

As the representatives from Hannaford pointed out (I am paraphrasing) "it is not Hannaford's responsibility to fix existing traffic issues". While I agree with them on this point, I do feel it is the DRB's responsibility to ensure the Hannaford project does not make it **worse**. Based on the findings in the traffic review, there will be increased traffic on a town road already lacking pedestrian safety infrastructure. With a residential section of town right next to this project, the DRB must take into consideration the safety of the residents and their children that walk along these roads.

Therefore I hope based on the two referenced sections above the DRB comes to the correct conclusion and denies Hannaford's application.

Respectfully,
Joseph French
90 Mulberry Lane

Barbara Hicken
9/27/11

From: Barbara Hicken [mailto:babco_fitness@yahoo.com]
Sent: Tuesday, September 27, 2011 11:47 AM
To: Joe Colangelo
Subject: RE: Hannafords

I have not lived in Hinesburg for 1000 years, but I do think that it is time that the town moves forward. I can not even tell you how many times when my son was young I wished there was a pharmacy so that i would not have to drive a distance to get my sick child medication. I do not do my weekly shopping at Lantmans, the prices are too high and the selection is small. I get in my car and drive outside of Hinesburg to shop, using up gas and many times making into a lunch date with my friends or to pick things up at store or bakeries outside of Hinesburg, because I am there. If I did not have to drive outside of town I probably would spend more time in our local stores. Bringing a "big" store to hinesburg is not the end of our town...it is called progress.

Barbara Hicken
Hidden Pasture Rd.
Hinesburg

Hinesburg Village Vision's Citing of 2005 Town Plan in regard to Hannaford Application

FACTSUB

1.1 Purpose of The Plan

"It also seeks to achieve a long range planning horizon by looking into the future twenty years or more."

- > Hannaford is consistent with zoning regulations within the growth area for higher density.
- > With the current and potential for new growth within the village, a larger and more accessible grocery store is necessary.

1.4 Vision Statement

"It will strive to offer the highest quality social, educational, recreational and economic opportunities and a variety of housing options."

- > Hannaford offers classes on nutrition
- > Hannaford donates to schools and non-profits specifically the local food shelves
- > Hannaford creates jobs
- > Hannaford provides more affordable food for our lower income residents

1.5 Goals and Objectives

Goal2.5:

"To encourage environmentally conscious commercial, agricultural and industrial development."

"Pedestrian access is fundamental to the sense of the village. The proximity of a range of services makes the village an especially appealing place for groups such as the elderly who have a more limited mobility. The density of the village has reinforced the potential for pedestrian movement and future patterns of development in this area must be consistent with this."

- > Hannaford's plan includes excellent pedestrian connections to the existing sidewalk along Mechanicsville Road and to Commerce Street, including in-filling a portion of sidewalk on Commerce Street that the town has long wanted to be constructed.
- > Our community recognizes that the elderly can easily become isolated when they do not have easy access and Hannaford's placement would be in closer proximity to the greater portion of our elderly residents (Kelleys Field and Thistle Hill)

3.2.4 Goals and Recommendations

"To address the overall traffic flow and road network in the village area to ease congestion, offer new development opportunities and improve safety."

- > Hannaford will implement changes to improve safety such as more sidewalks, longer turning lanes and changed curb cuts.
 - > Hannaford is working with VTrans to gain approval for significant improvements to the Charlotte Road/116 intersection.

3.3 Commercial and Industrial

"The location and use of commercial and industrial areas has a major impact on the town's environmental and aesthetic resources, as well as its economic well being."

"It will be important to maintain a core of businesses in the village and surrounding commercial areas as a means of continuing the historic pattern of the town."

- > Hannaford will greatly strengthen the "core of business" in the village that will help improve business for other retailers
 - > Less travel time for residents equals less impact to the environment
- > Hannaford will be providing landscaping above and beyond what zoning regulations require.
 - > Will be creating more jobs
- > Hannaford will be providing a park not just accommodating for it

Goals and Recommendations:

3.3.1 "To provide suitable locations for commercial and industrial development".

a. "Review zoning districts and regulations with a goal to foster the establishment of businesses that support the residential growth taking place in Hinesburg".

b. "Encourage commercial expansion in the core of economic activity within and surrounding the Village District."

> Hannaford is clearly a business that will "support residential growth... in Hinesburg".

> Hannaford is commercial expansion in the Village Growth Center "surrounding the Village District".

3.3.3 "To provide necessary facilities and services to support commercial and industrial development".

a. "Improve pedestrian walkways and vehicular traffic flow to help current and future businesses attract and retain customers".

> Hannaford would improve traffic flow and pedestrian access while adding potential business for neighboring businesses.

5.8 Services for the elderly and disabled

> Hannaford will be providing multiple services for the elderly and disabled not currently available.

5.8.1 "Explore infrastructure needs and additional services to address the elderly and disabled population".

a. "Planning for safe and easy mobility for seniors is also important.

Hannaford will be providing:

> More handicapped parking

> Handicapped shopping carts

> Safer architecturally designed building

> Safe sidewalks

> One stop shopping (groceries, pharmacy and farmers' market)

> Services closer to the elderly

> Rental of crutches, wheelchairs, walkers, etc.

> Handicapped accessible bathrooms

> Shopping assistants provided if needed to walk along with customer and assist them

> Provide adjustable "pin pads" at check-out for people in wheelchairs

6. Transportation

"This town plan seeks to outline transportation and policy directions that allow for town growth, improve the safety and serviceability of our transportation network and strike a balance between automotive and alternate transportation to build a system for the people of Hinesburg, not just their automobiles."

6.4 "To guide improvements to the village transportation infrastructure which encourage a more pedestrian and business-friendly community while improving the efficiency of vehicular traffic flow."

> Hannaford's placement will encourage walking within the village

> Hannaford will help make the Commerce Park area a more viable location for bus service.

e. "Correct deficiencies in business curb cuts in proximity to the Commerce Street intersection, which affect the traffic flow at this intersection."

> Hannaford is addressing the problems related to this intersection and is willing to pay for and greatly improve this area making it much safer

> Hannaford will provide longer turning lanes

> Hannaford will correct the curb cut at Firehouse Plaza.

- > Hannaford will be completing sidewalks on the southside of Commerce Street.
7. Energy

Goals and Recommendations:

7.1 "To reduce energy use by Town residents".

a. "Transportation: Encourage compact development within the village area with appropriate sidewalks and paths, with bicycle parking racks where appropriate, that allow non-motorized travel to jobs, services, and recreation. A dynamic village center increases the potential for mass transit options to and from larger nearby commercial and employment centers. Park and ride areas should be built to promote car and van pooling".

- > Residents will be able to stay in town and drive less for their basic needs.
- > The presence of Hannaford in Commerce park will make mass transit options more viable in the vicinity.

b. "Residential, commercial, and municipal space heating and cooling: Promote building practices that use energy efficient materials and heating systems, solar orientation, and alternative or renewable energy systems".

c. "Residential, institutional, and commercial energy use: Promote the use of energy efficient lighting, appliances, and practices. Replacing incandescent lights with compact fluorescent bulbs is one of the most effective and easy actions possible to save energy".

- > Hannaford is proposing a LEED certified development that will be highly energy efficient

To quote Alex Weinhagen, Director of Planning & Zoning, in his official map explanation "...'accommodate' does NOT mean build or pay for, rather it simply means allow or make room for the public facility/space identified on the map."

- > With no clear idea as to what the town wanted on Lot 15, Hannaford offered several options to the town (pocket park, Farmers' Market). Based on Alex's comment, they are not obligated to build or pay for these facilities but are willing to do so. They have shown that they are committed to being a helpful, conscientious and generous community partner.

Bill Moller FACTSUB
10/3/11

Hannaford's Size

Hinesburg Zoning Regulations state as follows: "4.3.4 Site Plan Review Standards: The Development Review Board shall review the site plan and supporting data before approval, approval with conditions, or disapproval is given, and shall take into consideration the following standards:"

"(3) Adequacy of landscaping, screening, setbacks, hours of operation and exterior building design in regard to achieving maximum compatibility with adjacent property and with the character of the neighborhood."

(I'll reserve defining "compatibility" and "character" for the residents of Hinesburg).

The actual text of the regulation makes no mention of size with respect to compatibility and specifically limits elements of compatibility to landscaping, screening, setbacks, hours of operations, and exterior building design. Since 4.3.4(3) explicitly lists these elements, any

perceived "big-box" nature, aka, SIZE, of the building, has no bearing on "maximum compatibility with adjacent property and with the character of the neighborhood." IN FACT, there is specific provision ALLOWING lot coverage to be a maximum of 75% when it is currently only 61%. Thus the ENTIRE lot coverage for Hannaford would be 18.6% LESS than the maximum allowed per Hinesburg zoning regulations.

Lot 15 is the largest lot in our "COMMERCIAL" district. Hannaford should not be penalized for placing a relatively larger building on a relatively larger lot.

--
~Bill

COMMERCE PARK ASSOCIATION

ARCHITECTURAL REVIEW OF MARTIN'S FOODS OF SOUTH BURLINGTON, INC., PROPOSED IMPROVEMENTS

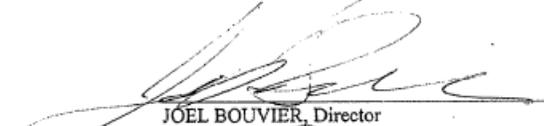
The undersigned, having reviewed the design and location of the proposed improvements to be constructed by Martin's Foods of South Burlington, Inc., on Lot 15 of Commerce Park, so-called, in Hinesburg, Vermont, upon motion duly made, seconded and unanimously passed, hereby find that such design and location as presented by Martin's Foods of South Burlington, Inc., meets the requirements pursuant to Article II - Architectural Controls of the Declaration of Protective Covenants and Restrictions for Giroux Commercial Subdivision - Commerce Park dated June 30, 1988, and of record in Book 68, Pages 620-626 of the Town of Hinesburg Land Records.

DATED at Hinesburg, Vermont, this 1st day of September, 2011.



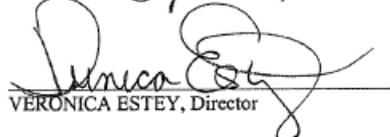
MARY GREENBERG, DVM, Director

DATED at Middlebury, Vermont, this 3rd day of August, 2011.



JOËL BOUVIER, Director

DATED at Hinesburg, Vermont, this 1st day of September, 2011.



VERONICA ESTEY, Director

RECEIVED
SEP 20 2011
TOWN OF HINESBURG
DRB & ZONING

JOSEPH D. FALLON
ATTORNEY AT LAW
P. O. BOX 257
10729 ROUTE 116
HINESBURG, VT 05401
602) 482-2137

Wayne Schwab
9/26/11

A. Wayne Schwab
PO Box 294 / 99 Pond Road
Hinesburg, VT 05461
802-482-7743 aschwab525@aol.com

September 26, 2011

Dear Mr. Glen:

I hope you will share this letter about the Hannaford proposal with of the members of the Development Review Board.

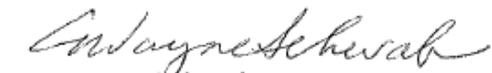
Surely, part of testing the “maximum compatibility” of a proposal includes to what extent its employment policies are fair and just – hence compatible with life in Hinesburg. Employment policies are, at least, as stressful to a community as the visual impact of proposals.

Among employment policies to investigate are:

- how does the average wage per hour at Hannaford compare with the minimum wage; what is the policy for employees to increase their hourly pay; and how do these compare with Lantman’s, Shaw’s, and Price Chopper?
- will its workers include a per cent of local youth seeking their first employment and older adults?
- are flexible hours available?
- what is its policy toward unions?
- what is its policy on maternity leave?
- what is its policy for National Guard workers returning from military duty?
- what are its benefits in health care, pensions, and profit sharing?

I will be glad to explore these convictions in person with the Board should it desire to do so.

Sincerely,



A. Wayne Schwab

Rob Bast Submission - “Bast Augusta Hannaford”
See associated PDF file – Bast Augusta Hannaford.pdf

Law Office of James A. Dumont, Esq., P.C.

15 Main St. P.O. Box 229
Bristol VT 05443
453-7011, fax 453-6040
TollFree: 1-866-453-7011

JIM@DUMONTLAWVT.COM; website dumontlawvt.com

James A. Dumont, Esq.

Kit Donnelly, Legal Assistant

October 11, 2011

By email (bschroeder@drm.com) and fax (862-7512) to:

William W. Schroeder, Esq.
Downs Rachlin Martin
PO Box 190
Burlington VT 05402-0190

In re: Application No. 20-25-02.100 (Hannaford) -- Traffic Study.

Dear Bill:

Our traffic consultant has reviewed Lamoureux & Dickinson's latest traffic study. In order to provide useful comments to the Hinesburg DRB, we need some additional information about that study. We believe the DRB will need this information as well. Rather than contact L&D directly, I felt the most appropriate way to address this is through the applicant's counsel. Thus I am contacting you.

What we need is the data, documents and analysis supporting the distribution of trips that L&D described in their final paragraph on p.8 of the TIA and "detailed" on pp. 19-25 of the pdf Appendices. (The appendices lack page numbers, but pdf generates page numbers.) This material should describe the towns from which the traffic is presumed to originate, their populations, the proportion of those populations that were presumed to contribute to the trip generation, and the route(s) to which these trips were assigned. It should include some kind of sub-areas (eg census tracts or other) used within Hinesburg and nearby communities to distribute trips on a sub-town basis in situations in which different areas of the same town would (likely) arrive by different routes.

This information often is provided to zoning boards (and the public) by traffic consultants such as L&D, and we hope that L&D can provide that to us promptly so that our consultant can utilize this information in what we present to the DRB.

Please call with any questions. Thanks.

Sincerely,

James A. Dumont

James A. Dumont, Esq.

cc: Mr. Peter Erb

1

James A. Dumont, Esq.
(802) 453-7011

PO Box 229
Bristol VT 05443

Maggie Gordon
11/8/11

236 Hayden Hill Rd. W.
Hinesburg, VT 05461

November 8, 2011

To: Hinesburg Development Review Board

Despite the data provided by several traffic consultants regarding the projected volume of traffic that will be generated by the proposed Hannaford project, there is still a certain amount of uncertainty regarding the accuracy of their numbers.

Hannaford has these figures, however, and this uncertainty could be eliminated by asking them for their data. Hannaford consultants have already done research on demographics, trip projections, and the exact number of daily transactions necessary to make their store profitable.

If Hannaford is, indeed, a community-minded business, then they should be open with the town about the real amount of traffic they expect their project to generate.

I would like to request, therefore, that the DRB request from Hannaford the projected volume of traffic that Hannaford anticipates its Hinesburg store to generate. They should be able to provide those figures for at least five years, based on demographics and projected transactions.

Sincerely,
Maggie Gordon
Responsible Growth Hinesburg

Mary Crane
10/30/11

Dear DRB,

I would like to express my concerns about Hannford coming to Hinesburg.

My first concern is the scale of the building and how it fits on lot 15. It is a very large store for our town with a very large parking lot. I don't feel we need a store of that size for a several reasons. I am worried once you have such a large building in town it encourages other chain stores to move here and then we have totally lost the uniqueness of our village. We all ready have an adequate grocery store for out town and one that supports our community in many ways. I fear with Hannaford we will lose that community feeling when shopping and as there are so few of these place left, it is important to save them.

One of my other concerns about the size of the store is the increase in traffic we will see over time. I feel this size store will use up our traffic allotment and if other smaller stores want to come in they will have to worry about what kind of traffic impact they will have and almost any new development will tax our roads even more. Do we really want one store to use up all our traffic capacity?

Another concern I have is, what happens if Hannaford can't make a go of it in Hinesburg? We are left with a god awful ugly building and a large parking lot (which is a heat Island) on land that we can never reclaim. I realize Hannaford has done studies and feels our location is going to be successful for them, but they have been wrong in the past and I don't feel this is a risk worth taking.

But most importantly, we lose a valuable piece of land that could be a great park for our town, a gathering place for families, a potential place for concerts, community events, play

area, or even a recreation field. Public parks provide many economic and social benefits to a town.

- They can enhance the value of surrounding residential areas,
- Mitigate the cost of storm water management,
- Protect underground water sources
- Reduce air pollution with planted trees
- Promote physical and mental health for people of all ages

As Hinesburg grows I see the benefits of a public space becoming more important to keep our community together. This is the vision brought forth in the town's official map and I think the DRB needs to honor this vision with a vote against the Hannaford proposal.

Sincerely,
Mary Crane

Hinesburg Village Steering Committee TWNCOM
11/9/11 (verbal summary presented at 11/15/11 meeting)

TRAFFIC/Hinesburg Village Steering Committee/Comments on Proposed Hannaford Project/November 9, 2011

The Village Steering Committee, an official and standing committee of the town, is composed of seven members: Michael Buscher, George Dameron, Catherine Goldsmith, Rolf Kielman, Aaron Kimball (Secretary), Jane Starkweather, and Dona Walker (Chair). Five members are residents of the village.

The members of the Village Steering Committee have read and studied the following documents: the July 20, 2011 *Traffic Impact Assessment* submitted by Lamoureux and Dickinson, an update to that original study (July 20, 2011) by that same firm, and the memorandum prepared by Llewellyn-Howley that responds to both (earlier) reports. In its own memorandum Llewellyn-Howley concludes that the study “provides a reasonable depiction of traffic conditions with the proposed project built” (p. 2 of Llewellyn-Howley memo) and a “reasonable forecast of projected future traffic conditions” (page 1 of the Llewellyn-Howley memo). However, Llewellyn-Howley qualifies this judgment by making numerous recommendations that “the applicant consider certain refinements and additions to the traffic mitigation package” as well as update “elements of the traffic analyses” in the study (p. 2 of the Llewellyn-Howley memo).

After a careful review of the these documents, the Village Steering Committee has concluded that the road infrastructure in the village of Hinesburg will not be able to sustain the increased traffic associated with a project of this size (36,000 square feet). Specifically, the additional volume of vehicles attracted into the village center from the east, west, north, and south will at best cause and exacerbate intolerable delays and gridlock, and at worst pose significant dangers to the safety of motorists, cyclists, and pedestrians. We have outlined our reasons for our determination below.

First, by rough count there are fourteen (14) recommendations and changes suggested by Llewellyn-Howley to the traffic mitigation proposal submitted by Lamoureux and Dickinson. In addition, Llewellyn-Howley recommends a revision of six (6) assumptions made in the Lamoureux and Dickinson in its reports. In the judgment of the Village Steering Committee, these recommendations and suggestions are so numerous and so complex that they undermine the credibility of the two Lamoureux and Dickinson reports. Llewellyn-Howley raises significant questions in our mind whether an amended mitigation package could promote a satisfactory and safe flow of traffic in the village core. Presumably,

from the point of view for Llewellyn-Howley, all of these recommendations and revised assumptions would need to be made for the traffic flow to be acceptable. However, the large number of qualifications and recommendations advanced by Llewellyn-Howley, in our opinion, raises serious doubts about the mitigation package proposed by Lamoureux and Dickinson. Taking account of the high number and complexity of the recommendations advanced by Llewellyn-Howley, in addition to the original recommendations by Lamoureux and Dickinson, the Village Steering Committee is seriously doubtful that the state, the town, and the developer could successfully coordinate their efforts to make sure that all these adjustments could be made simultaneously to handle the expected and increased traffic. There are just too many “pieces to this puzzle” that have to be put in place by too many parties to make these traffic mitigation measures work (if we assume they would work, which may be debate-able).

The second major reason that the Village Steering Committee has concluded that the village infrastructure would not be able to support a project of this size is actually described on page three of the Llewellyn-Howley memo. The Committee believes that a fundamental flaw in the application for the Hannaford project is the assumption by Lamoureux and Dickinson that “the supermarket will close and be replaced with a less intensive use” (page one of Llewellyn-Howley memo). We cannot be sure that this will happen at all. There has been a significant level of traffic into and out of the Lantman’s site for decades, and there is no reason to assume that because it will *presumably* cease being a grocery store that the volume of traffic will be any less than it is now. In fact, Llewellyn-Howley also notes this fact and suggests as a remedy. It recommends that “there should also be some legally binding commitment to cap the traffic generation for the Lantman’s site to the figures used in the traffic study” (page 3). This does not seem to members of the Village Steering Committee to be a reasonable or even a legal restriction to impose on the present or future owners of the property. Indeed, such a covenant would seem to violate the property rights of the owners to do with their property what they wish within the context of existing zoning regulations. And if implemented, such a restriction would improperly and probably illegally accommodate the interests of one property owner (Lantman’s) to those of another elsewhere in the village. This strikes the Village Steering Committee as an inappropriate and probably illegal restriction to place on the present or future owners of the Lantman’s property. And yet, the clear meaning of the Llewellyn-Howley memo seems to assume that if this restriction on traffic in and out of the Lantman’s property is not implemented, the resulting traffic situation in the village would impose undue hardship on the town and its village.

Third, the members of the Village Steering Committee, exercising common sense and relying on their own experiences and observations of the current traffic situation as residents of the village and town, assume that Hinesburg village will become a major pole of attraction for additional traffic from the east, west, south, and north of the town. In their judgment, this will create intolerable levels of gridlock and congestion. Even if we assume that all the recommendations and suggestions advanced by Llewellyn-Howley are implemented, as well as the traffic mitigation measures proposed by Lamoureux and Dickinson, we fear there will be serious and unanticipated consequences. Furthermore, once traffic resumes into and out of the former Saputo complex, the level of traffic in the village will become even more intense than it is at present. *Such excessive and undesirable levels of traffic, in our judgment, would undermine the goal of the town plan to assure a safe and walkable village community for motorists, cyclists, and pedestrians.*

For the reasons outlined above, on the basis of traffic alone, the Hinesburg Village Steering Committee recommends that the Development Review Board deny the application for a proposed Hannaford Brothers Supermarket in the village.

Respectfully submitted on behalf of the Village Steering Committee,
George Dameron
57 Charlotte Road (482-3269)

Responsible Growth Hinesburg
Michael Oman testimony on traffic (presented at 11/15/11 meeting)
11/9/11

Law Office of James A. Dumont, Esq., P.C.

15 Main St. P.O. Box 229
Bristol VT 05443
453-7011, fax 453-6040
TollFree: 1-866-453-7011
JIM@DUMONTLAWVT.COM; website dumontlawvt.com
James A. Dumont, Esq. Kit Donnelly, Legal Assistant
Nov. 9, 2011

Mr. Thomas McGlenn, Chairman
And Members, Hinesburg Development Review Board
Mr. Peter Erb, Zoning Administrator
Municipal Offices
Hinesburg VT 05461

In re: Application No. 20-25-02.100 (Hannaford) -- Michael Oman Report on Traffic Study.

Dear Mr. McGlenn, members of the DRB, and Mr. Erb:

Enclosed, on behalf of the many citizens-petitioners in this case, for whom I am the designated representative, please find a report by Mr. Michael Oman, of Oman Analytics, on the latest traffic study submitted to you by the Applicant. Also enclosed is a copy of Mr. Oman's resume.

Mr. Oman will be present at your hearing on November 15, 2011, to present and answer questions about his report.

Sincerely,

James A. Dumont

James A. Dumont, Esq.

cc: William W Schroeder, Esq.

RESUME OF MICHAEL F. OMAN
PO BOX 216, UNDERHILL CENTER, VERMONT 05490
PHONE: 802 899-3146 E-MAIL: OMANANALYT@AOL.COM

PROFESSIONAL EXPERIENCE

1988 Principal, Oman Analytics, Underhill Center, VT
Pres

Transportation and community planning and Geographic Information Systems (GIS) services including traffic and transportation analysis and plans, housing planning and census analysis, open space, land use, economic development, fiscal analysis and master plans. Provide for implementation with fully developed zoning, capital investment and other implementation mechanisms. Expert witness services relative to local zoning and State land use control law.

1996 Adjunct Professor, Johnson State College

Designed and taught upper level land use planning course for Environmental Sciences majors.

1992 Transportation Director, Chittenden County Regional Planning
1997 Commission, Essex Junction, VT

Responsible for all aspects of transportation planning including Long Range Transportation Plan and Transportation Improvement Program (TIP) for Chittenden County, Vermont's only metropolitan county. Staff director for Metropolitan Planning Organization (MPO).

1991 Principal, GeoData Analytics (GDA), Melrose, MA
1996

Develop and install advanced Geographic Information Systems (GIS) for municipal planning applications. Systems include both address based geography using the Census Bureau's TIGER computer maps and digitized parcel based geography. Provide GIS based community services such as master plan studies and legislative redistricting. GDA taught UMass Boston's MapInfo (tm) based GIS course for advanced geography students in 1992.

1984 Principal, Connery Associates, Winchester, MA
1988

Responsible for a complete range of land use and community planning consulting duties, including project management and client relations, land use, economic, and environmental analysis, master planning and component plans, public participation and implementation, including zoning, subdivision and other regulations, capital facilities planning and final adoption of plans. Action generally included Town Meeting adoption of zoning (requires a 2/3 vote of Town Meeting in Mass) and/or other regulations or capital proposals.

- 1979 Metropolitan Area Planning Council, Boston, MA
- 1984 Director of Land use and Environmental Planning; Director of Economic Development; Principal Planner

Provided planning services in land use, environmental protection and economic development to 101 cities and towns in metropolitan Boston. Services included groundwater protection, open space planning, downtown revitalization, industrial space planning, traffic and transportation and urban design.

Supervised a staff of six professional planners and urban designers.

- 1978 Allen and Demurjian, Inc. Civil Engineers, Boston, MA
- 1979 Project Engineer

Site design, specifications and estimation for a variety of development projects throughout the eastern United States.

- 1975 Metropolitan Area Planning Council, Boston, MA
- 1978

Data Coordinator; Senior Planner; Assistant Planner: Regional comprehensive planning and technical assistance

- 1969 U.S. Army Corps of Engineers, Waltham, MA
- 1973

Civil Engineer; Systems Programmer and Analyst
Hydrologic systems and data acquisition

EDUCATION

- MA, 1975 Tufts University, Urban and Environmental Policy
- SB, 1969 Massachusetts Institute of Technology, Civil Engineering
- SB, 1969 Massachusetts Institute of Technology, Political Science

PROFESSIONAL AFFILIATIONS

- American Planning Association
- Institute of Transportation Engineers

ADDITIONAL QUALIFICATIONS

Qualified as an expert witness on traffic and transportation matters before the Vermont Environmental Court, Vermont Environmental Board, and numerous Vermont District Environmental Commissions and local zoning and development review boards.

Memorandum

To: Hinesburg DRB
From: Michael Oman, Principal, Oman Analytics
Date: December 12, 2011
Subj: Revisions to Illustrative Trip Generation at Future Lantman’s Site

At the 11/15 meeting of the DRB, I submitted a memo that discussed alternative trip generation scenarios from the Lantman’s property subsequent to closing the existing grocery store different from those offered by the applicant as the basis for his analysis. At the time, the terms of the “Agreement” between Lantman’s and Hannaford’s pertaining to restrictions on subsequent use of the Lantman;s property were undisclosed. Subsequent to that earlier memo, those terms have been disclosed and they suggest that some modifications to the examples that I offered at that time would be appropriate.

There is some ambiguity with respect to at least one potential, high trip generating, use--a “convenience store” is alternately expressly prohibited, and later expressly permitted with some conditions--so I have left it out of my potential illustrative mixes of uses altogether. Subsequent legal interpretation may in the future wind up including this popular and high generating use in some form in an actual development.

For the purposes of this example, and without regard to the ultimate enforceability of this agreement, I have developed two alternative scenarios: 1. shown as “Alt 3” is a mix of specific uses, and 2. an evaluation of the entire existing development as a local convenience shopping center with an undetermined mix of specific uses (ITE use 820: “Shopping Center”).

The analysis is based on the following assumptions/conventions:

- § Neither is offered as a firm prediction of what will happen, only as an illustrative example of what could happen given zoning and the agreement
- § For the mix of uses, the trip generation is:
 - § based on average trip generation rates rather than equations where these are available since this example is entirely hypothetical and the more precise equation form of estimation would be based on highly imprecise guesses about future developments, and
 - § no deduction for “internal trips” due to the multiple uses at the same location, nor, at this stage, for pass-by trips
- § The “shopping center” use has been based on the equation for trip generation based on size; the upper story offices have been considered part of the overall shopping center.
- § Total square footage for the development has been based on the Applicant’s information, ie 14.8 ksf for the existing Lantman’s and 3.5 ksf available in an upper story for a total of 18.3 ksf (rounded to the nearest 0.1 ksf).

Table 1. PM Peak Trip Generation from a Mix of Uses

		PM Peak	Alt 3	
ITE	Use	trips/KSF	KSF	Trips
710	General Office	1.49	3.5	5

720	Medical Dental Office	3.46	3.8	13
896	Video Rental Store	13.60	4.0	54
912	Branch Bank w/ Drive-in	25.82	3.0	77
933	Fast Food w/o Drive Thru	26.15	4.0	105
	Total		18.3	255

The “shopping center” (ITE use 820) alternative has been evaluated in accordance with the indicated equation ($\ln(T) = 0.67 \ln(X) + 3.37$) for a total development of 18.3 ksf. The result of this evaluation is 204 PM peak hour trips.

In both instances, this results in an estimate for total trip making more than twice the Applicant’s estimate and for the mix of uses, the total trip generation is essentially the same as the existing Lantman’s store. Based on this, it is unreasonable to assume a major reduction in existing traffic at the Lantman’s site subsequent to the Hannaford’s development as the basis for traffic evaluation.

Memorandum

To: Hinesburg DRB
 From: Michael Oman, Principal, Oman Analytics
 Date: November 9, 2011
 Subj: Comments on Hannaford Brothers Development Traffic Impact Analysis

I have been asked to review traffic and transportation issues relative to the proposed Hannaford supermarket in Commerce St by the citizen group Responsible Growth Hinesburg and the persons who signed the Petitions submitted to the DRB. The Applicant has prepared a traffic impact analysis (TIA 07/20/2011) that addresses the projected traffic congestion, safety, and other transportation issues anticipated for this project.

I find a number of inaccuracies and deficiencies in the Applicant's traffic information that make it impossible to support a favorable conclusion on this project with respect to traffic/transportation operations and safety.

I will address each of these issues in detail. However, briefly summarized, the issues are:

1. The way in which vehicle trips has been calculated is inappropriate for this type of project at this location and does not conform to standard professional practice. The projected traffic increases are likely significantly understated.
2. Because the future uses on the Lantman’s site have not been severely limited, nor the trips from them capped, the reduction in traffic due to the projected closing of Lantman's can not be relied upon, resulting in the potential for yet greater traffic.
3. The methods used by the Applicant to evaluate the congestion and backup at the Charlotte Rd traffic light is demonstrably inadequate to capture the existing backup here, which extends more than twice as far back as calculated. Because of this, neither the future level of service, nor the future backup can be relied upon (photo attached).

4. Even with the Applicant's inadequate methods of analysis and future trips, the congestion expected from the addition of the proposed Hannaford in at least two locations (Silver St and Mechanicsville Rd) exceeds VTrans level of service policy criteria.
5. The safety analysis at the designated high crash segment in the vicinity of CVU road does not take into account the high school traffic. Further, the "mitigation" measures suggested by the Applicant at this location are not proposed to be implemented in conjunction with the project, but by VTrans at some uncertain time in future, but in any case, not until at least 2014.
6. The proposed provisions for pedestrian access to the site do not fully reflect the priority given to pedestrians in the Village, providing only limited sidewalk access. Further, some of the traffic mitigations such as the shallower curve at the entrance and potential longer crossings on Main St at Commerce St and Charlotte Rd will worsen pedestrian crossings by making them longer.
7. Despite acknowledging the poor level of service at Mechanicsville and Silver and the role of the proposed project in worsening them, the Applicant has proposed no mitigation for these problems. The Town's independent traffic consultant has also suggested a number of improvements to both mitigation and analysis to make this TIA more useful to the Town.
8. The additional trips from Hannaford will further strain the available town traffic capacity, not only for existing occupants, including businesses, but for future development as well. The Act 250 umbrella permit(s) for Commerce Park at least implicitly recognized this and limited both daily and peak hour trips to levels below those including Hannaford.

Trip Generation and Total Traffic Impact–Traffic Volume

The vast majority of the Applicant's TIA is devoted to an analysis of traffic operations/congestion as level of service calculations. The value of these calculations is based largely on the accuracy of the determination of the volumes of traffic that will need to be supported.

As analyzed by the Applicant, the total traffic volume generated by the proposed project relies on the contribution of two components:

- trip generation from the proposed Hannaford
- trip reduction from the closing the existing Lantman's business

When combined with the "background" contribution of existing traffic plus traffic from other known development proposals in the area, the total traffic volume to be analyzed is estimated.

In this case, the analysis for both of the proposed project contributions to future traffic exhibits serious deficiencies that result in significantly underestimating the potential future traffic and its congestion impacts. Specifically:

- the methods used by the Applicant and demonstrable evidence based on the existing local supermarket indicate that the trip generation resulting from the proposed Hannaford supermarket will be significantly greater than reported, and
- the reduction in traffic due to the projected closing of Lantman's can not be relied upon, resulting in the potential for yet greater traffic

Trip generation by the proposed Hannaford supermarket

Although morning (AM) peak hour conditions are addressed to some degree, the primary traffic analysis is based on the PM peak hour, ie the one hour of trip generation also corresponding to the highest afternoon hour traffic on the adjacent street. It is generally based on the Institute of Transportation Engineers (ITE) trip generation methodology.

Based on his interpretation of ITE recommended procedure with respect to trip generation, the Applicant has relied on an average trips per square foot of development for the ITE category for supermarket (850). This evaluation has been represented as adequate for the local conditions, even "conservative" since it results in a higher trip generation for the proposed Hannaford than would be obtained from similar data developed for the State of Vermont and Chittenden County by VTrans. Based on this approach the Applicant has estimated that Hannafords will generate a total of 10.5 vte/ksf, or, at 36.8 ksf, a total of 386 peak hour trips.

There are two problems with this approach:

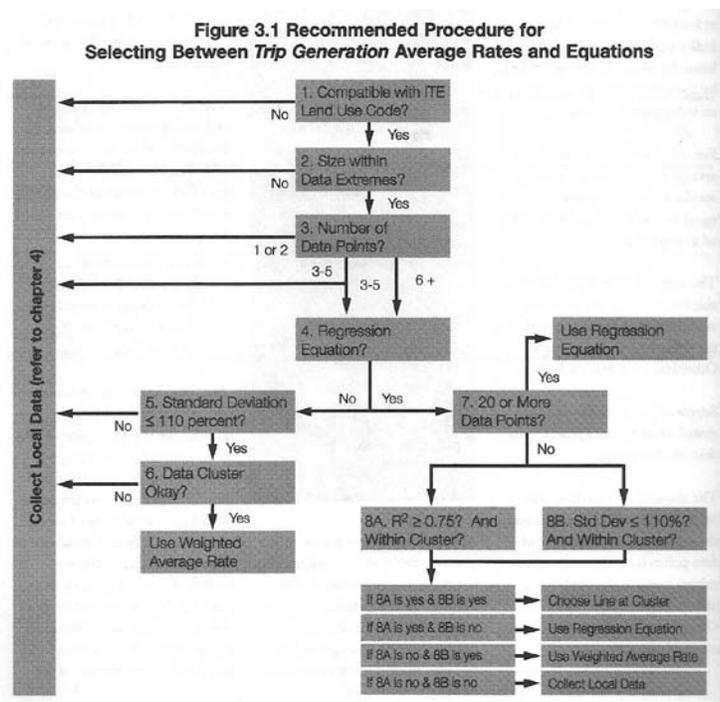
- 1. it does not conform to the published ITE recommended procedure for estimating trip generation, and
- 2. it fails to adequately recognize local trip generation by a grocery store

For many of the uses for which ITE publishes trip generation data, it publishes two alternative bases for estimating future trips: an overall average generation rate based on the independent variable (typically, trips per thousand square feet (ksf) for supermarkets), as well as a formula or equation based on a regression (statistical) analysis of the survey data. ITE offers a fairly complex decision tree (fig) to enable the analyst to select between the average rate or the regression equation, or to rely on additional local data based on the statistical status of the data for the individual use.

The selection of an approach can be significant, since many equations reflect a natural tendency toward a lower trip generation unit rate by larger stores and a higher unit rate in the lower size range. In this instance, the proposed Hannaford falls well within the lower size range (see ITE trip generation for land use 850, supermarket, in Applicant's TIA appendix (pdf p.20) average size 59ksf), resulting in higher total trip generation than if the average rate is used.

In this instance, the Applicant has relied on one of the decision criteria; ie correlation coefficient (R^2) less than 0.75 to select the average rate method. However, this decision occurs at step 8 of the decision tree, while at step 7, the criterion is that if there are 20 or more data points available, the regression equation should be used¹. Properly, step 8 of the decision tree would never even be reached. Based on the ITE decision tree, the proper procedure would have been to use the regression equation rather than the average rate

In addition to the methodological issues with the TIA trip generation analysis, whenever a traffic analysis relies on national trip generation data such as that found in the ITE Trip Generation



Manual, there is always the question of how well it captures local conditions. It is useful to have local data to which to compare the ITE data as a reasonableness check.

Although Hannaford has declined to provide specific trip generation data for its existing stores, there is, in fact, a better source of local trip generation data for a grocery store, ie Lantman's. As a local, full service supermarket it may be expected to exhibit many of the same characteristics as another supermarket operating in isolation in Hinesburg (Lantman's is projected to close on Hannaford opening). Most importantly, it will operate under similar market capture conditions, with little competition nearby, while even Hannaford stores operating more centrally within the urban area will experience very different competition pressures, etc. The main difference will be the size of the two stores: Hannaford's is expected to be a little over 36 ksf while Lantman's is just under 15 ksf.

¹ ITE does offer a somewhat more complexly qualified version of step 7 including:

- are at least 20 data points distributed over the range of values typically found for the independent variable?
- are there few ... outliers?
- is the regression line within the cluster of data points at the size of the development in question?

However, the use in question satisfies these, more detailed criteria

Based on Applicant data, Lantman's generates 251 vehicle trip ends in the evening peak hour. Based on this, Lantman's, at 14.7 ksf, generates total traffic at an average rate of 17.07 vte/ksf, a rate 63% higher than that assumed by the Applicant for the proposed Hannaford. Conversely, based solely on trips per ksf per ITE (the method chosen by the Applicant to estimate Hannaford traffic), this would result in only 155 PM peak hour trips from Lantman's.

However, if Lantman's traffic volume is estimated in accordance with the ITE equation for trip generation, the estimated trip generation is 269 trips. This, in fact, is quite close (within ~7%) of the actual reported 251 trips. This is highly suggestive that the equation approach will yield good results in Hinesburg.

Using the regression equation approach in Hannaford case results in a total trip generation of 468 peak hour trips, well in excess of the applicant's proposed 389 total peak hour trips.

There is ample evidence, based on both ITE methodology and specific local data that the 468 peak hour trips for Hannaford is a far superior estimate for total trip generation (subject to appropriate pass-by deductions and distribution/assignment) to the Applicant's estimate of 389 total trips.

Trip reductions due to Lantman's closure

In addition to the trips generated directly by the Hannaford development, the Applicant projects trip reductions due to the projected closure of Lantman's.

In estimating this effect, the Applicant has assumed that future use on the Lantman's site will generate far fewer trips than the existing grocery store, especially during the evening peak hour and has (essentially) offered this as mitigation of the Hannaford trip generation. Based on this premise, the PM peak hour trip generation on the Lantman's site is represented to be reduced from its current 251 trips per peak hour, to 100 trips for a reduction of 151 trips. However, no specific mechanism for

accomplishing this is posited other than a general sense that typical uses likely on this site will not likely generate any more traffic than this. This is far from certain. Even without expanding the existing footprint, it is possible to envision a mix of uses generating far more trips than this.

Such a mix of uses might include any number of high traffic uses, such as:

- convenience store (no gas)
- discount general merchandise (eg dollar store type)
- a restaurant, either
 - .. fast food (no drive through), or
 - .. high turnover, sit down type
- medical/dental offices
- bank (w/ drive through)
- day care
- also, the upper floor may not remain residential, but become office.

Two such potential mixes of uses might include²:

- Alternative 1: fast food restaurant, branch bank, discount store, medical/dental office (1st fl), general office (2nd fl) would generate a total of 220 vph
- Alternative 2: Alternative 1 but substitute convenience store for discount store would generate 332 vph
- Trip generation on this site could be even higher if, for example, day care were added to mix

As previously mentioned, the Applicant has indicated no specific mechanism whereby total trip generation would be limited to his projected number of trips, nor even to the existing trip generation on the current Lantman's site.

This observation has led the Town's independent traffic consultant to suggest that to realize the purported traffic benefits of the Lantman's closing that are assumed in the traffic analysis (ie total peak hour trips limited to 100 vph), a cap on future trip generation from this site should be implemented. Although this is probably necessary under this proposal, it results in the uncommon circumstance of owner/operator on an existing site being limited to a little more than 1/3 his existing traffic capacity in order to accommodate a new development on a different site by a different owner.

Failing such a legally binding limitation on the existing site, it would be appropriate to include traffic at the existing level from the Lantman's site at least as a sensitivity analysis in analyzing traffic levels and congestion related to this development.

Congestion Evaluation Methodology

While the HCM (Highway Capacity Manual) methodology as implemented in the methods used by the Applicant is both state of the art, and usually more than adequate to the task of evaluating traffic congestion, it remains a mathematical implementation of an extremely complex set of interactions that make up traffic operations. In essence it is a mathematical "model" of traffic function. And while it is mostly reliable, at least within reason, like all models, as an approximation of reality, it may not reflect actual conditions under a specific set of circumstances.

The Applicant's analysis projects a long (1126') but essentially manageable 95th percentile queue southbound on Main St during the PM peak hour originating from the Charlotte Rd signal. This queue

would extend to just beyond Mechanicsville Rd, roughly to the canal. This queue is represented to be the

95 percentile queue. This means that in any given hour, there is a 1 in 20 chance that it will be observed. However, numerous residents report much longer queues associated with this signal.

In fact, a queue extending well beyond Mechanicsville, and past Commerce St to approximately Riggs Rd, a distance of approximately 3,280' was observed on 10/27/2011 multiple times during the 5:00 pm to 6:00 pm hour. Based on the projected 95% queue of 1126', this should have a vanishingly small probability of occurring at all, let alone multiple times during a single random visit to the area. The

² Basic method/assumptions (since exact mix & sizes not actually known):

- > based solely on average rates
- > includes total trip gen, no deduct for pass-by etc
- > no deductions for internal trips

inescapable conclusion is that the methodology applied by the applicant has failed to capture the actual traffic operation at this location. And, as such, will also fail to fully reflect future operating conditions once traffic is added from the Hannaford.

It is not entirely clear why this is occurring, at least to this extent. The Applicant has noted the effect of downstream constraints on the traffic flow due to the Lantman's entrance turning traffic, as well as other factors. Both the Applicant's report and the Town's independent traffic consultant have noted the need to alter the fundamental model parameters in the form of the "saturation flow" of the lanes approaching the intersection (basically, the ultimate capacity under ideal conditions of those lanes) that the model uses in calculating delay, and have also noted the possible need to reflect traffic variations within the hour long peak (the "peak hour factor"). Other factors such as the courteous behavior of drivers in letting others enter from Mechanicsville Rd may also be reflecting in the total flow in the queue in ways that are not captured at all in the standard analysis.

In some instances, especially in which downstream constraints to traffic flow exert a significant effect or queues extend to nearby signalized intersections, simulation may offer a better analysis tool than the more deterministic HCM method. Alternatively, the parameters of the HCM analysis may be adjusted until an adequate "calibration" of the HCM approach to the conditions found in the field is achieved. Because of the very long queues encountered here, it may be beneficial to conduct a formal queuing study to better understand the behavior of this queue. In any case, it is important that the methods of analysis adequately reflect existing conditions before they are relied upon to predict future performance.

Congestion Pursuant to Hannaford Development

Despite conducting the analyses for significantly lower traffic volumes than appropriate for this circumstance, the Applicant's own analysis has demonstrated levels of congestion exceeding reasonable expectations and adopted standards at two locations: Mechanicsville Road and Silver Street.

Table 1. Level of Service Impacts of Hannaford

	no-build	build
--	----------	-------

	los	delay (sec)	los	delay (sec)
Mechanicsville Rd	F	57	F	76
Silver St	D	32	E	40

In both instances, the analysis shows these intersections to be seriously adversely impacted by the Hannaford development and operating at unacceptable levels of service as a direct consequence of that development. In the case of Silver St, it has resulted in the degradation of operation by one letter grade to

drop below the levels specified for stop controlled side roads by the VTrans level of service policy³, while at Mechanicsville Rd, the deterioration has been in the form of increased delay on an already "failed" approach.

Safety

The Applicant's analysis has identified one high crash location (HCL) in the area relevant to this project: a segment of VT-116 bracketing the CVU/Shelburne Falls Rd intersection, although the intersection itself was not a HCL.

The TIA reviews a number of the collision types and infers that, although the intersection itself was not identified as a HCL, the problems on this segment largely arise from turning and stopping maneuvers associated with the intersection amenable to correction by improvements to the intersection.

Left unaddressed is the issue that this intersection is most closely associated with CVU high school, leading to the possibility that the unusually high incidence of collisions at this location could be associated with that traffic including a higher proportion of relatively inexperienced drivers. Although the exact implications for mitigation at this location are unclear, this possibility could be assessed to some degree by analyzing the time of day of the crashes to see if there was a significant peak during school access hours, especially in the afternoon when school lets out at a time significantly different from other regular traffic peaks.

Although not specifically cited as mitigation for this issue, the TIA does cite a "VTrans safety improvement project" incorporating left turn lanes on all four approaches in conjunction with this discussion, so one is at least left with the impression that these improvements should probably be seen in this light. However, it also notes that these improvements "will be constructed in 2014 at the earliest" meaning that mitigation in this area will not be operational before that time.

Pedestrian Access and Safety

Pedestrian access is considered fundamental to Hinesburg, particularly in the Village area⁴. The current Town Plan for this area indicates that "[p]edestrian access is fundamental to the sense of the Village" (Town plan p. 20) and further in its goals and recommendations for the village, the plan proposes "[t]o create a truly "walkable" community by working toward safe and convenient pedestrian access to all portions of the Village" (Town plan p. 23).

The Applicant does propose an additional sidewalk on the south side of Commerce St. However, the proposed entrance will have a sidewalk on only the east side, necessitating anyone approaching the Hannaford on foot from the west to cross the busy driveway (slightly more than about one vehicle per

³ VTrans Level of Service (los) policy calls for the maintenance of los of "D" or better on side roads at unsignalized intersections if the approach volume is 100 vehicles per hour or higher. Both Mechanicsville Rd and Silver St satisfy this criterion. To meet VTrans level of service criteria, both should operate at los "D" or better.

⁴ While the proposed project site falls within the "Commercial" zoning district, for planning purposes it is considered to fall within the "Village"

eight seconds during peak hour) twice to access the supermarket, limiting its utility for pedestrian access to this market.

There are a number of conditions associated with this proposed development that have significant potential to worsen pedestrian conditions in the Village area. These include:

- The increased radius at the project driveway intended to improve access for delivery trucks will have the potential to increase speed of turning vehicles at this location making crossing harder. Because no sidewalk is provided on the west side of the drive, any pedestrians approaching from the west will need to cross this drive to access the store.
- The Town's independent traffic consultant has noted that the change in lane assignment proposed by the Applicant at Commerce and Main St may necessitate additional roadway width. This will add to the difficulty of crossing at this location, especially for elderly or otherwise slower pedestrians. This is exacerbated by the absence of a sidewalk on the east side of Main St in this vicinity, necessitating a crossing to access the proposed Hannaford and other uses on Commerce St.
- The Applicant discusses (although does not specifically propose) an extra (right turn southbound) lane at Charlotte Rd. This would also add to crossing distance and difficulty at this location

Inadequate Mitigation

Despite having identified numerous traffic and transportation issues, the mitigation proposed by the TIA is minimal. Specific issues include:

- Although Mechanicsville Rd is projected to experience a further deterioration of its existing level of service "F", no mitigation at all is proposed for this location.
- Although Silver Street is projected to experience a deterioration from level of service "D" (low acceptable) to "E" (below VTrans standard), no mitigation at all is proposed for this location.
- Although the segment of VT 116 in the vicinity of CVU Road is identified as a high crash location (HCL), any mitigation is deferred to a future VTrans safety improvement project not scheduled until 2014, at the earliest.

The higher traffic levels associated with the trip generation issues discussed above will exacerbate these issues.

The Applicant has suggested a number of mitigation measures including minor geometric and signal modifications for which no analysis of anticipated performance has been offered.

The Town's independent traffic consultant has also offered a number of suggestions for mitigation improvements that will not be repeated here, but should be followed up on.

Comprehensive Trip Generation and Development

While not a generally recognized component of conventional traffic impact analysis, the issue of how this, or any, project proposal fits into the overall scheme of community traffic management is relevant here.

This TIA has made it clear that several critical facilities in the Hinesburg traffic network are operating at or near their margins. Both the Mechanicsville Rd and Silver St intersections are expected to be taxed beyond standard operating levels as a result of the Hannaford, although both are subject to upgrading

through signalization and other capacity enhancements. The Charlotte Rd intersection, although judged to be operating acceptably, exhibits lengthy queues that suggest that it may actually already be operating

below acceptable levels, and will only get worse with the addition of more traffic, whether the source is Hannaford or other development. The components of Hinesburg's transportation network have a finite capacity and it is already showing some signs of strain.

How this traffic capacity is to be allocated among future developments and what plans the Town will need to make to accommodate future traffic levels are critical decisions relative to charting the Town's path through ongoing change and growth. The proposed Hannaford, while a fairly large development, is only one of many that the Town may expect over the coming years and decades. Much as communities provide sewer allocation based on the existence and projected expansion of the requisite infrastructure, there is some sense in seeing traffic in a similar light.

Some modest attempt at such an approach has already been made through the mechanism of the umbrella permit(s) for the overall Commerce Park development: Act 250 land use permit 4C0654 and its amendments. Although this permit can be amended again, it does, for now, represent the current state of thinking--planning, if you will--for this overall development.

Based on Act 250 data, it appears that the entire Commerce Park development has been permitted for a bit over 400 total peak hour trips and 2,000 daily trips, of which it appears all have already been allocated to existing development.

This one large retail development could seriously impact the Hinesburg/Rt 116 traffic system leaving significantly reduced available capacity for other future businesses and residences the Town has provided for in the Village North West District as well as other districts.

However this is ultimately handled, it makes sense to see it in the context of overall Town development as well as in isolation.

Conclusions

Based on my analysis, there are serious deficiencies with respect to the traffic and transportation analysis and anticipated impacts associated with this proposed project. Specifically:

- The trip generation methodology is inappropriate for the circumstances surrounding this project and does not fully reflect standard practice; the resulting projected traffic increases due to the project are likely significantly understated. Specifically:
 - .. The methods for projecting future trip generation used by the Applicant do not fully conform to ITE recommended practice. Further the evidence directly observable from Lantman's strongly suggests that the regression equation for trip generation associated with this project is applicable resulting in significantly greater trip generation from the proposed Hannaford supermarket than reported.
 - .. The proposed reduction in traffic due to the projected closing of Lantman's is entirely hypothetical and can not be relied upon, resulting in the potential for yet greater traffic. Further, it appears likely that assuring a lower trip generation rate from the existing Lantman's site may necessitate limiting the trip making of that owner to enable the development of the Hannaford site.
- The level of service methodology employed by the Applicant is demonstrably inadequate to capture the existing traffic congestion and can not be relied upon to capture future traffic

conditions as a result of the proposed development without significant adjustments or modifications.

- Even with this inadequate analysis, the congestion subsequent to the impact of additional project traffic exceeds reasonable limits and standards. Specifically, both Mechanicsville Rd and Silver St are projected to operate below VTrans level of service standards.
- The safety analysis does not fully capture the safety issues at the identified HCL on VT-116 at CVU road and the "mitigation" suggested by the Applicant will not be operational until at least 2014, if then.
- Pedestrian access, identified as singularly important in the Village, is sub-optimal, requiring pedestrians to cross the busy driveway twice to access the store.
- The mitigation proposed by the applicant is insufficient to address the identified problems, especially at Silver St and Mechanicsville Rd where no mitigation for these conditions is proposed at all. Additional mitigation deficiencies and issues have also been raised by the Town's independent traffic consultant.
- In addition to the direct impact on existing town facilities and users, by "soaking up" available capacity for other future users, this development impacts Town planning and development efforts. The Act 250 umbrella permit for Commerce Park at least appears to indicate that the planned traffic level is below that anticipated with the Hannaford traffic. Although this is not a definitive criterion (the Act 250 permit can certainly be amended again), it is appropriate to place this development in the larger context of community development.

Aubuchon Realty Company,
Inc.11/14/11



PHELPS ENGINEERING, INC.

79 Court Street, P.O. Box 367
Middlebury, VT 05753
www.phelpseng.com

96035.30

November 14, 2011

Mr. Peter Erb
Zoning Administrator
Town of Hinesburg
10632 Vermont Route 116
Hinesburg, VT 05461

Subject: Hannaford Supermarket and Pharmacy - Overall Plan, Hinesburg, Vermont

Dear Mr. Erb:

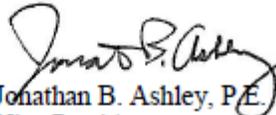
On behalf of Aubuchon Realty Company, Inc., I have reviewed the Overall Plan for the Hannaford project dated November 9, 2010, as it pertains to the proposed road work on Commerce Street adjacent to the Aubuchon Plaza. The plan shows the proposed relocation of the Aubuchon driveway entrance and striping of some areas in front of the gas station's driveways.

For the proposed new driveway location, the primary concern is for the ability of traffic leaving Aubuchon to turn left onto Commerce Street. It appears that the striped area proposed in front of the gas station's eastern driveway may only benefit the gas station, and this is an area that Aubuchon traffic will need for queuing on Commerce Street before exiting the area onto Route 116. Also, for the new proposed driveway location, the driveway should have three lanes to help mitigate delays in exiting the lot: an entrance lane, a left turn exit lane, and a straight/right turn exit lane. An updated site plan showing the relocated Aubuchon driveway with three lanes as such is attached.

Parking within the Aubuchon lot will need to be redesigned for the proposed new driveway location, particularly so that delivery trucks leaving the plaza can navigate past parked vehicles and curbed islands to exit using the new driveway. Potential changes to the Aubuchon Plaza parking to accommodate the new driveway location are also illustrated on the attached plan.

Please contact Greg Moran of the Aubuchon Realty Company, Inc. with any questions.

Very truly yours,


Jonathan B. Ashley, P.E.
Vice President

JA:hp

Enclosures

c: Tyler Sterling, Hannaford (via e-mail)
Greg Moran, Aubuchon Realty Company, Inc. (via e-mail)

Telephone (802) 388-7829 • Fax (802) 388-9642 • email info@phelpseng.com

I) Hannaford is good for Hinesburg

We believe Hannaford will be good for Hinesburg:

1. Greater range of products at competitive prices
2. People won't need to drive to other communities – save time and gas; good for families and the environment
3. Keep shoppers in Hinesburg; will benefit smaller shops in town
4. Great location within the Village Growth District – very walkable; enhances dense village surrounded by rural countryside

II) Hannaford is working with the community

Hannaford has listened closely to comments and concerns from the community and in response has made substantial changes to its plans, including:

1. Eliminated pharmacy drive-up window
2. Reduced parking and moved it away from Mechanicsville Rd
3. Redesigned architecture
4. Moved loading away from Mechanicsville Rd
5. Increased landscaping in and around parking lot
6. Lighting – halved the lighting levels and changed to LED bulbs
7. Withdrew request for longer hours and late deliveries
8. Offered to host farmers market
9. Offered to build pocket park
10. Offered to connect existing sidewalks in Commercial Park

III) Hannaford Should be treated the same as other projects

We believe Hannaford should be treated fairly, the same as some other projects. For just one example, why are stormwater and wetlands being examined and questioned so closely when in the past the town has largely left such matters up to state and Federal reviews? Hannaford has remained professional and respectful in the face of intolerance, rudeness and public bashing.

IV) Hannaford meets the zoning requirements

1. Commercial use in commercial zone
2. 75% max lot coverage – only proposing 61%
3. Parking has been reconfigured.

V) Hannaford complies with the specific Site Plan review criteria (Section 4.3.4)

1. **“Safety of vehicular and pedestrian circulation on site and on the adjacent street network”.**

How Hannaford complies: The DRB's authority is limited to traffic *safety*. The site plan review standard says nothing about *congestion or levels of service*. Hannaford's traffic engineer stated that the project “will not adversely impact existing or future traffic safety conditions”.

2. **“Adequacy of circulation, parking and loading facilities with particular attention to safety. Provisions for refuse storage and disposal, snow removal, and emergency access shall also be addressed where applicable”.**

How Hannaford complies: All of these requirements are addressed on the site plan. There are no safety issues that are any different than are typical elsewhere.

3. “Adequacy of landscaping, screening, setbacks, hours of operation and exterior building design in regard to achieving maximum compatibility with adjacent property and with the character of the neighborhood”.

How Hannaford complies: Hannaford has:

- i. Substantially increased landscaping and screening – beyond the minimum required
- ii. The plan meets all required setbacks
- iii. Hannaford has withdrawn its request for longer hours and now meets the standard hours specified in the ordinance
- iv. We’ll address building design later.

4. “Adequacy of exterior lighting for safe circulation on the site without creating off-site glare and excess illumination”.

How Hannaford complies: Hannaford has reduced its light levels to ones similar to the National Bank of Middlebury. So it fully complies.

5. “Adequacy of sewer and water”.

How Hannaford complies: There are no known issues with water and sewer capacity for Lot 15.

6. “Adequacy of drainage and grading plan, ensuring treatment and control of stormwater runoff, control of soil erosion during and after construction, and proper design solutions for steep slopes and poorly drained areas”.

How Hannaford complies: Their storm water treatment plan will be the most up to date in Commerce Park based on current regulations. The rest of the park’s stormwater was built under old rules and provides very little water quality treatment.

7. “Consistency with the Town Plan in regards to the pattern of development, preservation of significant natural and cultural resources, and the location and nature of existing and planned roadways and other public facilities”.

How Hannaford complies:

- a. Hannaford applied before the current town plan was adopted. So the 2005 Town plan applies to Hannaford’s application.
- b. With respect to pattern of development – both the 2005 and 2011 town plans focus on a compact village core surrounded by rural countryside. This project is within the defined village core.
- c. Lot 15 has not been identified in either plan as having significant natural or cultural resources needing to be preserved.
- d. Neither the 2005 nor 2011 town plan contains any mention of Lot 15 whatsoever, let alone any mention of planned facilities. Like zoning, the Official Map is not part of the town plan, it is an implementation of the town plan. And the Official Map did not exist when the 2005 Plan – which is the one that applies to Hannaford – was adopted.

8. “Proper planning and design in regard to hazardous wastes and avoidance of runoff. Conformance with design standards as stated in Sections 5.23 and 5.6, where they apply”.

How Hannaford complies:

- a. Hannaford will have small quantities of hazardous materials for sale for domestic use. They have a hazmat plan and staff trained to address spills.
- b. Section 5.23 standards do not apply to the Commercial zone within which Hannaford is located.
- c. Section 5.6 standards apply. There appear to be no material issues with any of the criteria.

VI) Official Map

We won't get into question of whether the Town's Official Map is sufficiently specific to be valid with respect to Lot 15, but even if it is, Hannaford meets the requirements. The statutory requirement is that the "mapped public facility will be accommodated by the proposed... development." In this case there is no single "mapped public facility", rather the town's Official Map has a shopping list of possible uses. Hannaford has vested rights in the Official Map as it existed on the day it filed a complete application. The Town does not have the right to impose more specific requirements after the application was filed. At most, Hannaford simply has to show it can accommodate at least one of the possible uses. In fact it has shown it can accommodate three of them:

1. Offered to host the farmer's market
2. Proposed a park
3. In-fill sidewalk along Commerce Street

VII) Character of the Area

We believe strongly that Hannaford meets the standard in the zoning ordinance that it achieves "maximum compatibility with adjacent property and with the character of the neighborhood". The adjacent properties and broader neighborhood are very diverse in character. From the Quonset hut, to the National Bank of Middlebury, Dark Star, a gas station and Storage Solutions. Single story and multi-story. Gabled roofs and flat roofs. Diverse uses: retail, office, warehouse, residential and so-on. Diverse materials – masonry, wood, metal.

And, Hannaford is simply not all that large. The full bulk of a building is hard to perceive. What people perceive is largely a function of the length of the wall of a building they are looking at. Hannaford fits in the Commercial Park.

For example, take front facades – certainly the neighborhood has small ones, but also some that are similar to or larger than Hannaford:

- Firehouse plaza – approx 300 feet
- Hinesburg Village Center– approx 230 feet
- Mini storage (corner to corner including the entry) – approx 240 ft
- Nestech – side view (visible from Mechanicsville Rd) – approx 240 ft
- Hannaford's front -- only about 220 feet (side about 160 ft)

With respect to actual square footage, the old Saputo property is 90,000+ sq ft. and NRG is 70,000+ sq ft. Both are *much* larger than Hannaford.

If Hannaford was proposing to locate a bit further south on 116 among the historic homes that have a more consistent character, the analysis might be different. However, within the context of Commerce Park and its nearby uses, it's hard to understand how someone could claim that Hannaford fails to meet the standard.

We believe Hannaford meets all the zoning standards and should be approved.

Respectfully submitted,

Hinesburg Village Vision

Jim Collins
Representative

Responsible Growth Hinesburg
Jeanne Vissering testimony (presented at 11/15/11 meeting)
11/15/11

Jean Vissering Landscape Architecture

3700 NORTH STREET MONTPELIER VERMONT 05602

802-223-3262/jeanviss@attglobal.net

REVIEW OF HANNAFORD'S PROPOSAL, HINESBURG, VT.

November 15, 2011

At the request of Responsible Growth Hinesburg, I have reviewed the proposed development plans currently under consideration by the Hinesburg DRB. Specifically I reviewed the proposed plans for compliance with provisions of the Town Plan and Zoning Regulations as it relates to the aesthetic character of Hinesburg village.

I believe there are a number of issues associated with the project. I cannot address issues such as traffic, stormwater, or wetlands impacts but will focus on 1) its compliance with the provisions and requirements of the Town Plan and Zoning Ordinance, and 2) specific concerns about the scale and site layout of the project.

Project Description

The 36,000 square foot supermarket would be located within the Village Northeast District just north of Hinesburg historic village center. An approximately 300-foot long new drive off Commerce Street would provide access to the supermarket. Mechanicville Road would run along the southern boundary. Supermarket would face east. The building will appear as a large rectilinear box from the north, west and south. The front (east facing) façade presents small variations using a faux roof detail as well as triangular shapes to define entryways. A total of 129 parking spaces would be located along the front (east) and north side of the building. Delivery areas would be located on the north side of the building. Grading would raise the building and parking areas between five and eight feet above existing grades.

Consistency with the Hinesburg Town Plan

The Hinesburg Town Plan (2011) contains an in depth discussion of the Village area in which the project would be located. Specifically the project would be located in the Village Northeast District. The plan notes a desire to locate a “mix of residential development and compatible employment opportunities residential, commercial, light industrial and community facilities within this area. The village, which includes the proposed site, is noted as Hinesburg’s primary growth center, one that is

comfortably walkable, retains compact historical development patterns typical of the historic village and contains defined green and public use spaces. Page 19 of the Plan refers to the Official Map:

*Concurrent with the 2009 Village Growth Area regulation changes, the Selectboard also adopted Hinesburg's first Official Map (see Map 12), which is a powerful tool available to Vermont municipalities to identify the possible locations of future public facilities. The map, which shows future streets, planned trails and sidewalks, areas reserved for public buildings and facilities, provides a **clear** picture to property owners, developers, and the public of the Town's intentions with regard to its future physical form and design. [Emphasis added]*

This map shows the Hannaford location as a site for community facilities. Necessary facilities identified in the Plan for the village are a school, library, town offices, recreation facilities and a green or common. This is a very clear statement of intent. Considerable effort has gone into studying this parcel and recommendations have been submitted regarding the use of the parcel for a public park or recreation area. Certainly the intent of the Village Northeast District is to include open space as part of the mix of uses within this area.¹ Whether or not the DRB decides the Official Map is a relevant criterion for review in this case, the project raises serious issues with respect to the Zoning Regulations.

Zoning Regulations

Article 3, Section 3.1 describes the overall purpose of the Village Growth area including the Village NE District as follows:

PURPOSE: To encourage a vibrant mix of commercial, residential and civic activities in a compact, pedestrian-oriented village that is recognizable as the Town's social and economic center. To allow for development that brings value to the community and maintains Hinesburg's unique sense of place. Densities will be high relative to the rest of the town, and multi-story buildings are anticipated. The design of this area shall include public spaces to serve as focal points and gathering spaces, and to take advantage of important views. It should include internal streets that make pedestrians feel comfortable and welcome. A mix of uses within the Village NW, Village NE, Village, and Commercial districts is particularly important to provide a reason for the wider Hinesburg community to visit and spend time in this area (employment, walking, services, recreation, events, etc.).

Development densities should be maximized to the extent practical in order to better realize Hinesburg's overall "smart growth" strategy. Increased density opportunities should also serve as an incentive to promote the creation of affordable and moderately priced housing.

The density of the area makes it conducive to the use of transit. Suitable transit stops, including bus pull-offs, should be anticipated in the overall layout. Internal streets should, to the extent possible, form a circulation grid and accommodate on-street parking. To the greatest extent possible, the district shall favor pedestrian movement, minimizing traffic movement and parking conflicts with pedestrian ways.

¹ The Town Plan suggests that the use of Lot 15 might be reviewed and changes considered, but no changes have been recommended other than to use the parcel as park or recreation lands.

The compactness of proposed development will inevitably lead to a loss or shifting of some scenic views now afforded in the undeveloped portion of the overall village growth center.

However, new view opportunities should be provided from the new street network and from other perspectives available to the public. In the evolving design, it is important to pay close attention to the creation of green spaces such as parks, recreation areas, and community gathering places that will complement the pattern of streets, buildings, pathways and view corridors. Even with the proposed development densities, small scale agricultural operations and community gardens (e.g., Burlington's Intervale area) will be a viable and important element given the abundance of prime agricultural soils and the need for locally grown food. It is also important to retain functional connections to the surrounding rural landscape via public trails, contiguous green space, and other mechanisms.

The purpose of the Village Northeast Districts notes the importance of commercial and light industrial development within this district be designed to be compatible with residential uses that are also permitted within and adjacent to the district. Renewable energy and mixed uses are important stated goals for uses within this district.

Section 3.7 VILLAGE NORTHEAST DISTRICT

PURPOSE: To provide a location, with connectivity to adjacent growth center districts, for a mix of light industrial/manufacturing businesses and residential uses which take advantage of a range of renewable energy resources. Both residential structures and industrial / manufacturing facilities within the Village NE zone shall be designed, sited, and constructed to take advantage of renewable energy resources, including both solar and wind power through the incorporation of technologies such as photo voltaic panels, wind turbines, hydrothermal and/or geothermal devices. Facilities within the Village NE must be compatible with the mixed industrial and residential designation of the zone and must not emit unreasonable noise, smoke, light, odors or vibration discernable beyond the limits of their properties. Industrial development in this zone shall be sited to maximize both energy generation and conservation, and constructed in a manner that blends in with the surrounding topography and mitigates storm water runoff and aquifer recharge issues. Mixed-use PUDs incorporating compatible light industrial and residential uses, as well as residential PUDs with multi-family residential development are strongly encouraged.

Co-location of energy generation for all uses within the Village NE district is encouraged, but may be distributed throughout the zone and may be used to satisfy a portion of the open space.

In addition Article 4 addresses Site Plan Approval and identifies the following standards:

*4.3.4 **Site Plan Review Standards:** The Development Review Board shall review the site plan and supporting data before approval, approval with conditions, or disapproval is given, and shall take into consideration the following standards:*

- (1) Safety of vehicular and pedestrian circulation on site and on the adjacent street network;*
- (2) Adequacy of circulation, parking and loading facilities with particular attention to safety. Provisions for refuse storage and disposal, snow removal, and emergency access shall also be addressed where applicable.*
- (3) Adequacy of landscaping, screening, setbacks, hours of operation and exterior building design in regard to achieving maximum compatibility with adjacent property and with the character of the neighborhood.*
- (4) Adequacy of exterior lighting for safe circulation on the site without creating off-site glare and excess illumination.*

- (5) Adequacy of sewer and water.
- (6) Adequacy of drainage and grading plan, ensuring treatment and control of stormwater runoff, control of soil erosion during and after construction, and proper design solutions for steep slopes and poorly drained areas.
- (7) Consistency with the Town Plan in regards to the pattern of development, preservation of significant natural and cultural resources, and the location and nature of existing and planned roadways and other public facilities.
- (8) Proper planning and design in regard to hazardous wastes and avoidance of runoff. (9) Conformance with design standards as stated in Sections 5.22 and 5.6, where they apply.

Standards 3 and 7 above have been emphasized as they are relevant to the review of the proposed project. Standard 3 requires achieving “maximum compatibility” with adjacent property and with the character of the neighborhood. It will be important to recognize that current zoning regulations based on the Town Plan have encouraged development that is compact, comfortable for pedestrian use, and maintains the unique sense of place of Hinesburg. Some adjacent uses in the District were developed before these goals were in place and may, in some cases, represent either a building type or site layout that is contrary to the current goals. These may not provide a useful basis for determination of compatibility. A perceptible visual and functional link between the various village areas as well as functional connections that encourage a vibrant mix of commercial, residential, and light industrial within a compact, energy efficient, and pedestrian friendly environment is the goal that should be sought.

Standard 7 requires consistency with the Town Plan. The Town Plan clearly sets this lot aside for public uses or open spaces and should be considered here.

Compatibility of the Proposed Hannafords Project with the Town Plan and Zoning Regulations: Design and Siting Issues

In addition to the contradiction with the Official Map, several aspects of the siting, design and scale of the project are inconsistent with the stated purpose of the Village and NE District. These are discussed below.

- The scale of the proposed building and surrounding parking is substantially larger than the surrounding buildings typical of the area. The Town Plan encourages higher densities by utilizing multi-story structures which would be typical of historic settlement patterns and a more efficient use of valuable space.
- The scale of parking areas is also extremely large in comparison with surrounding uses. Worse the 129 parking spaces are in full view from most surrounding areas and from the approach road. Rather than being tucked behind or to the side, the building will appear surrounded by parking areas. The views along the approach off Commerce Street will be dominated by the parking and the massive blank face of the north façade including loading docks.
- The scale of the building and parking areas provides no room for protection of meaningful (useable, attractive) open space on the property which is noted throughout the plan and zoning regulations as an important component of the village District. The project occupies the entire lot with only a few “leftover” patches of green space that do not contribute functional or attractive greens or open space areas.

- The building design appears “off the shelf” with little architectural compatibility with its surroundings. The building design does not contribute to the “unique sense of place” of Hinesburg. From most vantage points the building will appear as an enormous box with no architectural details that relate to the historic village setting.
- There has been no attempt to share parking with surrounding businesses or to provide a sense of an integrated “neighborhood” with connected open space, pedestrian connections, streets, residential scale, etc.
- The building turns its back on Route 116 which is considered the “Main Street” of Hinesburg. While screening of the back of the building is important, the building appears isolated from its surroundings. There are no connections or links to the businesses along Route 116.

Summary and Conclusions

This is a very valuable property for Hinesburg as is clear from its designation on the Official Map as a site for Community Facilities. If development is determined to be appropriate for this lot, it must be designed and scaled so that it contributes to the fabric of the town. A grocery store is not inconsistent with the Village NE Zone, but its design and location needs to be carefully considered so that does not create a superstore wasteland within the village. The current proposal does not meet the objectives of the Town Plan or Zoning Regulations.

requirements of the development. As soil characteristics vary within the district, industrial uses which require more stable soils shall be prioritized for development in the upland regions. Patrick Brook, and other LaPlatte tributaries shall be protected with adequate building setbacks and vegetated buffers to allow for naturally occurring channel realignment and water quality protection. Southern access to this district is currently provided from Riggs Road and this access should serve both industrial and residential uses within this portion of the district. In addition, as part of the permitting process, development on the northern side of this district shall include a second access point from CVU road. North/south connectivity between these 2 major access points shall be planned for (at minimum via a right of way connection), although the type of connection (street, path, etc.) will depend on development proposals for the area, permitting issues, and the overall public interest.

Section 5.6 DESIGN STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES 5.6.1 **New Streets:** All newly constructed streets will be paved and be constructed according to Town Road Standards, which are in effect at the time that the street is constructed. All newly constructed streets in the Village and Commercial districts shall have sidewalks at least 5 ft. wide and street trees as specified in the Subdivision Regulations which are in effect at the time the street is constructed. The Development Review Board may require sidewalks and street trees as part of site plan approval or subdivision approval in other districts.

5.6.2 **Road Cuts:** Any parcel of land in commercial and industrial districts in single ownership on November 7, 1972, shall be served by no more than one (1) road-cut. (The present access to the former Giroux Building Supply, Inc. property shall not be included in the foregoing calculation.) Additional curb cuts may be allowed by the Development Review Board for a lot in single ownership that obtains site plan approval for the entire parcel of land.

5.6.3 **Parking and loading areas:** Parking and loading areas for any new structures shall be located in the side or rear yards of the structure. Where sufficient screening is provided, and with Development Review Board approval, up to 20% of the total number of parking spaces may be located in the front yard of the structure. If more than one structure is served by the parking area, the parking area may be located in the front yard of half of the structures.

(1) Parking and loading areas shall be set back a minimum of five (5) feet from any property line to allow sufficient space for screening, grading and or control of storm water. No such setback shall be required from property lines crossed by shared parking facilities.

(2) Shared parking facilities including those crossing property lines are encouraged where such arrangements reduce curb-cuts, improve circulation and provide for maximum efficiency in the use of parking spaces. 5.6.4 **Exterior lighting:** All exterior lighting shall be installed or shielded in such a manner as to conceal light sources and reflector/refractor areas from view from points beyond the perimeter of the area to be illuminated.

5.6.5 **Landscaping:** In addition to generally improving the appearance of a site, plantings, fencing and other landscape features shall be designed to serve a clear function such as: screening between incompatible uses or structures; visually screening expanses of pavement or large un-broken building facades; providing shade in summer for roads, parking lots and buildings; defining street edges and other public spaces; giving visual emphasis to entryways; providing privacy; controlling erosion, and/or to filter, absorb and slow storm water runoff.

5.6.6 **Storage of Materials and Equipment:** To reduce impacts on adjoining uses, all materials and equipment in Industrial Districts 2, 3, 4 shall be screened from adjoining properties and roads and all uses shall conform to the performance standards in Section 5.12 of this Regulation.

5.6.7 **Sidewalks and Trails:** At the discretion of the Development Review Board, sidewalks a minimum of five (5) feet wide, bike lanes or trails may be required for projects in the Commercial, Industrial and Village Districts where, in the judgment of the Development Review Board, these facilities are necessary to improve public safety, reduce vehicular traffic, provide access to services or otherwise promote continuity within the zoning district.

5.6.8 **Gas Station Separation Distance:** No new gas station shall be permitted within 1,500 feet linear feet in any direction from the property boundaries of an existing gas station. Gas station in this context refers to any business that sells gas for motor vehicles, regardless of whether this is the primary or accessory use of the property – i.e., inclusive of service stations and convenience stores that sell gas.

5.6.9 **Roof Materials:** Highly reflective and lighter roof colors designed for building energy savings shall be allowed.

Jean Vissering Landscape Architecture

3700 NORTH STREET MONTPELIER VERMONT 05602 802-223-3262/jeanviss@attglobal.net

RESUME

EDUCATION

Master of Landscape Architecture - 1975, North Carolina State University, Raleigh, NC,
American Society of Landscape Architects Book Award.

Bachelor of Science in Landscape Architecture - 1972, University of Massachusetts, Amherst, MA.
Cum Laude. Honors Thesis on Pedestrian Environments.

PROFESSIONAL EXPERIENCE AND EXAMPLES OF PROJECTS

Professional Consulting: Visual Resource Planning and Visual Impact Assessment Projects

- Currently working with the City of Burlington on Act 250 Review of the proposed Champlain Parkway.
- Currently providing independent review of telecommunications and electrical generation projects for the Vermont Department of Public Service under the §248 process.
- Prepared a methodology for state review of visual impacts of wind energy projects with the Clean Energy States Alliance (CESA), A *Visual Assessment Process for Wind Energy Projects*. The project is funded by a grant from the U.S. Department of Energy (DOE). A 2 hour webinar presentation was viewed by state and federal officials and organization representatives from around the country.
- Prepared visual impact assessment for the proposed Lowell Wind Project, Lowell, Vermont for the Green Mountain Club.
- Visual Impact Assessment of proposed shopping center outside Brandon village, Vermont for Preservation Trust of Vermont
- Work with the Preservation Trust of Vermont in evaluating the visual impacts of a proposed commercial facility in Ferrisburgh.
- Visual Impact Assessment for Kibby Expansion Project on Sisk Mountain in Chain of Ponds and Kibby Townships, Maine (TransCanada).
- Visual Assessment of proposed Fuel Station, Convenience Store and Restaurant Facility for Friends of Ferrisburgh.
- Visual Impact Assessment for Georgia Wind Project as an independent witness for the Vermont Public Service Department.
- Visual assessment of the Deerfield Wind Project on behalf of Iberdrola. The project is proposed within the Green Mountain National Forest and was approved by the Vermont Public Service Board and is currently under review by the GMNF.

- Visual Impact Assessment for Granite Reliable Wind Park in Coos County, NH approved by the NH Siting Evaluation Committee, on behalf of Noble Environmental Energy.
- Visual Impact Assessment of the proposed Kibby Wind Energy Project in the Boundary Mountains of Maine on behalf of TransCanada (Approved by Maine LURC).
- Independent visual impact assessment of a proposed subdivision adjacent to Interstate 91 in Windsor Vermont District for the District #2 Environmental Commission.
- Visual Impact Assessment of the proposed Redington and Black Nubble Wind projects on behalf of the Appalachian Trail Conservancy (Maine LURC concurred with my findings, project denied).
- Appointed as member of the National Academy of Science Wind Energy Committee which produced a report, *Environmental Impacts of Wind-Energy Projects* (National Research Council of the National Academies 2007).
- Visual Impact assessment of a small wind turbine in Huntington for the Foundation for a Sustainable Future.
- Aesthetic review under §248 of the Vermont Electric Coop (VELCO) Northwest Reliability Project for the Addison County Regional Planning Commission.
- Preliminary assessment of a proposed wind energy project in the vicinity of Jordanville and Cherry Valley, NY for Otsego 2000.
- Assisted the Bennington Regional Commission and the Town of Manchester in a public information and review process by providing information regarding the aesthetic effects of the proposed Little Equinox Wind Energy Project.
- Scenic evaluation methodology and protection strategies for the Town of Huntington's Conservation Commission to be used as a tool for prioritizing conservation efforts.
- Visual assessment for the proposed Glebe Mountain wind project on behalf of the Town of Londonderry.
- Presentation to Scenic America's Board of Directors and Affiliates of the visual issues involved in wind energy development at their annual meeting in Washington, D.C.
- Visual assessment methodology for the Public Service Board, published as a brochure: *Siting a Wind Turbine on Your Property*; designed to encourage the sensitive siting of small wind turbines to protect scenic views.
- Prepared the report, *Wind Energy and Vermont's Scenic Landscape*, for the Vermont Public Service Department summarizing discussions among stakeholders concerning the visual impacts of wind energy. The guidelines are intended for use by the PSB, prospective developers, and by local and regional planning organizations.
- *Open Space Plan Views and Vistas Study* for the City of Montpelier's Conservation Commission. The Study recommended priorities for green space and open space protection.
- "Scenic Resource Evaluation Process": a team project to develop guidelines for Vermont Agency of Natural Resources' review of Act 250 projects.

Professional Consulting: Design and Planning Projects

- Design for the George Aiken Native Vermont Plant Garden viewed from the Statehouse cafeteria;
- Work with the Trust for Public Land to facilitate discussions with stakeholders and illustrate

options for the development and conservation of Sabin's Pasture, a 100 acre parcel in Montpelier. Designs illustrated a compact neighborhood approach for up to 300 mixed use and affordable housing units, recreation paths and storm water retention areas.

- Design of a ceremonial garden the Center for Victims of Violent Crimes to honor those who have been affected by violent crimes. The garden is located on State property near the State House in Montpelier and includes a plaza and accessible pathway.
- Re-Design of City Hall Plaza in Montpelier
- Street Tree Plan for Route 2 in Plainfield, VT
- Design for Martin Bridge Park for the Town of Marshfield; the park includes parking and handicapped access to a historic covered bridge, information about the natural and cultural history of the area, picnic areas, and trails connecting to the Cross Vermont Trail.
- Design and construction supervision for numerous residential and institutional projects.
- Elm Court Park: a small pocket park and entry way developed by the Trust for Public Land and the City of Montpelier. The park includes a small plaza, sitting areas and demonstrates ecological approaches to design and contains a butterfly garden.
- Turntable Park, Stonecutters Way, Montpelier: design for restoration of an historic turntable, along with accommodation of recreational and theatrical use of a small park. (Designed in collaboration with the Office of Robert White).
- Randolph Family Housing and Templeton Court, landscape design for low-income housing projects in Randolph and White River Junction, VT.
- Plainfield Common, a public riverside park and small formalized parking area in the village center of Plainfield; this project involved extensive public involvement
- Streetscape Master Plan for Chelsea village: village plantings and other amenities for the village center's greens and streets, as well as for several parks and public areas.
- Street tree inventory and plan for the City of Montpelier.
- Conservation and development plans for landholdings in various towns including Hardwick and Calais. Plans provide for the protection of important resources including scenic values, agricultural lands, wetlands, and valuable forestland while identifying appropriate areas for development.

Teaching Experience

- **2000-20011:** Landscape Design courses at Studio Place Arts in Barre.
- **1982 -1997: Lecturer (University of Vermont, School of Natural Resources and Department of Plant and Soil Science)**
Teaching and Advising: Courses included *Park and Recreation Design* (Recreation Management); *Landscape Design Studio*, *Colloquium in Ecological Landscape Design* (Plant and Soil Science), and *Visual Resource Planning and Management* (Natural Resources graduate level), and *Environmental Aesthetics and Planning* (Natural Resources).
- **1996: Faculty (Vermont Design Institute)**
Faculty facilitator for a summer workshop on finding patterns in rural landscapes and historic town centers which could be used as a planning and design tool.

- **1995: Lecturer (Norwich University, Department of Architecture)**
Course in Landscape Design, the first to be taught in the school.

Additional Experience

- **1981 - 1982: State Lands Planner (Agency of Natural Resources, Department of Forests, Parks and Recreation)**
Preparation and coordination of all land management plans for the Department of Forests, Parks, and Recreation; review of plans under Act 250 and Act 248 for aesthetic impacts; design services and related expertise to other Agency departments and to municipalities.
- **1978 - 1981: Park Planner (VT. Dept. of Forests, Parks and Recreation)**
Design of state park facilities including site analysis, working drawings, grading plans, construction details, planting plans, and supervision of construction. Reviewed plans under Act 250 for aesthetic impacts. Helped organize a new state lands management unit.

PUBLICATIONS AND ILLUSTRATIONS

A Visual Assessment Process for Wind Energy Projects, Clean Energy States Alliance with Mark Sinclair and Anne Margolis, contributing authors, May 2011

Minimize the Visual Impact of Turbines, Burlington Free Press, January 17, 2010

Environmental Impacts of Wind-Energy Projects, National Research Council of the National Academies, May 2007

Sabin's Pasture: A Vision for Development and Conservation, Central Vermont Community Land Trust, March 2003.

Siting a Wind Turbine on Your Property: Putting Two Good Things Together, Small Wind Technology & Vermont's Scenic Landscape, Public Service Board, December 2002

Wind Energy and Vermont's Scenic Landscape: A Discussion Based on the Woodbury Stakeholder Workshops, Vermont Public Service Department, August 2002.

Scenic Resource Evaluation Process, Vermont Agency of Natural Resources, July 1, 1990. Guidelines to be used by the Agency of Natural Resources in reviewing visual impacts of development projects under Act 250 in areas of regional and statewide scenic significance.

"Impact Assessment of Timber Harvesting Activity in Vermont: Final Report-March 1990": a research project conducted by the University of Vermont on behalf of the Vermont Department of Forests, Parks, and Recreation. My focus was the visual impacts of timber harvesting.

"Landscapes, Scenic Corridors and Visual Resources": a chapter of the 1989 Vermont Recreation Plan which outlines a five year plan for protecting and enhancing scenic resources in Vermont.

"Healing Springs Nature Trail Guide": Guide for a nature trail at Shaftsbury State Park including text, illustrations (I also designed the trail and bridges).

"The View from the Sidewalk": a walking tour emphasizing the interconnections of environment and culture that shaped the cityscape of Raleigh, North Carolina, text and illustrations.

Jean Vissering Landscape Architecture

3700 NORTH STREET MONTPELIER VERMONT 05602

802-223-3262/jeanviss@attglobal.net

REVIEW OF HANNAFORD'S PROPOSAL, HINESBURG, VT.

November 15, 2011

At the request of Responsible Growth Hinesburg, I have reviewed the proposed development plans currently under consideration by the Hinesburg DRB. Specifically I reviewed the proposed plans for compliance with provisions of the Town Plan and Zoning Regulations as it relates to the aesthetic character of Hinesburg village.

I believe there are a number of issues associated with the project. I cannot address issues such as traffic, stormwater, or wetlands impacts but will focus on 1) its compliance with the provisions and requirements of the Town Plan and Zoning Ordinance, and 2) specific concerns about the scale and site layout of the project.

Project Description

The 36,000 square foot supermarket would be located within the Village Northeast District just north of Hinesburg historic village center. An approximately 300-foot long new drive off Commerce Street would provide access to the supermarket. Mechanicville Road would run along the southern boundary. Supermarket would face east. The building will appear as a large rectilinear box from the north, west and south. The front (east facing) façade presents small variations using a faux roof detail as well as triangular shapes to define entryways. A total of 129 parking spaces would be located along the front (east) and north side of the building. Delivery areas would be located on the north side of the building. Grading would raise the building and parking areas between five and eight feet above existing grades.

Consistency with the Hinesburg Town Plan

The Hinesburg Town Plan (2011) contains an in depth discussion of the Village area in which the project would be located. Specifically the project would be located in the Village Northeast District. The plan notes a desire to locate a "mix of residential development and compatible employment opportunities residential, commercial, light industrial and community facilities within this area. The village, which includes the proposed site, is noted as Hinesburg's primary growth center, one that is comfortably walkable, retains compact historical development patterns typical of the historic village and contains defined green and public use spaces. Page 19 of the Plan refers to the Official Map:

Concurrent with the 2009 Village Growth Area regulation changes, the Selectboard also adopted Hinesburg's first Official Map (see Map 12), which is a powerful tool available to Vermont municipalities to identify the possible locations of future public facilities. The

*map, which shows future streets, planned trails and sidewalks, areas reserved for public buildings and facilities, provides a **clear** picture to property owners, developers, and the public of the Town's intentions with regard to its future physical form and design.*
[Emphasis added]

This map shows the Hannaford location as a site for community facilities. Necessary facilities identified in the Plan for the village are a school, library, town offices, recreation facilities and a green or common. This is a very clear statement of intent. Considerable effort has gone into studying this parcel and recommendations have been submitted regarding the use of the parcel for a public park or recreation area. Certainly the intent of the Village Northeast District is to include open space as part of the mix of uses within this area.¹ Whether or not the DRB decides the Official Map is a relevant criterion for review in this case, the project raises serious issues with respect to the Zoning Regulations.

Zoning Regulations

Article 3, Section 3.1 describes the overall purpose of the Village Growth area including the Village NE District as follows:

PURPOSE: To encourage a vibrant mix of commercial, residential and civic activities in a compact, pedestrian-oriented village that is recognizable as the Town's social and economic center. To allow for development that brings value to the community and maintains Hinesburg's unique sense of place. Densities will be high relative to the rest of the town, and multi-story buildings are anticipated. The design of this area shall include public spaces to serve as focal points and gathering spaces, and to take advantage of important views. It should include internal streets that make pedestrians feel comfortable and welcome. A mix of uses within the Village NW, Village NE, Village, and Commercial districts is particularly important to provide a reason for the wider Hinesburg community to visit and spend time in this area (employment, walking, services, recreation, events, etc.).

Development densities should be maximized to the extent practical in order to better realize Hinesburg's overall "smart growth" strategy. Increased density opportunities should also serve as an incentive to promote the creation of affordable and moderately priced housing.

The density of the area makes it conducive to the use of transit. Suitable transit stops, including bus pull-offs, should be anticipated in the overall layout. Internal streets should, to the extent possible, form a circulation grid and accommodate on-street parking. To the greatest extent possible, the district shall favor pedestrian movement, minimizing traffic movement and parking conflicts with pedestrian ways.

¹ The Town Plan suggests that the use of Lot 15 might be reviewed and changes considered, but no changes have been recommended other than to use the parcel as park or recreation lands.

The compactness of proposed development will inevitably lead to a loss or shifting of some scenic views now afforded in the undeveloped portion of the overall village growth center. However, new view opportunities should be provided from the new street network and from other perspectives available to the public. In the evolving design, it is important to pay close attention to the creation of green spaces such as parks, recreation areas, and community gathering places that will complement the pattern of streets, buildings, pathways and view corridors. Even with the proposed development densities, small scale agricultural operations and community gardens (e.g., Burlington's Intervale area) will be a viable and important element given the abundance of prime agricultural soils and the need for locally grown food. It is also important to retain functional connections to the surrounding rural landscape via public trails, contiguous green space, and other mechanisms.

The purpose of the Village Northeast Districts notes the importance of commercial and light industrial development within this district be designed to be compatible with residential uses that are also permitted within and adjacent to the district. Renewable energy and mixed uses are important stated goals for uses within this district.

Section 3.7 VILLAGE NORTHEAST DISTRICT

PURPOSE: To provide a location, with connectivity to adjacent growth center districts, for a mix of light industrial/manufacturing businesses and residential uses which take advantage of a range of renewable energy resources. Both residential structures and industrial / manufacturing facilities within the Village NE zone shall be designed, sited, and constructed to take advantage of renewable energy resources, including both solar and wind power through the incorporation of technologies such as photo voltaic panels, wind turbines, hydrothermal and/or geothermal devices. Facilities within the Village NE must be compatible with the mixed industrial and residential designation of the zone and must not emit unreasonable noise, smoke, light, odors or vibration discernable beyond the limits of their properties. Industrial development in this zone shall be sited to maximize both energy generation and conservation, and constructed in a manner that blends in with the surrounding topography and mitigates storm water runoff and aquifer recharge issues. Mixed-use PUDs incorporating compatible light industrial and residential uses, as well as residential PUDs with multi-family residential development are strongly encouraged.

Co-location of energy generation for all uses within the Village NE district is encouraged, but may be distributed throughout the zone and may be used to satisfy a portion of the open space.

In addition Article 4 addresses Site Plan Approval and identifies the following standards:

4.3.4 Site Plan Review Standards: *The Development Review Board shall review the site plan and supporting data before approval, approval with conditions, or disapproval is given, and shall take into consideration the following standards:*

(1) Safety of vehicular and pedestrian circulation on site and on the adjacent street network;

(2) Adequacy of circulation, parking and loading facilities with particular attention to safety. Provisions for refuse storage and disposal, snow removal, and emergency access shall also be addressed where applicable.

(3) Adequacy of landscaping, screening, setbacks, hours of operation and exterior building design in regard to achieving maximum compatibility with adjacent property and with the character of the neighborhood.

(4) Adequacy of exterior lighting for safe circulation on the site without creating off-site glare and excess illumination.

(5) Adequacy of sewer and water.

(6) Adequacy of drainage and grading plan, ensuring treatment and control of stormwater runoff, control of soil erosion during and after construction, and proper design solutions for steep slopes and poorly drained areas.

(7) Consistency with the Town Plan in regards to the pattern of development, preservation of significant natural and cultural resources, and the location and nature of existing and planned roadways and other public facilities.

(8) Proper planning and design in regard to hazardous wastes and avoidance of runoff.

(9) Conformance with design standards as stated in Sections 5.22 and 5.6, where they apply.

Standards 3 and 7 above have been emphasized as they are relevant to the review of the proposed project. Standard 3 requires achieving “maximum compatibility” with adjacent property and with the character of the neighborhood. It will be important to recognize that current zoning regulations based on the Town Plan have encouraged development that is compact, comfortable for pedestrian use, and maintains the unique sense of place of Hinesburg. Some adjacent uses in the District were developed before these goals were in place and may, in some cases, represent either a building type or site layout that is contrary to the current goals. These may not provide a useful basis for determination of compatibility. A perceptible visual and functional link between the various village areas as well as functional connections that encourage a vibrant mix of commercial, residential, and light industrial within a compact, energy efficient, and pedestrian friendly environment is the goal that should be sought.

Standard 7 requires consistency with the Town Plan. The Town Plan clearly sets this lot aside for public uses or open spaces and should be considered here.

Compatibility of the Proposed Hannafords Project with the Town Plan and Zoning Regulations: Design and Siting Issues

In addition to the contradiction with the Official Map, several aspects of the siting, design and scale of the project are inconsistent with the stated purpose of the Village and NE District. These are discussed below.

- The scale of the proposed building and surrounding parking is substantially larger than the surrounding buildings typical of the area. The Town Plan encourages higher densities by utilizing multi-story structures which would be typical of historic settlement patterns and a more efficient use of valuable space.

- The scale of parking areas is also extremely large in comparison with surrounding uses. Worse the 129 parking spaces are in full view from most surrounding areas and from the approach road. Rather than being tucked behind or to the side, the building will appear surrounded by parking areas. The views along the approach off Commerce Street will be dominated by the parking and the massive blank face of the north façade including loading docks.
- The scale of the building and parking areas provides no room for protection of meaningful (useable, attractive) open space on the property which is noted throughout the plan and zoning regulations as an important component of the village District. The project occupies the entire lot with only a few “leftover” patches of green space that do not contribute functional or attractive greens or open space areas.
- The building design appears “off the shelf” with little architectural compatibility with its surroundings. The building design does not contribute to the “unique sense of place” of Hinesburg. From most vantage points the building will appear as an enormous box with no architectural details that relate to the historic village setting.
- There has been no attempt to share parking with surrounding businesses or to provide a sense of an integrated “neighborhood” with connected open space, pedestrian connections, streets, residential scale, etc.
- The building turns its back on Route 116 which is considered the “Main Street” of Hinesburg. While screening of the back of the building is important, the building appears isolated from its surroundings. There are no connections or links to the businesses along Route 116.

Summary and Conclusions

This is a very valuable property for Hinesburg as is clear from its designation on the Official Map as a site for Community Facilities. If development is determined to be appropriate for this lot, it must be designed and scaled so that it contributes to the fabric of the town. A grocery store is not inconsistent with the Village NE Zone, but its design and location needs to be carefully considered so that does not create a superstore wasteland within the village. The current proposal does not meet the objectives of the Town Plan or Zoning Regulations.

requirements of the development. As soil characteristics vary within the district, industrial uses which require more stable soils shall be prioritized for development in the upland regions. Patrick Brook, and other LaPlatte tributaries shall be protected with adequate building setbacks and vegetated buffers to allow for naturally occurring channel realignment and water quality protection.

Southern access to this district is currently provided from Riggs Road and this access should serve both industrial and residential uses within this portion of the district. In addition, as part of the permitting process, development on the northern side of this district shall include a second access point from CVU road. North/south connectivity between these 2 major access points shall be planned for (at minimum via a right of way connection), although the type of connection (street, path, etc.) will depend on development proposals for the area, permitting issues, and the overall public interest.

Section 5.6 DESIGN STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES 5.6.1 **New Streets:** All newly constructed streets will be paved and be constructed according to Town Road Standards, which are in effect at the time that the street is constructed. All newly constructed streets in the Village and Commercial districts shall have sidewalks at least 5 ft. wide and street trees as specified in the Subdivision Regulations which are in effect at the time the street is constructed. The Development Review Board may require sidewalks and street trees as part of site plan approval or subdivision approval in other districts.

5.6.2 **Road Cuts:** Any parcel of land in commercial and industrial districts in single ownership on November 7, 1972, shall be served by no more than one (1) road-cut. (The present access to

Hinesburg Zoning Regulations – October 12, 2009 Article 5 - Page 68 -

the former Giroux Building Supply, Inc. property shall not be included in the foregoing calculation.) Additional curb cuts may be allowed by the Development Review Board for a lot in single ownership that obtains site plan approval for the entire parcel of land.

5.6.3 Parking and loading areas: Parking and loading areas for any new structures shall be located in the side or rear yards of the structure. Where sufficient screening is provided, and with Development Review Board approval, up to 20% of the total number of parking spaces may be located in the front yard of the structure. If more than one structure is served by the parking area, the parking area may be located in the front yard of half of the structures.

(1) Parking and loading areas shall be set back a minimum of five (5) feet from any property line to allow sufficient space for screening, grading and or control of storm water. No such setback shall be required from property lines crossed by shared parking facilities.

(2) Shared parking facilities including those crossing property lines are encouraged where such arrangements reduce curb-cuts, improve circulation and provide for maximum efficiency in the use of parking spaces. **5.6.4 Exterior lighting:** All exterior lighting shall be installed or shielded in such a manner as to conceal light sources and reflector/refractor areas from view from points beyond the perimeter of the area to be illuminated.

5.6.5 Landscaping: In addition to generally improving the appearance of a site, plantings, fencing and other landscape features shall be designed to serve a clear function such as: screening between incompatible uses or structures; visually screening expanses of pavement or large un-broken building facades; providing shade in summer for roads, parking lots and buildings; defining street edges and other public spaces; giving visual emphasis to entryways; providing privacy; controlling erosion, and/or to filter, absorb and slow storm water runoff.

5.6.6 Storage of Materials and Equipment: To reduce impacts on adjoining uses, all materials and equipment in Industrial Districts 2, 3, 4 shall be screened from adjoining properties and roads and all uses shall conform to the performance standards in Section 5.12 of this Regulation.

5.6.7 Sidewalks and Trails: At the discretion of the Development Review Board, sidewalks a minimum of five (5) feet wide, bike lanes or trails may be required for projects in the Commercial, Industrial and Village Districts where, in the judgment of the Development Review Board, these facilities are necessary to improve public safety, reduce vehicular traffic, provide access to services or otherwise promote continuity within the zoning district.

5.6.8 Gas Station Separation Distance: No new gas station shall be permitted within 1,500 feet linear feet in any direction from the property boundaries of an existing gas station. Gas station in this context refers to any business that sells gas for motor vehicles, regardless of whether this is the primary or accessory use of the property – i.e., inclusive of service stations and convenience stores that sell gas.

5.6.9 Roof Materials: Highly reflective and lighter roof colors designed for building energy savings shall be allowed.

Valerie Russell
11/23/11

1

WHAT PRICE PROGRESS? November 23, 2011

First of all, I would like to say that I have nothing against the Hannaford stores. They are nice, clean and carry a large variety of items. That being said, I am not in favor of having one in Hinesburg at the expense of our beloved Lantman's. Lantman's has been an institution in Hinesburg for many, many years. It is a family-owned store with a friendly, helpful staff, willing to go the extra mile to get you what you want. I don't know how many of you remember the old tv show Cheers, but their slogan was "sometimes you want to go where everybody knows your name" That is exactly the way I feel about Lantman's. And now that Lantman's will be carrying the Hannaford products, it seems like that should be the end of it. Hannaford will have their products in Hinesburg and we get to keep our Lantman's. Plus, there are several Hannaford's available within a very short distance, but where will you find another Lantman's.

As far as Lot 15 goes, I worked part-time at the Carpenter-Carse Library for several years, and heard many of the town residents say they wished the Library was still within walking distance of the village. I think relocating the Library there would be a great idea. There could also be some nice park benches and shade trees so people could get their books and pass away the time reading in quiet comfort (weather permitting of course) .

I also do not understand why some people have a problem with the townspeople having a say in what gets built in their town. If you pay taxes to Hinesburg, you should be able to express your opinion of what goes on here. To me, that should be the number one consideration, not the rules and regulations side of it. So what if other towns have yielded to the pressure of change for the sake of progress – why can't Hinesburg remain the unique little family-friendly town it has always been? Once something is lost, you almost never get it back again.

Valerie Russell
PO Box 165
1389 North Road
Hinesburg
(802) 482-2761
Email: plumcrazy_05461@yahoo.com

Hinesburg Village Steering Committee
Comments on architecture, site design, lighting, official map, etc.
11/29/11 (planning to present a summary of these comments at 12/6/11 meeting)

November 29, 2011

Review comments from the Village Steering Committee to the Development Review Board/Planning Staff

Re: Hannaford's Application and amendments

The Hinesburg Village Steering Committee has reviewed the amendments made to the pending Hannaford application currently before the Development Review Board. We offer the following observations and comments as regards those changes that Hannaford's has made to their application. Specifically we address the issues of:

1. Architectural quality and compatibility with the setting in Commerce Park and the Village of Hinesburg
2. Architectural scale, proportion and building size
3. Site design, organization, layout, pedestrian connections and landscaping
4. Site lighting (insert comments by Mike Buscher)
5. Quality of the project's contributions to the growth and quality of life in the Hinesburg Village.
6. Official map and proposed public use of the site

We identify the following

1. The issue of architectural quality, fit and compatibility with the proposed setting in Commerce Park (photo of new Hannaford's revised front entry):

The applicant continues to present a one story, 36,000 sf. structure that continues to show faux sloped roofs that allude to a fictional second floor. View the buildings in this part of town and note that Nestech, NRG and even Darkstar are 2 story structures that utilize their respective sites in a more land efficient manner. The front part of Lantman's is also 2 stories and utilizes the upper floor for a different and mixed use. Grocery stores can utilize similar strategies and numerous 2 story (or partially 2 story structures) exist in Belgium, home of the Hannaford's parent company. Such a move would be a site specific response to the site and enable a more efficient use of a very strained site.

Facing the street/entry: In February we encouraged the applicant to consider re-orienting the store to face the street. Almost all buildings in our Village face a major street or right of way but the applicant continues to orient this store to the parking lot. The applicant has shifted the front doors closer to the canal and the Mechanicsville Road. (photo of site plan). This is not a difficult adjustment to make and can be easily accomplished. Kinney's does it and our concept illustration shows how easily this can be accomplished. We strongly encourage the applicant to create a building that fronts the street and exhibits the manners that good buildings, new to our village require. This is what we consider to be a major part of compatibility and fit.

Many buildings have multiple fronts and points of entry architecturally this is not difficult look at our Lantman's store ... a nice front to 116 and yet an accommodating side entrance. Not unlike City Market in Burlington or our own Town Hall or even the community school all suggest a more enlightened design approach to the issue of frontage and neighborhood compatibility.

Removal of drive up pharmacy and the truck loading area: we commend the applicant for modifying the south side of the store with the removal of the drive up pharmacy and the truck loading area. These constitute significant changes to the project and open the proposed project to more extensive improvements.

Proposed multiple uses: we also commend the applicant for attempting to provide varied uses on the site. The proposed farmer's market location encourages different uses but could be carried much further. Why not provide a roof cover for this function. Why not provide a south facing café/lunch spot on the side of the building that faces the canal. These varied uses will enhance the site and encourage multiple uses that will keep people from always moving about by car and utilize shared parking in this part of our Village. (photo of agora/community market place examples)

The original Act 250 permit for commerce park states the following: “the subdivision is designed as a commercial industrial park intended for primarily local small scale and start-up businesses which are appropriate for the local scale of development”. And furthermore: “might range for high tech research and development firms supporting the county industries to retail outlets for local agricultural or manufactured products.”

An example while not the province of the VSC ... we do wish to set forward a concept sketch that addresses the significant flaws in the Hannaford application. (photo of VSC site sketch) This concept illustration shows a reduced footprint grocery store on two floors with an entry porch that now presents a frontal element to the north, east and south. This functional porch provides cover during inclement weather and is pedestrian friendly. On the north and south sides the store has been modified to front both Commerce and the Mechanicsville Road. A covered/outdoor market area to the east of the store's parking area provides shelter for the farmers market without restricting parking capacity. To the Mechanicsville road and canal side, a canopy provides cover for an outdoor café/lunch spot serviced from within the store. The result is a friendlier, mixed-use site that reduces building footprint and encourages more public use of Lot 15. We feel that such this project has the makings of a vibrant, mixed use project in the heart of our village.

2. Architectural scale, proportion and building size

By Hinesburg Village standards the Hannaford's building is a large structure. In part that size is accentuated by bland geometry and its one story, box-like configuration that appears to float arbitrarily within Lot 15. The lack of windows combines with the size of the building to leave the proposal devoid of any human scale. While we have other large buildings in town, most such as the Community School, NRG and even the Cheese Plant, are broken into smaller pieces and are multiple stories. They have well located windows and give a clear indication of human activity both within and outside of those buildings. The proposed Hannaford's building does little of this. Many of the windows and architectural elements are faux and lack honest expression. The proposal before the DRB lacks human scale, graceful proportion or purposeful variation. The structure is formulaic and expressive of the standard box store requirements established by Hannaford. It is by meaningful variation from this stock formula that a building and site will truly become a vibrant location that belongs at the center of our town. Kinney's strayed from their inflexible standards Hannaford could readily do the same.

At the same time the current proposal lacks honest architectural interest. It is only a grocery store and it could be much more than that. There is no celebratory pedestrian space, no places to sit outside under a porch and drink your coffee and read a newspaper. It does not establish a sense of community and ironically, it is Hannaford's most of all that would benefit from establishing that sense of community. This could be a building and a place that is the “market center” of Hinesburg but the current proposal does not approach such designation. For a comparable example we refer you to the sidewalk activity of Bristol or Vergennes.

Perhaps most underutilized is the south side of the proposed Hannaford's. Adjacent to the Canal Bridge and the Mechanicsville Road, this is the side of the building that needs activity and architectural scale. Imagine an outdoor space, a glass and covered café/greenhouse that opens to a significant space on that side of the building. This space links to the canal walk to the post office and could ultimately extend to the properties on the west boundary and link to Route 116, our Village Main Street. Much more could become of this building side and it would help a store in this location be successful. Reducing the building footprint and creating a second floor of the proposed Hannaford would facilitate a more efficient use of the site and permit more extensive public use. The second floor could be expansion space or retail space secondary in use and be easily accessible. The logic of a second floor retail space is unquestioned in many parts of Belgium and often houses café's and special food areas. Even an outdoor balcony on the building south side could be possible. Again such a design move would help vary the appearance of the store and support the issue of fit in this part of the Village.

As we did in February of this year, the VSC continues to question the common sense of the project's building size. The application currently calls for a 36,000 sf grocery store with 129 parking spaces, and an extensive area dedicated to truck access. Our community of 5000 currently supports a grocery store that is 16,000 sf and has 70 parking spaces that serve not just Lantman's but multiple other uses near the building. Even in Burlington a city of 40-50,000 people, City Market, the lone downtown grocery store is a mere 16,000 sf and has 60 shared parking spaces. The new Market in Richmond, a community similar in size to Hinesburg, is 12,000 sf and has 35 dedicated parking spaces and another 30 that are shared. Vergennes has a grocery store of 20,000 square feet. All of these stores are scaled and sized to match their respective communities. Clearly the Hannaford proposed for Hinesburg is really a project sized to accommodate much of the neighboring population and therein lies the rub with issues such as traffic and building fit on a site that is not up to the size building proposed in this application.

3. The character of the site design, landscaping and how our village can grow:

Connectivity between adjoining lots in Commerce Park: The Hannaford's proposal adjoins other nearby properties yet little in the proposal shows how Lot 15 would connect to these adjoining lots either now or in the future. The Board should envision the future growth of our Village as regards the Giroux lots to the west of lot 15 along Route 116 and many of the other underutilized lots in this future center of the Village. All new project proposals such as this one, should be rigorously required to consider and anticipate the future. Both pedestrian circulation and parking areas should be capable of logical expansion/extension and encourage the concept of shared parking. The current site configuration proposed turns the building's back to the 116 lots to the west and proposes a 3-7 retaining wall adjacent to that line to resolve severe grading issues between the sites this is not a constructive way to work with adjacent properties and plan for the future of this part of town. This is hardly an effective invitation for connectivity between neighboring properties. (slide showing separate parking lots and the retaining wall on the west side of Lot 15)

Improving walkability and the pedestrian experience on the site: (slides of Commerce Street elevation and the site plan) The existing canal and path on the south side of Lot 15 comprise a very pleasant link from the heart of our village to the post office and beyond. The application before us begins to incorporate this community amenity into the workings of the site but could be much improved. As discussed previously, further development of the south side of the building and establishing some related community and commercial uses on this side of the building would clearly improve the proposal. Currently these are the views as proposed when one crosses the canal bridge A near blank wall of 200 feet in length and as one progresses further east to the post office that blank wall is displaced by a n extensive parking lot. This is not the way to design a site and is not design compatible with existing structures and the furthering of pedestrian amenities.

Trees and Landscaping: Significant new landscaping is proposed for the Hannaford project. Additional landscaping within certain portions of the parking areas will help provide shade to the extensive paved areas. This shading of the parking lot is commonly addressed as part of the LEED certification process. We do think that the landscaping proposed on the south side elevation could be utilized to shape a larger public space adjacent to the Canal walk. We would also advise that the applicant and the DRB heed the advice of numerous other individuals in our community knowledgeable about essential plant life and the attributes of this on a site such as Lot 15.

4. Lighting: comments to follow from VSC Member Michael Buscher

5. By virtue of its size and prominent use as a commercial¹ and public place

The Hannaford's proposal has an inherent responsibility to our community This is a one story, 36,000 square foot project One of the larger buildings to be built in our community in recent decades and a structure that is much larger than any in the immediate neighborhood It is also a structure of considerable social significance witness the social and community activity that goes on in Lantman's currently when NRG (slide of NRG) created a large structure to the north they very responsibly broke the building into well scaled segments and created a building that is renowned throughout the United States for it's responsible approach to energy consumption and the creation of a very enlightened work environment. We now have a large Belgian multinational corporation that proposes a building that is poorly sited A building and attendant parking still too large and for its site. A structure of such potential importance to the well-being of our Village has a high responsibility to this community and needs to be of a far higher quality than the content of this application currently presents.

6. The Hinesburg Official Map and public amenities on Lot 15:

Early in 2009 the Hinesburg Select board voted to identify a variety of land parcels and rights of way on the Town's Official Map. (slide of Official Map) This zoning tool has its roots in the defining patterns of growth established in such cities as Boston, Philadelphia, New York, Savannah, Georgia and Montreal Canada. These communities were small towns when long-term planning decisions were enacted. The pattern of growth and celebrated public spaces such as the New England Town Greens, Central Park and the Fenway Park system owe their origins to the foresight of our predecessors. By way of Hinesburg's Official Map we too have the opportunity to plan the form and content of our wonderful Town. The State of Vermont has a statute that has enacted official maps and we as a community must have the courage to utilize this planning tool for the betterment of our community.

In 2007 the Hinesburg Village Steering Committee identified Lot 15 as a site of significant public importance for use as a Town Green. The central location of this lot within the newly expanded village district can be seen on this air photo. (air photo of Village area) The site is equidistant from CVU and the HCS and sits amidst several nearby residential neighborhoods. The Steering Committee has conceived a plan for Lot 15 that fulfills the planned vision of our town and creates a central gathering place that works with the limitations and characteristics of the site. This is in sharp contrast to the Hannaford's application that attempts to subjugate the site and its natural features. We show an illustration of our plan for Lot 15. (plan of the new Town Green)

To date the Hannaford's application has not formally acknowledged the Town's designation of Lot 15 on the Official Map. While certain public amenities have been added to the proposal more could be done to improve this site for both public and commercial use.

Our Conclusions:

After close review and attendance at all of the hearings to date, our Committee's sense is that this one story project as proposed is still too large for the selected site. While notable improvements have been put forward by the applicant, the proposal remains essentially in the form originally presented in the fall of 2011. We feel that significant improvements to the project are readily doable and obstructed only by the over-sized, one story box mentality that Hannaford's proposes to construct within our village.

The applicant could accomplish both a better project and enhanced community credibility by modeling improvements in a manner similar to the Kinney Drug Store application. In that case, the applicant made significant improvements to the overall

and specific site plan, relocated the building and its entrance and significantly reduced the apparent bulk and monotony of the structure by breaking up the volume into better scaled and friendlier building components. Much of what we criticize about the characteristics of the Hannaford proposal is easily done and could be accomplished by even a beginning architecture student.

We caution though, that while certain facets of the project are definitely able to be improved, there remain in our collective minds significant obstacles in the area of traffic, storm water and wetlands that present a substantial challenge to the utilization of lot 15 as proposed by Hannaford.

It is still the difficulty of fit that lies at the heart of the steering committee's concerns Despite earnest effort by reputable team professionals, this project does not fit on this site. It is for this very reason that the VSC identified Lot 15 for public use on the official map The site is appropriate for public and natural uses and not for the kind of intense commercial use represented by the current Hannaford's application.

The VSC continues to be discouraged by the failure of the applicant to acknowledge and address the importance of the Official Town Map. Only modest public uses of the site have been added to the application but much more could be done to make this site the thriving heart of our Village, both in a commercial and public sense. When combined with the design deficiencies that we identify within this letter, we are still hard pressed to move beyond our recommendation to you from this past February of 2011. As designed, the application before the Hinesburg Development Review Board still does not show a proposal that fits on this site. We would hope that members of this review body come to the same conclusion and reject this proposal as currently configured.

Respectfully

Dona Walker, Chairperson

Jane Starkweather, Aaron Kimball, Michael Buscher, George Dameron, Rolf Kielman, Catherine Goldsmith.
Hinesburg Village Steering Committee

**James A. Dumont letter December 6, 2011 (Hannaford) -- The Official Map
See associated 4-page PDF file – Dumont Dec 6 2011 letter to DRB.pdf**

RECEIVED

NOV 22 2011

TOWN OF HINESBURG
DRB & ZONING

TO: Hinesburg Development Review Board
FROM: Hinesburg Conservation Commission
RE: Hannaford's 11/15/11 Hearing

**ADDENDUM TO HINESBURG CONSERVATION COMMISSION'S ORAL
PRESENTATION**

Immediately following the aforesaid hearing, I requested the Applicant's spokesperson at the hearing if it would provide us its information showing that Hinesburg would soon experience a substantial growth in population; thus 'requiring' the proposed 36,000 sq. ft. store which, while not needed for the present, will be needed in the foreseeable future (This assertion was made by the Applicant in its opening remarks at the previous hearing).

The Applicant, through said spokesperson, absolutely refused to provide us its "model" demonstrating this underlying assumption for the business necessity of such a large sized supermarket in Hinesburg.

The Commission has no doubt that the Applicant knows, from similar prior experiences throughout the country where it does business, the mere presence of its store will draw large increases in population to the immediate area. We believe there is no credible evidence, either from Hinesburg's recent history of very modest growth, or from foreseeable economic conditions in Vermont as elsewhere, that could possibly substantiate this 'rosy' projection of near term growth. We also believe there can be no credible reason for its refusal to share its "model" with the public, other than to conceal the fact that its mere presence in the community will do exactly what the public fears it will do – and that is to rapidly turn Hinesburg from a rural community into a suburban community.

Such effect on Hinesburg, as cited previously by this Commission, would be a clear and substantial violation of the Town Plan and Purpose Clause of our Zoning Regulations; which require that new development be compatible with the "rural character" and "unique sense of place" of the community.

Dated this 22nd day of November, 2011.



Hinesburg Conservation Commission,
By Bill Marks, member

From the Village Steering Committee - Appendix to Traffic submission of 11/9/11

APPENDIX: TRAFFIC AND HINESBURG ZONING REGULATIONS (December 4, 2011)

Under "Site Plan Approval" (Section 4.3), the section under which Hannaford Brothers has applied for its project, we read the following:

4.3.4 (Site Plan Review Standards): The Development Review Board shall review the site plan and supporting data before approval, approval with conditions, or disapproval given, and shall take into consideration the following standards:

1

- (1) Safety of vehicular and pedestrian circulation on site and on the adjacent street network;
- (2) Adequacy of circulation, parking and loading facilities with particular attention to safety. Provisions for refuse storage and disposal, snow removal, and emergency access shall also be addressed where applicable (p. 39).

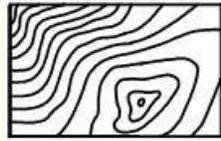
The Village Steering Committee has based its recommendation to the DRB (dated November 9, 2011) to deny the application of Hannaford Brothers for its project on this particular provision in the zoning regulations. Specifically, in its judgment, the Village Steering Committee has concluded that the road infrastructure in the village of Hinesburg is inadequate to sustain the anticipated traffic circulation and will thereby pose significant dangers to the safety of motorists, cyclists, and pedestrians.

Another provision in the zoning regulations addresses traffic:

4.3.2 In reviewing site plans, the Development Review Board may impose appropriate conditions and safeguards with respect to adequacy of traffic access, circulation, and parking; landscaping, screening,; and other appropriate conditions and safeguards (p. 39).

In the light of this particular zoning provision, the Village Steering Committee recommends that if the DRB approves the project, given the concerns about safety cited by the VSC in its report, that it consider requiring Hannaford Brothers to reduce the building size and the number of parking spaces. This will minimize the impact of the project on the road infrastructure and safety of Hinesburg citizens.

Finally, a letter to the Select Board, and published publically in The Citizen and in Front Porch Forum (but not sent to our Committee by either the writer of the letter nor the Select Board) argued that a particular assertion in our recommendation was not based on any traffic report. The assertion reads as follows: "Once traffic resumes into and out of the former Saputo complex, the level of traffic in the village will become even more intense than it is at present" (page 4). Actually, with all due respect to the writer of the complaint, this criticism is incorrect. According to documents filed by Vermont Smoke and Cure with our Planning Office, it will add 5-6 semi-tractor trailer trucks and regular trucks per day at the outset of its operations, growing to about 15 trucks per day in three years during working hours (information provided to me by Alex Weinhagen in an email, dated 2-16-2011). Green Mountain Organic Creamery will add one milk truck to the village for three days at the outset, growing to about three trucks per day in three years, according to its estimate. The Creamery will also be adding increased traffic in smaller trucks to pick up the processed milk for delivery. Charlotte Road (at the light) and Route 116 are going to be the principal arteries for the entry and exit for the additional truck traffic. (Alex Weinhagen should be able to provide the DRB with current plans regarding exactly how Vermont Smoke and Cure and Vermont Organic Creamery plan to enter and exit the former Saputo facility.) Our concern that Hannaford will exacerbate the already intense traffic situation in the village, once businesses in the former Saputo facility go on line, is therefore supported by actual data filed by the businesses themselves. Some of our Hinesburg neighbors may disagree with our judgment here that the Hannaford project will take village traffic to an intolerable level, but our perspective is not without evidence.



December 2, 2011

Development Review Board
Town of Hinesburg
10632 VT Route 116
Hinesburg, VT 05461

Re: Proposed Hannaford Supermarket & Pharmacy
Commerce Street, Hinesburg
Review of **Revised** Stormwater Plans and Details

Dear DRB Board Members:

On behalf of Responsible Growth Hinesburg, I have reviewed the stormwater plan for the proposed Hannaford supermarket and pharmacy **revised November 18, 2011** prepared by O'Leary-Burke Civil Associates, PLC. For a second time I discussed this stormwater plan with Kevin Burke, Environmental Analyst with the Vermont Stormwater Section at the DEC.

Based on my review of these recent plans and continued discussions with Kevin Burke I have ongoing concerns about the proposed stormwater system. Kevin Burke has also indicated that a stormwater application has not been received by his office, and that the current plan is "crude" and does not provide a complete stormwater design that will meet state rules.

No additional information in the revised plans answers or allays the seven concerns that I expressed in my September 16, 2011 review of plans for this project, which I briefly reiterate here:

1. The Water Quality Volume is not treated by the stormwater system, which is a requirement for state approval. This glaring omission is discussed further below.
2. Large volumes of stormwater stored in underground storm chambers will lack exposure to UV radiation and fresh oxygen exchange. Recent studies indicate that this means of storage can lead to elevated pathogen levels in discharged stormwater.
3. While not required during a state review, storms larger than a 10-year 24-hour storm event have not been evaluated. Without this evaluation the degree of onsite and offsite flooding and erosion from these larger and increasingly more common storms is completely unknown.
4. Outlet orifices for the storm chamber systems are unprotected from plugging by floating debris.

5. Dissolved contaminants in stormwater flushed from the parking lots will be essentially untreated by the storm chamber system.
6. Sediment will accumulate over²time in the storm chambers and no mechanism for cleaning of these chambers is presented.
7. Stormwater flowing over steep slopes (likely impervious retaining walls) on the perimeter of most of the proposed paved area will be untreated.

The Water Quality Volume (WQv), which is the storm volume adjusted for impervious cover that is generated from a rain event of 0.9-inches on the project site, must be treated by the proposed stormwater system before reaching waters of the state. This is a permit requirement defined in the current Vermont Stormwater rules. In my previous letter, I pointed out that storm chambers provide no WQv treatment credit unless they are acting as infiltration chambers. I also indicated that based on the lack of suitably permeable soils and sufficient depth to the water table (minimum of three feet) the proposed storm chamber system is only a detention device, not an infiltration system. Therefore, the WQv would have to be treated outside of the storm chamber system.

Discharge of stormwater from the proposed Hannafordís site is controlled by two outlet structures, shown on the OíLeary-Burke plans as Outlet Structure POI #1 and Outlet Structure POI #2. These structures have several orifices at different elevations, which control discharge to meet several stormwater management goals. To provide storm flow detention during smaller storms, Outlet Structures #1 and #2 have 3-inch and 2.5-inch lower orifices, respectively, which generate a combined discharge of approximately 0.35 cubic feet per second (cfs), based on a simple HydroCad model that weíve run. This discharge is conveyed through approximately 500 feet of piping beneath Commerce Street to itís outfall into a common swale on the north side of the road.

The common swale is approximately 150 feet long and 10 feet in width before it terminates in a broad shallow depression referred to as an existing stormwater detention basin (in itís existing state, this basin does not meet current requirements for stormwater detention). Additionally, the existing detention basin has a volume of approximately 3500 cubic feet, which is not large enough to accommodate the approximately 8000 cubic feet of WQv from the proposed Hannafordís.

In order to achieve suitable water quality treatment in the existing swale, discharged stormwater must flow at speeds of less than one foot per second, at a depth of no more than four inches, and remain in the swale for at least 10 minutes. These are treatment objectives defined in the state stormwater rules. Based on the present conditions in the swale, the depth and velocity requirements are met, but due to the short length of the swale, discharged stormwater does not remain in the swale long enough to achieve sufficient treatment. Furthermore, our analysis does not include additional discharges from properties surrounding the Hannafordís site, which must be accounted for in the WQv evaluation. These flows from contributing areas on other properties will add an additional approximately 0.8 cfs, based on HydroCAD modeling of the area, and will make it even harder to meet this objective.

Our brief stormwater modeling exercise suggests that treatment of the Water Quality volume from the proposed Hannafordís will be difficult to achieve. We encourage the DRB to require that the developer provide a complete stormwater design that will meet the state requirements, assuming that this is possible. We also encourage them to require evaluation of the six other deficiencies in the current design that we note above.

Sincerely,



Dean A. Grover, P.E.

December 2, 2011
 Development Review Board
 Town of Hinesburg
 10632 VT Route 116
 Hinesburg, VT 05461

Re: Proposed Hannaford Supermarket & Pharmacy
 Commerce Street, Hinesburg
 Review of **Revised** Stormwater Plans and Details

Dear DRB Board Members:

On behalf of Responsible Growth Hinesburg, I have reviewed the stormwater plan for the proposed Hannaford supermarket and pharmacy **revised November 18, 2011** prepared by O.Leary-Burke Civil Associates, PLC. For a second time I discussed this stormwater plan with Kevin Burke, Environmental Analyst with the Vermont Stormwater Section at the DEC. Based on my review of these recent plans and continued discussions with Kevin Burke I have ongoing concerns about the proposed stormwater system. Kevin Burke has also indicated that a stormwater application has not been received by his office, and that the current plan is crude and does not provide a complete stormwater design that will meet state rules. No additional information in the revised plans answers or allays the seven concerns that I expressed in my September 16, 2011 review of plans for this project, which I briefly reiterate here: 1. The Water Quality Volume is not treated by the stormwater system, which is a requirement for state approval. This glaring omission is discussed further below. 2. Large volumes of stormwater stored in underground storm chambers will lack exposure to UV radiation and fresh oxygen exchange. Recent studies indicate that this means of storage can lead to elevated pathogen levels in discharged stormwater.

3. While not required during a state review, storms larger than a 10-year 24-hour storm event have not been evaluated. Without this evaluation the degree of onsite and offsite flooding and erosion from these larger and increasingly more common storms is completely unknown. 4. Outlet orifices for the storm chamber systems are unprotected from plugging by floating debris. 5. Dissolved contaminants in stormwater flushed from the parking lots will be essentially untreated by the storm chamber system.

6. Sediment will accumulate over time in the storm chambers and no mechanism for cleaning of these chambers is presented. 7. Stormwater flowing over steep slopes (likely impervious retaining walls) on the perimeter of most of the proposed paved area will be untreated.

Development Review Board - Town of Hinesburg

December 2, 2011

Page 2

The Water Quality Volume (WQv), which is the storm volume adjusted for impervious cover that is generated from a rain event of 0.9-inches on the project site, must be treated by the proposed stormwater system before reaching waters of the state. This is a permit requirement defined in the current Vermont Stormwater rules. In my previous letter, I pointed out that storm chambers provide no WQv treatment credit unless they are acting as infiltration chambers. I also indicated that based on the lack of suitably permeable soils and sufficient depth to the water table (minimum of three feet) the proposed storm chamber system is only a detention device, not an infiltration system. Therefore, the WQv would have to be treated outside of the storm chamber system. Discharge of stormwater from the proposed Hannaford site is controlled by two outlet structures, shown on the O.Leary-Burke plans as Outlet Structure POI #1 and Outlet Structure POI #2. These

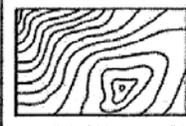
structures have several orifices at different elevations, which control discharge to meet several stormwater management goals. To provide storm flow detention during smaller storms, Outlet Structures #1 and #2 have 3-inch and 2.5-inch lower orifices, respectively, which generate a combined discharge of approximately 0.35 cubic feet per second (cfs), based on a simple HydroCad model that we've run. This discharge is conveyed through approximately 500 feet of piping beneath Commerce Street to its outfall into a common swale on the north side of the road. The common swale is approximately 150 feet long and 10 feet in width before it terminates in a broad shallow depression referred to as an existing stormwater detention basin (in its existing state, this basin does not meet current requirements for stormwater detention). Additionally, the existing detention basin has a volume of approximately 3500 cubic feet, which is not large enough to accommodate the approximately 8000 cubic feet of WQv from the proposed Hannaford.s. In order to achieve suitable water quality treatment in the existing swale, discharged stormwater must flow at speeds of less than one foot per second, at a depth of no more than four inches, and remain in the swale for at least 10 minutes. These are treatment objectives defined in the state

stormwater rules. Based on the present conditions in the swale, the depth and velocity requirements are met, but due to the short length of the swale, discharged stormwater does not remain in the swale long enough to achieve sufficient treatment. Furthermore, our analysis does not include additional discharges from properties surrounding the Hannaford.s site, which must be accounted for in the WQv evaluation. These flows from contributing areas on other properties will add an additional approximately 0.8 cfs, based on HydroCAD modeling of the area, and will make it even harder to meet this objective. Our brief stormwater modeling exercise suggests that treatment of the Water Quality volume from the proposed Hannaford.s will be difficult to achieve. We encourage the DRB to require that the developer provide a complete stormwater design that will meet the state requirements, assuming that this is possible. We also encourage them to require evaluation of the six other deficiencies in the current design that we note above.

Sincerely,

Dean A. Grover, P.E.

V:\11012-Hinesburg-Resp-Growth\Hannaford_Storm_Plan_Review_GEPC_2011-12-02.DOC



**GROVER
ENGINEERING PC**

Water and Wastewater - Site Design
Stormwater Management - Environmental Consulting

2044 Main Road, Huntington, Vermont 05462
phone: 802-434-2989; email: dean@groverengineeringpc.com

S

September 16, 2011

Development Review Board
Town of Hinesburg
10632 VT Route 116
Hinesburg, VT 05461

RECEIVED

SEP 20 2011

TOWN OF HINESBURG
DRB & ZONING

Re: Proposed Hannaford Supermarket & Pharmacy
Commerce Street, Hinesburg
Review of Stormwater Plans and Details

Dear DRB Board Members:

On behalf of Responsible Growth Hinesburg, I have reviewed the following plans for the proposed Hannaford supermarket and pharmacy in Hinesburg: C6 – Stormwater Plan, and C7 – Stormwater Details, both dated November 9, 2010 prepared by O’Leary-Burke Civil Associates, PLC. I also briefly discussed this stormwater plan with Kevin Burke, Environmental Analyst with the Vermont Stormwater Section at the DEC.

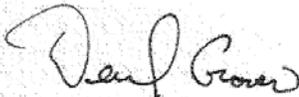
Based on my review of these plans and discussions with Kevin Burke I have concerns about the viability of this proposed stormwater collection, treatment, and disposal system to adequately protect water quality, to prevent downstream erosion, and to protect human health. The following list highlights my concerns and recommendations:

1. The proposed use of stormwater chambers like the Stormtech products can only meet the state requirements for treatment of the Water Quality Volume (WQv) as an infiltration device (described in Table 2.1 of the Vermont Stormwater Management Manual – Volume I). This practice requires that underlying soils have an infiltration rate of at least 0.5 inches per hour, a clay content of less than 20% and a silt/clay content of less than 40%. No supporting percolation test data shows that this rate is available. Limerick silt loams “...are saturated with water for an extended period. A normally high water table keeps them wet from late fall to late in spring. During the wetter part of the year, water stands at or near the soil surface.” (USDA Soil Survey of Chittenden County Vermont, reissued January 1989, page 42). Munson and Raynham soils “...have limitations for many non-farm uses, especially those for which wetness, permeability, and texture are considerations (ibid, page 53). Moreover, the bottom of the stormwater chambers must be separated by at least three feet vertically from the seasonally high water table, and infiltration practices cannot be located in fill soils (except the top 25%). There is no indication that this separation is being met at the site.
2. Use of storm chambers results in stagnant water being stored between storm events in the underground chambers, with no benefit from the sterilization process afforded by exposure to sunlight. Studies suggest that this lack of drying and lack of UV light can lead to pathogen buildup in stormwater, and could also seasonally serve as a breeding ground for mosquitoes. See the attached article, which indicates that processes like dry detention ponds, sand filters,

- and bioretention devices are most effective at pathogen removal. I am concerned that, especially with the first flush water during new storm events, elevated levels of pathogens will discharge from the proposed stormwater system.
3. The storm chamber system, as described in the narrative on Sheet C6, uses orifices to slowly release stored water from 1-year and 10-year storm events, but larger flows pass over the top of the concrete weirs in structures POI #1 and POI #2, and are directed to the single point of outfall at an existing drainage swale located just north of Commerce Street. The documents reviewed do not perform a downstream analysis using the 10% rule to test the adequacy of existing downhill structures, swales and streams to accept these flows. This analysis is required by the state for sites with more than 10-acres of impervious area, which admittedly is not met at this site. However, given the high percentage of impervious coverage proposed (65.4%), I am very concerned that storms larger than the 10year-24hour event would damage or overwhelm stormwater conveyances downstream of the point of discharge. I recommend that this evaluation be performed.
 4. There is no protection for the control orifices from floating or suspended debris. Without this protection, these orifices may plug and reduce or eliminate any stormwater detention capabilities of the chambers.
 5. Conversion of this natural site to the proposed use will introduce many dissolved, emulsified and suspended contaminants into the stormwater that is generated, including road salt, oils, greases and heavy metals. These contaminants will, for the most part, simply pass through the proposed stormwater treatment system and will impact downstream water quality.
 6. Despite the provision of an "ADS Pipe Water Quality Chamber" to remove grit and possibly free-phase oils, suspended soils will enter the large complex of chambers and will settle out into the crushed stone beds at the bottoms of these chambers. This buildup will reduce available detention volume and could create a medium for accumulation of pathogens. Under "Storm System Maintenance" notes on Sheet C7 is the following statement: "A build up of debris in excess of the design storage volume could reduce the efficiency of the system." There is no indication as to how accumulated sediment will be effectively removed from the long rows of 16-inch high chambers, and from the void spaces in crushed stone surrounding these chambers.
 7. Stormwater flowing down steep side slopes along the perimeter of the parking lot do not appear to be treated. If these slopes are impervious retaining walls, then treatment is required. If they are pervious structures, they could be sites of erosion due to their steep slopes.

In light of these concerns, I urge the Development Review Board to seek additional information from the design engineers (especially with regard to treatment of the Water Quality Volume), to recommend additional treatment practices, or to require a reduction in the coverage (total impervious area) for this site.

Sincerely,



Dean A. Grover, P.E.

Attachment

Z:\11012-Hinesburg-Resp-Growth\Hannaford_Storm_Plan_Review_Draft2011-09-12.DOC

September 4, 2011

Development Review Board
Hinesburg Town Hall
hinesburgplanning@gmavt.net

Re: Official Map

Dear DRB Members,

I am writing to urge you to deny, on the basis of non-conformance⁷ with the Official Map, the Hannaford application to build a store on Lot 15. The Vermont Legislature, recognizing that developers can almost always outspend and outlast local groups, wrote a statute giving some of the power back to towns. This statute says that a town can define in an Official Map its vision for the future. The map then has standing in the review process.

The citizens of Hinesburg, volunteering many hours of their time, created an Official Map (adopted by the Selectboard on May 4, 2009) identifying Lot 15 as a site for community uses such as, but not limited to, "Town Green, Community Center, Fire/Police Station expansion, Farmer's Market venue, Parks and Recreation areas, Library relocation." Of those, the Fire/Police Station and the Farmer's Market have subsequently been worked into the design for Lot 1. As I understand it, land to be used for recreation fields is being offered by a private citizen. This leaves Town Green, Community Center, and Library relocation (though "not limited to" these uses) unaccounted for in Town planning. Any of them would require a substantial amount of land.

It is to Hannaford's credit to have recognized the importance of responding to citizens' vision for Lot 15. However, given the size of their building and parking area, they are clearly unable to adequately do so. They propose a site for the Farmer's Market, for which we already have a site. They propose a pocket park, something one might find in an urban setting. At approximately 41'x22', it is much too small for any of the uses citizens named when creating the Official Map. And in terms of our unique sense of place, how incongruous to have an urban park next to a suburban store in a rural town!

The DRB's charge is to measure the Hannaford proposal against the zoning regulations, the Town Plan, and the Official Map. If it finds that the proposal cannot accommodate the Official Map, its decision must be to deny. I trust that this is the decision that will be reached by the Board.

Thank you for the many hours you have devoted to an issue that is of great importance to our town. Your efforts are much appreciated.

Sincerely,

Jean Kiedaisch

December 6, 2011

Dear Development Review Board of Hinesburg, FACTSUB

I am writing to share my thoughts with each of you regarding the proposed Hannaford store for lot 15 in the center of Hinesburg. I have been following the comments, letters and appeals from those who would like to see a large chain grocery store in Hinesburg. I would like to add my voice to the conversation. On the surface, some of the arguments in favor of the proposed development seem reasonable: adding to the tax base, the need for jobs, enhancing local businesses, more affordable groceries. If we consider the *actual* and long - term effects of this project, I think in fact, we will experience negative, unintended consequences and create the opposite of prosperity, choice and benefits for Hinesburg. Most of all, I am concerned about violations to zoning regulations and non-compliance with the town plan. Please consider the following:

Scale

The proposed building and accompanying parking lot are out of scale and not in keeping with the architecture and landscape nearby. Visual impact matters a great deal to the appeal of a village setting. A design precedent has been set in the surrounding area that creates the look and feel of a traditional Vermont village. To construct a big-box style business, even with some modifying features cannot change the fact that it will loom large as an intimidating structure out of sync with the site. I ask you to visualize a large, sprawling grocery store sitting high on land raised several feet above everything else (because of the wetlands), and compare it to the scale and style of the surrounding buildings. The addition of trees will not change the fact that it will be visible from all angles and from the surrounding roads. *Scale and aesthetic impact are not trivial factors to consider when planning for growth in a small town with historic appeal.*

Hinesburg is fortunate to have an appealing village character and we should do everything possible to maintain our sense of place and uniqueness. The Hannaford proposal is not compatible with adjacent property and with the “character of the neighborhood” (Section 4.3 zoning regulations), since lot 15 borders village neighborhoods, not just a commercial district. Excessive exterior lighting and traffic are contrary to the town plan. In general, the proposal is not consistent with the mandate to “allow for development that brings value to the community and maintains Hinesburg’s sense of place” (Section 3.1, zoning regulations). Envision a town that values its heritage and fosters appropriately scaled growth as route to prosperity.

Traffic, Walkability, Commerce

Hinesburg’s steering committee has identified several factors that create vibrant communities, and some areas of concern for Hinesburg to address, including walkability, safety, traffic and sense of place. If coordinated properly, these qualities can lead to a prosperous, vibrant town that encourages human interaction, diverse businesses, ease of navigation, and accessible green space. The proposed Hannaford project runs contrary to most of these objectives. Those who think increased traffic will be a boon to local businesses may be surprised and disappointed to find Hinesburg has become a place to avoid. Long lines of slow traffic along Route 116 create a “let’s just get through this” state of mind, not exactly conducive to pulling in to a local business to browse. Imagine trying to access Route 116 from either intersection (Mechanicsville Road or Commerce St.) or merely trying to get through town during our bumper-to-bumper rush hour. If it is already difficult to exit the Firehouse Plaza turning left to get in line at the light, envision how it will affect that intersection with Hannaford traffic lining up and competing with Mobile station customers trying to exit. The result is quagmire. What good is a chain grocery store shoe-horned onto an inappropriate location in a small village that no one will want to fight traffic to access?

The effect of such high volume traffic is a detriment to foot traffic, person-to-person contact, and is contrary to Section 4.3 of the zoning regulations. The suggestion that losing Lantman’s store would mitigate congestion in the village fails to take into account the fact that any future business at that location will create its own traffic. The Lantman’s building is a centrally located, highly visible historic structure; an important business site that we should not hope goes away.

Environmental Concerns

The necessity to pave a large swath of land for parking will create runoff that will end up in the local stream and beyond. It will also impact the east end of Firehouse Plaza that will be at the bottom of a six-foot wall of soil directly above and behind the building. We have learned that the containment measures proposed are not the same as water treatment. Consider the noise, air pollution and road degradation that will result from additional car and large truck traffic. The town plan identifies lot 15 as a place of value for community activity and green space. Can you envision trying to relax on a park bench, read a book or walk with young children next to an imposing building and constantly moving traffic? The proposed plan is not compatible with zoning regulations that require “to the greatest extent possible, the district

shall favor pedestrian movement, minimize traffic movement and parking conflicts with pedestrian ways”, (Section 3.1 Village Growth Area-overall purpose, zoning regulations).

9

Affordability

I ask you to consider a definition of “affordability” that clarifies what we *really* will get with a large chain grocery store in the center of our little village. Question whether it will really be more affordable or provide more choices. Resist the claim that there is a divide between those who can “afford” to shop at Lantman’s and those who need cheaper groceries. Ask, will we really will have cheaper groceries overall, and will we really gain a significant number of jobs? How many more jobs will there be than what already exist at Lantman’s? *Consider the reason why some items in the Williston Hannaford store are cheaper than at Lantman’s: the Williston store is located in close proximity to their major competitors.* Lone stores in small communities do not necessarily experience the same savings. Presumptions do not always reflect reality.

There is a price to pay when we lose our local food choices and a local business that caters to our requests and supports community activities. If we don’t see what we want at Lantman’s, all we have to do is ask. We all benefit from having a locally owned store and preserving the quality of life in our village. Research has been presented that shows it is not necessarily true that we will reap increased tax revenue when infrastructure and service expenses are taken into account.

Each of you is a valued neighbor, and I appreciate the effort it takes to consider my input. In conclusion, after comparing this proposal to many facets of the town plan, I urge you to deny the Hannaford proposal on the basis that it does not meet the town’s development guidelines.

Sincerely,
Jean Carlson Masseau
Hinesburg

From: Samuel Lurie [<mailto:slurie@gmavt.net>]
Sent: Tuesday, December 06, 2011 9:21 AM
To: hinesburgplanning@gmavt.net
Subject: Still Opposed to Hannafords

Dear Members of the Development Review Board:

Is the Hannaford's proposal even still alive? I attended a meeting earlier this year where it seemed pretty clear that those responsible for investigating the project and what Hinesburg stands to gain vs. lose thought it would be a bad idea.

I watch as Hinesburg has quite a bit of growth going on--the new Kinney and the infrastructure going in behind it, the new Jiffy Mar at Ballards, lots of our very own chain stores that threaten any uniqueness to our town. After attending the meeting it really seemed like there was a lot of agreement that the proposed Hannafords was not tenable, nor desired, for our future growth and identity as a community.

I try to take back roads home now, and avoid going thru the center of town as it is during heavier traffic times. I can only imagine the mess--on so many levels-- if the proposed project goes through.

Thank you for your time and consideration in simply rejecting this project and moving on to projects that unite and inspire our community.

Sam Lurie
Silver Street
Hinesburg, VT

1

From: Ute Talley [<mailto:ustalley@gmavt.net>]
Sent: Tuesday, December 06, 2011 11:38 AM
To: hinesburgplanning@gmavt.net
Subject: New voice in support of Hannaford

At our annual Creekside meeting, Frank Koss was telling us about an upcoming bond vote for a new firehall. He urged us to make our voices heard through a vote. He said that most often, those who oppose things are heard while those who support them are generally silent and therefore not heard.

I want you to know that I am in support of Hannafords building a new grocery store here in town. Change and growth is inevitable in this day and age. We all should make the best of it and take advantage of all that change has to offer.

Ute Talley
69 Fredric Way
Hinesburg, VT 05461

From: Michael J. Buscher [<mailto:mike@tjboyle.com>]
Sent: Tuesday, December 06, 2011 5:09 PM
To: Rolf Kielman; Peter Erb
Cc: atk@gmavt.net; Dameron, George; Jane Starkweather; Dona Walker; Catherine Goldsmith
Subject: RE: VSC Hannaford application comments

Rolf et al,

The memo looks great. I did review the lighting, but have been slow with the write up. However, simply stated, the changes to the lighting are fairly significant and the lighting plan is generally acceptable. If anything, there are a few locations where the levels might be a little lower than what would be recommended and the average is just slightly higher. If you need, the below info is what I would include,

Exterior Lighting:

Overall, there was significant effort made to improve the exterior lighting. LED lighting technology is now being employed for the majority of the fixtures and overall light levels have been significantly reduced. The proposed maximum light level is now 3.0 footcandles, the previously proposed plan had maximum levels over 10 footcandles within the parking areas. This is now within IESNA recommendations. The proposed average light level is now 1.23 footcandles, previously proposed between 2.16 and 3.39 footcandles.

As stated earlier, I will not be able to attend tonight, but look forward to hear how it goes. Sorry this is coming so late and best of luck tonight.

-Mike

Catherine Goldsmith
10732 Route 116
Hinesburg, VT 05461
802-482-2926

December 15, 2011

FACTSUB

Development Review Board
Town Hall
Hinesburg, VT 05461

Dear Members of the Development Review Board,

I have attached a copy of some pages of Commerce Park's Act 250 permit, including the description as endorsed by the town of Hinesburg in 1987 which I read at the December 6 meeting. I have also attached a page of the 1987 Town Plan which is practically prescient in its application to current community concerns in 2011 (local food production, local businesses). The last submission is the Protective Covenants and Restrictions for the Giroux Commercial Subdivision which refers to appropriate building design for Commerce Park.

Last winter, one of the presenters for Hannaford said "Don't worry, we won't ruin your town". He was right but only in one regard. If this oversized and ill-sited store is built on Lot 15 in Hinesburg, it will be **our** fault, we who live in this town. I am asking the board to be courageous and stand firm in the vision set out by more than one generation of Hinesburg residents who came out to meetings and who worked hard at crafting a community vision. The 2005 Town Plan and current zoning regulations are the distillation of decades of planning and foresight. The Hannaford proposal does not meet with the spirit of that vision or the intent of the zoning regulations.

I was happy to hear the vice-chair explain the complexities of planning and zoning decisions at the last meeting and I beg all the members of the board to look past a simple black and white approach to this task.

Thank you for all your time and attention to the details of this application and to the comments and questions from townspeople.

Sincerely,

Catherine Goldsmith

Catherine Goldsmith

I. General Description

The applicants propose to subdivide an existing parcel of approximately 30 acres into fifteen (15) commercial lots totalling approximately 24 acres and retain ownership of the remaining 6 acres for their own use.

The land is located in the town of Hinesburg at the northern end of the existing Village between Vermont Route 116 and "Mechanicville Road". It is served by municipal water and sewage systems and three phase electric power. The site is designated for commercial use by the town plan and zoning ordinance. Surrounding land uses include an inactive farm on the North, apartment housing and 3 small lot residential lots, to the East, the new United States Post Office and a retail shopping center to the Southeast, 4 residential lots to the South and mixed commercial/industrial uses and a farm to the West across Route 116.

The subdivision is designed as a "Commercial Industrial Park" intended for primarily local small scale and start-up businesses which are appropriate to the local scale of development. Certain lots will be designated for uses appropriate to their location on the site. Lot sizes range from 1 to 3 acres though it is expected that in some cases more than one lot may be combined. Businesses expected to locate in the project might range from "High-Tech" research and development firms supporting other Chittenden County industries to retail outlets for local agricultural or manufactured products.

Criteria 1-8: Preliminary Outline

1. Air pollution

No significant emissions are expected to be produced. Heating systems will be provided by individual lot owners and would be of sizes and types below, individually or in aggregate, the level considered necessary for a state permit.

Total parking would be less than 500 cars. The area is not designated as an air pollution attainment area.

No significant noise would be generated and performance restrictions will be required by covenant to lot purchasers.

Water Pollution

a. Headwaters

The subdivision is not located in a defined Headwater Area.

DISTRICT COMMISSION #
APPLICATION # 40054
EXHIBIT # 22
DATE:

APPROVED BY ENVIRONMENTAL BOARD
DISTRICT ENVIRONMENTAL COMMISSION #
DATE 3/23/87 BY K.W.L.S.
APPROVAL SUBJECT TO TERMS AND CONDITIONS
OF FINDINGS OF FACT AND CONCLUSIONS OF
LAW AND LAND USE PERMIT # 40054

SEP 30 1986

b. Waste Disposal

The site is served by the Hinesburg Municipal Sewage System. Selectmen have allocated up to 8,000 gallons per day capacity of the system for this project. (Though we understand the system is currently technically operating at capacity, corrections are scheduled to be completed by the town before development is completed.)

c. Water conservation

Low flow toilets and other appropriate water conservation devices will be required by covenant.

d. Floodways

A portion of the property is designated as a Federal Flood Hazard area. Purchasers of affected lots will be required to participate in the flood hazard insurance program and building designs will be required to be engineered to withstand flooding.

e. Streams

The property is bordered by a channelized stream on the North and a 19th century water supply canal on the Southeast. Both streams will be maintained in their natural condition and buildings will be setback 75' from stream centerlines.

f. Shorelines

Shorelines will be maintained in their natural conditions as above.

g. Stormwater Runoff

Stormwater from individual lots will be channelized via drainage swales to the existing stream. Individual lots with greater than 1/2 acre of paving or building area will be required to obtain a temporary pollution permit prior to development.

2. Water

The project has been allocated up to 8,000 gallons per day of water from the municipal system for domestic use based on a preliminary estimate of maximum usage in accordance with the Environmental Protection Rules. This is well within the limits of capacity of the municipal system.

Water for fire protection will be obtained from the "canal" adjacent to the property which has a standing capacity of approximately 150,000 gallons and is continually stream fed.

SEP 30 1986

* which use the skills of the local labor force are desired, strip development and the resulting congestion, pollution, or other inappropriate aspects of this type of development are not.

The goals of our Town are:

- (1) To encourage the provision of essential services locally;
- (2) To assure that stable, well-paid employment in the region is available to all who need it;
- (3) To encourage industry and commerce of types which will be a physical and economic asset to the Town.

To implement these goals the Town should:

- (1) Work toward the establishment of convenient commercial areas serving essential needs;
- (2) Encourage properly planned industrial development in appropriate areas;
- (3) Participate in regional and state activities which have bearing on our local economy;
- (4) Encourage the formation of appropriate local businesses;
- (5) Recognize appropriate home occupations as a Vermont tradition which should be maintained and encouraged;
- (6) Support organizations in providing new and better jobs for our citizens;
- (7) Support existing businesses in maintaining and upgrading their facilities;
- (8) Encourage the preparation of a Comprehensive Economic Development Strategy and the implementation of such a strategy to give Town officials some direction and control over the economic future of Hinesburg;
- (9) Explore and pursue the availability of state and federal grants to stimulate economic development within Hinesburg.

The need for Industrial/Commercial development to provide local jobs, improve the tax base, and enhance and maintain the Town's identity is of utmost importance. To these ends, the Planning Commission encourages and welcomes development proposals. This Town Plan contains no changes to the previously designated industrial/commercial districts. The Planning Commission will, within the next 12 months, study the adequacy and expansion/addition possibilities for the Industrial and Commercial districts in the Town, with the purpose of enhancing the attractiveness of Hinesburg to desirable industrial and commercial growth. The results of this study will be presented in the form of specific recommendations for amendments to this Town Plan and corresponding Zoning Bylaw changes.

F. TRANSPORTATION

Route 116 is our main street and the center of retail business and high density housing. With further development of the Greater Burlington area, traffic is expected to increase. Other roads in Town are being used more, consequent to increased building in the Town. The Hinesburg Fire Department has expressed concern about the large number of private roads and driveways which are, or have become, inaccessible to emergency vehicles. The Planning

materials and location of the same have been submitted and approved in writing by the Architectural Control Committee.

In the event the Architectural Control Committee fails to approve or disapprove such design and location within 15 days after complete plans and specifications are submitted to it, approval will not be required, and this Article will be deemed to have been fully complied with. However, such approval shall not be waived by failure of the committee to act, unless at least 5 days prior written notice of said failure is provided to the Hinesburg Planning Commission.

2. The architectural Control Committee shall consist of three members, one member designated Chairman and one as Secretary, as follows:

1. Bernard or Victor Giroux.
2. A designated member appointed by the Hinesburg Planning Commission.
3. A Vermont licensed architect selected by Victor Giroux or Bernard Giroux.

In the event a vacancy shall occur prior to the duties of the Committee being taken over by the Board of Directors of Commerce Park Association as hereinafter set forth, such vacancy shall be filled by the unanimous approval of the remaining members of the Committee.

The committee shall meet upon call by the Chairman, and in his absence, upon call by the Chairman Pro Tem, who shall be so designated by the Chairman. Committee meetings are to be held at times and places convenient to a majority of the members. A quorum shall consist of two members, and a quorum shall be necessary to carry out functions of the Committee. Telephone poll votes may be taken in lieu of calling a meeting for the purpose of filling vacancies. ~~This Committee shall terminate within one year after the sale of twelve of the lots in the subdivision, and the duties and obligations of the Architectural Control Committee shall be taken over by the Board of Directors of Commerce Park Association.~~

3. Guidelines To Be Used By Architectural Control Committee In Evaluation of Applicants:

It is intended that the structures and other improvements shall become a harmonious part of the village landscape and blend into their surroundings. Simple, well proportioned structures using wood, stone or masonry are desirable. Generally this would be characterized by a variety of structures in height, form and materials with certain common elements: roof pitches of 4/12, and steeper on shorter span buildings; colors of elementary materials such as brick or, if painted, predominately whites, grays, or pastels as opposed to strong primary colors; well maintained landscaping of predominately native plant materials. Small areas of accent colors should be acceptable. Borrowing common details or colors is to be encouraged. ~~Larger buildings with low pitch roofs should be articulated with well plane variations and fenestration.~~

The Architectural Control Committee shall not be unreasonable in approving building plans providing that they do not detract from the overall aesthetic intent of the project. However, for the protection of the other owners, unusual types of buildings, or glaring colors may be prohibited.

ARTHUR FALLON
ATTORNEY AT LAW
100 W. MAIN ST.
WATERBURY, VT.
802-244-1111

Chuck Reiss

756 Buck Hill Road W.

Hinesburg, Vt. 05461

11/6/11

Hinesburg DRB,

This letter is request that at the next DRB meeting (Dec. 20th, 2011) that reviews the Hannaford proposal for Lot 15, we dedicate some time to review their storm water plan. Section 4.3.4 (6) addresses the issue of storm water and I believe that the Hannaford proposal has several short comings. These short comings are outlined in a letter from Dean Grover, an engineer who has been hired by a group of concerned Hinesburg residents. Storm water does not stay on the individual lots and what happens downstream affects neighbors and other properties. The Hannaford proposal does not address extreme storm events, 50 year- 100 floods. The town will and should be liable to protect downstream properties. Because the state's regulations do not cover these events, which will be happen with more regularity does not mean we should not plan for them and protect the property of the neighbors of lot 15.

There are additional problems with the Hannaford storm water plan that I would like the DRB to address directly as part of the Site Plan Review section 4.3.4 of the Zoning Regulations. Our citizen group would be glad to have Dean Grover participate so we can get these issues out and discuss them openly.

Sincerely,



Chuck Reiss

Official Map

It should be noted that on 12/14/11 the Hinesburg Planning Commission after hearing a presentation by the applicant for Hannaford that used a power point presentation to describe their most current proposal voted to reaffirm that the applicant's proposal continues to not meet the official map designation.

This application and proposed development is very far away from the letter and spirit of the official map designation given to Lot #15. The intent of the village working groups and zoning to create a legally valid designation of official map was to provide needed village and community services to the planned increased residential development east of VT Rt 116. The possible items in an official map include a community center, park, library, farmers market, historical society center, and other ideas of this type of publicly controlled community service. The proposed Hannaford application for Lot #15 does not fulfill even something close to this.

The applicant has proposed a private commercial development that almost completely consumes lot #15 with an out of scale retail store and parking lot leaving essentially nothing on Lot #15 for the best designated purposes described in the Official Map designation. The applicant justifies fitting the official map requirements because of two items. Reasoning for both is flawed and easily refuted. They propose a