

Town of Hinesburg
Development Review Board Meeting Minutes
November 7, 2023
Approved January 2, 2024

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

Members Absent: Jeff Daugherty (Alternate), Branden Martin

DRB Staff: Mitchel Cypes, Development Review Coordinator

Applicants Present: Jacob and Jennifer Thompson, Scott Baker, Amy Demetrowitz, Chris Cook, Bill Maclay, Julia Ginorio, Tyler Labrie, Javier Garcia and Bart Frisbie

Public Present: Alan Belcher (in-person), Robert Hyams (via Zoom), Lenore Budd (via Zoom), Mary & Gary Thibault (via Zoom), Ross Stirewalt (via Zoom), Kate Kelly (via Zoom), Dale Wernhoff (via Zoom), Carl Bohlen (via Zoom), Andy Sambrook (via Zoom), Margaret McNurlan (via Zoom), Merrily Lovell (via Zoom), Bridgette Thompson (via Zoom)

Dennis P. **called the meeting to order at approximately 7:01 PM.**

1. Agenda Changes: Dennis P. moved the Kielman extension request and News & Announcements to after minutes.

2. Review minutes of the October 17, 2023 meeting: John L. **made a motion, and Jon S. seconded, to approve the October 17, 2023 minutes as amended. The motion passed 4-0.**

3. Extension Request: Rem & Meredith Kielman – 12-01-70.100: Sketch plan application for a 2-lot subdivision was approved on 11/15/22 with a six-month extension approved at the 5/2/23 DRB meeting. Dennis P. **made a motion, and Jon S. seconded, to approve a six-month extension.** The motion passed 5-0.

4. News/Announcements/Correspondence:

Mitch C. noted the following: The Rosolen/Collins subdivision revision (on Pioneer Rd) has been abandoned; the Laster environmental court appeal has been abandoned and the survey mylar for the project was submitted and signed; the ACT 250 hearing for HC2 has concluded and a decision is pending; an ACT 250 hearing for the Haystack development is scheduled for November 14th. Mitch C. also mentioned that there are no new applications scheduled for the next meeting. John L. shared that George Bedard passed away, and the Board and Staff praised his service to the community and the work that he did.

5. Jacob Thompson & Jennafer (Wetmore) Thompson - Sketch Plan - 08-01-72.000 - For a two-lot subdivision on a 14.24-acre property located at 223 Burritt Road in the Agricultural Zoning District.

Scott Baker, from Barnard & Gervais, presented the application to create a two-lot subdivision (for one new residence) on the southerly side of Burritt Road. Scott B. said the original parcel is 14.24-acres and is tightly constrained on all four sides, so there weren't many options regarding the location for the new building envelope on the proposed lot. He said the project would be accessed by the existing shared driveway off of Burritt Road, which already has an easement for the community mound system. Scott B. noted that the wetlands shown on the map (downhill to the northwest) were sketched by Donovan Ward, based on a site visit, but have not been flagged and surveyed so are approximate and

might change. All this to say, the developable area is really bounded between the north and south by two existing easements (mound system and force main), the existing driveway to the east and the side lot line to the west (originally shown with the prescriptive 30-foot setback for the Agricultural district). Scott B. noted that the Applicants did not have any plans to put a detached accessory structure near the western property line, and due to the staff comment that there is identified core wildlife habitat along the western part of the property, the plans will be updated to show a 100-foot setback. Scott B. said that by increasing the setback to 100-feet, the building envelope will decrease to about two-thirds of an acre.

While addressing the staff comments, Scott B. noted the access will need to be improved, specifically around the entrance, to ensure there's an adequate 12-inch base for the gravel. He said they expect that the first 200-250 feet of the shared driveway will need to be improved, as it's a bit too narrow and the base is too thin, so they plan to test the depth and make sure the width is up to town standards. Additionally, they plan to meet with the Road Foreperson to determine what, if any, additional work needs to be done at Burritt Road to improve the access.

Scott B. discussed the slope of Burritt Road where it meets the shared access (3-5%), and the slope of the existing driveway (about 6%) for the first 200 feet to the point where the proposed access for the new lot would be. Scott B. noted an area on the driveway, on the outside of the first bend, that's fairly level and would work as a required passing area. Scott B. explained the new proposed driveway will also include a hammer-head turn to accommodate emergency vehicle access and noted they will work with the town to ensure the dimensions work. Scott acknowledged that a shared maintenance agreement will be required.

Scott B. said they will be working to complete the wetland delineation and have that included in the plans. He added that the boundary survey, wastewater permit and erosion control plan will all be prepared by Barnard & Gervais for the final plat application. Mitch C. said that because the area is so flat, stormwater treatment may qualify for a rooftop disconnect.

Dick J. asked about the existing wells and wastewater shields and whether there were any anticipated conflicts. Scott B. replied that while he didn't have that information available at the meeting, he would ensure there are no issues with the adjoining wells. Jon S. asked for confirmation that the building envelope will be pushed 70-feet to the east, to accommodate a larger setback on the western property boundary. Scott B. confirmed. Jon S. also asked for clarification of a comment in the staff report regarding a north/south trail located near the proposed subdivision. Mitch C. recommended the Applicants meet with the Trails Committee to discuss how to handle the trail access, and Jon S. agreed that it would be good to include that plan in the final application. Scott said that because the parcel is so narrow, there isn't a great solution for allowing trail connectivity while preserving the Applicants privacy. Scott added that it might make sense to utilize lot 6 for a trail connection, rather than the proposed new lot. Jon S. added he understood the Applicant's concerns.

Scott B. said the parcel is pretty narrow, and noted they hadn't come up with a good solution about the trail access because while he understands the Town's desire for connectivity, but thought that perhaps the connection could go thru lot 6, rather than the Applicant's proposed lot, and Jon said he understood the concerns and there should be more discussion with the Trails Committee about this.

Dennis P. opened the hearing to the Public. Alan Belcher, a neighboring property owner, said that the land around the proposed lot is covered in white pine trees, which has been an area that deer gather for shelter during heavy snowfall. Alan also noted a concern regarding stormwater runoff from the

existing driveway into Burritt Road, and suggested some kind of drainage diversion at the apron be put in to help with run-off.

Robert Hyams (on behalf of the Conservation Commission) thanked the Applicants for their consideration of the natural resources found on the lot, and encouraged them to continue to work to minimize their impact on the area.

Lenore B. commented regarding the Trails Committee and the Trail Vision Network, and their desire to make a north/south connection between Burritt Road and Drinkwater Road (on the west side of Baldwin Road). Lenore noted that a mission of the Trails Committee is to seek private landowner permission or permanent easements, where needed, to develop trails connecting existing portions of the trail network. Lenore also cited the Town Subdivision Regulations (Section 6.2.3), which state the DRB may require perpetual obstructed easements of at least 20ft in width, in order to facilitate pedestrian, bicycle or other non-vehicle access from the roads. She ended by encouraging the Applicants and Trails Committee to work together to figure out the details of this.

Scott B. responded to Robert's and Lenore's comments, specifically to the great desire for trails. He cautioned the Trails Committee to understand the conflict that can occur when you have the general public using private driveways as trails, because they are not trails. Scott noted that the engineers look at all of the constraints (physical, legal, natural resources) of a parcel when planning, and emphasized how constrained the specific parcel is and how limited the options are for development.

Mary and Gary Thibault wanted to remind everyone that there is public parking and trail access to UVM and Carse Land across Baldwin Road, opposite of the Pinecrest Subdivision.

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. Windy Ridge (Champlain Housing Trust & Maclay Architects) - Sketch Plan - 16-20-56.800: *For a 77-unit subdivision by utilizing a 10.0-acre property and a 32.0-acre property, located between Riggs Road and CVU Road on the east side of VT Route 116 in the Village Northeast Zoning District (continued from October 3, 2023).*

Amy Demetrowitz, from Champlain Housing Trust (CHT), responded to staff comment #16, and noted that 36 of the units in the South Meadow will be perpetually affordable, as well as at least half of the remaining units will be perpetually affordable home ownership units. She said that CHT will be working with Habitat for Humanity (HH) and their own builders and will be using their shared equity program to keep those homes perpetually affordable. Amy D. added they are working to change the name of the project.

Bill Maclay, of Maclay Architects, indicated that the current plans do not include a connector road between the North and South Meadow areas of the project, primarily due to the expense. Amy D. noted by not having a thru-road, there is a reduction in impervious surface. Both Ted B. and Dick J., noted their disappointment that the connector road was not included in the plans, as they felt it had been clearly communicated (at the DRB hearing on 10/3/23), that the Board felt strongly there needed to be a road connection. Chris C., said without adding additional units along that connector road to share the costs of the infrastructure, makes the project much harder to complete. Amy D. said they are very committed to the project, and added that the pedestrian/bike connection was a huge benefit to the entire community. Jon S., asked whether they considered increasing the density of the project

and Chris C. shared that by adding a previously discussed stream setback (of 75ft) a duplex was lost in the planning. Chris C. added they were able to add three new lots with single-dwelling units to the upper side of the road, but noted those are not as cost effective to develop as the multi-unit dwellings on the downhill side. Jon S. asked again whether it was feasible to increase the number of units in the project, especially to help offset the cost of the road connection, and Amy D. said they really tried to push for higher density, but couldn't make it happen because of the site and soil constraints. Julia G. added that having the townhouse style allows for ADA accessibility, especially since the units will be built into the hillside and have different at-grade entrances.

Dennis P. said he was fine with not having a connector road because he believes it will become a cut-thru. Ted B. reiterated his agreement with Dick J. that there are ways to control the traffic flow and speed if the road is there. John L. said that he is concerned about emergency vehicle access specifically in the North Meadow area because there is no loop through the neighborhood. Dick J. said he also has safety concerns by not having multiple access points for residents and emergency vehicles. Jon S. said he was also curious how people will move across Rt. 116 between Riggs Rd. and the future Haystack development. Amy D. said they have not done a traffic study, but that will obviously be done. There was general discussion about the vision of the intersection, and Jon S. the Board had talked about a potential roundabout at the intersection. Jon S. added that he would support the project without the connector road, but wanted more details of the pedestrian path between the North and South Meadow sections. Julia G. suggested that the pedestrian pathway could be constructed to allow for emergency vehicle use, to serve as a turnaround for a large emergency vehicle.

There was discussion about the North Road section of the project, specifically the lot and building envelope sizes and how the wetland will impact the lots (wet and unable to mow).

Amy D. shared that there have been conversations with a daycare provider, and she is very hopeful that will move forward. Jon S. asked if the daycare doesn't work out, will the space remain a non-residential use, and Amy said that would have to be addressed if it comes to that. Dick J. asked if the project meets the ratio of mixed-use to residential ratio that the regulations call out, and Mitch C. said the regulations don't have an exact formula to calculate those ratios. There was additional discussion about the mixed-use requirement, and what would happen if the daycare doesn't occupy the proposed space.

There was discussion about public open space, and what would need to be done to meet that requirement. The ped/bike path would be considered part of the public open space. Julia G. said she would love to see the existing trails modified to allow for more accessibility.

There was a brief discussion about a conceptual lighting plan and Amy D. said they had not discussed lighting details but would include that information in the preliminary application.

There was also some discussion about community rooms being included in the project, and Amy D. said they planned to include community rooms in one of the buildings in the South Meadow section of the project. Dick J. brought up the possibility of incorporating a community gardening area and there was general agreement that would definitely be considered.

There was a brief discussion about school capacity and it was noted that that the Town is in communication with the school district about how to accommodate future students. This is an ongoing issue, and there may be some restrictions in terms of permitting in the future. Mitch C. noted the same issue applies to water and sewer capacity, and could require phasing of the construction.

Amy D. said the buildout of the project has many components and the phasing isn't determined at this point, but will be mindful of water capacity once the project has more clear construction plans.

There was discussion about encroachment on the steep slopes and wetland buffer. Julia G. noted that on the site plan, the lot lines are in the wetland buffer but the building envelopes are not. She added that without the connecting road, the issue of steep slopes becomes less of an issue, other than the portion of the road that cuts through from CVU Road and goes over the ridge to avoid the wetland to get down to the North Meadow neighborhood. It was noted the slopes of the roadway would be 8% or less.

John L. asked about landscaping plans, especially near the South Meadow area and Mitch C. confirmed those details would need to be provided for the preliminary application.

Ted B. said a site visit might help him to understand the constraints of the project, but without the connector road he said he would not vote to approve the application. Jon S. said he was okay without the connector road, as long as there is a good solution for the intersection at Riggs Road and Rt. 116.

Dennis P. opened the hearing to the Public.

Ross Stirewalt, an adjoining landowner, spoke of his concern of the impact to the natural wetlands in that area.

Kate Kelly, on behalf of the Conservation Commission, reiterated the concern of limiting impacts to the steep slopes in the area and also the amount of impervious surface being built.

Dennis P. **made a motion**, and Ted B. **seconded, to close the public hearing for deliberation**. The motion passed 6-0.

Dennis P. adjourned the meeting at 9:10 PM.

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