

**Town of Hinesburg  
Development Review Board  
June 18, 2019**

Approved July 16, 2019

Members Present: Dennis Place, Greg Waples, Bryan Currier (alternate), John Lyman, Ted Bloomhardt, Dick Jordan; Sarah Murphy entered the meeting a few minutes late

Members Absent: Jonathan Slason

Applicants: Justin Heininger, Gary Fournier, Rebecca Fournier

Public Present: David Newton, Kathleen Newton, Matt Giroux, John Little

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

Dennis P. called the meeting to order at 7:31 PM.

**Agenda Changes:** None.

**Review minutes of the June 4, 2019 meeting:**

Ted B. made a minor amendment.

John L. **made a motion to approve the minutes of June 4, 2019 as amended.** Ted B. **seconded the motion.** The Board **voted 5-0.** Greg W. abstained.

**Justin Heininger:** Conditional Use review for a home occupation on a +/- 0.47-acre property located at 9271 Route 116 (east side of Route 116, just south of Place Road West) in the Rural Residential 1 Zoning District. The applicant is proposing a one-person silversmithing/art studio on the second floor of the existing garage.

Justin Heininger introduced himself, and said he used to silversmith in his 20s, and had started a business. He would now like to get back to silversmithing (making jewelry). He passed around some photos of his work. Ted B. asked, and Mitchel C. replied it falls under a conditional use permit because the proposed home occupation is to be located in an accessory structure. Justin H. said there might be delivery for supplies once a week or so (UPS). His studio would be there, but he'd take jewelry other places to sell. The exception might be for custom work. The Board discussed the noise levels, which Justin H. said would generally be under 70 db.

Greg W. asked about alloys/metals, and if there would be any regulations or safety hazard. Justin H. said he generally doesn't do alloying himself, as you can pre-order it more easily. The exception would be electrum (50/50 gold-silver alloy). He would use soft kiln brick to minimize fire risk. He will have a fire extinguisher near entrance, and one near where he'd do torch work.

Sarah M. entered the meeting. Justin H. continued that the risks are health hazards to him (he'd put in ventilation or a fume extractor). Greg W. asked if OHSA regulates this; Justin H. said they don't. Greg W. would like to see the decision say that uses would meet state standards/regulations. Dick J. asked, and

Justin H. replied he wouldn't be working under a hood. Dick J. asked if he would use anything that would be tracked by the state or require inspection by state. Justin H. said the strongest he'd use is citric acid. Dick J. asked about noise, and Justin H. said the loudest noise he'd have would be like hammering a nail (120 db).

There were no further board questions. Two letters were received from neighbors in support, including from the Newtons, who were in the audience.

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

**Gary and Rebecca Fournier:** Sketch Plan application for a 2-lot subdivision of a +/- 10.4-acre property located at 308 Pond Road in the Rural Residential 1 Zoning District. The applicants are proposing to create a new 3-acre residential lot.

Gary F. said they'd like to put a lot in the middle of the field (proposed lot 3 on the displayed aerial photo). They are hoping to share the entrance with 400 Pond Road (to the north). Dick J. asked if, because lot 2 exists, this would require a modification to the plat for lot 2. Mitchel C. replied it would create a 60 foot setback from centerline of the shared right-of-way.

Greg W. said in a past application, there was a question about structures being delineated; he asked if that had been done. If the Board made this a condition of approval, is this something the Applicant could do (a survey to show buildings). Gary F. said they are shown in the building envelopes now.

Mitchel C. said that the septic area may have structures in it. Gary F. said there is a garage tent on the edge. Mitchel C. pointed out the earlier survey (subdivision that created lot 2) didn't show the right of way going back; this should be corrected.

Dick J. asked if lot 3 would share a well. Gary F. replied no, it would have its own well. It would share a leach field with lot 2 (approved for 2 3-bedroom homes).

Greg W. asked if there would be any issue with overland/underground power. Gary F. replied there is GMP box adjacent to the southeast corner of lot D, so there would not be any issue with underground power.

Dick J. asked if this meets frontage requirements. Mitchel C. replied that lot 2 would have sufficient frontage and lot 1 will require approval for an access strip.

There were no further Board questions, and no one present from the Public for this application.

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

#### **Other Business:**

#### **Decision Deliberations:**

**Claudette Amparo:** Conditional Use application for a home occupation bakery on a +6.56-acre property located at 924 Pond Road in the Rural Residential 1 Zoning District. *Hearing closed 5/21/19.*

Mitchel C. said that Jon S. gave approval to conditions as written.

Dennis P. **made a motion to approve the conditional use approval as written.** Dick J. **seconded the motion.** The Board **voted 7-0 with Jon S.'s approval**; Sarah M. abstained.

**Matthew Giroux:** Appeal of a Zoning Administrator Determination of a stream location on a property located at 328 Place Road. *Hearing closed 5/21/19.*

Matt Giroux and John Little were in the audience. Dennis P. recused himself. Mitchel C. said Jon S. had one comment/change, then approved as amended. Greg W. **made a motion to approve as amended (denying the Appellant's appeal).** Ted B. **seconded the motion.** John L. would like to bring up for discussion again, to see if it really does meet the definition of a stream. Greg W. said we are sympathetic, but in terms of letter of regulation, we are past that point. Greg W. renewed his earlier motion, and Ted B. seconded. The Board **voted 4-2** including Jon S.'s vote, with John L. & Dick J. voting against the motion. Sarah M. abstained. Matt Giroux and John Little left the meeting.

Mitchel C. said at next meeting, July 2, they'd have a field trip.

**Hinesburg Center II:** Sketch Plan application for a major subdivision located north of the Creekside neighborhood and west of the Kinney Drug complex. *Hearing closed 6/4/19.*

Greg W. recused himself and left the meeting. John L. recused himself. The Board discussed adding more greenspace, as well as stormwater & treatment plans. Could an area be both a buffer and a greenspace? They'd like to see clear elevation and clear comparison to the existing Creekside. Sarah M. said there was enough concern from existing landowners that we should do our due diligence. They discussed the elevations and water/sewer lines. Mitchel C. said building the stormwater treatment system in this project may solve the water/sewer line berm situation of holding water. They discussed language in the orders, and decided they needed to see the engineering.

Dennis P. asked about working with Selectboard on lot 1. Ted B. said that could be a way to work around their greenspace problem. "Applicant may consider improvements to lot 1 to meet this requirement" was added to the language.

The Board discussed the connection across Patrick Brook to BlackRock. Ted B. said he would like them to provide a specific plan for funding, sharing responsibility and schedule for construction for the crossing of the brook.

Sarah M. asked about improving the current VAST trail bridge across the brook, to connect to the Bissonette Recreation Fields until the more permanent bridge is built. Ted B. said they just have to provide an easement, but they don't have to improve the bridge. Sarah M. asked about the sidewalk in front of Kinney, and difficulties with that. The Board discussed the easement for the trail. They also discussed the language stating that when the trail has been created on the Bissonette property, they are to extend the sidewalk along 116. Sarah M. agreed this was fine.

Sarah M. brought up parking, and additional information to be provided at preliminary regarding Hinesburg Center I and Hinesburg Center II. The Board discussed the shared parking at Hinesburg Center I and II. They discussed if the town (the developer would pay for it) should hire a company to do another parking analysis/vet their analysis. Brian C. said he has been hired in the past to do an emergency parking plan (e.g. if you need 10 spaces, where would they go?). Dennis P. mentioned that at the last seminar he

attended, they said we have too much parking in Hinesburg. Dick J. said he lives in the hills, so if he wants to come in to town to walk, there's no public parking location. They discussed what roads within the development the town would take over.

Ted B. suggested emergency spots identification analysis; Sarah M. would prefer parking analysis.

Ted B. suggested reviewing changes, and waiting until July 16 to make a decision. They changed parking language in the order to reflect their concern over parking. The Board wanted to see what the parking numbers are today, and how well parking is actually working.

Mitchel C. discussed what else will be occurring on July 16. There will be two complicated hearings, and two briefer ones. One is a sketch plan for a 4-lot subdivision using two properties. The other is a 29-unit subdivision sketch plan (on former Quinn property); they want to get their sketch plan in so they can request water allocation. The Board will also hear an accessory apartment application and change of conditional use approval. Mitchel C. also recently received an incomplete application for NRG site plan (industrial area), which will be heard at some future meeting.

Mitchel C. and Ted B. suggested showing where extra spots would go if needed. Brian C. felt the more exact number of spaces for this analysis we can give the better. The Board discussed how much parking is actually available. They pointed out there isn't enough room near C for everyone to park at this 39-plex with 1 car much less with 1.5 or 2 cars.

The Board will review the next draft decision by email and will finalize the decision at or before the July 16 meeting.

**News/Announcements/Correspondence:**

See previous notes about what will be heard at July 16 meeting, and the field trip at the July 2 meeting.

**The meeting adjourned at 9:14 PM.**

Respectfully submitted,  
Kate Kelly, Recording Secretary