

Town of Hinesburg
Development Review Board Meeting Minutes
January 2, 2024
Approved January 16, 2024

Members Present: Ted Bloomhardt, Jeff Daugherty (alternate via Zoom after Volk), Dick Jordan (via Zoom after minutes), John Lyman, Dennis Place, Jonathan Slason, Mike Webb (via Zoom)

Members Absent: None

DRB Staff: Mitchel Cypes, Development Review Coordinator

Applicants Present: Randy Volk, Kate Morrissey, Sarah Harrington, Chris Haggerty

Public Present: Valerie Spadaccini (via Zoom), Marjorie Meyer (via Zoom), Randy Kay (via Zoom)

Dennis P. **called the meeting to order at approximately 7:00 PM.**

1. Agenda Changes: None.

2. Review minutes of the November 7, 2023 meeting: John L. **made a motion, and Jon S. seconded, to approve the minutes as written. The motion passed** 5-0, with Branden M. abstaining.

3. Randall Volk, Dovetail Designs - Free Standing Sign - 20-50-12.000: On a 1.20-acre property located at 18 Mechanicsville Road in the Village Zoning District.

Randall Volk explained that Dovetail Designs, a business he and his wife own together, has been in its present location on Mechanicsville Road since 2011 and they are finally getting around to putting up a sign in the front yard. Mitch C. confirmed that the proposed sign design meets all requirements for approval (size and proposed location). John L. asked if this application could have been approved without coming before the DRB, and Mitch C. explained that the current regulations require a DRB approval but the Director of Planning & Zoning would like to try to transfer this type of application to the Zoning Administrator because everything is measurable. Mitch C. noted that the DRB would continue to review applications for multiple signs, illuminated signs, or unusual/odd signs. Ted B. noted a grammatical edit in the Order section of the drafted approval.

Dennis opened the meeting for public comment. There was no public comment for this application.

John L. **made a motion, and Ted B. seconded, to close the public hearing and approve the draft decision as edited.** The motion passed 7-0.

4. Sarah Harrington & Kathleen Morrissey - Development on a private right-of-way - 14-21-72.000: To build a year-round residence with the removal of an existing camp on a 0.81-acre property located at 147 Wood Run, utilizing the existing part of the 129 Wood Run driveway, in the Shoreline Zoning District.

Mitch C. explained the property has a number of unusual (pre-existing) circumstances which required a good deal of research and resulted in more material for the Board Members to review prior to the meeting, all of which was provided on the DRB website. Mitch said the application is basically regarding access, and he reviewed several sections in the Hinesburg Zoning Regulations that applied to this application in terms of land access (i.e., right-of-way, setbacks, etc.). Jon S. mentioned the two distinct options for camp replacement, either conversion of an existing structure or replacement of the

structure. Each option has specific regulatory requirements and Mitch explained that because this application is proposing to knock down the existing structure and build a new residence, the Applicants will need to obtain a building permit and receive approval from the DRB for development on a private right-of-way where it's shown that emergency vehicles can access this property and that the new building complies with the appropriate setbacks.

Chris Haggerty L.S., of Button Professional Land Surveyors working for the Applicants, commented on the history behind this property and the historical applications and approvals that were issued for the property. He stated that the Board should take into consideration the pre-existing nonconforming width of Wood Run, which was addressed in the material submitted with this application; the use of an existing driveway that serves 129 Wood Run (Kay/Meyer Residence) which also utilizes a private right-of-way to the benefit of both Key/Meyer and the Applicant's properties. Chris said they have identified an area that meets the setback requirements for the construction of the new residence, and they are in the process of identifying areas for a replacement wastewater system. Dick J. asked if they (the Applicants) have the expectation that the new house, decks and any other structures will all fit within the required setbacks. Chris confirmed that was the expectation. Dick J. confirmed this application will only be reviewed once, and wondered how the DRB would know the wastewater system is taken care of. Mitch clarified that the Zoning Administrator would confirm those outstanding issues before issuing any permits or certificates of occupancy. Chris reiterated the unusual nature of this property, and the order of operations – specifically that in order to design a septic that conforms with the State wastewater regulations, they need acknowledgement that this lot is suitable for development on a private right-of-way.

Jon S. noted that lot coverage (10% of the lot) is not a review criteria for this application, but was mentioned by Mitch in the Staff Report, and the fact the neighbor (Kay/Meyer) is currently utilizing a parking-area that is technically on the Applicant's property, so would have an impact on their total allowable lot coverage. Mitch said that this was such an interesting situation, a variance might be something to consider, since the lot coverage is not in total control of the Applicant.

Mitch C. noted and read the comments submitted by the Fire Chief, Nick Baker. John L. discussed the road conditions and stated that he visited Wood Run with Nick Baker. John L. confirmed there is a road association, and there are some areas that are narrow and should be cleaned to allow for passing on the road. The first turn off Wood Run is very tight, and of concern that emergency vehicles might not be able to turn. John L. said it would be to their (the residents of Wood Run) advantage to make those radiuses and pull-outs larger, and Ted B. said the Applicant's could work with the road association to have those changes made. The Applicant's asked for more specificity about the turning radiuses.

Chris H. explained there is buried electric in a right-of-way, and a right-of-way that accommodates the Kay/Meyer driveway in its entirety crosses the two lots owned by the Applicant's.

Sarah H. described the road association for Wood Run as active, and that it addresses maintenance issues as they arise. Dick J. noted a comment made by the Fire Chief about vegetation and road encroachment.

There was a discussion about the setbacks required for the proposed new dwelling.

Ted B. asked how many other seasonal camps or undeveloped lots on Wood Run, and Mitch C. reviewed the residences that have been converted or remained as seasonal camp, which are describe

on a map submitted by Staff.

Ted B. said he did not see a fatal flaw with the application, and other than the few details that need to be worked out, was fine with issuing an approval. Dennis P. and John L. agreed with him.

Dennis P. opened the hearing to the Public.

Marjorie Meyer said she appreciated how thoughtful the review has been. She wanted to note a steep ridge from the property towards Lake Iroquois and the issue of water run-off into the Lake. She is in support of this application.

Randy Kay shared that in 2004 they had to widen their driveway and increase the turnaround area due to a recommendation of the Fire Chief at that time. He also noted several instances over the years where larger vehicles needed to access the Lake via this right-of-way/driveway, so he is confident it will accommodate that again.

Valerie Spadaccini noted she has a shallow well that is close to the property line so she plans to keep tabs on the project and construction.

Dick J. commented on Kate Kelly/Conservation Commission asking for a continuance for the Conservation Commission to be able to review the application before the DRB issued a decision. The DRB discussed this. Mitch C. noted that there was a correspondence that noted the limitations of this application.

Dennis P. **made a motion**, and Ted B. **seconded, to close the public hearing for deliberation**. The motion passed 7-0.

- 5. Extension Request: Bill & Patti Drew – Sketch Plan – 09-01-01.500:** 1st request for a six-month extension for a three-lot subdivision of a property located at 108 Thorn Bush Road in the Village Zoning District. Approval was issued on 8/1/23 and will expire on 1/28/24.

Ted B. **made a motion**, and Jon S. **seconded, to approve the 6-month extension request**. The motion passed 7-0.

6. News/Announcements/Correspondence:

Mitch C. shared what applications have been scheduled for January 16th and February 6th DRB meetings. Mitch mentioned that the Act 250 hearings for Hinesburg Center 2 and Haystack have finished and the decisions are pending. He also shared that a report from Stone Environmental regarding the PR&R/Mobbs project on Observatory Road. John L. stated he will not be available for the February 6th meeting.

Dennis P. **made a motion**, and Ted B. **seconded, to close the public hearing to go into deliberative session**. The motion passed 7-0.

Dennis P. adjourned the meeting at 7:52 PM.

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