

Town of Hinesburg
Development Review Board
October 15, 2019
Approved November 5, 2019

Members Present: Dennis Place, Greg Waples, Ted Bloomhardt and John Lyman. Sarah Murphy and Dick Jordan entered the meeting a few minutes late.

Members Absent: Bryan Currier (alternate), Jonathan Slason

Applicants: Tony St. Hilaire

Public Present: None

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 September 17, 2019 meeting:

Ted B. **made a motion to approve the minutes of September 17, 2019 as written.** John L. **seconded the motion.** The Board **voted 3-0;** Ted B. abstained.

Bucky's Pub, LLC/Tony & Ruchel St. Hilaire:

Dennis P. said he received a letter in the mail saying he was an abutting landowner, but didn't feel he needed to recuse himself. The Board and Tony St. Hilaire agreed.

Dick J. entered the meeting.

Greg W. suggested reviewing the two signs that weren't posing any problems (sandwich board and the side of the pub (gable end) signage).

Sarah M. entered the meeting.

Tony St. Hilaire said the sandwich board so far has been placed along 116, and by Shelburne Falls Rd., and he has received approval for this from private property owners. The proposed signage on the gable end has letters that don't exceed 20", while the proposed front signage has 24" letters. Dick J. asked why the sign proposed for the side of the building wouldn't work on the front of the building. Tony St. Hilaire said it could.

Greg W. asked what the definition of roofline is. The Board discussed. Mitchel C. said the regulations don't have a definition for roofline; the dictionary definition is the outline of the roof itself. Greg W. said it's ambiguous and he'd like the Planning Commission to clarify this going forward.

The Board approved of the sandwich board and the gable end. Discussion ensued about the sandwich board, and Mitchel C. read the regulations about off-premise signs.

Greg W. read the language saying that it needs to be a wall-mounted sign mounted parallel to the building. Greg W. felt this is decisive as to why this sign is not approvable. Mitchel C. asked if this could be a free-standing sign. Tony St. Hilaire said that's the problem with the property – it is hard to see from far away. Something free-standing near dentist's office would not have a light at night, and may not be feasible. They are trying to build a successful business that is more open to all residents. Ted B. said a freestanding sign you can see off the roadway (up to 16 sq. ft.) is approvable, with a height limitation.

The Board discussed lighting, and Tony St. Hilaire suggested mounting a sign on the porch. He then displayed a photo of the porch. Tony St. Hilaire suggested adding a wall on the porch, with the sign mounted to it. The Board discussed trees and cutting, and said Tony St. Hilaire could come in for a site plan amendment in regards to the shrubs/spruce trees.

The Board chose to approve the first two signs, and suggest he come back for the third sign. Greg W. suggested waiving the application fee. Mitchel C. said he could come back for a site plan amendment and include the third sign in this; the Board agreed and encouraged this.

Dick J. asked if a wall on the porch would require a building permit; Mitchel C. said they could do this with a site plan revision and a \$40 permit from the zoning administrator. Ted B. noted it could be a lattice wall, and likely doesn't have to be a solid wall.

Ted B. made a motion to approve the gable end and sandwich board signs, and to direct staff to draft conditions of approval. Sarah M. seconded the motion. The Board voted 6-0.

Other Business:

George Bedard: request for an extension of sketch plan approval of a 4-lot subdivision of a property on the south side of Texas Hill Road opposite Bishop Road. *Sketch plan approval dated 5/7/19.*

Mitchel C. said this would be the first extension request.

Greg W. made a motion to grant a 6-month extension of the sketch plan approval. Dick J. seconded the motion. The Board voted 6-0.

Planning Commission memo on stormwater analysis:

Ted B. asked, and Mitchel C. answered, that the genesis of this memo was a concern about changes that may be going on with climate and frequency of larger storms. Mitchel C. explained that the government uses statistics to calculate the rainfall amounts used in calculations, and they can change these rainfall amounts at any time. This would be a mechanism for every designer to change that.

Dick J. said the Board doesn't do statistics, so they use state or federal numbers, and didn't feel the Board should get into it. Greg W. replied there is no reason to get into it until an application asks us to get into it. Dennis P. clarified that the memo talked about the effects of cumulative development. Ted B. said they aren't required to consider that any other developments may happen. Mitchel C. clarified that they are required to consider what may happen to/in other developments to obtain their state stormwater permit. They don't need to create infrastructure for uphill development, but do need to consider it.

Dick J. commented he was confused, as our regulations already say that you can't dump more water into a system than what is already coming from on your land. How could a developer be held accountable for water coming in from upstream? Mitchel C. said that for most storms that are for 10 year storm events, there is actually less water reaching stream at peak flow. Ted B. asked, and Mitchel C. answered that the quantity of stormwater can increase with many (larger) storm events. Ted B. said that more impervious surface upstream means there will be more water coming off that piece of land over time. Mitchel C. said the 2017 Water Quality standards are looking at more of a volume-based standard.

Mitchel C. said the suggestion is to look at adjacent property and keep it in mind and ask questions if it might come up. Ted B. asked if with a larger than 10 year event, there is more volume and flow. Mitchel C. said there is. Mitchel C. went on to explain that there is an exemption if the developer creates less than 10 acres of impervious, then they don't have to meet the 100 year standard. The Town of Hinesburg requires a stormwater review from the Town for development that creates more than 10,000 sq. ft of new impervious area, which is less than what the State requires for review. Maybe the 10 acre number should be reduced from 10 acres to something less (3 acres?), to be required to meet the 100 year standard in a Town review.

Mitchel C. said he'd like to go to a Planning Commission meeting to help address their concern. He noted that the state is currently looking at developments that have more than 3 acres of impervious surface; now these developments will need to get permitting. Mitchel C. said this will include Commerce Park.

News/Announcements/Correspondence

Mitchel C. said the Nov. 5 meeting will include one sketch plan application for a 2-lot subdivision on Dynamite Hill. He will put materials on Dropbox regarding the location. Access has been a concern in the past; he encouraged the Board to drive up Dynamite Hill before the Nov. 5 meeting. Ted B. asked Mitchel C. to provide information on if this access met the requirements of the subdivision and if it meets current driveway requirements. Mitchel C. is investigating. He commented that the lots would be at the top (flat part) of the hill, but would use the same access point. Alex W. will be filling in for Mitchel C. on the Nov. 5 meeting.

Mitchel C. announced he has received two other applications that have not been scheduled, including BlackRock. Greg W. asked about water. Mitchel C. replied they have their allocations for a first phase (separated into sections A and B, using their existing water allocation and new water allocation). Also to come is an application from Red Wagon Plants for a Farm Café.

The meeting adjourned at 8:22 PM.

Respectfully submitted,
Kate Kelly, Recording Secretary