approval

Ted B. **moved to approve the conditions of approval as written.** Dick J. **seconded the motion.** The Board voted **7-0.**

Carol Ann Spaid & Carol Taggart: Decision deliberation -Conditional Use Review for a camp conversion, expansion of a non-complying structure, and development on a private right-of -way located at 61 Cove Road. *Hearing closed 11/7/17.*

Greg W. **moved to approve the conditions of approval as written.** Sarah M. **seconded the motion.** The Board voted **7-0.**

Randall Kay & Marjorie Meyer: Decision deliberation –Conditional use review for expansion of a non-complying structure located at 129 Wood Run. *Hearing closed 11/7/17.*

There was discussion about the proposed footprint and whether there should be additional language encouraging a single-story structure. The Board concluded that the decision was appropriate as written.

Ted B. **moved to approve the conditions of approval as written.** Rolf K. **seconded the motion.** The Board voted **7-0.**

News:

Mitchel C. apprised the Board of potential agenda items for the next meeting. There was general discussion about the legal process for the Hannaford project application.

The meeting ended at 9:08 PM

Respectfully submitted,
Dawn Morgan, Recording Secretary