

Town of Hinesburg
Development Review Board Meeting Minutes
April 16, 2024
DRAFT

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

Members Absent: Nonw

DRB Staff: Mitchel Cypes, Development Review Coordinator

Applicants Present: Renee Mobbs, Ryan Mobbs, Patrick Miner, Jason Barnard, Scott Baker, and Jeff Oleski (via Zoom)

Public Present: Priscilla Reidinger, Bob Mello, Kate Kelly (via Zoom), Merrily Lovell (via Zoom), Margaret McNurlan (via Zoom)

Dennis P. called the meeting to order at approximately 7:32 PM.

1. **Agenda Changes:** None
2. **Review minutes of the April 2, 2024 meeting:** John L. made a motion, and Ted B. seconded, to approve the minutes as amended. The motion passed 7-0.

Dick Jordan stated he watched the recording of the last DRB meeting and will be able to participate in the deliberations and voting for the applications on tonight's agenda.

3. **PR&R Development LLC – Final plat - 09-01-69.100;** - *For an eight-lot subdivision of a 61.26-acre property located on the west side of Observatory Road in the Rural Residential 1 Zoning District.*

Branden Martin recused himself from the Board for this application.

Jeff Oleski explained the revisions he made which included the widening of the berms around the two infiltration basins (discussed at the previous meeting), as well as some minor alterations to the emergency spillways to safely convey a 100-year storm event. Mitch C. noted his opinion that the project has a conforming stormwater system, based on the submitted changes.

Mitch C. reviewed the concerns detailed in the Staff Report, which included: the emergency vehicle turnaround for the access to proposed lots #2 and #3; the dimensions of Observatory Road; and the building envelope for lot #7. Mitch C. noted the emergency vehicle turnarounds for lots #2 and #3 were adjusted based on the feedback from the previous DRB meeting. Mitch C. said that the dimensions of Observatory Road were reflected on drawing SW-3. Mitch C. also reviewed the updated building envelope for lot #7, which showed a consistent 10-foot separation between lot #7 and the wildlife corridor. Dick J. asked if the double-barrel culvert along Observatory Road under the shared access to lots #4 through #8 was changed to a single culvert, and Scott B. confirmed that was updated to an 18-inch diameter throughout the plans. Mitch C. added that the plans, stormwater modeling and covenants were now consistent.

Mitch C. stated that there were mainly two parts in the draft approval provided for this hearing that was still needs to be discussed. This included Findings of Fact #25, which described the plantings for the proposed screening between the building envelopes for lots #7 and #8, and the wildlife corridor,

and Order #12, which describes how areas outside the building envelopes shall be maintained. Mitch C. stated that this draft approval had been provided to the DRB, the Applicants and the interested parties.

Addressing whether the proposed vegetation screening (between building lot #7 and the wildlife corridor) was sufficient, per Findings of Fact #25, Dennis P. asked if the Applicants were amenable to changing the proposal. Scott B. said that the Applicants were flexible and wanted to discuss what their options were. Scott B. added that the input given by the Hinesburg Conservation Commission (HCC) was appreciated, and he liked the suggestion to have a screen of mixed, dense vegetation, but thought that from a zoning compliance/enforcement standpoint, the suggestion could be problematic. Scott B. suggested that it might be easier to have a set number of arborvitae cedars so that they are countable, and if one doesn't survive and needs to be replaced, it would be really obvious. Dick J. asked what size planting was being proposed, and said that more would probably be better. Ted B. reiterated that the area being discussed was already wooded. Jon S. asked what the HCC recommended to be planted. Renee M. shared that the covenants for these specific lots specify that the first owners of the lots are responsible for planting the agreed upon vegetation. Jon S. asked to hear from Kate K., of the HCC, regarding the specifics about the proposed vegetation.

Kate K. said that while the HCC is fine with arborvitae in general, she doesn't think that 20-foot spacing is going to be adequate for the purposes they talked about (i.e., limiting human encroachment into the wildlife corridor, protecting the wildlife corridor from disturbance, and allowing the wildlife to feel more safe traveling along the corridor). Kate K. added that the HCC's recommendation was to plant a variety of shrubs and bareroot stock, like grey dogwood and choke cherry, which are beneficial to wildlife and are cheaper than the proposed arborvitae. Kate K. went on to say that mixing the more native planting with arborvitae would be the preference, and to ensure a more solid barrier between the building lots and the wildlife corridor. Dick J. said he understood the challenge that a variety of vegetation could present for zoning compliance. Jon S. commented that the zoning enforcement piece is important, but there needs to be better coordination between the various Boards and Commissions about these types of decisions. Jon S. added that while it seemed like the HCC's recommendations could actually result in a cost savings, he thought that the arborvitae vegetation seemed like a practical approach. Scott B. asked if the decision could include the recommendations of the HCC as encouragement to educate whoever purchases the property. Mike W. said that he agreed with Dick J. and that as long as the objective is clear to leave existing vegetation and to integrate new vegetation in to provide the necessary screening. Wording for Findings of Fact #25 was discussed and agreed to by the DRB, the Applicants and others at the hearing. Mitch C. noted that Findings of Fact #25 was referenced in Conclusion #13 and Order #13.

There was discussion about Order #12, which describes the clearing and removal of dead or diseased trees. Mitch C. thanked Kate K. for her input, which improved the draft order, but did not include her request to maintain dead trees. Kate K. shared that dead or falling apart trees make really good spots for wildlife and removing those trees is not necessarily the best practice unless the trees are at risk of damaging someone's property. Kate K. recommended that the decision say that dead or diseased trees could be removed if they threaten property or people. Renee M. said she disagreed with that and felt that a landowner should be able to remove dead or diseased trees from their lot if they want to. Order #12 in the draft decision was amended with input given from several Board Members, Kate K., and the Applicants.

Dennis P. opened the hearing to the Public.

Bob Mello stated that he supported the proposed language retaining the forest character of the properties.

Priscilla Reidinger said that using arborvitae as a screen makes sense in a suburban environment, but in this case, it doesn't.

Some grammatical edits were discussed and made to the draft approval.

Dennis P. **made a motion**, and John L. **seconded**, to **close the public hearing and approve the draft decision as amended**. The motion passed 5-1, with Jon S. voting against.

4. Decision Deliberation:

- **Joe Bissonette - Sketch Plan - 09-02-38.101:** – *For a two-lot subdivision to separate a residential lot from an agricultural lot on a 106.05-acre property located between VT Route 116 and Gilman Road in the Agricultural Zoning District.* Dennis P. **made a motion**, and Jon S. **seconded**, to **approve the draft decision as amended. The motion passed 7-0.**
- **Green Slate Holdings LLC - Sketch Plan 12-01-19.000:** - *For a three-lot non-residential subdivision of a 7.25-acre property located on the southeast corner of the VT Route 116 and Hollow Road intersection in the Industrial 1 Zoning District.* Ted B. **made a motion**, and John L. **seconded**, to **approve the draft decision as written. The motion passed 7-0.**

5. News/Announcements/Correspondence:

- Mitch C. stated that there were no applications scheduled for the next meeting, but is waiting on a possible submission of a site plan application.
- There was discussion about the impact of the Act 250 denial of Hinesburg Center 2 on Haystack Crossing and the Patrick Brook Crossing.

Dennis P. adjourned the meeting at 9:00 PM.

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