

**Town of Hinesburg**  
**Development Review Board Meeting Minutes**  
**October 18, 2022**  
*Approved November 1, 2022*

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

**Members Absent:**

**DRB Staff:** Mitch Cypes (Development Review Coordinator).

**Applicants:**

- **Ben Brown/Russell & Carol Fox/Jesse Paul:** Ben Brown (Applicant, via Zoom)
- **Rem & Meredith Kielman:** Rem Kielman (Applicant, via Zoom)
- **Frank Babbott & William Chatoff:** Frank Babbott (Applicant), Charles O'Brien, Shari Rainville

**Public Present (in person):** None.

**Public Present (via Zoom):** Merrily Lovell (after 7:55 PM)

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

**1. Agenda Changes:**

**2. Review minutes of the October 4, 2022 meeting:**

Ted B. **made a motion, and John L. seconded, to approve the October 4, 2022 minutes as presented. The motion passed 6-0 (Dennis P. abstained).**

**3. Ben Brown/Russell & Carol Fox/Jesse Paul – Subdivision revision - 17-22-44.000/17-22-45.100/17-22-44.100** – To adjust the previously approved property line change to better match the existing Partridge Hill roadway.

Mitch C. noted that these applicants would like to split the right-of-way and adjust the property boundary so that it follows the center of the road, rather than the center of the right-of-way. He noted that the 50-foot right-of-way itself is not changing. He additionally noted that a small amount of property is being shifted from one of the property owners to another, but it is minor. He said that this does not change the amount of lot area outside the right-of-way, just certain areas within the right-of-way. Ben Brown joined the meeting and confirmed the information Mitch C. stated.

Dennis P. opened the discussion up to the public.

There was no public comment.

Dennis P. **made a motion, and Jonathan S. seconded, to close the public hearing and approve the draft as written. The motion passed 7-0.**

**4. Rem & Meredith Kielman – Sketch Plan – 12-01-70.100** – For a 2-lot subdivision to create a 1.3-acre lot from an 86.1-acre property located at 166 Fox Meadows in the Agricultural Zoning District.

Rem Kielman said that this is a request to subdivide an existing property to create a 1.3-acre lot. He said that they would like to push the property as far north as possible in order to locate the house as close to the tree line as they can.

Dick J. noted the boundaries of the proposed new lot and asked why the Applicant did not want to continue their new property up to Turkey Lane. Rem Kielman replied that they hope to minimize the lot size that they would be taking out of current use. He added that there are also considerations around the minimum right-of-way frontage. Mitch C. noted that there is a 200-foot minimum lot frontage requirement that would not be met if the property extended to Turkey Lane, that there was a minimum 100-foot width per Section 2.5.6 of the HZR of separation required between the proposed property line and Turkey Lane, and since there is a 20% maximum lot coverage in the Agricultural zoning district that the Applicant is advised not to make their property too small.

Jonathan S. said that he is comfortable with the proposal as it stands, as the Applicant goes out of their way to utilize an existing driveway so as not to disturb prime agricultural soils on the property. He recommended that the Applicant heed Mitch C.'s advice about lot size and minimum lot coverage.

In response to the existence of hydric soils on the southern portion of the proposed lot, Dick J. noted that there does not seem to be significant wetlands on the property. The Board concurred that a wetland delineation was not needed.

John L. asked if there is concern about the odd shape of the lot. Mitch C. replied that it is within the boundaries of the zoning requirements. He also noted that the Applicant isn't completely sure about the configuration of the property, and recommended that the DRB allow for a certain degree of flexibility to the Applicant while they solidify plans.

Dennis P. opened the discussion up to the public.

There was no public comment.

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

**5. Frank Babbott & William Chatoff – Sketch Plan – 04-01-14.300/04-01-14.100** – For a 2-lot subdivision to create a 6.3-acre lot from parts of two properties on Rocky Mountain Lane in the Rural Residential 1 Zoning District.

Frank Babbott described the subdivision and said he would like to explore the options available to him and William Chatoff to use acreage from each of their properties to create another parcel. He noted that there are some slopes in that area and that the parcel has very few level areas (though there are some). He said that they have a driveway that they privately manage. Mitch C. noted that the RR1 District does not contain the same regulatory requirements around the moderately-sloped areas (of 15-25%) as other districts in Hinesburg.

Dennis P. said that a site visit would be helpful for this proposal, as it would help them understand where the proposed driveway and house sites would go.

Ted B. asked about the driveway grades that would allow access to this location. Mr. Babbott replied that one of the hill grades is 11% and the other is 18%.

Mitch C. noted that when the driveway that services Babbott's and Chatoff's properties were built outside of their lands and that they needed to get an after-the-fact easement for access. The easement only allowed for two residential properties. The DRB will need feedback from the Applicants as to what changes are required. Dick J. said that if they don't want to change the deed then they may need to move the road. Mitch C. said that the DRB could make it a condition of approval prior to final plat that the Applicant needs to modify the deed or show evidence of such.

Jonathan S. said that he appreciates the proximity to Route 116, given the size of the parcels, and expressed support for the location of the subdivision. He said that he is interested in the 2003 development agreement, which references the grade of the shared portion of the driveway and would like more information on that. Mitch C. noted that in 2003 the DRB granted an approval for a subdivision revision on this property, and that the decision strongly recommended at the time that no additional development occur on any of the lots using this private right-of-way. Ted B. noted that at the time, the Applicant had promised that the driveway would be built to comply with regulations, but ultimately ended up building a driveway that was not in compliance with regulations. He said that the Applicant returned to the DRB after the fact and was eventually granted approval for the driveway for those two lots but with the condition that no additional developments use it.

Mike W. asked about access for emergency vehicles for that driveway. Mr. Babbott replied that the previous fire chief had looked at and granted approval for this access and that emergency vehicles are able to access the property.

Dennis P. opened the discussion up to the public.

There was no public comment.

**Dennis P. made a motion, seconded by John L. to continue the two-lot subdivision sketch plan for a site visit on October 29, 2022 at 9:00 AM and to continue the hearing to November 1, 2022. The motion passed 7-0.**

## **6. Decision Deliberation**

- **Andrew Burton & Corrin Drosin – 14-21-13.00** – Conditional use for expansion of a non-conforming structure located at 180 Shadow Lane on a 0.18-acre property in the Shoreline Zoning District.

**Ted B. made a motion, seconded by Branden M., to approve the decision as written. The motion passed 6-0 (Dennis P. abstained).**

- **Haystack Crossing, Black Rock Construction – 16-20-56.500** – Subdivision final review 60 lots, 176 dwelling units, 27,000 square feet of non-residential space (commercial, light industrial), and greenspace. Haystack Road, 76-acre parcel. *Public hearing closed September 20, 2022.*

Mitch C. noted that the Haystack decision is still in the process of being drafted. He said that he will send the draft out later this week.

## **7. News/Announcements/Correspondence**

At the next meeting they will hear continuations of the Babbott/Chatoff and Hinesburg Center 2 applications. He also noted that the Selectboard is in the process of interviewing for alternate positions for the DRB.

**The meeting adjourned at 8:05 PM.**

Respectfully submitted,  
Amy Coonradt, Recording Secretary