

Town of Hinesburg
Development Review Board Meeting Minutes
July 20, 2021
Approved on August 3, 2021

Members Present: Ted Bloomhardt, Dick Jordan, John Lyman, Branden Martin, Dennis Place, Jonathan Slason.

Members Absent: Brian Currier (Alternate), Greg Waples.

DRB Staff: Mitchel Cypes (Development Review Coordinator), Amy Coonradt (Recording Secretary);

Applicants:

- Robert Farrell: Robert Farrell (Applicant)
- Christin Robinson: Christin Robinson (Applicant), New Houseman (as Applicant's proxy)
- Robert & Anne Frost: Robert Frost, Anne Frost (Applicants), Scott Baker (on behalf of Applicants)

Public Present: Drew Frazier, Kendall Frost, Robert Hedden.

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

1. Agenda Changes: None.

2. June 15, 2021 Meeting Minutes:

Dick J. **made a motion, and Jonathan S. seconded, to approve the minutes for June 1, 2021 as presented. The motion passed 5-0 (Ted B. was absent for vote).**

3. Robert Farrell: Subdivision Revision for a 38.7-acre property located at 1773 Texas Hill Road in the Rural Residential 2 Zoning District to move the building envelope farther north (away from Texas Hill Road). *Continued from 6/1/21. Site visit at 5 PM. **SITE VISIT POSTPONED DUE TO INCLEMENT WEATHER.***

Dennis P. **made a motion, and Jonathan S. seconded, to reschedule the site visit for July 27 at 6:00 pm and to continue the hearing to August 3. The motion passed 6-0.**

4. Christin Robinson: Conditional Use review for the expansion of a non-complying structure on a 0.41-acre property located at 538 Silver Street in the Agricultural Zoning District to enlarge the front deck within the front yard setback area.

Newt Houseman spoke as Christin Robinson's proxy. He began by describing the proposed work, which would be to extend the deck area of the property, lining it up with the front of the house, without moving it closer to the roadway.

Ted B. clarified that this is an expansion of a non-complying structure. Mitch C. replied yes, and showed what the modifications would be.

Dennis P. asked for feedback on the draft decision. John L. noted that in Order #1 of the draft decision, "Saturdays" should be modified to "Saturday". Other board members did not have feedback.

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

Ted B. moved to approve the draft decision as amended. John L. seconded. The motion passed 6-0.

5. Robert & Anne Frost: Preliminary Plat review for a four-lot subdivision of a 27-acre property located at 588 O'Neil Road in the Agricultural Zoning District. The Applicants want to place the farmhouse on its own lot, create two buildable lots for single-family residences, and transfer the remaining land to their 89-acre residential property located at 236 Boutin Road. *Continued from 6/1/21.*

Scott B. spoke on behalf of the Applicants and described the project, saying that the Applicants want to create two lots for single-family homes with access from a shared driveway that would connect to Boutin Road. He noted that they had a professional engineer bring the road up to Town standards and complete a stormwater management design. He also noted that based on the Board's previous review, they reduced the building envelope for one of the lots so that there would no longer be an access running across it. He further noted that the building envelope for Lot 6 was cropped to avoid slopes and to adhere to setback requirements. He said that the Applicants also talked to the Trails Committee, which determined that they aren't looking to connect any of the trails through these properties, but that they would reach out in future if that changes.

Dennis P. asked about the current Donegan well. Scott B. noted that it had been abandoned and that a new well is being drilled in its stead. Dennis P. asked about the wetlands, and Scott B. said that after a wetland determination was conducted by the State, it was decided that the wetlands were Class 3, which have no buffer requirements around them. Scott B. confirmed that this is the only wetland that was found in the project area.

Jonathan S. asked about the status of Boutin Road and whether it is up to VTrans B-71 standard and whether the grading plan meets the safety requirements for flat entry from the new driveway to the road. Scott B. replied that with the Boutin Road improvement and the access drive, they were both engineered to be within Town standards for maximum slope and level entry, and that the stormwater design is within Town standards. Dick J. confirmed that the contours shown are one-foot contours and asked about the grading of the road. Scott B. replied that the grading was designed to adhere to the 12% maximum. Jonathan S. pointed out that the driveway grade went directly into O'Neil Road and did not have the required flat area required in the B-71 standard. Scott B. agree to update the plans.

Dick J. asked about the responsibility for long-term maintenance activities for Boutin Road, noting that Bob Hedden, a neighboring property-owner on the road, had previously noted difficulty in maintaining the road. Mitch C. replied that the road has been determined to be a Class 4 right-of-way, and that typically the inhabitants on those kinds of roads maintain them through a road-sharing agreement. Dennis P. noted that if the Town isn't taking over maintenance of the road, the property-owners would need to maintain it through a road association agreement, and that Bob H. could be invited to join that. Ted B. added that the Town can't impose anything on neighboring property-owners, if they choose not to join a road association agreement. Robert F. said that upgrades to the road would decrease expenses for longer-term maintenance activities. He also asked how far up the road the association agreement would cover, and Dick J. replied that it would cover the road From O'Neil Road, through Bouton Road, then up to the shared driveway to the new lots.

Dick J. asked about the wildlife habitat and what level of priority the project property is considered. Scott B. replied that it could either be considered Level 1 or Level 0 (out of 10) and that it is not high priority. He noted that the building envelopes for Lots 6 and 7 have been reduced with an eye to minimize encroachment upon wildlife habitat. Mitch C. said that the properties can have a small impact

as long as it's not too excessive, and that it seems like the applicants are trying to keep to the edges of the wildlife areas. Bob H., a neighboring property-owner on Boutin Road, noted core wildlife connectivity across the shared driveway and on Boutin Road. He asked whether the Board has considered connectivity. Robert F. replied that the land adjoining theirs is considered a wildlife corridor and that they have no intention of developing it and have chosen to place the building envelopes at the fringe of that habitat to minimize impact.

Mitch C. displayed the map with overlays for wildlife corridors, existing houses, and connectivity areas in that section of Hinesburg. Jonathan S. asked whether it would be possible to shrink the northeast corner of the building envelope on Lot 7, to further limit the amount of clearing that can occur. Mitch C. said that the Board could put clearing limits on the properties in addition to the building envelopes, and that it could say that only 50% of building envelope could be cleared, for example. Jonathan S. clarified that it was not his intention to put clearing limits on the proposal in addition to adjusting the building envelope. Dick J. said that sometimes building envelope could be used as clearing limits for some applications.

Dennis P. asked about stormwater. David Whitney, a stormwater engineer who is working on the project, described the stormwater activities being worked on. He noted that the grading of Boutin Road would ensure that the slope remains below 12%, and that the level area approach to O'Neil Road would be 20 to 30 feet. He discussed the design of the road grading, intersections, and grades. He said that he still needs to verify whether Boutin Road meets the A76/B71 requirements for the residential portion of the road. Jonathan S. noted that the Board is looking to ensure that there is an appropriate level entry for vehicle safety and water management approaching the road. Dave W. said he would double-check that the geometry is consistent with the way the road is graded. Bob H. said that it needs to be widened, and that there is a steep ledge to the southeast. He asked if the 18-foot width is within standards for two vehicles to pass, which the Board confirmed. Dave W. said that the slope is graded away from the drop-off.

Mitch C. asked about the level spreader connection area for Lot 6, which was not shown on the plans, where the level spreader is located, and how it would collect discharge from the houses and driveway. Dave W. said the location would be along the Lot 6 and 7 boundary and would be to the south of driveway, oriented roughly north/south, to go parallel to property line. He said that stormwater going to the southwest is not going to the level spreader and that the level spreader is for the impervious areas related to the driveway and the pull-off. Ted B. asked about an erosion control plan, and Mitch C. said that the plan has not yet been submitted and that the Board needs to decide whether it would like to see that plan as part of preliminary or final review, and that the Applicants are requesting that the plan be made conditional for final approval. Mitch C. asked about the connection between the stormwater system and the La Platte River, noting that it seems that there is a property between this property and the river and that there is no direct connection. Dave W. said that they have had stormwater permit approval for other projects where they were able to claim a disconnect. He said that as long as it doesn't go into an intermediary body of water between the discharge point from the property and the water of the state, they have been granted that waiver in the past for other projects. He said he could provide a specific example of that to Mitch C. After a discussion of the drainage pattern, it was realized that the discharge point was to a stream to the west and not the LaPlatte River. Dave W. said that they will adjust the Q10.

Bob H. asked if the infiltration basin is adequate. Mitch said that the infiltration tests were not provided and that it should be. Dave W. noted that the soils were type 'D' and the modeling used was 0.4 inches

per hour, which is under the 0.6 limit. Mitch C. explained that type 'D' soils range from 0.6 inches per hour to Zero, and one can not assume that the 0.4 inches per hour used in the modeling would exist. Dave W. said that he thinks they can still satisfy the requirement with a wet pond if the infiltration doesn't work. Mitch C. noted that they still need to conduct infiltration testing and that a system for Lot 6 need to be included in the plans. Branden M. said he would be comfortable leaving the infiltration basin details until final approval.

Branden M. cited concerns about high-velocity water coming down the road and swale and that controls need to be put into place so that runoff doesn't interfere with the roadway at the intersection. Dave W. said he would provide a velocity justification for what needs to be used to stabilize that. Dick J. asked if the water coming down the road is just being shed off the road, or whether it is also coming out of Lot 7 and the stormwater catch area. Dave W. said yes, that would overflow to the swale adjacent Boutin Road and that what is coming out of the basin has a lag time, since it has integrated storage which should have the capacity to deal with a ten-year storm event. Ted B. said he would like to see the details worked out prior to final.

Mitch C. asked about the Board's comfort level with the worst-case stormwater scenario, which would be that the Selectboard doesn't approve of the infiltration basin being in the right-of-way. Dave W. said that they could alternatively revise the grading and extend the basin. Dennis P. confirmed that these improvements would help both Boutin Road and O'Neil Road by keeping flow off of the road and minimizing washouts and erosion. Dick J. said that he agrees that the grading and changes to the road itself are improvements.

John L. asked how much time the applicants need to hash out further details around the stormwater and erosion control plans. Dave W. said that they will determine whether they need to adjust grading to account for Q10 retention and that he will also confirm that the B71 road standard is met at the entrance to the shared driveway from Boutin Road. He said he will also confirm that the swale geometry adequately ensures that a 100-year storm can be safely discharged.

Ted B. made a motion and Jonathan S. seconded, to continue the hearing to the August 3 meeting, to allow Applicants to provide further detail on the stormwater and grading for the project. The motion passed 6-0.

6. Other Business: Decision Deliberations

- **David Eddy/Paul F. Eddy Trust:** Subdivision Revision; hearing closed at June 15 meeting.

Jonathan S. suggested that the findings of fact discuss the relation of the trails to the property. Staff will insert Finding #9 into the decision, stating that: "On town plan map #13 'Trail Vision', there is a trail connection on Lot #2. The applicants and a member of the Trails Committee discussed at the hearing the possibility of a trail connection on Lot #2 along Charlotte Road." Staff will also adjust a typo in Finding #10, replacing "B3 oth" with "both".

Dennis P. made a motion and Branden M. seconded, to approve the decision as amended.

- **Gary & Mary Thibault:** Subdivision Revision; hearing closed at June 15 meeting.

Dennis P. made a motion, and Jonathan S. seconded, to approve the decision as written. The motion passed 6-0.

- **Gary & Mary Thibault:** Sketch Plan; hearing closed at June 15 meeting.

Staff will insert Finding #11 into the decision, stating that: “On town plan map #13 ‘Trail Vision’, there is a trail connection on the Applicant’s property.”

Jonathan S. **made a motion, and** Branden M. **seconded, to approve the decision as amended.**

7. News/Announcements/Correspondence

Mitch C. noted that the Farrell application will be continued to August 3rd. He said that the Board will also hear a sketch plan for a two-lot subdivision that would separate a residence from an accessory apartment into their own lots, a site plan application for a four-space trailhead parking, and the final plat for Stetler/Palmer.

The meeting adjourned at 9:11 PM.

Respectfully submitted,
Amy Coonradt, Recording Secretary