

Town of Hinesburg
Development Review Board Meeting Minutes
October 19, 2021
Approved November 2, 2021

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

Members Absent: Greg Waples, Bryan Currier (alternate).

DRB Staff: Mitch Cypes (Development Review Coordinator); Amy Coonradt (Recording Secretary).

Applicants:

- **Joe Laster:** Kevin Worden (Civil Engineer for Applicant)

Public Present: Carl Bohlen, Barbara Forauer, Diane Kingston, Merrily Lovell, John McEntee

Dennis P. **called the meeting to order at approximately 7:03 PM.**

1. Agenda Changes:

None.

2. October 5, 2021 Meeting Minutes:

The Board delayed acting because the wrong minutes were sent to them.

3. Gary & Mary Thibault: 08-01-73.600 – Final Plat review – 2 lot subdivision of 29.74 acres (Lot #6 of the Pinecrest Ridge subdivision) located at 312 Pinecrest Road in the AG zoning district. The proposed lot (#8) will access Burritt Road.

Mitch C. walked through the survey. He pointed out the shifted building envelope on Lot #6. He pointed out the utility lines. He showed the proposed well and septic locations. He noted an adjacent wetland line and wetland buffer. Mary T. added that there is no actual wetland on the lot. Gary T. noted that septic has not yet gone through the State approval process. He said that they have applied for the stormwater permit, since it is part of the development.

Mary T. talked about the forestry plan. She said that they have been in touch with a forester to make a map to exclude the 1.57 acres for Lot #8. She noted that they asked the State to delete those acres from current use, which would still qualify them for the program (which requires a minimum of 25 acres).

Dick J. asked if the correct building envelope is in place for Lot #6. Mitch C. said that the survey with contour lines and utility infrastructure has the correct building envelope information on it. The Applicants confirmed this.

Dennis P. opened the discussion up to the public.

Barbara F. asked if Lot #6 would be a barn with an accessory apartment. Gary T. replied that it has approval for septic for a 1-bedroom accessory apartment and 4-bedroom house.

Dennis P. **made a motion, and Jonathan S. seconded, to close the public hearing and direct staff to draft a decision of approval. The motion passed 6-0.**

4. Joe Laster: 17-22.62.100 – Sketch Plan Review (cont'd from 9/21/21) of 54 single-family lots on a 106.27-acre parcel located on Mechanicsville Road in the R1 and RR1 zoning districts.

**** SITE VISIT -** October 16, 9am – Laster property – meet on site, east side Mechanicsville Rd **

Mitch C noted that the Development Review Board had a site visit on Saturday, October 16th on the Laster property between 9:00AM and 10:15AM. Staff member Mitchel Cypes, the Applicant Joe Laster, and his Engineer Kevin Worden were in attendance. Board members that attended were Jon Slason, Greg Waples and John Lyman. Members of the Public included Darcie Mumley from the Conservation Commission, Maureen Worden and Zeke Slason. The proposed roadways for the first three phases and some of the first phase building envelopes were staked. The group walked the length of the first three phases and saw some stakes in the woods leading to the fourth phase. Questions were answered. The Board rendered no opinions.

Jonathan S. said that the site visit was helpful. He noted that the parcel is very large and that only a small portion of it is being used for development. He spoke about the topography, noting that the developers are fitting the development into the topographical features in such a way as to minimize impact. Dick J. added that the wetland delineations seemed exaggerated and that the wetland area on Mechanicsville Road seemed like a road drainage swale and seemed more like Class 3 than Class 2 wetlands. He suggested that the Applicant could perhaps explore this area for slight movement of the proposed driveway, since there are concerns with the current location being directly across from a residence on Mechanicsville Road. Jonathan S. noted that headlights would be angled downward and there is a privacy fence, so that may mitigate some of the negative impact. Dick J. said he liked the trees between the Phase 1 and Phase 2 sections, and that they make a natural screening between Mechanicsville Road and the homes planned for Phase 2. He said that Lots 13, 14, 22, and 26 may need to whittle away some of the forested area that is edging into their properties for house sites. He said that for the houses going south, the sites seem far below the road grade and he expressed concern about winter and steep driveways. He said that the Phase 3 site seems very wooded and seem to have some elevation issues (though the plan makes the area look flat and relatively clear). John L. said that there is quite a distance between the property and neighboring lots, that there seems like there is plenty of privacy.

Kevin W. spoke on behalf of the Applicant. He noted that in Sketch Plan they are proposing a 9-lot subdivision for Phase 1. He noted that Phase 2 would include the loop and the lower meadow. He said that they are heading in this direction because the Town's current water and wastewater capacity has limited the size of Phase 1.

Dick J. asked if the future plan is to keep some of the clearings as mowed hay or allow forest growth. Kevin W. said that the Applicant intends to continue managing the fields in the same way it is currently managed.

Ted B. asked about the traffic study that was submitted. Kevin W. said it was a traffic generation review, which demonstrates that a traffic study isn't required, especially for Phase 1. He noted that the peak trips are in the afternoon and evening. Mitch C. asked if the Board thinks a traffic study is warranted. Jonathan S. noted that the Town does not have a standard for the number of trips in a traffic study, so the DRB is responsible for determining the threshold. He said that it may be good to think about when a crosswalk at the intersection could be considered, or whether it meets the threshold for needing a crosswalk at all, and at what phase. Dick J. added that there would be school children present, and

having them safely make it across the road to the main sidewalk when walking to school is important. He said that for this limited phase, he is less concerned about traffic.

Mitch C. said that it would be good for the Applicant to consider the placement of the affordable houses in the development.

Jonathan S. suggested that some duplexes, if they could physically be put on the lot, would be a desirable option for greater density for some locations in this development. He acknowledged conservation concerns, but said that this is an area where the Town wants to see development and is one of the last few remaining large parcels to put the density where the Town would like to see it.

Branden M. also spoke about placement of the road and concern for the residence located right across from it. He urged the Applicant to consider a less impactful alignment. Mitch C. noted that there is a potential stormwater pond to the south and asked whether the road access and pond locations could be swapped. Kevin W. noted that the wetlands are regulatory and were confirmed by the State wetland biologist. He also noted there is a power pole to the south. He said that in the north there is also a water feature and moving to the north could entail moving into the 75-foot stream buffer. Dick J. said that the stream goes under the road at that point and a case could be made to encroach into the buffer there. Jonathan S. said that moving the driveway to the north could still impact the residence on the opposite side of the road.

Dennis P. opened the discussion up to the public.

Wes M. asked if the project entails three or four phases. Kevin W. replied that this the sketch plan is for Phase 1, though there is a master plan includes a number of phases. Wes M. suggested conducting a traffic study now rather than after the first eight houses are constructed. Jonathan S. replied that it is only when those impacts are triggered that they will need to be dealt with, and that the DRB can require mitigation when the Applicant returns for subdivision. Wes M. also expressed concern about stormwater drainage and capacity for the existing culvert, suggesting that a larger culvert be considered. Kevin W. replied that some of the topography would discharge stormwater to the north as well as to the south.

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 6-0.

5. Decision Deliberation – Ben Hunt – Development on a Private Right of Way

Ted B. asked about the access points on the survey. Mitch C. replied that someone will eventually need define the particular access on the survey. Ted B. asked about substantial construction, and what certificate of occupancy the Applicant would need to get if he isn't building anything on the property. Mitch C. replied that a zoning permit is required to create a forestry lot and that every permit also requires a certificate of occupancy. Mitch C. noted that all construction of structures on that permit needs to be related to forestry. Ted B. asked whether they need to state that no development be created by the lot, or whether the definition of "forestry lot" would cover that. He suggested that it be made explicit that this lot is not approved for development. Mitch C. will add an order that states "No development other than for forestry use shall occur on Lot #2 without subdivision review by the DRB."

Dick J. said Order #7 seems incongruous, since it says that the approval will expire after 3 years if no construction has occurred. He said that given the discussion above, it seems as though this approval

does not allow construction. Mitch C. replied that construction could include installation of a driveway or access.

Jonathan S. **made a motion, and Ted B. seconded, to approve the decision as amended. The motion passed 6-0.**

6. News/Announcements/Correspondence

Mitch C. said that the Farrell application for a subdivision revision will return at the next meeting. He also noted that there will be an application for a legal office where Ben's Sandwich Shop had previously been.

The meeting adjourned at 8:12 PM.

Respectfully submitted,
Amy Coonradt, Recording Secretary