

Hinesburg Development Review Board

March 16, 2010

Accepted April 6, 2010

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

Board Members Absent: Greg Waples

Tom called the meeting to order at 7:30pm

Minutes of March 2, 2010: Zoë Wainer made a motion to accept the minutes as amended, George Munson seconded. Dennis abstained Vote taken 5-0

The Motion Passed

Tom thanked all who came and the Fire Department for the use of their room. Tom went through the process; first the applicant will make a presentation and the Board will ask questions, after that it will be opened up to the public for comments.

Bissonette/Champlain Oil – Jiffy Mart Tax Map #(16-20-56.500)

Tom explained the reason this application was continued was that the last meeting was a long meeting with a lot of public discussion. The decision was made to continue this application so the applicant could talk to staff to come up with a draft decision for the Board to work with. Tom said tonight we do have a draft decision and asked the applicant if he would like to say anything else.

Tom introduced John Pitrowiski. John introduced Tony Cairns and Bryan Cairns, Wayne Bissonette and Jeff Nick who is helping with marketing and real estate. John started off with what was new since the last meeting saying he would make it brief. John said if the Board was ready to approve this draft he didn't want to be long-winded. He stated he knew a draft decision was put together and Alex Weinhagen shared that with him well in advance of the meeting. John said he had submitted some changes and that he and Alex talked about them and I brought that version with him tonight.

John said what's new since the last time he was before the Board is that right after the last meeting he went to the AOT (Agency of Transportation), and submitted all the information to the AOT that they had submitted to the Board. The AOT in turn submitted it to their sub-consultant that was doing the design work for the signalized intersection and the path that goes from CVU all the way down Shelburne Falls Road. John said that AOT had sent an email explaining some of their feedback. John stated he felt it was fortunate that the AOT agency quickly provided their preliminary review comments. John stated that in general he thought the AOT supported the proposal. He said they did highlight a few key things; they talked about the roadway widening to allow for the right turn lane, which would be on the north side of Shelburne Falls Road also shows a trail proposed in that location. The conclusion is to move everything over onto Wayne Bissonette's property so the path and the improvements can fit. The AOT thought the In-Only was a substantial improvement on the last set of plans. They noted the new eastbound exclusive right lane, which is consistent with their plans as per the CCMPO (Chittenden County Metropolitan Planning Organization) recommendations

and analysis, and say it will greatly reduce the east bound queues and this is great. A minor comment that they made was that the Shelburne Falls Road intersection would need to be reconstructed to accommodate the curves and the rounding at that signalized intersection. Right now it is an abrupt turn, a radius would have to be put in there to allow for bigger vehicles to turn smoothly.

John asked his traffic engineer; based on the MPO study, VTrans response and our traffic study to put a recap together, He passed out the memo to the Board members. John said that the only sticking point, which didn't seem to be a big issue, that it was suggested and he is aware that it is in Hinesburg zoning, that the Town has the right to ask for an additional sub-consultant to look at the presentation and confirm that the findings are accurate. John said he would like to lobby that there have been three independent groups to look at this and that having another look at it is an expense that could be avoided.

John said the other thing he had done was to talk to the Town Clerk to get a sense of the tax rate in the Town as he was curious with the value of the project what it might bring in for tax revenue, and it figures out to be about \$27,000 per year. Champlain Oil is committed to this site, and they want to do business in Hinesburg. Champlain Oil wants to decommission the existing store and move to the new site. John said that part of their hope tonight is to start receiving some encouragement and some approval to get going with the next step.

John gave a brief talk about how critical the In-Only entrance was to the property and said they realize that connecting to the other private property may never happen, which would make the In-Only more important to the corner lot than it is for the gas station. Champlain Oil has made the decision that this entrance is important to the project. John stated again that the old gas station would be decommissioned, the gas pumps and tanks will be removed but so far there are no plans for what it will be.

Dick asked that along with the gas tanks and pumps would the removal also include any abatement or anything that would be required and John said it would. John thanked Alex for all the help he has given this project. John thanked the Board.

Tom wanted to shed some light on the second item of the Order as far as the traffic study. He said they heard from a lot of the public and they all mentioned the traffic. Tom said he felt that with the information they received that it may be good for the Board to get some independent reviews and that is why the Board asked Alex to put that in the draft decision. Tom said that with Abbey's condensed report the Board can look at it to see if there needs to be further study. John said that because of the widening of the road that goes to Rt. 116 they know that they will have to get a permit to construct from the AOT so by default the Board will get their review without charge.

Tom asked the Board members if there were any questions.

Ted said he didn't want to lose sight of the conditions such as pavement, citing of the store, gas pump, traffic flow; things that at this point are not meeting the letter of the zoning.

Tom now asked if there were any questions from the public.

Tamara Orlow said the previous application was denied for three major reasons; traffic, needing a Master Plan and lack of pedestrian access. She said she feels they did a good job on master plan but

she is still concerned about the traffic and pedestrian issue. She asked that adding diesel pumps will cause a lot more truck traffic like semi's and busses and she is concerned about adding that traffic in addition to the new business traffic is going to create more problems on Shelburne Falls Road which already back up and she isn't sure that adding a right turn lane will ease that problem.

John said that the MPO report and the turn lane is exactly what they are recommending to solve the queue problem. They are also suggesting fixing the signal timing which will be a big improvement.

Lenore Budd asked about having an island to help pedestrians cross the street. John said that they had talked about a raised island but it is not in the plans yet. Johns said Alex was concerned about the distance.

Brad Wainer said he was a neighbor and had property on both sides of Shelburne Falls Road. He stated that he was fully in favor of this project and would like to see it go through. He stated he thought the Town really needs commercial development. He said that the gas station has always been a good neighbor helping out whenever there was a need. He stated that Shelburne Falls Road is busy with CVU up the road and it will always be busy and they are doing traffic improvements which he said he thought were great.

Bob Lyman said he is a business owner in Hinesburg and is fully in favor of getting more business in the Town.

Tom made a motion to close the public hearing and take the draft decision up in deliberative session. Zoë seconded, vote taken 6-0

The Motion Passed

Tom thanked the public for attending and giving their input on the project.

Lyman/Milot – Kinney Drugs Tax Map #(08-01-06.320)

Greg Rabideau started his presentation thanking all who showed up for the meeting. He stated that tonight his intention was to ask for an extension and he wanted to briefly explain why. He said that all the public input has been valuable and helpful and two big developments he feels will need a little more time before presenting anything to the Board. One is that Brad, the developer, has entered into negotiating with a housing development group who has some expertise with some mixed use projects. Second is that Kinney is now willing to take a less prominent role in the site plan which will open up a lot of opportunities for us to make dramatic changes. He asked the Board to continue them to the next meeting which will be April 6th where he plans on presenting a new completely redesigned site plan as far as the location of Kinney's and with plans to incorporate housing, and will allow us to incorporate a couple of other very site specific things that Alex and he have been working on since the day after the last hearing.

Tom made a motion to continue the Preliminary Plat meeting to April 6th, Ted seconded.

Vote taken 6-0

The Motion Passed

VOLK Tax Map #(20-50-12.000)

Randy Volk addressed the audience and Board stating that he was there for a site plan review and a conditional use review. He informed the Board that he is applying to have the house on the National Registry and to get Historical Preservation Certification for it. He gave a short history of the house stating that it was built in 1896 and was the Peck's house. The Board had copies of the floor plans, designs of the exterior of the house and designs for the parking area.

He started with the first floor plans, creating two office spaces. They will be small approximately 1,000 square feet split between the two; one would be 661 feet the second would be 774 square feet with a common area of 180 square feet to be used by both. The type of businesses they envision would be offices, or office showroom. Randy said with this type of business the traffic would be low. Randy addressed the hours of operation stating that he couldn't see the business hours outside the disallowed hours that are in zoning of 10pm to 6am. As for the number of employees, at the high end possibly eight. Randy said that he would be back for sign approval/review as he was not planning on that part tonight. Randy pointed out the parking area in the rear of the building, showing that it will be accessible to the handicapped who want to get to the first floor.

On the second floor he is planning for two apartments. The apartment entrances will go up a set of stairs that are contained within the porch.

Tom asked what Randy was planning for the third floor and Randy said it would be a couple of bedrooms for one of the apartments.

Ted asked if the only entrance to the offices is in the back or is there going to be one in the front? Randy said there will not be one in the front. The door on the front will be used by the offices as emergency doors, or perhaps they will like to open them up and sit on the porch, but customers will be encouraged to go to the back.

Dick asked if the sidewalk in the front would be removed to discourage customers going to the front. Randy said there is no sidewalk right now to the front door. Alex pointed out that Randy is planning a gravel path from the Town's sidewalk to the back. Zoë asked if there would be signs going up to show people where the entrance is. Randy said he hadn't thought that through yet.

Randy said that currently the house has two driveways, one at either end of the house. What he is proposing is to abandon both of the driveways and access the neighbor's property, (Andrea Morgante's) in a shared fashion which will share the same curb cut that is in place now.

Tom said that would make it a greater distance from the 116 stop sign.

George asked if that meant putting the old driveway back in and Randy said yes. Randy asked the Board to notice that the driveway is constricted to 12 feet width in order to preserve the oak tree. Once you have passed the tree it will widen out to 24 feet.

Randy directed the Board around back of the house to look at the parking area. He said there will be 9 parking spaces and it will have a little slope to the parking lot to assist with water runoff. He said he didn't feel the need to have more spaces but if there would be a need for more he has the room to add.

Carl Bohlen suggested that instead of building more parking spaces perhaps people could park at the strip mall parking. Randy said that was an interesting idea and would have to talk to the owners to see if they would allow it.

Ted asked if the hill started behind the house and Randy said it did. Alex told Ted that he had walked the area and the parking lot looks very do-able. Ted said in his mind fewer spaces are better.

George asked which driveway has water that access the road now. Randy said the westerly side and he stated that the plans are to direct the water to the Town's culvert and catch basin.

Tom asked if some of the water is coming down Andrea's driveway. Andrea said that some is but is better with the additional grading she has done. Andrea said the majority of the water that comes down the western driveway is from the property and there never was as much water until the house got converted to apartments with the fire escape and people started parking there.

Randy talked about the lighting; in the parking area for the tenants, one on the front porch, stairwell and shed.

Tom asked about the building itself. He suggested clapboard and white in color. Randy said it will not be white and said they hadn't picked the color yet but it will be clapboard and fish scale shingles. Randy said they are trying to restore it as close to what the original was, thus he will be using wood.

Tom asked if Randy planned on putting up shutters and Randy said it he knows originally it had them and he would love to put them back up but it may not happen right away. Ted made a comment on the blue roof and Randy pointed out that the roof was only a couple of years old and changing it might not be in the works right now.

Andrea said she was in support of this project and is willing to share the curb cut. She would request that the Board consider allowing the driveway to be as narrow as possible and she recognizes that the porch light may have to be on all the time.

Tom made a motion to close the public hearing and asked the Board if they wanted to discuss it.

Alex said Peter had a good suggestion which might be a good addition to it and that would be #4. Alex read what it is now and offered suggestions to correct the verbiage to make it clearer to the applicant. Stating that well-meaning applicants get tripped up by the way it is now and they wonder

if they need to come back to the Board. There was some discussion about how it reads and ways to correct it for better clarity.

Ted asked if the back lights could be motion sensor. Randy said he wasn't planning on that but he could see the parking lot lights being on a timer.

Tom continued his motion to close the public hearing and vote to approve the draft decision, Dennis seconded. Vote taken 6-0

The Motion Passed

Godfrey Tax Map #(12-01-04.000)

Edward stated that he and Lisa have accepted jobs in Viet Nam and decided to sell the house and keep the other lot so they will have property to come home to. They said an empty lot is easier to maintain thus the lot subdivision. Ed said the plan was to follow the fence line and sell the parcel that the house is on with 3 acres and the remaining 5 acres they will keep for themselves.

George asked if the boundary was along-side the cemetery, and they said it was.

Lisa said she checked and there is 294 feet road frontage.

Tom asked if the house is on the new lot and Ed showed the Board on the map where they were talking about.

Lisa gave a narrative on the shape of the property with the house and ideas on the remaining property where they could build a house, where the well was situated, preserving the views, and where the spring was. She said Peter had taken pictures of the property.

Some members asked about the trees, and Ed said because the property is a bowl shape you could stand in some spots and see the views but not see the house.

Tom asked what the spring was used for. Lisa said nothing right now. It feeds their house right now and the neighbors farm but he doesn't use it. They don't use it because they have a drilled well. It hasn't been abandoned by either house. Peter said they had deeded right to use it.

Tom asked if all the right went to their property and Lisa said no. Alex said the Zuckerman farm has rights to the spring too.

Tom said this is a pretty straight forward 2 step minor subdivision and there is still a lot to do.

Dennis said that part of the property was donated to the cemetery.

Zoë asked the Board if they wanted to do a site visit.

Ted said the applicant should meet some condition of sketch. We need to see what their proposal is.

Andrea asked that they think about the fact that there is not any real access to the cemetery at this point and whether it would be worth considering putting a driveway at the top and sharing it.

Tom made a motion to close the public hearing and direct the staff to discuss conditions of approval in a deliberative session. Dennis seconded the motion . Vote taken 6-0

The Motion Passed

Tom made a motion the Board go into deliberative session to discuss the Veilleux application. Ted seconded. Vote taken 6-0

The Motion Passed

After some discussion the Board came out of deliberative session and Tom made a motion to approve Veilleux application. Ted seconded, Dennis abstained. Vote taken 5-0

The Motion Passed

Meeting ended at 9:30pm

Respectfully submitted

Mary Seemann
Recording Secretary

