

Hinesburg Development Review Board
July 10, 2012

To the members of the DRB:

Zoning section 3.1 states that "...to allow for development that brings value to the community and maintains Hinesburg's unique sense of place." I would like the board to consider how the impact of a Hannaford development would likely have a negative impact on value and Hinesburg's unique sense of place.

1. Traffic. Regardless of which traffic numbers are used, it is an accepted fact that a Hannaford development will increase the amount of traffic through Hinesburg. This additional volume of vehicles passing through town will increase the amount of air pollution, and especially an increase from more cars waiting in queue and idling.
2. Health impact. The most commonly studied illnesses in relationship to vehicle pollutants have been asthma and lung disease (especially in children), cancer and heart disease. Recent research has shown the following impacts of air pollution from vehicle exhaust:
 - Childhood respiratory consequences: Children are especially vulnerable to the effects of traffic-related air pollution; studies show increased prevalence of asthma, respiratory symptoms and stunted lung development.
 - Cancer risks: Higher exposure to traffic emissions was associated with increased risk of breast cancer among women in Erie and Niagara counties of New York State. A study in Stockholm found a 40% increase in lung cancer risk for the group with the highest average traffic-related exposure to NO₂ (nitrogen dioxide, a prevalent vehicle pollutant). A Danish study reported rates of Hodgkin's disease increasing by 51% in children whose mothers were exposed to higher levels of NO₂ during pregnancy.
 - Heart disease: A Los Angeles study found that using exposures of localized pollution levels, rather than ambient air pollution levels, can triple risk estimates of death from heart attacks. Another study from Worcester, Massachusetts, found a 5% increased risk of acute heart attack for each kilometer closer a subject lived to a major roadway.
 - Asthma and lung cancer from diesel: Multiple studies have found serious health effects from exposure to heavy-duty diesel trucks, including increased mortality rates. Diesel emissions on busy roads have been associated with triggering asthma attacks and increased risk of lung cancer.
 - Lower IQ levels: A recent study of Boston children showed that higher levels of traffic pollution predicted decreased cognitive function on verbal and non-verbal intelligence tests—even after correcting for demographic factors, birth weight, blood lead level and tobacco smoke exposure.

It's hard to see how any of these additional health risks will bring value to the community. Rather than being perceived as a healthy and uniquely positive place to live, Hinesburg will become another unfortunate example of a vehicle congested, more polluted and less desirable town.

Respectfully submitted,
Art Weis, RN, MPA

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Memo to: Hinesburg Development Review Board

From: The Hinesburg Village Steering Committee

Re: Traffic as It Relates to the Hannaford Site Plan Application

Date: July 10, 2012

The charge of the Village Steering Committee by the Select Board in 2005 was threefold: to gather, generate and prioritize ideas and plans which will help to enhance the quality of life in the village; to bring these ideas forward in an advisory manner to the elected officials, appointed boards and commissions and town staff; and to serve as a voice for the residents and businesses located in the village area. We last provided our advice regarding traffic related to the Hannaford application in November of 2011. Since then by our count there have been five more traffic reports and documents as well as three additional planning and zoning staff memos on the subject.

Our *Zoning Regulations* (amended in 2009) state the following in section 4.3.2 (page 43): *In reviewing site plans, the Development Review Board may impose appropriate conditions and safeguards with respect to adequacy of traffic access, circulation, and parking . . .* **After reviewing the available evidence since November, we reaffirm our original judgment that the road infrastructure of Hinesburg village seems inadequate to accommodate the additional traffic generated by a 36,000 square foot supermarket.** We find that no “appropriate conditions” will remedy this basic infrastructural deficiency. Hinesburg village, unlike many other 18th century New England towns, follows a north-south axis. We are not a town served by a major east-west highway. There is essentially only one major road—Route 116—that brings traffic into and out of the village. We are squeezed on our east by the foothills of the Green Mountains, and we are constrained on our west by the La Platte River valley. Mechanicsville Road, Charlotte Road, and Silver Street are secondary roads that carry far less traffic than 116. Even if we assume that all the mitigation measures recommended are implemented, we are still dealing with a 36,000 square store in the middle of a village that is served essentially by one two-lane road. And once the traffic on 116 enters Commerce Street or Mechanicsville Road to travel to Hannaford’s, there will also be only one access road to the store itself. The Hannaford project is designed to serve a regional market, and it is this increased regional traffic that concerns us. We note that the traffic reports and assessments envisage the possibility that two more streetlights along Route 116 at Mechanicsville Road and Silver Street may be necessary as a result of the additional traffic flow. What this means is that between the CVU and Silver Street intersections, Hinesburg village may have five traffic signals within a single mile. A smaller store generating less traffic would certainly be a better fit for the village. However, Hannaford Brothers has never wavered in its insistence that the store be less than 36,000 square feet. Consequently, although we realize that reasonable people can arrive at different conclusions, we feel we

have no choice but to re-affirm our opposition to the application by Hannaford for a site plan at Commerce Park.

We have a number of specific recommendations to make as you complete your deliberations. First, assuming that traffic at the Lantman's site will not decrease if Hannaford's is approved, **we endorse the recommendation (traffic memo of 2/16/12 by Peter Erb) that this higher traffic number be reflected in all the traffic analyses and not just for the Charlotte Road intersection** (if this has not already been done). **We also support the recommendation that all the traffic analyses reflect the traffic situation after the new synchronization of the Charlotte Road light has gone into effect** (same memo).

Second, should you decide to approve this site plan application, we urge you to specify as much as possible in the conditions of approval that Hannaford will bear all financial responsibility for all the necessary traffic mitigation measures, including the possible expansion of the Patrick Brook Bridge on 116 and the possible installation of new traffic signals at the Mechanicsville Road and Silver Street intersections, should they prove to be necessary as a result of the store's opening. Since the Town does not collect impact fees for this type of development, it should collect and hold these costs in escrow, assuming the Town has the legal basis to do so. Roger Dickinson's April 30, 2012 memo to the DRB indicated that Hannaford is already willing to help fund some of the costs of a traffic light at the Mechanicsville intersection. We urge the DRB to specify in its conditions of approval that Hannaford will shoulder all the costs, and these costs should be held in escrow, should this be deemed legal.

Third, our committee is also charged with the responsibility to advise the Town about how we might better improve and promote walk-ability and safety for pedestrians and cyclists within the village. Our Zoning Regulations stipulate that the DRB should take the following standard into consideration: *Safety of vehicular and pedestrian circulation on site and on the adjacent street network* [4.3.2 (1), page 43]. It is therefore with concern that we note this following statement in Rick Bryant's January 19, 2012 memo to Peter Erb, relative to the Commerce Street/Mechanicsville Road intersection: *The added vehicular volume, and increased pedestrian volume associated with area residents walking to the proposed supermarket, will result in a greater potential for accident occurrence* (page 3). **Should you approve the Hannaford application, we strongly recommend you include as a condition of approval Mr. Bryant's recommendation that Hannaford review all present and future pedestrian accommodations and complete all necessary improvements to insure that appropriate safety standards for pedestrians and cyclists are maintained.** The possible addition of two new traffic lights will bring with it a whole new set of unintended consequences with regards to pedestrian safety. Town officials should monitor Hannaford's implementation of these and other mitigation measures for pedestrians and traffic, and **we recommend that the specific mechanisms for monitoring and enforcement of these conditions be specified in your conditions of approval, should you decide to approve the site plan.**

Respectfully submitted,

Michael Buscher, George Dameron, Catherine Goldsmith, Rolf Kielman, Aaron Kimball (Secretary), Jane Starkweather, Dona Walker (Chair)

Traffic Analysis

Zoning article 4.3.4 (1) states that the DRB shall consider the safety of vehicular and pedestrian circulation on site and on the adjacent street network. Article 4.3.4 (7) speaks to walkability by stating that a planned development be consistent with the Town Plan in regard to pattern of development and the nature of both existing and planned roadways. Article 3.8 speaks to the commercial district in stating, "orderly village setting with safety and convenient vehicular and pedestrian access." The Hannaford application before you fails to meet these requirements.

While the applicant's traffic study makes claims to safety for both pedestrians and drivers and walkability for pedestrians, these claims are based on inaccurate numbers, incorrect assumptions, and faulty modeling. In fact, there will be a substantial degradation of level of service and the high probability of increased conflicts among vehicles in traffic specifically on VT 116 southbound and of Commerce Street westbound in the pm peak hour and also between vehicles and pedestrians.

Inaccurate Numbers

The applicant used traffic data from 2008 to 2010 during the peak of the great recession. VTrans data for the CVU intersection for 2006 and 2007 was 15% higher. We are now seeing even greater volumes of traffic. Traffic is now backing up many weekdays to north of Riggs Road and often as far as CVU Road and even beyond. The applicant's traffic numbers are not an accurate representation of what is happening on the ground. In driving this road almost daily and often at this peak time, I have witnessed this heavier traffic, now at all time highs.

Incorrect Assumptions

My measurement of the Commerce Street intersection showed a 90 second cycle with 66 seconds given to 116 flow and 24 seconds given to Commerce Street flow, resulting in 40 cycle changes per hour. The applicant's numbers for peak flow traffic numbers show 2.4 vehicles turning left onto southbound 116 from westbound Commerce Street for each cycle change during the peak pm time. The applicant's numbers would have 4.1 vehicles turning off Commerce St onto southbound 116 in 2017 if Hannaford isn't built and 7.1 if it is built. So we would go from today's 2.4 to 7.1 vehicles attempting to turn southbound on 116 if Hannaford is built. I strongly believe that dynamics of this intersection and of Mechanicsville Rd will result in a much longer queue length stacking than the applicant predicts. This will add to more vehicle conflicts that increase safety risks for both pedestrians and drivers or passengers and diminish walkability.

Additionally, vehicles attempting to turn left out of the Mobil station would have to pass through the two lanes of westbound traffic and vehicle stacking on Commerce Street. According to the applicant and also Synchro, the length of a queue is determined by allotting each vehicle 25 feet. But the video I will show suggests that the stacking and

lengthening queue on Commerce St will be much longer because few vehicles will be able to enter from Commerce Street. In the future more traffic is expected from Farmall Drive. Those vehicles going straight there or making a right on southbound 116 will have the right of way over those trying to make a left from westbound Commerce Street.

Furthermore, at rush hour vehicles enter from Mechanicsville Road to VT 116 southbound in often a 1:1 ratio with vehicles already traveling southbound on 116. This dramatically slows traffic to the north, but this is not documented in the applicant's traffic study nor is its effect on traffic wanting to go from Commerce Street to southbound 116. Lengthening the signal timing at Commerce Street will not help significantly because much of what is happening to slow the movement of traffic onto southbound 116 is related to what is happening at Mechanicsville Road.

The applicant states that drivers in the future may divert from Mechanicsville Road to Commerce Street because of long delays but the opposite is likely to happen where drivers facing a long stacking that isn't moving much will divert from Commerce Street to Mechanicsville Road, thus aggravating further the situation at Commerce Street and southbound 116.

The major effect on traffic will be the very substantial degradation of level of service on southbound 116 during the peak pm vehicle traffic. This effect will result from the likely stacking of left turn vehicles being greater than the predicted 175 feet (7 vehicles). It happens that the bridge / culvert over Patrick Brook is 175 feet from the intersection. The applicant says that if traffic impacts such as stacking of left-turning vehicles goes north of the bridge to a significant degree they would undergo mitigation studies. I would offer that the cost and time needed for proper permitting for a new bridge would leave a very poor traffic situation for a long time. We can look at how many years it took for the bridge over the Laplatte to be replaced. The design process started in 2003 with the new bridge finally built in 2011. Rick Bryant, writing in his analysis for Llewellyn - Howley, says that Hannaford should be required to cover the cost involved to any lengthening of the Patrick Brook culvert / bridge. I would add that because of the long time necessary for design and build and the potentially much worsened traffic congestion and vehicle conflicts, this modification to the structure over Patrick Brook should be built prior to the construction of the proposed Hannaford.

The applicant has proposed to put up a do not block sign for the entrance to Jolly but in reality, that is likely to be ignored or not seen, in which case southbound traffic on 116 will be unable to turn left into the Jolly station. If the driver stops while waiting for traffic to clear, this causes stacking of traffic in the left turn lane of southbound 116, and traffic stacks even further. It should also be noted that it is likely that winter time drivers would be unable to adequately see the do not block sign as it will be dark during the peak pm traffic time. Richard Bryant in his memo also questions the reliability of the do not block striping by saying, "if the striping is as ineffective as that for Lantmans entrance on VT 116 ...it will not preclude traffic blockages and unsafe maneuvers."

Faulty Modeling

The applicant's modeling removes from vehicles from queue lengths when traffic speed even temporarily exceeds 7 miles per hour. This artificial frame of analyzing removes from analysis what our eyes see as much longer queue lengths than are modeled by the applicant. Short video demonstrating this will be shown at the final hearing.

Pedestrian safety and walkability are likely to be degraded as a result of increased traffic and increased traffic conflicts. I observed someone trying to cross at the intersections going from Kinney Drug area to the Mobil area. It took 5 minutes for him to cross the three intersections. Also, when vehicles turn off Commerce Street onto south VT 116, they interfere with the pedestrian cross walk. What if a truck also tries to get into the flow? With this applicant's proposal, there is an increased danger to pedestrians.

Another error in the applicant's traffic modeling is that it does not include the probability of increased pedestrian traffic with village growth, which will cause further traffic delays and queue lengths as the pedestrian cross walks freeze all vehicle traffic at the affected intersection. Added to this increased congestion is the likelihood of increased pedestrian vehicle conflicts and decreased safety.

Further, the applicant's model only considers one hour increments, omitting shorter "mini peaks". By just looking at one hour increments, the previous level of service is retained despite a significant degradation of service in traffic flow.

We are likely to see a decrease in level of service at CVU Road as drivers take alternate routes. If southbound drivers see traffic backing up on 116 to CVU road, they may go to Mechanicsville Road, causing another vehicle to be let in at 1:1 ratio. Traffic will also be diverted to Richmond Road and North Road.

Finally, large trucks turning left block multiple lanes and can freeze an intersection, and this is quite likely to happen.

Applicant credibility is strained by statements such as "Overall, Hannaford will improve traffic flow through Hinesburg village during weekday pm peak" and by statements that deny any effect on pedestrian or vehicle safety or claim that there will be no reduction in the level of service at the Commerce Street intersection or of the CVU / Shelburne Falls Road in peak pm. In fact, applicant modeling shows that there is essentially no change in projected queue lengths on left turning vehicles off of VT 116 onto Commerce Street with or without a Hannaford. Evidence on the ground and witnessed by many in this room and maybe even DRB members differ dramatically from numbers and modeling used by the applicant.

John Roos, July 11, 2012

Responsible Growth Hinesburg
c/o 10732 Route 116
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July 12, 2012

To the members of the Development Review Board:

I am writing for the group of petitioners who have party status for the Hannaford Application – our group is also known as Responsible Growth Hinesburg.

The residents of Hinesburg have expressed many objections to the Hannaford plan over the last 20 months. While the applicant has revised the exterior of the building over time, the site plan has not varied, so that the application has always violated the Zoning Regulations in key ways. This memo attempts to bring these points together in one document. While no one of these points may be sufficient for denial, the entirety proves the unwillingness of the applicant to work with the town in fulfilling its stated Town Plan for the future.

ZR 2.8 “shall not be construed as prohibiting limitations pursuant to site plan approval”. Just because the Applicant believes that they have met certain zoning regulations (height, square footage, etc) does not mean they have satisfied the maximum compatibility, storm water or other provisions of 4.3.4.

ZR 3.1 Purpose of the Village Growth Area (includes Commercial district). The Hannaford store will not bring enduring “value” to our community nor does it “maintain Hinesburg's unique sense of place”. Hinesburg's citizens have indicated a desire to maintain a village feeling, not the suburban atmosphere of many other town in Chittenden County. A store whose fortunes are controlled by a boardroom far away is not the best fit for our local economy. In January 2012 Hannaford closed 126 “underperforming” stores. If that happened in Hinesburg - what new business could occupy this massive building? What are the chances that Hannaford would sell it to another grocer?

ZR 3.8 Purpose of the Commercial District: To provide services and jobs in an “orderly village setting with safe and convenient vehicular and pedestrian access”. The irregular shape of Lot 15 and the limitations imposed by the Canal mean that this is a difficult site to use effectively. It would take creativity and true architectural design to site a corporate sized grocery store on Lot 15 in such a way that would satisfy 3.8's “village setting”. The first rule of architecture is “consider the site”. The Hannaford way of taking their standard site plan (see Turner, ME; Cairo, NY; Kingston, NH and other towns) and imposing it on every new location does not work on Lot 15 and does NOT consider the site.

In addition, during the town Forums in the early 2000's it was discussed that residential uses be more encouraged in the Commercial District, to more fully form a mixed use area. Thus, TRUE multistory buildings are encouraged in the 2005 Town Plan and the 2009 ZR to add density to make the highest and best use of village land.

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-Limits on the size of commercial buildings should be related to the landscape where the building will be placed. More important than size limitations are aesthetic considerations to ensure buildings fit into the landscape, and performance standards to ensure commercial and industrial uses are compatible with surrounding uses – especially in mixed commercial-residential areas.

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-Taller buildings are reasonable in the village; however, visualization is very important in order to judge appropriateness and to ensure taller additions or new buildings don't overwhelm existing stock.

-Additional residential development within Commerce Park and the surrounding area is a good idea.

ZR 4.3.4(1) Safety of vehicular and pedestrian circulation....on the adjacent street network. The exact impact of a Hannaford store in Commerce Park cannot be predicted, however, it cannot make the circulation better than it is and residents are unhappy with the situation as it exists. This type of development generally leads to wider roads and more turn lanes, rendering streets less pedestrian-friendly. The stated desire of residents is:

“TP 6.2) To drive the improvement of Hinesburg’s arterial highways, insuring the safety and efficiency of both vehicular and pedestrian traffic throughout the town and particularly, inside the village.”

ZR 4.3.4(2). adequacy of circulation/safety. The Town Plan frowns on dead-end streets as they do not add to village connectivity and the single pedestrian sidewalk is unsafe due to pedestrians from the west being forced to cross the access road twice.

ZR 4.3.4(3) Maximum Compatibility. It is unfortunate that these two words bear the weight of determining an appropriate building for Lot 15, however, the standard is **maximum** and a building of this **mass and single use is not compatible**. With the exhibits we will show on July 17, we hope that you will finally see the full visual burden of the proposed structure.

As more commercial development has occurred in Hinesburg, the citizens have more clearly specified the direction of wanted growth. The newer, more recently approved buildings (Animal Hospital, Middlebury Bank, Kinney, green building) reflect the town’s desire as more fully described in the Town Plan of 2005. The older buildings; quonset hut, Estey’s mall, the Lighthouse church/Curves mall all date from a period well before the DRB was established in 2002. In fact, a condition of the original Commerce Park permit was that the Quonset hut be demolished within 6 years (later relaxed).

ZR 4.3.4(6) DRB responsibility for stormwater management. While the applicant may manage to convince the State into approving their stormwater management system, the DRB has a greater responsibility to the people of Hinesburg and our local concerns. From the Town Plan, p.32 “Surface waters are subject to many of the same sources of pollution as groundwater...Non-point sources are those for which there is no clearly recognizable source. Non-point sources, such as storm water runoff from roads or parking lots, are far more difficult to locate and control although their potential for damage is great.”

ZR 4.3.4(7) - Consistency with the Town Plan: “consistency....pattern of development,cultural resources...nature of existing roadways”. The village of Hinesburg (our Main Street) is a mere 1.5 miles long; one cannot separate out the commercial district as if its development does not affect the whole. The *pattern of development* in our town dates back to the 1800’s where buildings face the street, vehicles are in the road and pedestrians are separated, for safety and comfort, by a grassy strip or a fence. Residents wish to keep this pattern and improve on it as detailed in the Hinesburg Village Corridor Study of 2002 and referred to in the Town Plan of 2005. The traditional beauty of Vermont villages is a key attraction for tourism.

ZR 5.4 Sign Regulations. The small separate lot for Commerce Street Ext. was intended for and permitted as an access road for Lot 15, not as land for construction. It is completely inappropriate for Hannaford to place their sign so that a second sidewalk does not fit within the right-of-way. To then suggest it is the responsibility of the owners of Lot 12 to find room for the necessary second sidewalk is disrespectful at best. *Hinesburg Planning Commission Minutes 6/29/88* amending site plan approval for Gerrity Lumber: Planning Comm. “shall reserve the right to require....and sidewalks installed” (plural).

ZR 5.5.4 - “The DRB shall have the authority to determine the necessary amount of parking.” The

applicant's business plan should not drive this determination, especially if the contents of such business plan cannot be shared with the town. The much smaller parking lot of Lantman's is never full, not even the day before Thanksgiving or the week of the Fourth of July.

ZR 6.1 New Streets “shall have sidewalks”. Sidewalks, plural, the clause does not say “a sidewalk”.

From *Giroux 15-Lot Commercial Subdivision Approval* 12/10/86 - “6. may install sidewalks on both sides...of Commerce Street extension.....along the frontage of each lot with Commerce Street and Commerce Street Extension and to the lot from the Town Road.”

ZR 5.6.3 Hinesburg does not permit parking to be in the front of a new commercial structure - as exhibited in recent approvals. The technicalities of setbacks can be illuminated by a quick reading of the Town Plan. A respectful proposal would not attempt such a device. The applicant has presented their standard site plan which is clearly suburban in nature. The zoning permits exceptions where shared parking is employed which Hannaford, very specifically, does not do. Shared parking would reduce the total amount of paved space needed and facilitate walking in the village area. [5.6.3(2)]

ZR 5.6.5 Landscaping. No amount of landscaping can suitably hide this expanse of pavement and structure in a village setting.

5.6.7 Sidewalks and Trails. The applicant did not propose a second sidewalk for Commerce Street Ext. making a mockery of their claim the project “promotes walkability”. (but the DRB must require that sidewalk here as it is necessary for “public safety, reduce vehicular traffic...promote continuity”).

Official Map. And last, but certainly not least, the official map is a tool, given by the state, for towns to have some control over their future. Bidding for desirable parcels, AFTER have been identified by developers, would not be a practical or cost-efficient means for towns to save open land. (nor possible since commercial site location is typically done in secrecy).

Lot 15, as previously noted, is not a simple site to develop. It is impossible to say exactly why it is the last parcel in Commerce Park to be developed: wetlands, unstable soils, land-locked location, or size and shape. Other proposals have been put forward and abandoned (Gerrity Lumber, NRG). However, this history is part of the reason Lot 15 was placed on the official map. During those two decades between the permitting of Commerce Park, townspeople had the luxury of time to see how the parcel fit in the middle of the village, see how the Canal forms a natural focal point, see how commercial development happened around it rather than on it. These desires are reflected in the minutes and the memories of the residents who sat in planning sessions and discussed the future of our town. While the time has not yet been “ripe” for this parcel to appear on the capital budget, if saved, it will form a green island in the village and a bridge between the old village and the new.

As stated by the Planning Commission in their 12/22/10 letter to the DRB: “As the village growth area builds out over the next 20+ years, the Planning Commission felt it important to have centrally-located public spaces and facilities. This is not simply a general planning precept, but also a recognition of the way centrally-located public spaces have always helped tie together Hinesburg’s village area – e.g., Town Office, Lyman Park, Hinesburg Community School, etc. It is important that we look to both present and future needs in this respect. This parcel was also placed on the Official Map because of its proximity to the Canal and the potential to utilize a portion of the property to deal with stormwater treatment. “

With the respect due you, as you fulfill your important role in our town, we wish you peaceful and productive deliberations. Please deny this application.

Sincerely,
Catherine Goldsmith
Founding Member