

Town of Hinesburg
Development Review Board Meeting Minutes
January 18, 2022
Approved February 1, 2022

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

Members Absent: None.

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

Applicants:

- **Gary & Mary Thibault** – Gary & Mary Thibault (Applicants)
- **David & Danielle Johansen** – Danielle & David Johansen (Applicants), Kim Johansen (Applicant), Jason Barnard (on behalf of Applicant)

Public Present: Gabrielle Clow, Barbara Forauer, Jillian Ojala, Kate Kelly, Mike Webb.

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

1. Agenda Changes:

Mitch C. announced that Robert F. has requested that his application be continued to the February 15 meeting.

2. January 4, 2022 Meeting Minutes:

John L. **made a motion, and Jonathan S. seconded, to approve the January 4, 2022 minutes as presented. The motion passed 5-0 (Greg W. abstained; Ted B. not yet present for vote).**

3. Gary & Mary Thibault – 08-01-73.600 – Subdivision revision application to modify a building envelope for their property located at 312 Pinecrest Road in the AG Zoning District.

Ted B. joined the meeting at this time.

Mitch C. explained that the Applicants received a Development Review Board (DRB) approval to change a building envelope, but unfortunately, their surveyor has not been available to update the plan. He stated the following:

- That the Surveyor is in poor health and no longer able to work.
- The Surveyor updated the plan to the approved building envelope, but left items such as contours and well information on the plan.
- The Surveyor made a clean drawing, but it has a slightly different building envelope. The Applicants would like approval for that envelope.

Mitch C. displayed the surveys. Gary T. said that the envelope as proposed by the surveyor works for them and their plans.

Dick J. asked if both of the drawings will be filed as part of this subdivision. Mitch C. replied that no, nothing has yet been filed to date.

Dennis P. opened up the discussion to the public.

Barbara F. asked why the envelope is being revised a third time. She also noted that the new envelope seems to infringe more on the core wildlife habitat than previous envelopes. Mitch C. responded that the new building envelope would only infringe upon an additional sliver of the core wildlife habitat. Dick J. said the plans show the additional encroachment was much less than 50-feet. Barbara F. asked if the property will be resurveyed and be accurate. Mitch C. replied that there is a current survey provided is accurate, and that the Applicant is seeking to adjust the building envelope to conform to the survey. Barbara F. asked whether the Applicant has decided where the new building will be within the envelope. Gary T. replied that they are not sure where in the envelope the new building would go. Barbara F. asked if Pinecrest Road connects with Lot 5 (the Thompson property). Gary T. replied that Pinecrest Drive follows along the edge of the Thompson property.

Greg W. 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.

4. Anup & Meena Dam – 09-02-34.200 – Minor subdivision revision application to modify the landscaping on the Abani Drive development common lot in the RR2 Zoning District. The Applicant was not present at this time.

Mitch C. spoke briefly about this application, noting that as part of their original subdivision approval, the Applicant was required to plant cedars. He said that they planted them and then years later they died, and the rest of the vegetation has grown up around it. He said that the Zoning Administrator made a review of their property and noticed that this area didn't conform to the DRB approval. He asked whether the Board would like to schedule a site visit to look at the property.

Greg W. said that there should be a formal policy where an Applicant is required to attend their hearing. He expressed frustration that the Applicant was not present to answer further questions.

Jonathan S. asked what the threshold is for this type of change and why the recommendation is coming to the DRB. Dick J. said that the Zoning Administrator's recommendation is to change the site plan.

James J. said that he and Alex Weinhagen walked the site and said that the cedars that were required were planted but did not take because the existing foliage blocked them from the sun and that staff found that they couldn't see the properties that the cedars were supposed to screen in the first place. Because of this, he questioned whether the cedars were necessary. Mitch C. said that the cedars were specifically listed in the decision, hence why this needed to come to the DRB for consideration.

Ted B. made a motion, and Dennis P. seconded, to continue the hearing to the February 1 meeting. The motion passed 7-0.

- 5. David & Danielle Johanson – 09-01-47.170 –** Sketch plan application for a 2-lot subdivision of a property located on the east side of Lavigne Hill Road in the RR1 Zoning District. Access to the proposed new lot would be the driveway for 552 and 552 Lavigne Hill Road.

Jason B. provided an overview of the project. He said that the Applicants will be acquiring the property following the subdivision approval process. He said that everything that is south of the hedgerow and the field was combined with the 13.4-acre parcel. He said that there are no residential structures in it, but there is a well that services the house across the road. He said that the Applicant is proposing to cut off a 3.1-acre lot, lot #2, to be improved with one single-family home with an accessory dwelling unit. He said that the septic/wastewater would be in an easement on the remaining land, 10.3-acre lot #1. He said that it would be accessed via a shared drive that is currently in place. He noted that there is a 1-acre building envelope proposed and that the goal was to tuck the envelope into the far northeast corner of the southerly field. He said that the shallow well meets the isolation requirements. He said that there are wetlands on the westerly portion of the property, and they are confident that there are no Class II wetlands in the area proposed for development. He also noted that the building envelope is in pastureland and in agricultural soils, but that the soils are not high-quality. He said that in terms of the driveway, moving it to the east of the property would be problematic, due to topography. He said that in terms of access, the shared drive is currently the best location. Jason B. stated that they will renumber the lots as lot #3 and lot #4.

Jonathan S. asked about the road going to the driveway and whether there is a maintenance agreement in place. Jason B. replied that he isn't sure if there is one in existence, but that they could put one in place if needed. He said that the road width is about 14 feet, but that they will get more precise numbers once they survey it.

Dick J. asked if there will be a right-of-way on the plat. Jason B. replied that there is a 50-foot right-of-way in place.

Dennis P. opened the discussion up to the public.

Kate K. said that the west side of the building envelope touches a wetland finger that drains into the wetland, which is draining into the wetland. She suggested that the building envelope be compressed slightly (from the west—moved east) to avoid that area and protect the swale that runs into the wetland. Jonathan S. said that they could condition approval on avoiding waterways. Jason B. noted that there are no waterways, though there are drainage areas on the property. He said that they can have the lands looked at by their in-house wetland specialist. David J. said that where they are planning on building has some low spots that are wet in the spring.

Jonathan S. advocated for shrinking the building envelope in order to avoid the rolling topography to the west.

Dennis P. made a motion, and Greg W. seconded, to close the public hearing and direct staff to draft conditions of approval. The motion passed 7-0.

- 6. Robert Farrell – 06-01-41.100 –** Subdivision revision to move the building envelope on a 38.7-acre property located at 1773 Texas Hill Road in the RR2 Zoning District. *Continued from 12/7/21.*

Mitch C. stated that the Applicant has requested a continuance to the February 15 meeting. He said that the Applicant had submitted plans that did not meet the standards required and that the Applicant anticipates having all the required plans by the first week in February.

Dennis P. made a motion, and Greg W. seconded, to continue the hearing to February 15, 2022. The motion passed 7-0.

7. Extension Request – Hinesburg Center II/David Lyman Revocable Trust – 08-01-06.320 –

Preliminary Plat review of a 46-acre property located north of the Creekside neighborhood in the Village and Agricultural Zoning Districts. The application was approved on February 16, 2021.

Mitch C. informed the Board that the Applicants had challenges with their State permits. He said that they had to modify their application, which will remove one of the cottage houses and the northernmost 9-plex will become a 6-plex. He said that since there is municipal water available, the Applicant is also considering coming back to the DRB with a second sketch plan with a request for a waiver of preliminary, and return for a final plat application for the entire development.

Greg W. made a motion and Dennis P. seconded, to grant a six-month extension request for the Hinesburg Center II/David Lyman Revocable Trust. The motion passed 5-0. Jonathan S. and John L. recused themselves.

8. March 1, 2022 Meeting – The first-floor conference room will not be available because the Clerk's Office will need to use the room for an election and the ballot counting after the election. After a discussion the Board decided to wait till the next meeting to decide how they wish to proceed.

9. Decision Deliberation – Russell Family Trust – 09-01-50.000 – Development on a private right of way application.

Mitch C. will remove the language about blasting and will insert language "May require future access improvements for reconstruction."

Jonathan S. made a motion, and John L. seconded, to approve the decision as amended. The motion passed 6-0 (Greg W. abstained).

10. News/Announcements/Correspondence - Mitch C. informed the Board that at the next meeting there will be a conditional use home occupation application and a development on a private right-of-way application.

The meeting adjourned at 8:05 PM.

Respectfully submitted,
Amy Coonradt, Recording Secretary