

**Town of Hinesburg
Developmental Review Board
March 2, 2010**

Approved March 16, 2010

Members Present: Tom McGlenn, Dick Jordan, Zoë Wainer, Ted Bloomhardt,
George Munson,

Members Absent: Dennis Place, Greg Waples

Also Present: Alex Weinhagen (Director Planning and Zoning), Peter Erb (Zoning Administrator, Mary Seemann (Recording Secretary), Al Barber, John Pitrowiski, Abby Lisius, Wayne Bissonette, David Lyman, Kate Bissonette, Michael Bissonette, Paul Wamsganz, Bryan Cairns, Paul Wiczoreck, Joe Bissonette, Ruth Ayer, Raymond Ayer, Kate Schubart, Joe Gannon, Tamara Orlow, Amy Escott, Kristi Brown, Jim Silvia, Jeff Nick

Tom called the meeting to order at 7:30 pm

Minutes from February 16, 2010

After some changes to the minutes Zoë Wainer made a motion to accept the minutes as amended, George Munson seconded 5-0.

The Motion Passed

Tom gave a little background for the first application on the agenda stating that the first time this project was presented to the Board it had been denied. Tom said that the staff report represents the situation at this point quite well and there are three areas of concern; traffic and access issues, Master Plan issues and the usage. He then turned the floor over to John Pitrowiski from Trudell Consulting.

Bissonette/Champlain Oil 2-lot subdivision, Sketch Plan Review; VT Rte 116 & Shelburne Falls Road

John introduced his crew: Abbey Lisius, Brian Cairns, Jeff Nick, the property owner Wayne Bissonette and Paul Womgantz.

John started his presentation with a map layout of the proposed project and showed some of the important components that were taken into consideration such as: roads, recreational, commercial and agriculture. Alex had asked John to put some thought into a master utility idea and John said he kept that in mind when drawing the new design and proceeded to show storm water ponds, a gravity sewer system and said if the adjoining property was agreeable the sewer could continue onto that property or there would be the opportunity and ability to put a pump station in and connect it to the municipal system. He stated that there was also an opportunity to loop the water system which could make the pressure better.

John said tonight the applicants are just trying to show a reasonable Master Plan for the property and hoping for an approval in order to move forward. On a second map he showed where Champlain Oil would move to on the new lot across Shelburne Falls Road, build a new and modernized gas station/ Jiffy Mart, remove the pumps from the old station to decommission it and possibly renovate the property for future use.

John said the plans show what future development (not being proposed tonight) might look like at the corner of VT Rte 116 and Shelburne Falls Road. This includes a 7500 square foot building with parking behind it, showing the development would not have any impact on the wetlands which are located next to the property. He showed where the required 50 foot buffer along VT Rte 116 was and said the only thing foreseen in that area would be an easement for trails or sidewalks. Using a map he talked about the differences between that first plans and the one he is showing now. He said in the first plan where they were proposing an access to Shelburne Falls Road that would have made the traffic situation worse, so instead they offer some improvements that the AOT (Agency of Transportation) proposed to solve some of the traffic congestion. John said that Abbey Lisius did a traffic study and her findings were in the DRB packets and Abbey was here to answer any questions. John said they also looked at the CCMPO (Chittenden County Metropolitan Planning Organization) studies and the applicants are aware that the traffic backs up on Shelburne Falls Road, especially in the morning with all the school traffic. They are now proposing to put in a right turn lane which will help to reduce the queuing for those who want to turn right onto VT Rte 116, and putting a left turn lane on Shelburne Falls Road for people turning into the gas station. Shelburne Falls Road would be widened to allow for this and the first entrance, the closest to VT Rte 116 will be an ingress (In-Only) entrance which would be for the front lot, the second turn would be at the west end of the property on to the new West Side Road. The later would have both a right and left turn lane for entering/ exiting. John pointed out that with these changes they have accomplished a lot of the goals the CCMPO and AOT spoke to.

John introduces Jeff Nick from JL Davis Reality and asked Jeff if he would give the Board his thoughts on the viability of the commercial building without the eastern In-Only access. Jeff said his thoughts as to who would be interested in the commercial lot site could be banks, restaurants or retail and said that when he talks to people in these industries that the number one fact for them is easy access to their store, thus making the ingress road critical for the businesses on the property. He gave an example of poor access to businesses; Route 7 with its median strip. Jeff stated that not only has the poor economy caused vacancies but the median strip has made it difficult to enter some businesses easily. You have to drive a ways in order to find a U-turn then go back to the business you wanted to shop at.

John then stated that in the traffic analysis, with the right turn lanes traffic doesn't queue up past the ingress access road, but if they did the area in front of the ingress would be a striped area where cars would leave a gap for cross traffic. John showed a bypass road behind the Jiffy Mart saying that it becomes critical for ease of getting in and out of the site. John reiterated that Champlain Oil is ready to move forward with this project not just with local issues but also with Act 250 and waste water permits as these usually take some time to complete. John said that they were here tonight looking for approval on the project and recognize that there are additional steps that require a lot more detail to be presented and is hoping that if all the requirements the Board thinks are necessary that they will have a chance to fulfill them and not just have the Board deny the project.

John asked Wayne if he had anything to add and Wayne expressed some frustration stating that he thought this would be a simple subdivision. He said that Alex had been a great help in discovering

what questions were needed to be answered and as of last week when he talked to Alex, Alex could not think of anything that was missing. One major fact is that the project would not encumber what the vision for the area is.

Abbey Lisius spoke of the traffic study she had conducted on Shelburne Falls Road and said with the ingress access being west of the signal light it would not encumber traffic and the left turning traffic would not have to deal with the right turn or going straight traffic. She went on to address a concern expressed by Alex; crossing at the ingress location. She stated that they are looking at adding an additional 12 feet to Shelburne Falls Road. She said that Alex recognizes that people will cross a street anywhere they want in order to go to the library or bank and the addition on the south side was deemed necessary by VTrans but he was worried about the addition of 12 feet since this is an uncontrolled intersection. Abbey stated that the sidewalk could be moved to the west side of the ingress if need be.

John apologized to the Board if they thought he had given too much information but the applicants wanted to show that the lots could function and function well, that the access is probably more critical for the front lot than it is for the Jiffy Mart lot.

Dick Jordan asked for clarification on the exits from the property stating that people leaving the corner lot will have to drive around the property to exit, so how is that significantly different from them having to come in the same way? John showed that when exiting the property customers would use the bypass road to get onto Shelburne Falls Road and exiting this way would not impede the traffic coming in the ingress thus causing traffic problems.

Brian interjected that at the last meeting they did show an in and out road as that was the Board's concern, so they tried to find a medium ground with the In-Only. John showed that there would only be two accesses to Wayne's property, both being on Shelburne Falls Road.

Dick asked about the 90 foot corridor for future commercial use along VT Rte 116 frontage. John showed on the map where it was located and stated that they made it narrow on purpose, but it could be changed. John said that something that was mentioned in the Town Plan was "on-street parking". He showed that the corner building would have high visibility from VT Rte 116 and using the corridor for parking would remove it from VT Rte 116.

Ted asked how far apart the two Shelburne Falls Road access points were. John said from the intersection at VT Rte 116 heading west it is a little more than 300 feet, the second is another 300 feet or so. John said he looked at the AOT guidelines and it indicates that 300 feet from a major intersection is reasonable and another thing to remember is that gas station traffic is considered as drive-by traffic. Ted said that the prior hesitation and the problem the Board had with the access is that it was too close to the VT Rte 116 intersection.

John stated that the timing on the signal at the intersection was identified by the AOT as being messed up and will have to be fixed. The turning lanes make all the difference in the traffic analysis; they change the level of service and allow the intersection to become better. They also make the ingress intersection safer because a car can turn onto VT Rte 116 easier and faster so the traffic doesn't back up. John said that if the Board approves the sketch plans he will seek confirmation on the traffic findings with the AOT and have the MPO look at the numbers. John said so far they agree with the CCMPO's numbers and actually their numbers show that when the turning lanes are added it works, that the traffic doesn't back up.

Tom opened the discussion to the audience.

Amy Escott asked; if what John was saying is that they propose to upgrade the road with this project, if John had seen the pictures she had given Alex showing a flooded Shelburne Falls Road with water running into Patrick Brook, and if the ingress was part of the Champlain Oil project. John said yes they will do the road improvements with the project, thanked her for her great pictures which will help with the planning of the improvements, and said that the project has not done any storm water designs as yet. John said that will require an Act 250 which will require storm water discharge permits and the project would be put through a lot of scrutiny to respond to some of the problems that are occurring now.

Will Patten stated that for everyone who drives through that intersection on a regular basis the idea of a right turn lane is "heaven" as that intersection is really a mess. Will wanted to know if they had a discussion with the AOT on long-term solutions and urged the Board to integrate whatever happens on that corner to a long-term traffic solutions not just something you can do in two years to make it a little bit better.

John agreed with Will. John said the AOT has actually weighed in on this problem a little bit and he was given three ideas for the intersection; first being a round-a-bout, second turning lanes in all directions, and third getting better signals to be more pedestrian friendly.

Alex expressed that he wanted everyone to be on the same page and said that VTrans had secured some Federal safety dollars for improving this intersection and that also paid for the light on Charlotte Road and the widening for Silver Street. Alex said the Select Board has been presented with two alternatives by AOT for improvements to the VT Rte 116/Shelburne Falls Road intersection in the last couple of months and the Select Board is in support for a signalized light at that intersection with turn lanes in every direction rather than a round-a-bout.

Tamara Orlow expressed concerns that when the now Jiffy Mart is vacant it will become an eyesore. John explained and checked with Brian that they plan to renovate the property and then depending on the economy in the future develop it for some type of business. She questioned John on the size of the building on the map and John explained that this is just the sketch phase and that things on the map are not necessarily scale, they may be scaled down in the future.

Paul Wieczoreck asked who was actually paying for all the road improvements and John said if Champlain Oil goes ahead with the project they will have to pay or negotiate with Wayne Bissonette to share some of the costs. Paul asked if the road improvements would be considered economical if the second part of the property never happens and John said it would. Paul then asked if the applicant had thought of a "green roof" which would reduce impact of storm water runoff.

Andrea Morgante state she thought that they would have to deal with the storm water drainage, green space and improvements to the roads, she asked about the width of the future Town recreational path on the Merchant's Bank side of the road. Alex said that the path would be a sidewalk and it would be 10 feet wide and Champlain Oil does not have control of that property. Andrea said the Town wants to get away from single buildings with parking lots associated with just that business. She suggested that in the future Master Plan they consider creating joint parking lots to give people the feeling that they can park their car and go to multiple buildings/businesses. She stated that in regards to storm water ponds she felt with so many ponds the project is not accomplishing the sort of density village feeling the Town wants and suggested they think of a storm water system for the entire area and not just lot-by-lot. John said he agreed with Andrea on the

sharing parking lots but stated that sometimes zoning will not allow for that and at this point in the process they do not have a lot of things worked out and as the project progresses those issues will be addressed.

Ted asked about the parking in front of the building and Alex said that was a no-no so they would have to look for parking on the sides and that was one of the issues with the Kinney's application.

Tom recapped the discussion and Dick asked for clarification on lot 1 as to where the east and west boundaries are. John pointed them out on the map. John now wrapped up his presentation saying that they were ready to move ahead and he felt the improvements would work and make the area and intersection much better. He also stated that there would now be opportunities to correct some of the utilities problems in the site. John stated that this project would be a good tax base for the community.

Ted commented that these designs were an improvement over the last and suggested that the Board keep this project open until they had time to discuss tonight's sketch plan. John again asked the Board for a chance to correct any issues they did not approve of.

The Board discussed continuing this project meeting in two weeks at the March 16th meeting or maybe at the April 6th meeting. It was decided that in a deliberative session the wording could be worked out for any questions that the Board or the public still had and if the continuance was held on the 16th of March that Alex could be in contact with John to address any issues. This way at the next meeting Champlain Oil would not need a large amount of time and if for some reason they needed to they could continue it to the April 6th meeting. Alex thought that this would be a good idea as he realizes Champlain Oil is anxious to make a decision as to get moving forward on the project or to end it.

Ted said that the Board should take this discussion into a deliberative session tonight. Tom wrapped up the conversation stating that the decision was made to keep this open for two weeks until the meeting on March 16th, and the Board will discuss amongst themselves what language they need for the draft decision for that meeting and in the two weeks before the meeting Alex will work with the applicants.

Ted mad a motion to continue the application in two weeks and Zoë Wainer seconded. A vote was taken 5-0.

The Motion Passed

Ruben/Mauer- Development on a Private ROW revision (Burritt Road)

Amy Escott joined the Board and Tom started with the fact that this project has been denied before. .

Joe Gannon introduced himself and addressed the Board stating that the applicants had listened to the concerns and objections and is now presenting to the Board a new design on a driveway. He stated that the new design is agricultural friendly and they are proposing to relocate the driveway and not add to it. Joe stated that there would be a decrease in the gravel used and there should not be an impact on any neighbors. Joe stated that his neighbors were fine with the design.

Ted asked if the whole proposal was to take out the existing drive and move it. Joe said yes. Tom put up a map of the property Joe was talking about so he could show the Board where he is proposing the driveway be moved to. Joe proceeded to show and narrate what the application is for;

showing that by moving the drive, pasture is reclaimed and he showed that both properties would be serviced by the new drive.

Tracy Mauer said on the map her property is under the name Moorhouse and that it is her property and she is now Mauer. She just wanted to clear that up for the Board.

Tom asked if Zoë Wainer and George Munson were the only Board member who went to see the property and they both said they had. George said it was a great improvement and that it was going to be really close to what it was before only in a new location.

Zoë stated that she did think at the time the driveway would be buildable in that location and was concerned about the 2 road cuts to the two long drives. George said he felt that this is a configuration the Board would approve. Peter asked that the meeting not be closed tonight as he didn't feel all the details had been worked out. Ted asked if there were culverts that needed to be addressed and George agreed that there are still some details that needed to be worked out.

Tom motioned to continue the application to the April 6th meeting and Ted seconded. A vote was taken 6-0.

The Motion Passed

Veilleux-2-lot subdivision Sketch Plan Review (Texas Hill Road)

John Veilleux introduced himself and stated that he and his wife have been residents of Hinesburg for 30 years and plan on staying for another 30. John gave a narrative on his project on Texas Hill; he showed a map of the property, showed where his house is located and showed where they new development would be. John said they are also looking at giving a Right-of-Way to the existing driveway to keep a single road cut and widen the driveway to make it accessible to two cars that meet and for emergency vehicles.

Dick asked for clarification to where the boundaries were. John showed him and added that the new house would sit about an acres and a half back from Texas Hill Road. John showed on the map where the culverts are located and said he proposed a 24" culvert to replace the two smaller ones. He showed where the mound system would be placed and said he had hired McCain Engineering along with a state engineer to develop the mound/septic system. Ted asked if the area was all forest and John said it was. John said that the plan is for the development to be done by him in order to meet both the Town's and his requirements.

Dick asked how far back from Texas Hill Road would the mound system be and John said approximately 100 feet. Peter asked if one would access the mound from Texas Hill Road and John said no, it would be accessed from the driveway.

George asked about power to the land and John said either from the pole on Texas Hill Road or from an existing vault on his lot. He said as of now the property had not been surveyed and he will be getting that done. He explained that the driveway now is used by the Town and school bus as a turn-around. Peter added that there would be no need for a curb cut.

Tom said that this subdivision is a 2-step process and asked the Board if a "site visit" was needed. Ted asked if they needed to address the lot size for density. John said right now the property is in "Land Use" and the new 3 acre lot will be withdrawn but the remaining land will stay enrolled in the program. Dick said he thought it should move to the next phase, and do a site visit. Tom agreed

and said that just because there is not a site plan now they could still move on to the next step. After some discussion Alex reiterated that Tom was saying John prepares the final application, comes in and has a meeting and the Board goes out to do a site visit if necessary. George said it didn't look too hard of a site to visit.

Zoë Wainer made a motion to close the public hearing and asked staff to draft conditions of approval to go to the next phase and George Munson seconded. A vote was taken 6-0.

The Motion Passed

Gutierrez/Silvia-Revision to Previous Approved Subdivision, Final Plat (Billings Farm Rd)

The applicant is requesting DRB approval to make revisions to a subdivision plat approved on March 29, 1989 and recorded in map file 116 as Ridgeview Estates, now Billings Farm Road. The revision would allow for the transfer of 0.18 acre of land from the Gutierrez lot to the neighboring James Silvia and Melissa Levy property to the east. George asked to be shown where the line in question was. Zoë motioned to close the public hearing, Dick seconded. Vote taken, 6-0

The Motion Passed

Tom now made a motion for the Board to go into a deliberative session, George seconded.

The meeting was closed at 9:30 pm

Respectfully submitted

Mary Seemann
Recording Secretary