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## MEMORANDUM

To: Town of Hinesburg Development Review Board and Peter Erb

From: David G. White

Date: REVISED May 8, 2012

Re: Hannaford Supermarket & Pharmacy - Site Plan and Conditional Use  
Application – Responses to Applicable Review Criteria

In response to Peter Erb's request via email on May 2, 2012, this memo updates and summarizes Hannaford's conformance with the various review criteria applicable to its application.

Martin's Foods of South Burlington, Inc. (a Vermont Corporation doing business as Hannaford Supermarkets) is proposing to develop Lot 15 on Commerce Street, located in the Commercial district within the Village Growth Area of Hinesburg. The proposed project includes:

- Approximately 36,000 square foot supermarket;
- Completely redesigned architecture based on the community design charrette held on March 20, 2012;
- Design features to achieve a high level of energy efficiency, including potential LEED certification and including photo-voltaic cells on the south-facing roof;
- 128 parking spaces;
- Sidewalk connections to Mechanicsville Road and Commerce Street (including a new section of sidewalk filling the existing gap along the Dark Star property);
- Road improvements on Route 116 and on Commerce Street;
- Extensive landscaping; and
- A state-of-the-art stormwater management system.

Early in our search for a site in Hinesburg, it became clear that Hinesburg is a forward-looking community. The town plan and zoning articulate a vision of a walkable community that encourages provision of essential services in its core area

while protecting its outlying areas. That vision led us to the subject property. Lot 15 is located in the core of Hinesburg in the Commercial District within the Village Growth Area. It is well-connected by both pedestrian and vehicular circulation routes and is easily walkable for residents within the village core.

Our proposal fits well with the purposes described in Hinesburg Zoning for both the Commercial District and Village Growth Area:

### Section 3.8 Commercial District

*"To provide a wide range of local services and employment opportunities in an orderly, village setting with safe and convenient vehicular and pedestrian access. To provide areas primarily for retail, office, service, and other non-residential uses that are connected and integrated with adjacent growth area districts, especially the Village district."*

### Section 3.1 Village Growth Area

*"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."*

The proposed new Hannaford Supermarket & Pharmacy is an infill project on a vacant parcel within the compact core of Hinesburg Village. It is designed to provide safe vehicular and pedestrian connections that fulfill the ordinance's goal of interconnectivity within the existing transportation network. As a growing community, the wide selection of groceries that Hannaford offers will serve the increasing daily needs of residents for food shopping. The addition of approximately 94 jobs (approximately 63 part-time and 31 full-time) will provide new employment opportunities for a range of skills.

### Compliance with Site Plan Review Standards

The project has been carefully designed to comply with the Town of Hinesburg Site Plan Review Standards (4.3.4). What follows briefly summarizes some of the ways in which the project complies.

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

Proposal: The proposed project has been designed with maximum safety of pedestrians and vehicles in mind. A single point of access for vehicles will be from Commerce Street Extension, which presently provides access to the Bank of Middlebury.

The existing sidewalk along the entry drive will be extended beyond the Bank of Middlebury's drive into the Hannaford site. The plan proposes to extend the sidewalk on the southerly side of Commerce St within the town's existing easement along the Dark Star parcel's frontage, to create a continuous sidewalk from the project site to Route 116. Crosswalks are provided within the parking lot for maximized safety. Sidewalk connections have been made to the existing walk along Mechanicsville Road.

Commerce Street Extension is not a public street. It has merged with Lot 15 and is included in the property Hannaford will acquire. In the event further development occurs on the abutting Lot #12, it can create appropriate sidewalk(s) on its property.

This criterion asks about traffic safety, not congestion. So, while traffic congestion is at most a tangential consideration under this criterion, we have nonetheless diligently evaluated and addressed the impact of the project's traffic on the adjacent roadway network. Rather than summarize that information here, I refer you to the following documents:

- Traffic Impact Assessment, by Lamoureux and Dickinson, dated July 20, 2011
- Memorandum by Roger Dickinson, dated September 16, 2011
- Memorandum by Roger Dickinson, dated December 12, 2011 (with attachments)
- PDF of powerpoint by Lamoureux and Dickinson Engineers, dated December 20, 2011.
- Memorandum by Roger Dickinson, dated February 13, 2012
- PDF of the traffic Powerpoint presented to the DRB, dated February 21, 2012.
- Memorandum by Roger Dickinson, dated April 30, 2012

If any of the information in any of the above listed documents is in conflict with any other document, the information in the more recent document supersedes the earlier one.

- 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.*

Proposal: The site is designed in conformance with all applicable engineering design standards for commercial uses. The circulation will accommodate the largest trucks (WB-67) for deliveries as well as emergency vehicles and customer vehicles. All drive lanes and turning radii conform to applicable engineering standards.

Customer parking is primarily located on the east side of the building, with the service area for truck receiving being at the north-west corner. The service area has been designed to allow trucks to enter, turn around, and exit via the north side drives without needing to pass in front of the store. Customers walking between the store and the main parking lot will not interact with delivery vehicles. A small portion of the parking is located on the north side of the building; this parking is expected to be occupied primarily by associates, and the resulting low turnover of the spaces will result in minimal interaction with delivery vehicles circulating through the north side of the site.

All product receiving and waste handling occur at the north-west side of the building. There is a sealed double loading dock for tractor-trailer deliveries and an at-grade door for deliveries by smaller vendor trucks. An enclosed compactor is located at the north-west corner, connected by a chute from the inside of the store.

Snow storage areas are provided as shown on the plans. With the addition of the 0.32 acre parcel from the Quonset hut lot, additional snow storage is provided.

Minimum parking required by the ordinance is 90 spaces. The site plan provides 128 spaces. Based on its extensive experience with operating supermarkets, Hannaford is satisfied that 128 spaces (3.7 spaces per 1,000 square feet) is sufficient for the proposed Hinesburg store, although this is less than they typically require.

- 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.*

Proposal: The proposed store is located in an existing commercial subdivision within the Commercial District. The immediate abutting and nearby uses are predominantly commercial although there are also some residences as is to be expected in the core of a village. The overall design and use are compatible with a dense mixed-use village area.

*Landscaping & Screening* - Landscaping is being provided around and within the site for aesthetic, shading, and screening purposes. Landscaping has been greatly enhanced since the original proposal, with particular focus on enhancing landscaping within the parking lot, screening the main parking lot from Mechanicsville Road and screening views of the rear of the site from Route 116.

The existing trees along both sides of the sidewalk abutting Mechanicsville Road will be preserved. Street trees are also being proposed along the western side of the access drive, as well as around and within the parking lot. The plantings are designed to create an attractive streetscape and buffer views of the site as seen from Mechanicsville Road and Commerce Street. Particular attention has been placed on screening the southwest corner of the property.

The cost estimate for the landscaping depicted on the plans submitted on May 1, 2012 is \$109,705. According to the formula in the zoning ordinance we need to invest at least \$80,000 in landscaping, calculated as follows: our current estimates are \$7,250,000 for construction of the project. 3% of the first \$250k = \$7,500; 2% of the second \$250k = \$5,000; 1% of the remaining \$6,750,000 = \$67,500, a total of \$80,000.

The proposed landscaping budget of \$109,705 includes \$28,820 in the area designated for "Canal Park". At the discretion of the DRB, Hannaford is willing to either install the plantings and pocket park in the "Canal Park" area as shown on sheet L1 of the plans, or donate these funds to the Town for the Town to use to create a park in this area as described elsewhere in our submitted materials.

*Setbacks* - In the Commercial District minimum setbacks on all sides (front, side and rear) are ten feet. The plan easily exceeds the minimum on all sides as shown on the plans.

*Hours of Operation* - Hannaford Supermarket & Pharmacy plans to be open daily for customers within the hours of 6 a.m. and 10 p.m. Internal operations may occur 24 hours/day as cleaning, stocking shelves and similar activities occur overnight. However, no deliveries will be accepted and no customers will be admitted outside of the hours of 6 a.m. to 10 p.m. Per Section 4.3.6 of the zoning regulations, the internal operations may require conditional use approval from the DRB. This is discussed in my memo of July 26, 2011.

*Exterior Building Design* – Since the original application in November 2010, Hannaford has twice completely redesigned the building. The first redesign was done as part of the new materials submitted in July, 2011. The second redesign, submitted May 1, 2012, was developed by local Hinesburg architectural firm of Bast & Rood, based on ideas generated at a community design charrette hosted by Hannaford on March 20, 2012.

The new design, which is unique to Hinesburg, incorporates features to reduce the apparent scale of the building including a canopy that wraps around three sides, upper level windows and a hip roof. Darker colors are proposed to reduce contrast with its context. See the elevations dated April 26, 2012 and the Pepperchrome images dated March (SIC) and May 2012.

The new design easily achieves “maximum compatibility with adjacent property and with the character of the neighborhood”. I am submitting herewith an edited and excerpted version of the powerpoint presentation I gave to the DRB on January 4, 2011 regarding this topic. In this you’ll see that I looked for guidance as to what “compatible” means. According to Merriam Webster Dictionary “compatible” means “capable of existing in harmony”. It does not mean “same as”. In that presentation I showed photos of every building that abuts or is across a street from Lot 15, as well as the Sapuito Cheese plant and NRG’s building, both of which are separated from Lot 15 by only one or two properties. The character of this neighborhood is extraordinarily diverse with widely varying sizes, shapes, materials and uses. Hannaford’s store – especially with the newly revised design – is easily “capable of existing in harmony” with these existing buildings.

Nonetheless, some have suggested that Hannaford’s building is too large and that intrinsically makes it incompatible regardless of any other design element. I offer that this is an entirely false argument. First, the Commercial District within which Hannaford will be located is the only district where the Town elected to not impose a 20,000 square foot cap on the size of commercial buildings, clearly allowing for larger sizes.

Secondly, most people perceive the size of a building as a function of what they can see when they approach a building, which is typically one, or at most, two sides of it. So a key question is how does Hannaford’s length compare to other properties in the neighborhood?

Among the buildings in the immediate area are the following:

Firehouse plaza – front façade approx. 300 feet  
Hinesburg Village Center– front façade approx. 230 feet  
Nestech – side view (visible from Mechanicsville Rd) – approx 240 ft  
NRG – front façade exceeds 500 feet

By comparison, Hannaford’s front – is about 255 feet including the new canopy in the new design (previously about 220 feet) and Hannaford’s side is about 180 feet including the new canopy (previously about 160 ft).

Thirdly, two of the buildings in the area – Saputo and NRG *much* are larger at approximately 86,000 square feet and 70,000 square feet respectively. Clearly the neighborhood includes these much larger buildings, one of which (NRG) has been fairly recently approved, so size can’t be the determining factor.

Fourthly, it has been suggested that part of the size issue is that Hannaford’s building is too tall and will “tower over” abutting properties because of its height on top of the fill that will be placed on the site. This is also not accurate. The existing site slopes about 9 feet from its highest point to its lowest. The highest area is along the existing southern sidewalk and canal, at a grade of about 346 feet above sea level. The lowest is in the northwest corner where the grade is about 337 feet above sea level. Abutting properties vary in elevation. The Bank of Middlebury and Post Office are each about 344 or 345. Dark Star and the Giroux salvage properties are around 337. Mechanicsville Road is about 350. Hannaford plans to bring the site up to generally between 342 and 344, with its finished floor at 345.

So Hannaford’s site will be at about the same elevation as the Post Office and Bank of Middlebury. It will remain slightly *below* the grade of the existing sidewalk along the canal and will be *about five feet below* the level of Mechanicsville Road.

In the new design Hannaford’s building will be less than 27 feet tall. Zoning allows up to 35 foot height.

In summary, Hannaford proposes a building size and height that are unarguably within the limits set by zoning. The site will be well below the grade of Mechanicsville Road and at an elevation similar to abutting properties. It is located within a neighborhood with diverse sizes and designs of properties, including at least two properties that are significantly larger than Hannaford. The new design has been created by a local architectural firm specifically for Hinesburg based on input received at a community design charrette. Based on these facts, the proposed design easily achieves the standard of “maximum ability to exist in harmony” with the surrounding neighborhood.

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

Proposal: The lighting design carefully balances adequate lighting for site safety, while keeping the lighting to the minimum. Since the original application the lighting

has been changed from high pressure sodium to LED, and wattages and pole heights have been reduced. Lighting levels in the revised plans are down dramatically to an average of 1.23 foot candles. Levels drop to zero foot candles near the property lines so that there is no material impact on any abutting properties. A flagpole is being proposed with a down-casting lighting fixture to illuminate the American flag. Details are provided on the Lighting Plan, Sheet L2, last revised April 26, 2012 and in the lighting cut sheets, dated July 25, 2011.

5) *Adequacy of sewer and water.*

Proposal: This site will be serviced by municipal water and sewer. There is sufficient capacity at the wastewater treatment plant; applicant is requesting 2,160 gallons per day of sewer and 2,430 gallons per day of 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.*

Proposal: Please see the memo from Brian Bertsch of O'Leary-Burke Civil Associates, dated May 8, 2012 regarding the treatment and control of stormwater runoff. This project will obtain a construction phase stormwater permit to ensure compliance with all applicable erosion control standards.

7) *Consistency with the Town Plan in regard 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.*

Proposal: *Pattern of development* - This proposal is consistent with Hinesburg's intent to maintain an "historic pattern of compact settlements and open space, while planning for growth." The 2005 Town Plan in discussing "Pattern of Development" includes the following statement: "The combination of residential and commercial in close proximity keeps the Village alive throughout the day and some of the night". It also includes when discussing the Village: "The Village serves as Hinesburg's hub of community activity by providing a rich mix of residential, commercial, municipal, industrial uses. As such, it helps frame the character of the Town by defining a compact built landscape that stands in contrast to the surrounding rural landscape. It is Hinesburg's primary growth center, where essential municipal infrastructure (e.g., sewer and water) are made available to both ensure the public's welfare and to provide for mixed uses at higher densities than the rest of town". This makes it clear that the plan contemplates commercial uses in close proximity to residential uses and higher densities in the Village.

The 2005 Plan further states that "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 on Lot 15 is well located for pedestrian access and the plans include excellent pedestrian access from all directions.

When discussing the Commercial District the 2005 Plan states: "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 fits well into this intent.

*Preservation of Significant Natural and Cultural Resources* – There are no identified significant natural or cultural resources on this property.

*Roadways* - The project will be developed within an existing network of streets - Mechanicsville Road and Commerce Street – and utilize an existing private drive, Commerce Street Extension, to access this site.

*Other Public Facilities* – The project will have no material impact on any other existing public facilities. Regarding planned public facilities please see:

- Memo to the DRB from me, dated February 6, 2012.
- Farmer's Market Concept sketches "A" and "B" reviewed at the DRB meeting 12/6/11 and contained in the pdf of the powerpoint from that meeting.
- Images of Farmer's Market contained in pdf of powerpoint from 12/6/11 DRB meeting.
- Approximate area of proposed "Canal Park" shown on page 16 of the pdf of the powerpoint from the 12/6/11 DRB meeting.
- Draft easements for the Farmer's Market and Canal Park submitted May 1, 2012.

If there are any conflicts among these documents, the more recent document supersedes any conflicting element of an earlier document.

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

Proposal: *Hazardous wastes* - This project will not generate any hazardous wastes. As is typical in a supermarket, relatively small quantities of batteries, cleaning fluids, fuel, pesticides, etc. will be sold and stored on site. Each product has instructions for clean-up and Hannaford employees are trained for their proper removal and containment in case of leaks or spills.

*Avoidance of run-off* – The stormwater design includes subsurface stormwater treatment and containment structures. The rate of stormwater runoff from the site will be maintained at or below pre-development levels. Stormwater runoff will be significantly reduced in the drainage swale that crosses the Dark Star property on the west side of their building with the majority being diverted via pipe back to that swale north of Commerce Street. See the memo from Brian Bertsch of O'Leary-Burke Civil Associates, dated May 8, 2012 regarding the treatment and control of stormwater runoff.

9) *Conformance with design standards as stated in Sections 5.23 and 5.6, where they apply.*

Proposal: Section 5.23 is not applicable to this project in the Commercial District. With respect to Section 5.6, this project meets or exceeds all the Design Standards for Commercial and Industrial Uses, as follows.

*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 Growth Area zoning 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.*

Proposal: No new streets are proposed as part of this project. Commerce St. Extension will be modified and extended to serve Hannaford. This will be constructed and paved according to Town Road Standards. The existing sidewalk that leads to the bank will be extended and street trees will be added along the west side of the access drive.

*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.*

Proposal: No new curb cuts are proposed. Hannaford will be served by the existing cut onto Commerce St.

*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.*

Proposal: 100% of Hannaford's proposed parking spaces are located in a side yard – either the east side yard or north side yard.

*(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.*

Proposal: All parking lots and loading areas are setback more than 5' from the property lines.

*(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.*

Proposal: This project does not include any shared parking facility.

*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.*

Proposal: As previously stated, the lighting design carefully balances adequate lighting for site safety, while keeping the lighting to the minimum. All site lighting with use LED fixtures, full cut-off, and downward casting. All lighting levels are designed to taper off at the property's edge, specifically designed with the other uses and neighborhood in mind.

*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. See section 4.3.8 for more comprehensive landscaping requirements for projects subject to site plan review standards.*

Proposal: The proposed landscaping complies with the Landscaping Plan & Standards from Zoning (Sec. 4.3.8). This can be seen on Sheet L1 "Planting Plan," prepared by landscape architects at SE Group. The plantings are designed to create an attractive streetscape and buffer views of the site as seen from Mechanicsville Road and Commerce Street. The pedestrian/bike path abutting Mechanicsville Road has an existing row of trees on both sides, all of which are being kept, and there are some trees and shrubs along Mechanicsville Road itself in some locations. Trees are being planted around the southwest corner of the building to screen that area as well as around much of the perimeter of the main parking lot, and on the north side of the building. New street trees will be planted along the western side of the access drive. Collectively these trees screen and shade the parking, soften the building façade, define the street edge and create a sense of arrival.

*5.6.6 Storage of Materials and Equipment: To reduce impacts on adjoining uses, all materials and equipment in the Village Growth Area zoning districts as well as 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.*

Proposal: Loading and storage of materials and equipment will be limited to the rear of the store, screened by the building and landscaped from adjacent properties and roads.

*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 Growth Area zoning 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.*

Proposal: Sidewalks are being constructed as part of this project along Commerce Street and the access drive into the site. The pedestrian/bike path along Mechanicsville Road is being preserved and connected into the site to promote continuity of the sidewalk network.

*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.*

Proposal: A gas station is not being proposed as part of this project.

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

Proposal: The building will use off-white roofing materials to conserve energy and comply with LEED standards.