

Town of Hinesburg
Development Review Board Meeting Minutes
February 1, 2022
Approved February 15, 2022

Members Present: Ted Bloomhardt (via Zoom), Dick Jordan (via Zoom), John Lyman, Branden Martin (via Zoom), Dennis Place, Jonathan Slason (via Zoom), Greg Waples, Mike Webb (alternate – via Zoom).

Members Absent: None.

DRB Staff: Mitch Cypes (Development Review Coordinator); Amy Coonradt (Recording Secretary); James Jarvis (Zoning Administrator).

Applicants:

- **Benjamin Hunt:** Benjamin Hunt (Applicant)
- **Anup & Meena Dam:** Anup Dam (Applicant – via Zoom), Meena Dam (Applicant – via Zoom)
- **Dennis Place:** Dennis Place (Applicant), Kathleen Newton (Applicant – via Zoom)

Public Present (via Zoom): Barbara Forauer, Merrily Lovell.

Dennis P. **called the meeting to order at approximately 7:03 PM.**

1. Agenda Changes:

Mitch C. announced Mike Webb as a new alternate member for the Development Review Board.

2. January 18, 2022 Meeting Minutes:

Jonathan S. **made a motion, and Greg W. seconded, to approve the January 18, 2022 minutes as amended. The motion passed 7-0.**

The minutes were amended as follows:

- P3: Replace “Dick J. asked if there will be a right-of-way on the driveway” with “Dick J. asked if there will be a right-of-way on the plat.”

3. Benjamin Hunt – 05-01-09.100 – Development on a Private Right-of-Way for a new lot to be created for forestry and conservation, located at 592 Magee Hill Road in the RR2 zoning district. The Applicant has to amend his earlier approval to avoid a leachfield.

Mitch C. noted positioning of the original right-of-way and the newly-proposed right-of-way on the site map. He said that the right-of-way had to be moved due the location of a leachfield. He said that the Applicant said that it would be possible to use the existing driveway as the access, since it is a better path and it avoids the leachfield. He noted that the Applicant wishes to create a lot of 89 acres to use for forestry and personal recreation.

Dick J. asked if there was any planned development on the lot. Mitch C. replied that the Applicant would need to return to the DRB for approval for any development on the conserved lot in future. Ted B. asked when the garage was being removed. Ben H. replied that the garage would come down this spring or early summer.

Dennis P. opened up the discussion to the public. There was no public comment.

Greg W. **made a motion, and Ted B. seconded, to approve the decision as drafted. The motion passed 7-0.**

4. Anup & Meena Dam – 09-02-34.200 – Minor subdivision revision application to modify the landscaping on the Abani Drive development common lot in the RR2 Zoning District. *Continued from January 18, 2022.*

Mitch C. displayed the landscaping plan. Meena D. said that the Applicants moved into 202 Abani Drive and that when the Zoning Administrator came to inspect for the Certificate of Occupancy, he'd noted to the Applicants that the cedar trees that had been planted had died. Jim J. (the Zoning Administrator) said that he felt that there is enough vegetation that the screening of cedar trees along Abani Drive was no longer needed. Meena D. said that the Applicants are seeking to be excused from replanting them.

Ted B. asked whether the vegetation that has grown up in the last 5 years makes it difficult to have a cedar hedge at that location unless the other vegetation is removed. He said that if that is the case, then requiring replanting of the cedar hedges might be counter-productive. He said that he thinks there is enough screening to not have to do that.

Jonathan S. asked whether the vegetation that is currently growing is on the subdivision property. Meena D. replied that it is between the subdivision property and an abutting neighbor. She noted that the HOA had discussed this and that they did not have issues with it.

Dick J. said that the DRB had previously felt that screening was important, and is hesitant to completely strike the requirement that there be screening there. He said that there should be some vegetative screening maintained there, in case whatever is currently growing dies.

Greg W. said that he doesn't have concerns about replacing the cedars with something else. He said that he has not seen what is there currently and thinks that photographs would be helpful. Ted B. replied that he can't see houses from the road when he has driven by, and Jim J. concurred. Jim J. said that the cedars that were planted were crowded out by existing forestation, and he feels that the existing forestation is providing sufficient screening by itself.

Jonathan S. said that he believes the natural landscaping is sufficient and is comfortable with the Applicant going forward with the removal of the cedars and removing that from the order. Ted B. said that screening should be required, but that it could be natural vegetation screening. Other DRB members agreed.

Dennis P. opened the discussion up to the public.

Barbara F. asked how old the current vegetation is. Ted B. replied that it's young and is maybe around 10 years old. Meena D. added that what is currently there is a mixture of existing and planted vegetation.

Ted B. made a motion, and Greg W. seconded, to close the public hearing and direct staff to draft an approval with a revised screening requirement for that location. The motion passed 7-0.

5. Dennis Place – 16-20-20.000 – Conditional Use and Site Plan review for a home occupation to process wood on his 190 Place Road West property located in the RR1 zoning district.

Dennis P. recused himself from this application. Dick J. took over as chair. Mike W. participated in this hearing.

Dennis P. described the history of his wood business. He noted that it began in 2009 when he was getting sugar works on his property situated. He said that upon inspection, the woods on the property were overgrown with dying beech and hickory trees and that he had a state forester come and evaluate the forest and provide guidance on which dying trees to remove. He said that his brother-in-law built the wood bunker and set up a wood processing site once they began removing trees. He said that every five years he and his brother-in-law will replace a section of sugaring pipeline and cut between 10 and 12 cords of wood, which was then sold. He noted that his brother-in-law has gotten requests from people who wanted wood. They started to bring in wood from off-site. He found out recently that this is not agriculturally exempt, but requires a permit. He said that the business hasn't changed and that they aren't cutting more wood than before, but they are receiving wood from local loggers in addition to the wood cut from his property. He said that they process around 100 cords at a time, which takes around 3 weeks to process.

Greg W. said that Dennis P. had come prior with a request that was similar around 10 years ago but was denied. Greg W. asked how this application is different from that. Dennis P. pointed out the different location that was the subject of the previous application was closer to other residences, and noted that the concern from the neighbors at that time was related to noise. He confirmed that the activity associated with this application would only occur for 3 weeks per year. Greg W. asked whether there would be noise associated with log trucks. Mitch C. noted that the maximum number of trucks coming onto the property, as described in the application, would be about 12 per season and about 20 per year. Dennis P. explained that the logs are placed in an area far from any residences and left to dry prior to sawing and splitting.

Greg W. asked whether the noise associated with chain sawing, and/or splitting. Dennis P. replied that they are not using chainsaws, but have to truck the logs to where these would be sawed and then split. Dennis P. said they use a hydraulic wood processor, which is less noisy than chainsaws, and makes about the same level of noise as an idling excavator.

Jonathan S. said that he is comfortable approving the application as is, but asked what the threshold would be to review this if noise becomes a problem in future. Greg W. replied that the Applicant would be subject to the performance standards, which would prohibit a significant extension of the operation without DRB approval.

Dick J. asked if the log trucks come onto Place Road from Route 116. Dennis P. replied that they go from Route 116 to the Applicant's private right-of-way and don't go on Place Road at all.

Mike W. asked about the house closest to the wood bunker itself—he asked if the Applicant has been in communication with that neighbor. Dennis P. replied that yes, they have been in contact with all surrounding neighbors about this.

Dick J. opened the discussion up to the public. There was no public comment.

Jonathan S. **made a motion, and Greg W. seconded, to close the public hearing and direct staff to draft a decision of approval. The motion passed 7-0.**

Dennis P. returned to the Board as chair.

6. March 1, 2022 Meeting – Mitch C. said the first-floor conference room will not be available due to an election.

Mitch C. said that the Town has received one new application (a final plat application), and the Board has stated in the past a strong preference not to hear major applications at a remote meeting. He said that there are still no specific items for the March 1 agenda.

Greg W. **made a motion, and John L. seconded, to cancel the March 1 meeting. The motion passed 7-0.**

7. Decision Deliberation:

- **Gary & Mary Thibault 0 08-01-73.600** – Subdivision revision application

DRB members noted a minor typo in Finding of Fact #2 and corrected it.

Greg W. **made a motion, and Jonathan S. seconded, to approve the decision as amended. The motion passed 7-0.**

- **David & Danielle Johansen** – 09-01-47.170 – Sketch plan application

DRB members corrected Order #3C to strike the word “show”.

Ted B. **made a motion, and John L. seconded, to approve the decision as amended. The motion passed 7-0.**

8. News/Announcements/Correspondence

Mitch C. noted that at the next meeting they will have the return of Robert Farrell’s subdivision revision application, a motorcycle repair home occupation application, and a subdivision revision to combine lots that would part of three separate subdivision approvals.

The meeting adjourned at 7:57 PM.

Respectfully submitted,
Amy Coonradt, Recording Secretary