

HINESBURG DEVELOPMENT REVIEW BOARD  
STAFF REPORT -FINAL PLAT REVIEW  
May 7, 2002 DRB Meeting

DATE: May 1, 2002  
FROM: Faith Ingulsrud, Town Planner  
RE: DONALD PALMER - Final Plat Review for one lot on Palmer Lane

APPLICANT: Donald and Laurel Palmer  
LOCATION: Tax Map Parcel # 2-1-3 on Palmer Lane  
PROCEDURE: Section 4.2 for Minor Subdivisions  
Sketch Plan Approval granted on April 2, '02.

ISSUES: The issues raised at the 4/02/02 sketch plan approval have been addressed as follows (see enclosed copy of conditions):

a. A condition requiring a 50' right-of way to remaining land in Hinesburg was imposed. The proposed 10 acre lot will result in a remaining 60 acre parcel, owned by Donald Palmer that is divided by the Hinesburg-Richmond town line. An existing house is located on the 18 acre portion in Richmond, leaving 42 undeveloped acres in Hinesburg.

Case law indicates that town boundaries can be considered lot lines, so theoretically, Mr. Palmer could sell the 42 acre parcel as a lot separate from the portion of the 60 acre lot in Richmond without subdivision approval from the town. The town is prohibited by statute from permitting land-locked parcels to be created. The applicant has provided a sketch showing the location of a possible driveway right-of-way from Richmond providing access from the road to the 42 acre parcel. However, it seems pre-mature to review access to a portion of land the applicant has no intention of developing or selling.

The DRB could prevent future sale and development of the 42 acres in Hinesburg by prohibiting sale of the land as a separate parcel without subdivision review by the town and requiring "Development on a Private Right-of-Way" review for any non-agricultural or forestry development of on the land. At that time any access and the right-of-way can be reviewed in detail.

b. Certification that the septic system was designed to State Standards was provided by the designing site technician, Justin Willis in a 4/8/02 letter. Mr. Willis also addressed concerns about the underground power line next to the mound system. A 4/05/02 letter from Vermont Electric Coop confirms that the septic line may be placed under the existing power line provided dig-safe is contacted in advance.

c. Easement language for the septic easement on David Palmer's property was provided and appears to be adequate. The plat should be revised to show the easement.

- d. The Town Road Foreman did not want provide a letter on the drainage from the driveway because he does not feel he is qualified or authorized to review private driveways. Unfortunately we do not have clear standards to guide the design and review of driveway run-off, and no one associated with the town is qualified to evaluate drainage design from a water quality points of view. In the not too distant future, the town will become accountable for the stormwater runoff from town roads, so it is important that each new subdivision produces little or no run-off onto town roads. At this point, I think the best we can do is to condition that runoff from the driveway be designed for dispersal onto the applicant's property before the runoff reaches the Town right-of-way.
- e. Easement language for the driveway has been provided but the easement needs to be shown on the plat. The language indicates that the easement will be shared between the David and Don Palmer properties. If the driveway is shared anytime in the future, the road will need to be upgraded to meet Town Road Standards.
- f. Holly obtained the state logs for wells drilled in the vicinity of this project. The four closest wells were between 420-500 feet deep and ranged from 0.75 gallons per minute to 4 gpm. While the 0.75 gpm well for Jose Palmer's house two lots to the north isn't great, the water supply in the area appears to be adequate.
- g. In conformance with the condition imposed, the proposed drilled well on the new lot was moved on the site plan to remove any encumbrance on the adjoining Anderson property.
- h. A building envelope was required to be shown on the plat with dimensions. It is shown on the site plan rather than the plat. The DRB should consider whether in this case a building envelope is warranted. Because of the difficulty of identifying building envelopes in the field and enforcing them, building envelopes should be required only in situations where the location of the house needs to be constrained to protect public concerns. If the DRB confirms that a building envelope is required, then it should be shown on the plat.