

Town of Hinesburg
Development Review Board Meeting Minutes
April 2, 2024
Approved 4/16/2024

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

Members Absent: None

DRB Staff: Mitchel Cypes, Development Review Coordinator

Applicants Present: Joe Bissonette, Stephanie Bissonette, Tim Parent. Dan Parent, Libby Parent, Renee Mobbs, Ryan Mobbs, Patrick Miner, Jason Barnard, Scott Baker, and Jeff Olesky (via Zoom)

Public Present: Priscilla Redinger, Robert Mello, Kate Kelly (via Zoom), Michelle Jimmo (via Zoom), Demi Fisher (via Zoom) and Janet Francis (via Zoom)

Dennis P. **called the meeting to order at approximately 7:00 PM.**

1. **Agenda Changes:** Mitch C. mentioned the request from the Clerk's Office to start the April 16th DRB meeting at 7:30pm to accommodate voting.
2. **Review minutes of the March 19, 2024 meeting:** Ted B. **made a motion, and Jon S. seconded, to approve the minutes as written. The motion passed 7-0.**
3. **Board Organization:** Dick J. **made a motion, and Ted B. seconded, that all current officers retain their current positions. The motion passed 7-0.**
4. **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.*

Joe Bissonette explained the purpose of this application is to subdivide the Bissonette property located on the east side of Gilman Road and the south and west sides of VT Route 116 (106.5-acres) into two separate lots. A large portion of the property will remain an agricultural lot while a much smaller portion (2.2-acres) will be used to create a new lot with an existing home (603 Gilman Road).

Mitch C. and Joe B. confirmed there is no new development being proposed for this subdivision. The Board discussed the various waivers submitted with the application, and whether a building envelope was needed for the proposed lot #2 (new lot with existing house) or for lot #1 (agricultural land). Ted B. pointed out that the DRB is only issuing a decision regarding the creation of new lots for the existing house and remaining agricultural land, which means that if the Applicant wants to do anything else on the land, he would need to return to the DRB for additional review.

Dennis P. **made a motion, and John L. seconded, to close the public hearing and direct staff to write conditions of approval. The motion passed 7-0.**

5. **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.*

The Applicants, Dan and Libby Parent, shared that their parents purchased this property in 2017, and the Application is to develop this lot with two warehouse-type facilities and a contractor-yard (that would house their family business, Parent Construction Inc.). Dan P. said the two larger buildings could be either leased or purchased. Mitch C. reviewed the natural resources found on the property, which included a wildlife corridor, floodplain, fluvial erosion hazard area, and a stream setback. There was discussion regarding the acreage of the property and the amount of impervious surface. Branden M. said that he would anticipate it being very difficult to obtain a state stormwater permit, based on the proposed plan for placing the stormwater treatment in a floodplain.

Jon S. said that fitting the proposal into the property is going to be a challenge, especially the stormwater pond being placed in the floodplain and wildlife corridor. Jon S. also raised concern about the traffic visibility. Libby P. asked when the wildlife corridor was defined. Mitch C. explained the State defines these areas on maps. Dick J. asked how forested the land was, and the Board reviewed the site plan map and found that most of the forest was associated with the floodplain/wildlife corridor/stream setback area.

Dennis P. opened the hearing to the Public.

Kate K. reiterated that getting a state stormwater permit to place stormwater infrastructure in the floodplain may be really challenging to obtain, and recommended the Applicants start working on that sooner rather than later. Kate K. said that wildlife is probably using the stream as a corridor, so protecting that as much as possible would be ideal.

Michelle Jimmo, a resident on Hollow Road, said that one of the maps shared during the meeting was from 2018 and didn't accurately reflect the forested area surrounding the proposed project and suggested that the gravel pit expands a bit every year. Michelle J. said that speeding is a problem on Hollow Road and the road is used by a lot of heavy equipment (i.e., logging & dump trucks), and she has concerns about public safety and site distances.

Dick J. excused himself from the meeting for a personal matter.

Ted B. said the stormwater plans should be figured out prior to the preliminary plat submittal, and Dan P. agreed that they wanted to figure out those details as soon as possible.

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

6. 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 Board for this hearing.

Jason Barnard said there has been substantial changes between the preliminary plat and final plat applications, primarily focused on stormwater modeling, site grading, infiltration basins, and culverts. Jason said modifications were made to the driveway for lot #2, and to the upper northeast corner of the wildlife corridor. Jason B. requested to review the comments in the Staff report.

The Staff Comments were reviewed as follows:

1. Mitch C. explained what the continuance comment pertained to the submittal of plans without having sufficient time to review the changes prior to this meeting.

2 & 3: Scott Baker discussed updated design shown on the newly submitted plans and explained how the newly proposed emergency turnaround by the shared access for proposed lots #2 and #3 would satisfy the requirements. Scott B. stated that the width of the turnaround would be 20 ft on Observatory Road and the shared access for lots #2 and #3. Regarding road width, Scott B. said his recommendation would be to have the portion of the road from North Road to the Cardinal driveway have an 18 ft width. Then reduce the width to 16 feet to the shared access for lots 2 and 3. Jon S. asked about the sight lines around the curve going to the Observatory and if the roadway would be wide enough at 16 feet. Mitch C. suggested that at the curve the road width be made to be 18 ft to allow passing in a location with limited sight distance, which the Applicants agreed to do.

4. Jason B. said there have already been several rounds of concessions regarding building lot #7, such as reducing its size (it's a relatively small lot at about 0.29-acres) and sliding it to the east. Jon S. said the point of the comment was to maintain a 100-foot buffer to protect the wildlife corridor as much as possible, and if moving the building envelope so that it matches the other lots (#5 & #7) setback to the wildlife corridor, he would like to see that happen. Scott B. explained that shrubs will be planted as a physical line to show where the sensitive areas begin.

5. Jason B. explained that the screening proposed is against the wooded wildlife corridor. Jon S. said he didn't think they needed to plant additional shrubs to mark out the wildlife corridor, but it would be important to tell the landowner they shouldn't be mowing or doing things in this spot on their property. Renee M. said that there are covenants that will be recorded as a separate standalone document, and she could also put language in the deeds to these specific lots. Jon S. said he would prefer professionals to guide the Board on the appropriate way to manage this, and Renee M. asked if the Board has required this for other applications. There was additional discussion about how this would be controlled/enforced and Mitch C. explained the Zoning Administrator would review the potential violations. Scott B. explained that the spacing of the vegetative screening being proposed in this Application was based on previous Act 250 hearings he has been involved with and what the State has required for other applications. Mitch C. suggested that the decision could provide flexibility in the placement of vegetation (i.e., in gaps between existing vegetation).

6. Mitch C. explained that in several instances the drawings and stormwater modeling did not match each other and should be consistent. A specific example of this was an instance in which the stormwater plans showed a single 18-inch diameter pipe and the site plan showed the conveyance as two 12-inch diameter pipes. Jeff Oleski said that he would adjust the model to accordingly.

7 & 8. Mitch C. suggested that in the area where the shared driveway splits from Observatory Road, storm water run-off may not make it to infiltration basin #2 as shown on the plans and asked Jeff O. speak to that concern. Jeff O. said that the grading is such that the small amount of run-off that doesn't make it to the catchment basin will ultimately get to the grass swale that's on the northwest side of Observatory Road. Jeff O. added that given the topography and some elevation limitations, it's difficult to get every square inch of impervious area to run-off into a drainage feature, but they have done their best to get as much run-off into infiltration basin #2 as they can. Mitch C. asked if there should be a sub-catchment area added to the area of concern, and questioned based on the proposed cross-slope and road grade if the stormwater discharge would go in the direction indicated by the plans and the modeling. Jeff O. said the cross-slope is 2% pitch and Scott said he believed the grade

was either 10% or 12%. Jon S. asked if at a 10% grade, having a 2% cross-slope, would be adequate and Jeff O. said the majority of the run-off would make it to the appropriate swale.

9. Jeff O. said the Town of Hinesburg has a more stringent requirement with regards to developments of this size as it related to safely conveying a 100-year storm event, whereas the State requires the plans to show treatment for a 10-year storm event. Jeff O. said that it was a simple fix for them to modify the berms (height and width) so that they contain the 100-year storm event.

10. The legal language/covenants will be updated and reviewed prior to the next meeting.

Dennis P. opened the hearing to the Public for comment.

Kate K. asked if a state wetlands scientist has visited the site to delineate wetlands, and Jason confirmed that has happened. Jason B. offered to provide more information regarding the State review prior to the next meeting. Kate K. mentioned that screening of the wildlife corridor is also for the wildlife using the corridor as much as it is for demarcating the corridor to people. There was some discussion on how much screening would be required.

Branden M. suggested the Applicant reconsider using a double-barrel culvert which was mentioned in Staff Comment #6, because (in his professional opinion) he hasn't seen many applications of a double-barrel culvert that haven't caused some kind of drainage or erosion problem.

Kim R. asked what decision-making body was responsible for assessing the effect of all the new wells being drilled for this development, as well as stormwater run-off impacting the landfill and groundwater. Renee M. stated that there is an environmental report that stated their subdivision would not have an adverse effect on the area. Mitch C. said that the report from Stone Environmental (evaluating the project and its impact on the surrounding area) is available on the Town Website. Jon S. explained that as part of the DRB review process, the Board asked for additional professional guidance (provided by Stone Environmental) to determine whether this Application would have adverse impacts on neighboring properties and it is up to the Board Members to vote on that decision.

Dennis P. **made a motion**, and Jon S. **seconded, to continue the public hearing to April 16, 2024**. The motion passed 7-0.

6. News/Announcements/Correspondence:

Mitch C, explained that due to the re-vote for the CVSD Budget being held on April 16th, it would be helpful if the DRB meeting could begin at 7:30pm. The Board agreed to push their start time to 7:30pm.

Mitch C. also shared that Hinesburg Center 2 was denied Act 250 approval based on the floodplain issue, and will most likely be appealed by the Applicant.

Dennis P. adjourned the meeting at 9:15 PM.

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