

Town of Hinesburg
Development Review Board Meeting Minutes
May 17, 2022
Approved June 7, 2022

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

Members Absent: None.

DRB Staff: Mitch Cypes (Development Review Coordinator)

Applicants:

- **Roger & Miriam Kohn:** Roger & Miriam Kohn (Applicants)
- **David Quaglietta:** David & Melissa Quaglietta (Applicants)
- **Joseph Laster:** Joseph Laster (Applicant), Hannah Wingate (Civil Engineer for the Applicant)

Public Present - (in person): Jennifer Lang, Sean Lang, David Nagel; (via Zoom) Carl Bohlen, Liz Doran, Barbara Forauer, Kate Kelly, Merrily Lovell.

Dennis P. **called the meeting to order at approximately 7:02 PM.**

1. Agenda Changes: None.

2. May 3, 2022 Meeting Minutes:

Greg W. **made a motion, and John L. seconded, to approve the May 3, 2022 minutes as amended. The motion passed 5-0** (Ted B., Branden M., and Mike W. **absent for vote**).

The minutes were amended as follows:

- Page 2, paragraph 5, last sentence: replace “and could connect” with “and can travel between”.

3. Roger & Miriam Kohn – 08-01-79.000 – Development on a private right-of-way to create a new access for their 1652 Silver Street residence on the adjacent 1584 Silver Street property. Both properties are in the Agricultural Zoning District (AG).

Roger K. said that their goal is to develop the best possible driveway as possible with the lowest grade. He said that there is a ledge in the area and they would like to rely on the excavator to put the driveway in the best possible location on the property. Mitch C. noted some inconsistent contours on the presented map. He said that they are attempting to make an even grade, but may need a condition with approval. Roger K. noted that the engineer had indicated that there will be about a 15% grade for around 10 feet, but other than that it should be much less. He said that he does not believe conditions on the approval are appropriate since they are trying to get the best grade possible, they have no other place to put the driveway, that they plan to put it in a safe location, and it will be a massive improvement on the current driveway.

Dennis P. asked the Applicant if they are keeping their current driveway. Roger K. replied that they are not removing it. Dennis P. asked how they will ensure that people do not use the current driveway.

Roger K. said that he could put a gate on the current driveway to encourage people to use the new driveway. He pointed out that the entrance of the current driveway is not dangerous, but the exit is.

Dick J. asked whether there are concerns with using the new driveway for emergency access. Roger K. replied that there are no concerns. Greg W. said that he did not see turnarounds for emergency vehicles for the new driveway. Roger K. replied that there is a turnaround at the house and that it is sufficient for emergency vehicles. Dick J. asked about the radius of the turns in the driveway. He asked whether the Applicant has discussed those with the Fire Chief. Roger K. replied that the driveway will be 12 feet wide. John L. said that he can't determine it from the picture but does not anticipate that there will be an issue.

Dick J. asked about some of the contours off the side the driveway and asked whether it will be grass-lined slope. Mitch C. replied that it will be a cut. Roger K. said that they are trying to make a driveway to get around the highest area, and that they have a problem with sight distance right before exiting the driveway.

Ted B. said that they should block the old driveway. Mitch C. said that when a property adds an entrance, they need approval from the Town for that access, but they are not prohibited from having multiple driveways. Dick J. asked whether they are supposed to remove the packed surface of the old driveway or whether they can let it grow over. Mitch C. replied that there are sometimes situations where lot coverage is an issue, but this is not one of them. He said that the Applicants are seeking to use this as their primary entrance, which is why they need to have development on a private right-of-way.

Jonathan S. asked why the Applicants are concerned about a condition requiring 15% or lower grade, since that has been previously required by the Board for applications. He also asked about screening for neighbors. Roger K. replied that they own both properties, so they should have discretion over screening between the two. Roger K. said that he thinks that the grade will be under 15%, but had previously heard from staff that the limit might be 12% (which might be more difficult). He said that he thinks they will be able to keep the grade under 15%, but would like to know that they have the ability to return to the DRB if they are unable to meet that requirement. The DRB said that the condition will be 15% or lower grade.

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

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

4. David Quaglietta – 11-01-06.100 – Conditional Use review for a motorcycle repair home occupation on a 21.45-acre property located at 2360 Silver Street in the Agricultural Zoning District (AG).
Continued from 4/5/22.

David Q. said that he has a motorcycle shop in Essex and is looking to start bringing some of his work home with him. He said that there are not many motorcycle shops in the area, and he would like to be able to perform inspections and other repairs. He said that he does not intend for customers to come to the home occupation.

Dennis P. asked if there are setback issues with the current application. Mitch C. replied that the regulations had previously stipulated a 100 foot setback from the road, but that the regulations have

been updated and the requirement is now a 25 foot setback. He said that the application meets the new setback requirements for home occupation vehicle repair services.

Jonathan S. asked how the overall look of the building will change and how it complies with screening requirements. David Q. said that the existing workshop consists of an 18x30 foot bay on the north side of the property. He said that there will be a parking area and that it will be screened. He said that he will have two bays and they will be covered.

Greg W. asked if there are other residential structures in the near vicinity. David Q. replied that there are not. Greg W. asked if the Applicant uses power tools. David Q. replied that he does not use air tools. Greg W. said that there don't seem to be noise concerns.

Dick J. asked how the Town can ensure that the home occupation doesn't take up the entire building, given the 100 square foot limit for the use. David Q. replied that the building has a dirt floor and that he will be limited by the amount of area that has a concrete pad. Greg W. said that it'll be permitted according to regulation and if they violate it then it will be an enforcement issue.

John L. asked if the working hours are rigid or if they can be expanded if needed. Ted B. pointed out that the work would be conducted indoors, so it should not pose too much of a disturbance. The DRB and Applicant agreed that 9:00 AM to 9:00 PM would be appropriate, given the seasonal nature of the occupation.

Jonathan S. asked if the Applicant is aware of regulations around oil, wastes, odors, smoke and vibrations. David Q. replied that they are aware of them and they have an rag service and oil service and that tires are recycled.

Dennis P. opened the discussion up to the public.

John Lang, an owner of a dairy farm on the other side of Isham Road, said that his concern is about noise. He said that they have experienced numerous complaints about noise since the Applicant moved in and that the Applicant and customers ride motorcycles on the roads at high speeds. He said that the Applicant seems disingenuous about customers coming to the property, since they have signs and advertisements on their property. Greg W. said that this application does not deal with the right of the Applicant to ride motorcycles or other vehicles on public or private roads, rather it deals with a private home occupation. Melissa Q. noted that there has been a long history between the Quagliettas and Langs since the purchase of the property. She noted that traffic on Silver Street is incredibly unsafe and that there are motorcades going by constantly, which aren't necessarily coming out of their shop. John Lang replied that if it is going to be a state inspection facility, then it is misleading if this is an application for a home occupation without customers.

Dick J. asked about the comment about lighted signs, since lighted signs are a separate regulatory issue. David Q. replied that he is closing off two bays to put up a visual blocker and that they have put up a logo, but that it will come down to finish the walls. Mitch C. said that they will need to obtain a permit from the Zoning Administrator for an unlit sign, and that they would need a permit from the DRB for an illuminated sign. David Q. said that the light will be removed and that there will be an unlit wall sign. Jonathan S. suggested having a condition requiring the Zoning Administrator to inspect the site. Mitch C. said that they could inspect the site and report back, but that they would have to continue this

application to do that. He said that they could also put the onus on the Applicant to comply with regulations.

Barbara Forauer asked whether the Applicant would have vehicles outside. Mitch C. replied that they would not be working on vehicles or storing vehicles outside, and that they are limiting their occupation to 540 square feet.

Greg W. made a motion, and John L. seconded, to close the public hearing and direct staff to draft conditions of approval. The motion passed 7-0.

5. Joseph Laster – 17-22-62.100 – Preliminary plat application for a 9-lot 8-unit subdivision of a 106.27-acre property located on the east side of Mechanicsville Road between the Town Cemetery and Hawk Lane in both the Residential 1 Zoning District (R1) and the Rural Residential 1 Zoning District (RR1).

Hannah Wingate said that this preliminary plat application encompasses Phase 1 of Master Plan, and that it encompasses 8 residential lots accessed by a 22-foot wide paved roadway. She displayed the plan showing the 8 lots. She noted that there is a 9th lot comprising the remaining undeveloped land. Greg W. said that he attended the site visit and asked how the proposed right-of-way matches up with how they entered for the site visit. Hannah W. replied that the proposed access is about 75 feet south of the existing farm road. She said that the existing farm road is within the stream setback and that the proposed curb cut is situated in a class 3 wetland which is bounded by a class 2 wetland and an associated 50-foot buffer. She said that curb cut complies with Town and State regulations.

Jonathan S. asked if there has been outreach regarding screening or minimizing headlight effects. Hannah W. replied that there has not been outreach to her knowledge and that headlights should not be an issue. Joe Laster added that they have outreached to the neighbor of the property in question but that the neighbor has not responded in many months. He said that the neighbors have a six-foot fence that exists and that headlights should be pointing north of the house when they are coming from the proposed development.

Mitch C. noted that there was a staff comment around exploring alternative access, but it sounds like they have identified the ideal location to minimize environmental impact. Mitch C. also noted that they have preliminary approval from the Town for that access. Hannah W. noted that there is a 200-foot stretch of gravel drive at the top of the road to act as the fire truck turnaround.

Jonathan S. asked if there will be lights around the road. Hannah W. replied that they are not proposing lighting along the road. Jonathan S. said that he would advocate for street lights for the intersection's crosswalks and asked how other DRB members feel about street lights. Joe L. agreed that there should be a street light at the intersection for safety. He said that the road in Phase 1 will be quite short. The Applicant said that Phase 1 will not preclude street lighting in the future. He said that when it gets extended, that may be the time to install additional lighting.

Dick J. asked if the road is in the same place as where it was shown in the Master Plan. Hannah W. replied that it is in a very similar place but there have been minor tweaks. He asked if the placement of

the stormwater treatment near the turnaround spur precludes the spur from becoming an intersection for a looped road in future. Hannah W. replied that it does not, and that it has been carefully planned to allow that flexibility if needed. Greg W. asked if that is a loop around the principal stormwater treatment facility. Hannah W. replied that yes, it is situated such that it could fit in a potential looped Phase 2 roadway.

Mitch C. reviewed the staff comments. He confirmed with the Applicant that the building envelopes be locatable and the final plat will include those indicators. He confirmed that the final survey will include information on the plat prepared by the licensed land surveyor. He confirmed that access issues have been satisfied. He asked how the proposed maintenance agreement will be amended to allow for future expansion. Joe L. replied that they will prepare a plan that allows for expansion in final. Mitch C. confirmed that the prototype residence by Truexcullins is still valid and that there are no retaining walls in the project. In terms of stormwater design comments, Hannah W. confirmed that they will make small modifications to correct some of the items brought up in staff comments and that it should not deviate too much from the current plan and will meet the targets proposed in the application. Mitch C. asked about the 36-inch corrugated metal pipe. Hannah W. replied that she visited the site and that it appears in good condition. Hannah W. confirmed that the Applicant understands the LID standards. Mitch C. asked if the soil stockpile location will interfere with the sidewalk placement. Hannah W. replied that they have guidelines, but that contractors will determine the best location for the stockpile once they are on the ground. Mitch C. asked what erosion control measures will be utilized during construction. Hannah W. replied that they will have standard protections, such as silt fence downslope of disturbed areas and construction limit fencing. Mitch C. confirmed with the Applicant that the buildings will be set for maximum solar exposure. He also noted that the Applicant should review conversations with the Trails Committee. Joe L. replied that they are not proposing trails in Phase 1, though there is an unofficial trail that is currently in use.

Jonathan S. asked if on-street parking will be prohibited, given the width of the road. Hannah W. replied that they are not proposing any, as driveways should be sufficient. Mitch C. pointed out that the road will be 22 feet wide. Jonathan S. asked if the Applicant is considering prohibiting on-street parking in future. Ted B. suggested allowing the Applicant contemplate parking requirements for final plat.

Dennis P. opened the discussion up to the public.

Kate Kelly (of the Conservation Commission) suggested including the forested areas on the development property as part of their conservation zone, since it's an important overwintering area for species such as spotted salamanders. She also suggested putting in sloped or slanted sidewalks so that salamanders are able to access each side of the road to get to their breeding grounds. Mitch C. noted that the north side of the roadway will not have a curb. Joe L. said that they will be removing curb at the crosswalk of Mechanicsville, which should help.

Dennis P. made a motion, and Greg W. seconded, to close the public hearing and direct staff to draft conditions of approval. The motion passed 7-0.

6. Decision Deliberation:

- **Donald Ross & Karen Cornish – 09-02-38.800** – Sketch plan application for a 4-lot subdivision of a 140-acre property, owned by David & Helen Nagel, located on the east side of Gilman Road between Birdy Drive and Hines Road in the Agricultural (AG) Zoning District.

Greg W. **made a motion, seconded by John L. to approve the decision as written. The motion passed 6-0.**

7. News/Announcements/Correspondence

The Board decided to cancel its July 5 meeting. Mitch C. said that upcoming larger projects include Haystack and Hinesburg Center 2. He said that at the June 7 meeting, Farrell/Livingston will return if they have submitted plans. He said that they will also hear a major subdivision with the Mobbs property. He said they may also hear a site plan application, though he is waiting to receive additional information prior to scheduling the hearing.

The meeting adjourned at 8:47 PM.

Respectfully submitted,
Amy Coonradt, Recording Secretary