

Town of Hinesburg
Development Review Board
April 2, 2019

Approved April 16, 2019

Members Present: Jonathan Slason, Greg Waples, Dick Jordan, Dennis Place, John Lyman, Ted Bloomhardt

Members Absent: Sarah Murphy, Bryan Currier (alternate)

Applicants: Matt Giroux, John Little, Steve Giroux, Charles (Chelsie) Bush, Betsy Orvis

Public Present: Gill Coates, Kim Coates, Scott Stough, Kristin Wahner, James Donegan

Also Present: Mitchel Cypes (Development Review Coordinator) and Kate Kelly (Recording Secretary)

Dennis P. called the meeting to order at 7:30 PM.

Agenda Changes: None.

Review minutes of the March 19, 2019 meeting:

Ted B. made a minor amendment.

John L. **made a motion to approve the minutes of March 19, 2019 as amended.** Dick J. **seconded the motion.** The Board **voted 6-0.**

Giroux Body Shop: Site Plan review for exterior lighting for a +0.43-acre property located at 10370 VT Route 116 in the Industrial 4 Zoning District. The applicant is proposing to add four lights to the front of the building, which will also illuminate an existing sign.

Matt Giroux said they've done a facelift on the shop. Above the front door, they'd like to put a couple recessed lights shining down, with one single gooseneck light to illuminate the sign. In addition, they'd like to add a work light for use in the winter months or nights when it is dark and they need to do some work outside. It would be on-off with a switch.

Greg W. stated that no one on the Board has problems with the lights except the last one. The Applicant said it would be similar to the street light down the road. Ted B. suggested it be reduced to 4000k lumens, and the color adjusted. Matt G. explained that this light is high lumen and very useful. Greg W. said this exceeds the town's regulations. Matt G. said he chose this particular light so it could point down, not towards road. Dick J. was concerned that with the height (15 ft.), you would see it when driving by.

Dennis P. asked if the Applicant could go for the 4000k lumens and the color to align to our specifications. They said they could. The other lights looked fine.

Greg W. asked, and the applicant confirmed, that the light would only be on during limited hours.

Dick J. felt that the option for 7000 lumens would be reasonable. John Lyman asked how far the light would reach: the Applicant answered it would be about halfway to 116.

Dick J. asked if it was on a switch, could they put it on an automatic timer so it will go off automatically. The Applicant replied they could put it on a timer switch to turn off at a certain time.

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.

Charles Bush: Conditional Use review for a larger home occupation on a +30-acre property located at 2053 Texas Hill Road in the Rural Residential 2 Zoning District. The applicant is proposing a metal fabrication shop.

Charles (Chelsie) Bush said he's a metal artist and sculptor, and has been running a business for the last three years. He currently rents a place for his business, and his lease is up in June. He is looking to add an addition onto his home hobby shop (16' x 34' addition) to have this home occupation. Greg W. asked if this is an introduction of a new home occupation, and Charles B. said it is (he has not been working at this location in the past).

Ted B. asked about the access to the property. Betsy Orvis, Chelsie's wife, gave background on property – the structure is an existing garage. This was permitted 2009, and they received their certificate of occupancy in 2010. The rough access was on the property when they bought it in 2004. There's no culvert there because it's on ledge. When they built and received the certificate of occupancy, nothing was said about permission for driveway cut, etc. They've improved the driveway since then. Mike Anthony (Road Foreman) expressed concern about it last week. Betsy O. has since spoken with Mike A. in person, filled out the application, and handed it back to Joy Dubin Grossman to pass on to Mike A. She believes that Mike A. was ok with it. They are happy to work with Mike A. to deal with any drainage issues.

Greg W. asked about the noise from the work in the metal-working facility. Chelsie Bush passed around examples of some of the work he does. He stated that most of the work will be done inside the building, which is insulated, and sounds won't go out of the building. Work will happen during business hours, 8 AM – 5 PM Mon-Friday. There may be occasional loading/unloading sounds, maybe a small final bit of grinding outside. They hear chainsaws, lawnmowing, tractor operating, target shooting, in their neighborhood on a regular basis. The business noises won't be louder than any of these, and will happen during business hours. John Lyman asked if there would be a large exhaust fan, and Chelsie B. said there wouldn't be. He is the sole proprietor. Greg W. asked for more details about tools, noise, and insulation. Chelsie B. said it will be insulated (2 x 6 walls with rockwall insulation). There are trees around and fairly long distances to neighbors. Currently he rents in a rural residential area, and he's had no complaints from residents who live 160' and 180' from his shop. He has lathes, does bending, welding, anvils etc. for forging.

Jon S. said the Applicant is held to a higher standard due to the standards in this area. They are allowed no disturbance to surrounding property or occupants. Jon S. is of the opinion that it would be helpful to have an expert observe the noise, and give advice on building attenuation. Greg W. replied he didn't feel they needed an expert; the Board conducted a site visit in a similar application in the past. He felt it would be critical to go to the current facility. Chelsie B. said his facility is half unset, but it would be fine

to come on his next project (railings). John Lyman asked if there is a similar business in Hinesburg, and Chelsie B. replied it is a smaller artistic version of what Giroux's Body Shop in town does. He's struggled to figure out how a site visit would work.

Dick J. asked about air handling; will he need a fan/exhaust? Chelsie B. explained that the current hobby area has an exhaust fan that's been there the last 9 years. His current shop (where he rents) has the same fan. He also has a squirrel cage fan that pulls a constant draw of fan, and it's very quiet. Dick J. asked which direction it exhausts; he replied it is under the eaves to east. Jon S. asked if it would be air conditioned; Chelsie B. said it would not be, and that he usually keeps it shut tight so machine tools don't sweat, but a window or garage door would be cracked if exhausting.

The Board examined the surrounding neighbors' proximity.

John Lyman said he lives close to a metal shop, and he's not sure it's as big an issue as it's made out to be. This is quite a distance from neighbors.

Betsy O. said they've spoken with some neighbors (the two closest) – one voiced no concern, and the other sent an email that is on the record. Chelsie B. clarified that the current neighbors to his rented shop have no complaints (those neighbors are across a paved road and across a meadow).

The Giroux's commented that their scale is 8 times larger than what Chelsie B. is asking for, with many more employees and less insulated, and they have Creekside right behind them.

Dick J. asked if garage door is insulated; Chelsie B. said it is, and any future doors would be insulated. Chelsie B. and Betsy O. said it is forested behind, mixed deciduous/softwood, brook in summer.

Dennis P. opened the discussion to the public.

Scott Stough and his wife Kristin Wahner, neighbors to the west who had not been asked their opinion by the Applicant, appreciated the discussion about noise. Scott S. brought up a couple points: when talking about comparing to a similar business, we shouldn't answer this question by asking if the person next door has a problem with it. He'd prefer a decibel number being the acceptable level in a residential area. Greg W. replied that the performance standards aren't by number. Scott S. said they are in a valley, and sounds collect and travel in that area. He would like a consistent baseline to make a fair choice. His concern would be what would happen if the actions suggested aren't sufficient (if garage door has to be open more, etc.). Greg W. replied that the business would have performance standards, and the business would be subject to review/enforcement. The Applicant would need to know that they could need to take remediation actions if they aren't meeting performance standards, and if they couldn't do that, they may need to shut down the business.

James Donegan wondered if this application would be treated differently if it was a woodworking/cabinet shop. Greg W. commented that a previous application (for a cabinetry business) wasn't approved because of the rural residential area; Dick J. mentioned that another (Lomas) was approved.

Gill Coates lives further away (higher up off the road), but has no problem with it. He felt that sound is less when you're on the same level as the sound; sound travels up more. He feels he hears traffic more now than when he was down at the road level.

Dennis P. asked about material storage. Chelsie B. said he will put up some trees and fencing, that will block any storage that happens in front of shop (vehicle, materials). The fence will be on the road-side of the trees.

Greg W. asked if the Selectboard will have to approve a road cut. Dennis P. replied the road foreman can do that, and Mitchel C. added the Selectboard would approve it. Greg W. asked about the water drainage. Chelsie B. described the drainage pattern, and commented that they were happy to work with any of Mike Anthony's suggestions. Mitchel C. commented that the Board may want to require that they get all required permits.

Jon S. asked about clients coming; Chelsie B. said it might be once or twice a week. Jon S. asked about the fence, and making sure it is as safe as possible for people pulling in and out.

Dick J. asked about the location of fence vs. cedar (fence would be outside), and the Board discussed.

Ted B. recommended having conditions of containing noise within the building, and performance standards to keep it within a reasonable noise.

Gill Coates commented about people coming and going on his flat driveway, with brush on both sides. He says he has someone turning around in his driveway almost every day. Someone coming there who hasn't been there before will be extra safe and cautious.

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

Other Business:

Sketch Plan Approval Extension Requests:

Mitchel C. mentioned that developers met with VTrans several weeks ago, trying to hammer out the Riggs Rd./116 intersection. They are getting closer.

The well has been re-drilled. They need additional testing to show that it won't interfere with other wells, and this will take some time before water allocations are given.

Wind NRG Partners – decision dated – 10/20/15

Haystack Crossing – decision dated – 4/21/16

Ted B. **made a motion to grant a 6 month extension to both applicants.** Greg W. **seconded the motion.** The Board **voted 5-0;** Jon S. abstained.

Mitchel C. added that he expected Hinesburg Center II should be coming in the next few weeks.

Natural Resource Inventory project briefing

Mitchel C. explained that the town funded a project to get better maps of natural resources in Hinesburg. Bob Hyams (Conservation Commission) is looking for details on what information/layers the Board uses on a regular basis, or would like to see improved. Mitchel C. added that the Planning and Zoning office would like to see more information on forests (prioritization), wildlife corridors and crossings. Jon S. mentioned soil types, stream classification, and wondered about topography. Dennis P. mentioned that many of our maps aren't correct.

Kate Kelly (Conservation Commission) gave additional details about why this project was proposed (to compile existing data sources that are more local, and likely aren't on any of our currently-used statewide maps, then to create new maps that would be accessible to everyone, with more boots-on-the-ground inventory work of specific areas in a future phase 2). The Conservation Commission would like to make sure the maps created are used by many town groups. With that in mind, they are looking for volunteers from the DRB to join the steering committee. Dennis P., Jon S. both agreed to participate, and Mitchel C. will also be attend future meetings.

News/Announcements/Correspondence:

Mitchel C. announced that the wi-fi has changed in Town Hall. "Community" wi-fi wasn't working tonight, so the Board should use the "Guest" account for now.

Next meeting: re-approval of last sketch plan approval (Texas Hill), and a conditional use home occupation.

Bryan Currier, P.E., O'Leary Burke is the new DRB alternate.

There will be a future agenda item on regulations that could be upgraded; the DRB should keep this in mind. Greg W. mentioned zoning at Rob Frost's place on Hollow Rd.

The meeting adjourned at 8:53 PM.

Respectfully submitted,
Kate Kelly, Recording Secretary