

Town of Hinesburg
Development Review Board Meeting Minutes
February 20, 2024
Approved March 19, 2024

Members Present: Ted Bloomhardt, Jeff Daugherty (alternate), Dick Jordan (via Zoom after agenda change), John Lyman, Branden Martin (via Zoom after agenda change), Dennis Place, Mike Webb (via Zoom)

Members Absent: Jonathan Slason

DRB Staff: Mitchel Cypes, Development Review Coordinator

Applicants Present: Rolf Kielman and Rem Kielman

Public Present: Caroline Alves, Dean Rolland (via Zoom)

Dennis P. **called the meeting to order at approximately 7:01 PM.**

- 1. Agenda Changes:** Mitch C. brought an extension request for Patricia O'Donnell and Jim Donovan. They received preliminary plat approval on September 6, 2022 and a six-month extension approval on August 15, 2023. Their current approval would expire on March 6, 2024. Mitch C. said that he is already reviewing plans, but they need more time to complete the challenging application. Ted B. **made a motion, and John L. seconded, to approve another six-month extension for the Donovan/O'Donnell preliminary plat approval. The motion passed 5-0.**
- 2. Review minutes of the February 6, 2024 meeting:** John L. **made a motion, and Ted B. seconded, to approve the minutes as written. The motion passed 7-0.**
- 3. Rem Kielman – Final plat - 12-01-70.100 -** *For a two-lot subdivision to create a 1.54-acre developable lot from portions of a 107.38-acre lot and a 3.05-acre lot located on the east side of Turkey Lane in the Agricultural Zoning District.*

Rem K. explained the goal of the Application is to create a 1.54-acre buildable lot, using portions of his parents and sister's properties. Rem K. noted that the new lot acreage (just under 1-acre) would be taken out of the current use program which is the majority of his parent's property along with the fish and wildlife easement. Rem K. said there is an existing right-of-way to the North of the proposed new lot, which they plan to use for their driveway as well. Rem K. said there have been some challenges for placing a septic system but they ultimately received a state permit by moving the system closer to his parents' house. He noted an existing electrical vault to the northeast of the property which is where they will pull electric from and he pointed out the well location to the west of the proposed structures. Dick J. asked if the force main (cutting thru the agricultural land) will be buried deep enough that a tractor with a plow is not going to disturb it, and Rem confirmed they would be well protected.

Rem K. explained the plan for the proposed driveway and where the proposed structures would be built, noting that the construction would probably be phased and initially only include the residence. Rem noted the contours on the survey were taken from lidar so the grading plan is conceptual. He said the intent is to manage stormwater with a simple rooftop disconnect with an 85-foot run-off. Dick J. asked which way the water flows off the driveway and parking area and Rem said south, noting that the meadow slopes 5% south. Rem K. said for the first 27-feet will be lawn and that grade will break at a 15% grade to tie into the existing grade. Rem said the intention is to use the fill from excavation and create the lawn terrace. Rolf K. said they currently hay the meadow, and are hoping to continue doing

so.

There was a discussion about an easement for Green Mountain Power, and how the plans for the new lot may impact that easement. Dick J. said he thought it was interesting there was no easement detailed on the survey and assumed that all of the impacted lots would need to have updated deeds/surveys/etc., and Ted B. commented that a new easement across lot 3 for lots 2 and 3 would be needed.

The Board reviewed the Staff Comments provided. Mitch C. said the building envelope has been modified to meet the required setbacks and to avoid the stormwater disconnection area. Mitch C. noted that Rem addressed the questions pertaining to fill for the site and the utility system earlier in the meeting. Mitch C. explained that the surveyor used a coordinate system to locate the four points of the proposed lot and Rem K. said the work was done by Chris Haggerty. Branden M. asked if a surveyor had located the property lines and if pins were placed, and Rem K. said there were temporary pins that would be replaced when the project is finalized. Mitch C. asked if there was sufficient delineation for the Board to approve the project and said that the Board could require some tie lines be added for clarification. Rolf K. asked whether the surveyor could certify once the structure has been built that it's within the envelope, and the Board agreed that was fine. Dick J. said his main concern was that the Zoning Administrator has the ability to verify the project has met the regulations using the information provided on the survey. Branden M. said he was able to verify the coordinates.

Dick J. asked if the creation of the new lot would impact the ability to remain in the current use program, and Rolf K. confirmed they are trying to limit how much is taken out and there is still plenty of land to remain in the program. Rolf K. stated that the developed portion of his property, which is shown as a separate lot on the survey, is part of the same lot.

Dennis P. opened the hearing to the Public.

Caroline Alves, an adjoining landowner, expressed a concern about the proximity of the project to the creek. She said that after listening to the Applicant, she is comfortable the proposed subdivision will not impact the creek. She appreciated receiving the hearing notice.

Dennis P. **made a motion**, and John L. **seconded, to close the public hearing and direct staff to write conditions of approval.** The motion passed 7-0.

4. News/Announcements/Correspondence:

Mitch C. shared there are no new applications for March 5th and the meeting on March 5th will be a deliberative session (closed to the Public). Mitch C. said that John Lyman's current term will end in April 2024 and agreed to a new term on the DRB. Mitch C. also shared that Jeff Daugherty's term will also end, but he is moving and will not be continuing as DRB alternate. The Board thanked Jeff for his service.

5. Decision Deliberation: - Mitch C. stated that Jon S. was not able to attend the meeting tonight but was in support of both Applications. John Lyman said he would abstain from voting because he was not at the previous meeting. Mike W. and Jeff D. were also not at the last meeting.

- **Austin Properties LLC – Final Plat, Conditional Use & Site Plate – 20-50-10.100** – *To increase the number of residential units on a multifamily residential property from 24-units to 26-units on a 4.97-acre property located on Village Heights Road, which is on the east side of Mechanicsville Road in the Village Zoning District.*

Ted B. **made a motion**, and Dennis P. **seconded**, to approve the **Conditional Use/Site Plan draft decision as amended**. The motion passed 5-0.

Ted B. **made a motion**, and Dennis P. **seconded**, to approve the **Final Plat draft decision as amended**. The motion passed 5-0.

- **Leo Marrinson - Site Plan - 09-01-21.000** - *For Commercial Agriculture for a Tier 1 cannabis operation on a 6.35-acre property located at 47 72nd Street in the Rural Residential 2 Zoning District.*

Ted B. **made a motion**, and Dick J. **seconded**, to approve the **draft decision as amended**. The motion passed 5-0.

Dennis P. adjourned the meeting at 7:59 PM.

Respectfully submitted,
Danielle Peterson
Administrative Assistant, Planning & Zoning Department