

Town of Hinesburg
Development Review Board
June 19, 2018
Approved July 17, 2018

Members Present: Greg Waples, John Lyman, Ted Bloomhardt, Dennis Place, Dick Jordan

Members Absent: Jonathan Slason (Alternate), Sarah Murphy, Rolf Kielman, Andy Greenberg (Alternate)

Applicants: Leo O. Besaw, Jason Barnard

Public Present: Kristin Miskavage (Orchard Commons Homeowners Association), Nancy Leon, Barbara Forauer, Nancy and Rufus Patrick

Also Present: Mitchel Cypes (Development Review Coordinator), Kate Kelly (Recording Secretary)

Dennis P. called the meeting to order at 7:33 pm.

Agenda Changes: None.

Review minutes of the 6/5/18 meeting:

Greg W. **made a motion to approve the 6/5/18 meeting minutes as amended.** Ted B. **seconded the motion.** The Board voted **5-0.**

Because the Frosts were not present, and the second applicant was not due until 7:45 PM, Ted B. suggested the Board give them a few minutes.

Mitchel C. provided an update on the Hannaford's agenda. David White contacted Mitchel C., and said they would not be able to get all the information together by the July 3 meeting. They requested that the meeting be continued to August 7. Therefore, per Dennis P.'s direction, the July 3 meeting is canceled.

Ted. B. **made a motion to continue the Hannaford application to the August 7 meeting.** Dick J. **seconded the motion.** The Board voted **5-0.**

Theresa Giroux Revocable Trust: Preliminary plat review for a proposed Planned Unit Development (PUD) on an 8.47-acre property located at 429 Richmond Road in the Rural Residential 1 Zoning District. The applicant is proposing seven dwelling units: three single-family units and two 2-family units, all to be accessed by one road roughly following the existing driveway.

Jason B. Barnard of Barnard & Gervais gave an overview of the proposed development. He discussed the driveway modification (sliding current driveway 100 feet to east, due to stormwater treatment pond to west of drive). Greg W. asked if this is uphill. Jason B. answered that it is. Jason B. also stated that they took out the cul-de-sac, and instead propose using a hammerhead turn-around, to minimize the amount of impervious surface.

Greg W. asked if at sketch there were concerns about stormwater flowing west to Orchard Commons. Jason B. stated all the stormwater discharge from the proposed development will be captured and treated.

Greg W. asked about culvert issues, and Jason B. stated there were none at sketch.

Mitchel C. clarified that these are gravel wetlands rather than ponds. Discussion ensued about the details of stormwater retention ponds.

Ted B. asked where the water flows now. Jason B. stated that the water flows in a southwesterly direction.

Greg W. asked, and Jason B. confirmed, that he is testifying that the amount of water that sheets off in the future will be less under this configuration than what now sheets off to Orchard Commons.

Jason B. stated that the proposed driveway will be gravel. The existing driveway is paved. The paved portion of the driveway past and north of the proposed development will remain.

Jason B. mentioned that the larger trees shown in the proposed plans are elms, smaller are others. They have added a cedar hedge along the Aube property boundary.

Greg W. asked about concerns at sketch with screening/visibility to east. Jason B. replied they have tried to leave the vegetative buffer on the east edge of the field. Stone retaining wall behind the east house, then vegetation behind.

Jason B. reviewed the locations of water lines and sewer outside the proposed houses.

Dick J. voiced concerns about bringing water/sewer across Richmond Rd. (cutting into road, repaving, etc.). Jason B. stated it will be restored to current road conditions, with proper compaction. They often use directional drilling now. Discussion ensued about drilling costs.

Mitchel C. stated he has reviewed the stormwater treatment system, which satisfies the Town requirements and he wrote a piece on this in the staff report.

Jason B. touched on the wellhead protection area for Orchard Commons. Zone 1 is fully on Orchard Commons property. Zone 2 is also outside this proposed development area. Zone 3 is a much larger area that captures the whole hillside. In terms of PSOCs, the sewer is installed to today's standards, and they will do tests to confirm they are constructed correctly. He addressed fuel tanks: there will be none (as the development will be served by gas). The only concern would be residential small cars, generators, etc. Greg W. asked about homeowners using propane. Jason B. replied that he is referring to gasoline and fuel oil, not propane.

Dick J. asked if these will be privately owned or rental properties (in regards to using natural gas for heating). Leo B. stated the objective is to have natural gas there and the units will be individually owned. He said they could write this into the Homeowner Association (HOA) documents.

Dick J. was concerned about the elms. Jason B. replied that they are resistant to Dutch elm disease. He confirmed Dick J.'s comment that if they fail, they would be replaced.

Greg W. asked why elms are attractive. Jason B. stated they consulted Green Haven Gardens landscaping company. The height, canopy, size of elms are attractive. Other trees are a Red Maple to give some color.

Jason B. addressed the common areas: the path off the turnaround is a loop. There is also one common area to the east as green space. Overall, ~78% of the project area is green space. Greg W. asked about a concern with access to common space that came up at sketch. Jason B. replied there is no issue now that it is one lot instead of two.

Ted B. asked about the existing trail. Leo B. stated this was an old snowmobile trail, and they wanted to keep it as natural as possible. Jason B. stated most of what would be cleared is shrub brush.

Dick J. asked if you can maintain the grass swale in a wooded area. Jason B. stated it will be a challenge, but they don't want to clear it. It may have to be cleaned out in 15 years. Dick J. stated his concern is about erosion if grass won't grow. Jason B. stated it shouldn't be an erosion concern; they'll use rip rap in steep areas.

Dick J. asked about green space: will they mow it? Jason B. stated it will be gardens, etc. Leo B. stated he will write this in to HOA documents about upkeep of this space.

Jason B. stated they have revised the plan to address the concerns of Mr. Aube and Orchard Commons.

Dick J. asked about an abutting landowner's shed, garden, etc. that are on the Applicant's property. Leo B. stated that they will have to address this with the landowner (Steve Aube), and they plan to work with him. Greg W. said they would need to see this at final.

Mitchel C. mentioned that the building envelope includes an area on the steep slope in the northeast corner of the property. Mitchel C. asked if it should be taken out of the building envelope because they likely won't be building there, and we wouldn't want them to build on these steep slopes. He felt there are other similar slopes/infrastructure that should be taken out. Jason B. stated these are straight lines that are easier to monument and maintain. Jason B. stated he doesn't envision the houses changing much from what is proposed. Ted B. asked if it has to be built where the plan says (because this is PUD). And do we require monuments on building envelopes? Mitchel C. said we don't require these. Greg W. suggested that as a condition to the Board's approval, we ask them to make the building envelopes more reasonable. Jason B. agreed that this would be easy to do.

Dick J. referred to the drawing of the bouldered hillside (C-004), and felt it looked unstable. Is this normal? Jason B. said they do it quite often, and with a slope of ~2.5 on 1, once you get the rocks in place, they are stable.

Mitchel C. requested Jason B. discuss maximum solar gain/angles. Jason B. stated everything is set to south/southwest exposure to achieve maximum solar gain, especially the three units on the uphill side of road. These could have solar panel rooves or trackers with prime sunlight. Duplexes are still vegetated to west, so wouldn't have as much solar gain. Dick J. asked if the treeline on the westerly duplexes will impinge on the solar gain. Jason B. said the trees will grow over time, so that is a disadvantage to leaving the buffer. Dick J. asked if they became privately owned, could a homeowner

request a modification to clear more trees. Greg W. stated the HOA documents could restrict that going forward in perpetuity. Greg W. stated we could grant this with the knowledge that this is a PUD.

Dennis P. opened the discussion to the public.

Barbara Forauer asked why they are doing a paved road. Jason B. stated they are not paving. She then asked if they are doing solar; Jason B. replied that is up to the homeowner.

Kristin Miskavage (Orchard Commons Homeowners Association): David Morgan and Andy Seaton sent a letter. She had some questions regarding wellhead protection. She would urge the board to consider the zone 2 and 3 delineation. Jason B. stated that the protection area could go down or up if flows change over time, but they are generally locked in, and revisited every 4-5 years. The delineation is based on state maps, which in turn are based on what the Orchard Commons HOA has provided to the state. Kristin M. asked who validates this; Jason B. answered that no one checks to confirm. She asked if this is also used for stormwater permits and erosion control permits. Jason B. and Mitchel C. clarified that because this PUD is under an acre of impervious surface, the stormwater review goes through the town. The erosion control permit review goes through the state; Jason B. noted they have received this permit already. Kristin M. asked who oversees erosion control during construction; Mitchel C. stated that Suzanne Mantegna (Zoning Administrator) oversees this if they get complaints.

Kristin M. asked about how far down the hillside does this take into effect? Over the past 15 years, Orchard Commons has seen a significant change in water flow (have had to re-dig ditches, major water coming down). Glades at the very top see significant stormwater run-through through their properties. Their lawn is rarely dry in certain spots; their sump can't handle the water. They are concerned about the extra impervious surfaces. She asked if he testified that less water would be running down. Jason B. stated there would be no increase in water, and that it sounded like they need an intercepting drainage ditch to capture water, and this is exactly what they have proposed.

Kristin M. said they re-dug the ditch behind their houses, but the water doesn't always flow to the road. Jason B. replied that they may need some upgraded stormwater facilities on their property. Jason B. stated that the gravel wetland is sized to a large storm event; water will be sent over time to the road ditch. Other water will go through the stormwater pond to the grass swale/pond. Kristin M. mentioned that their devices to bring water to the road aren't successful, so she is concerned about their devices as well. Jason B. confirmed that some of the water flowing to the Motchmann property will be intercepted.

Nancy Leon asked if these units will be rented or owned. Leo B. answered that they will be owned, but there is no timeline yet, and no buyers. Greg W. stated there may be requirements and timelines as part of the Board's approval.

Betsy Patrick mentioned they see lots of water flowing above the proposed development, and asked about putting something in above the single family homes to slow water flowing down in to these homes. Jason B. replied that the drainage near the retaining wall will intercept water and bring it around the proposed houses.

Greg W. **made a motion to close the public hearing and direct staff to write conditions of approval.** Dick J. **seconded the motion.** John L. commented that there were good improvements on the treeline and hedgerow. The Board voted **5-0**.

Garin & Christina Frost (Frost Beer Works): Conditional use review for the addition of restaurant/food truck use to their 1.34-acre property at 171 Commerce Street in the Commercial Zoning District. The applicants are proposing to have a food truck on site during their beer tasting hours, and to extend the hours of beer tasting.

Dennis P. **made a motion to continue Frost to the July 17 meeting.** Dick J. **seconded the motion.** The board voted **5-0.**

Dick J. commented that they already have a picnic table outside and seem to be moving forward; Mitchel C. said the administrative officer interpreted their prior approval as limiting the business to 6 seats inside or outside. Dick J. said they have previously operated a food truck. Mitchel C. said he will mention this to the administrative officer.

News/Announcements/Correspondence

Schedule: next meeting is July 17.

Dennis P. chose to discuss start time at next meeting.

Dennis P. **made a motion to adjourn.** Greg W. **seconded the motion.** The Board voted **5-0.**

The meeting adjourned at 8:44 PM.

Respectfully submitted,

Kate Kelly, Recording Secretary