

Town of Hinesburg
Development Review Board Meeting Minutes
December 6, 2022
Draft

Members Present: Ted Bloomhardt, Jeff Dougherty (alternate), Dick Jordan (via Zoom), John Lyman, Dennis Place, Jonathan Slason.

Members Absent: Branden Martin, Mike Webb.

DRB Staff: Mitchel Cypes (Development Review Coordinator).

Applicants (in person): Bill Kirkpatrick

Applicants (via Zoom): Tony St. Hilaire

Public Present (in person): Dan Jacobs, Ray Kenyon

Public Present (via Zoom): Elizabeth Doran, Barbara Forauer, Bob Hyams, Kate Kelly, Margaret McNurlan, Andrea Morgante.

Dennis P. **called the meeting to order at approximately 7:02 PM.**

1. Agenda Changes: Mitch C. proposed moving the Hinesburg Center 2 hearing prior to other agenda items.

2. Hinesburg Center 2 – Final Plat Review – 08-01-06.320 – For a mixed-use development on a 46.2-acre property located to the west of Kinney Drug and south of Patrick Brook and north of the Creekside development in the Village and Agricultural zoning districts. *Continued from DRB Meeting on November 15, 2022.*

Mitch C. proposed continuing the hearing to December 20, given that there is a lack of quorum for this meeting.

Dennis P. **made a motion, seconded by Ted B. to continue the Hinesburg Center 2 hearing to December 20, 2022. The motion passed 5-0.**

3. Review minutes of the November 15, 2022 meeting:

John L. **made a motion, and Dennis P. seconded, to approve the November 15, 2022 minutes as presented. The motion passed 3-0 (Dick J. and Jonathan S. abstained).**

4. TART, LLC/Tony & Ruchel St. Hilaire – 14-20-11.200 – Sketch plan review for a proposed 7-lot subdivision on a 48.47-acre property located adjacent to 83 Whitetail Ridge, in the Rural Residential 1 zoning district. *Continued from DRB Meeting on November 15, 2022. Site visit on 12/3/22.*

Applicant Tony St. Hilaire, DRB members Dick Jordan & John Lyman, Planning & Zoning Director Alex Weinhausen, and Conservation Commission member Elizabeth Doran visited the Applicant's property on Whitetail Ridge on Saturday morning, December 3rd. Dick Jordan and Alex Weinhausen provided notes prior to the meeting.

Dick J. summarized the tour of the site visit to the St. Hilaire property on December 3, 2022. He noted that the site visit began on Maple Tree Lane and then proceeded onto a logging road. He said that the

Applicant pointed out where they would have crossed over onto Lot 5, and then Lots 6 and 7. He noted the headwaters of a stream that they crossed on Lot 7. He noted that they saw the house site on Lot 8, and that between Lots 8 and 9 there were steeper (around 25%) slopes. He said that they could likely work out switchbacks in terms of access. He noted that the Applicant took them to a promontory that looked out over the Town and had nice views. He said that they then walked back down the Lot 9 road to Lots 8 and 7 and turned south at the edge of the stream and walked the path to Lot 4. He said that along that path he noted what could have been vernal pools, and suggested that those be mapped. He noted that they did not look at Lot 3, since it is open space with no significant development concerns.

Dick J. shared his observations from the site visit. He said that the grades of logging roads were manageable from an elevation perspective, that the maps seemed to provide accurate locations of steep slopes, and that the house sites were on flat portions of land. He expressed concern that the construction of roads would be expensive, given the overall length of proposed roads and the number of residents being supported by those roads. He said that the Board would likely require road standards for the base and width of the road, given that the road has too many blind curves and pull-offs to only utilize a single-lane road. He also noted that the road would need to be wide enough for emergency vehicle access. He further noted that the owners of the Parkinson property would likely want to use that road for access for their own subdivisions, increasing traffic. He additionally noted a concern about exiting Maple Tree Lane onto Pond Road and that site distance to the left was blocked by a rise, obscuring traffic coming down the hill.

John L. shared his observations from the site visit. He said that the sites themselves seemed workable but that the grades for the access road looked steep. He said that there were no showstopper issues, though acknowledged that the Applicant would need to show engineering plans for how this subdivision could work and meet the regulations.

Ted B. noted that while his daughter serves on the Conservation Commission, he does not believe this to be a conflict of interest.

Elizabeth Doran, a volunteer on behalf of the Conservation Commission, noted that in terms of forest resource impacts, the proposed development may encourage additional development, which would take more land away from the forest block. She noted that the lot lines were not marked and the house site locations would need to be verified moving forward. She said that Lot 9 must maintain a 25-acre minimum area to qualify for current use. She said that the deer wintering area was removed in 2004-2006 and that the majority of the site is likely still a core wildlife area. She said that fragmentation would impact many types of wildlife and could have impacts on any existing wildlife corridors. She said that the mapped natural resource areas are dynamic and likely to change. She said that in terms of headwater impacts, Lake Champlain is threatened by the loss of upland forest cover. She additionally noted the potential vernal pools near the forest roads.

Jonathan S. expressed concern that this application is in opposition to the Town Plan and zoning regulations that are in place for major subdivisions of this kind. He said that there are ways to develop this that are more consistent with the Town Plan and regulations, which would entail moving the development closer to Pond Road.

Ted B. said that this is a large contiguous undeveloped area that the proposed development would push into. He noted that for developments on Texas Hill, they required that those be closer to the road. Mitch

C. pointed out that because this is in the RR1 district, there are not requirements around moderate slopes (though moderate slopes will need to be taken into account for stormwater plans).

Dick J. continued to express concern about the cost of constructing a road for property access.

Dennis P. opened the discussion up to the Public.

Donald Kirkpatrick asked if the Applicant could move the development closer to the road and use a portion of the property. Tony St. Hilaire replied that this wouldn't be feasible, based on the lack of available land closer to the road.

Dennis P. made a motion, and Ted B. seconded, to close the public hearing and resume discussion in a deliberative session. The motion passed 5-0 (Jeff D. abstained).

5. Linda & Donald Kirkpatrick (13-01-08.100) – Conditional use review for expansion of a non-complying structure (replacing an existing mobile home with one that is slightly larger) and development in fluvial erosion hazard area, a floodplain and stream setback area for a 2.2-acre property located at 975 Hollow Road, in the Rural Residential 2 zoning district.

Donald Kirkpatrick spoke about the new structure he would be putting on his property (a new trailer), and said that the proposed structure would be 2 feet wider and 4 feet longer, which shouldn't change the footprint much. He said that they need more space inside, as his wife may need to begin using a wheelchair indoors.

Mitch C. noted that based on feedback from Kyle Medash, a State Floodplain Manager, he suggested that the expansion be away from Hollow Brook and towards Hollow Road and that the length expansion be on the upstream side.

Donald Kirkpatrick noted that he will have slab laid down underneath the trailer, which would raise the elevation of the trailer.

Jonathan S. said that the increase is manageable, and he appreciates the rationale with not exact in kind. He said that the marginal expansion is acceptable to him.

Dick J. asked about whether the deck area would increase and if it would be toward the brook. Donald Kirkpatrick replied that it would be no more encroaching toward the stream setback, and would be more toward the road. He said he could place his propane tanks in the front and screen them with cedars, or alternatively he could bury them.

Dennis P. opened the discussion up to the Public.

Andrea Morgante asked if the Applicant would be willing to remove one of the curb cuts. Donald Kirkpatrick replied that yes, he is looking to get rid of one of the curb cuts.

Barbara Forauer said that she has relatives who recently built a new double-wide on a foundation and that it is a great improvement from what had been there previously. She expressed support for this upgraded structure for the Applicant.

Ray Kenyon, an adjacent neighbor, expressed support for this.

After Public comment, the Applicant offered to reduce the size of the driveway.

Ted B. made a motion, and Jonathan S. seconded, to close the public hearing and direct staff to write conditions of approval. The motion passed 5-0 (Jeff D. abstained).

6. Decision Deliberation – to be done in closed session

7. News/Announcements/Correspondence

Mitch C. noted that at the next meeting they will hear an application for a home occupation wood operation and the continuation of Hinesburg Center 2.

Dennis P. made a motion, and John L. seconded, to close the public hearing and enter into a deliberative session to discuss the Stanilonis application and the TART LLC application. The motion passed 5-0 (Jeff D. abstained).

The meeting closed at 7:57 PM.

Respectfully submitted,
Amy Coonradt, Recording Secretary