Town of Hinesburg
Development Review Board
November 15, 2011
Approved December 6, 2011

Members Present: Tom McGlenn, Zoë Wainer, Dennis Place, Ted Bloomhardt, Greg Waples, Dick Jordan, Kate Myhre.

Members Absent: none

Also Present: Peter Erb (Zoning Administrator), Alex Weinhagen (Director of Planning & Zoning), Sarah Murphy, Bill Moller, Carrie Fenn, David Fenn, Merrily Lovell, Gail Webb, Johanna White, Sally & Chuck Reiss, Mary Crane, Virginia Roberts, Aaron Kimball, Solomon Bayes-Pacht, Phil Pouech, John Pacht, Natacha Liuzzi, Kathy Beyer, Miriam Granat, Bill Lippert, John Lyman, Elly Coates, Gill Coates, Barbara Lyman, David Lyman, Rob Farley, Jim Collins, Sam Collins, Marianna Holzer, Rik Paleri, Patti Drew, Wayne Bissonette, Dona Walker, George Dameron, Dorothy Pellett, Steve Giroux, Maureen Blanck, Bryce Busier, Barry Russell, Mary Beth Bowman, Dena Monahan, Ernest Allen, Margery Sharp, Tyler Sterling, Doug Boyce, Scott Jaunicia, David White, Michael Willard, Carl Bohlen, Joe Bissonette, Lee Elizabeth, Lori & Michael Hennessey, Wendelin Patterson, Jean Kiedaisch, Paul Wieczoreck, Carol Specht, Andrea Morgante, Brian Bock, Ken Brown, Roger Dickinson, Willem Leenstra, Rick Bryant, Patricia Whitney, Bethany, Ladimer, Jeanne Vissering, Michael Oman.

**NOTE – Partial list. Not everyone that attended signed in. Alex W counted 82 members of the audience not including the Board and Planning & Zoning staff.

Tom McGlenn chaired the meeting, which started at 7:30pm.

Minutes from November 1, 2011 Meeting:
Ted B MOVED to approve as amended. Greg W SECONDED the motion. The motion PASSED 6-0 with Tom M abstaining.

Hannaford:
Site Plan, Conditional Use, and Sign review for proposed grocery store on property owned by the Giroux family on Commerce Street (lot #15 of Commerce Park) in the Commercial zoning district. Tax Map #20-50-02.100. *Continued from the September 20 meeting.*

Tom M noted that this review was continued from the September 20 meeting. He explained that Hannaford had requested more time to address traffic concerns, and that the applicant would be presenting more information on traffic and the official map issue at the December 6 meeting. He said that tonight's meeting provides a good opportunity for additional public feedback, and testimony from various interested groups.

George Dameron introduced himself and made comments on behalf of the Hinesburg Village Steering Committee (VSC). The VSC is an advisory 7-member municipal committee appointed

by the Selectboard. Part of the VSC's mission is to bring ideas forward in an advisory manner that will help enhance the quality of life in the village. The VSC is also charged with helping to implement village-area goals outlined in the Town Plan. George noted that the VSC will provide additional feedback at the December 6 meeting, and that tonight, he only wished to comment on traffic issues. He said the VSC has reached the conclusion that the Town road infrastructure will not be able to sustain the additional traffic generated by the Hannaford project, and that this additional traffic will not be in keeping with Hinesburg's rural village character. He said this is largely because the catchment area for the Hannaford store appears to be a 10-15 mile radius (including Charlotte, Shelburne, etc.), which will bring too much additional traffic to the village area. He gave three primary reasons for the VSC's conclusion:

1. The report by the independent traffic engineer hired by the DRB (Rick Bryant of Llewellyn-Howley) identified so many issues, suggested improvements, and mitigation measures that the VSC felt the project is untenable. The VSC feels that the project will be unable to coordinate all of these factors while still maintaining Hinesburg's village character.

2. The applicant's contention that the closure of Lantmans will reduce traffic and mitigate Hannaford's additional traffic is an assumption that doesn't make sense given the history of both the uses and the traffic in and out of the Lantmans site. The VSC feels this is not really a mitigation measure.

3. If the project is approved, it will be a magnet for traffic from the north, which will make congestion intolerable, and result in serious and unintended consequences for pedestrians, cyclists, and other motorists. The project's traffic generation will undermine the Town Plan goals for pedestrian focus, safety, and accessibility.

Bill Marks, from the Hinesburg Conservation Commission (CC), said the CC is curious about the applicant's statement that they could not be flexible in regard to building a smaller store. He said that Hinesburg's population is not growing very fast, so it's unclear why this community needs such a large grocery store. He also noted the applicant's statement that the store is sized to keep pace with growth and traffic from surrounding communities.

Jim Collins spoke on behalf of a community group (not affiliated with the municipal government) called Hinesburg Village Vision, which supports the Hannaford project. He said that the proposed Hannaford will provide more local shopping opportunities, more choices, less driving to out of town stores, and will support other local businesses. He said that Hannaford has responded to DRB and community concerns with many improvements (several were listed) to their plan since the first proposal was reviewed earlier this year. Most importantly, he said that this project is a commercial use in a commercial zoning district, and that it meets the specific criteria in the site plan review standards in section 4.3.4 of the Zoning Regulations. He read through each of the site plan review standards and said that the application has addressed all of them. He also commented on the project's compliance with the Town's Official Map for future community facilities. He said the Official Map does not indicate one specific use for this property, but instead provides a list of possible community facilities. He said this application

accommodates three of the possible facilities listed: 1) sidewalks on Commerce Street, 2) Farmers Market location, 3) park space – i.e., Hannaford's proposed pocket park.

Chuck Reiss from Responsible Growth Hinesburg (another non-municipal, community group) said that this group has serious concerns about the project, and would like the DRB to hear testimony from two expert witnesses retained by Responsible Growth Hinesburg. The first to present was Jeanne Vissering. Jeanne V said she is a landscape architect, and that she does a lot of visual impact assessment work, including working for municipalities, developers, and citizen groups. She indicated that she had prepared a written report, and she apologized that it hadn't been submitted yet. She said it would be submitted shortly. First, she reminded the Board about two important review criteria: 1) consistency with the Town Plan, purpose of the zoning district (outlined in Zoning), and purpose of the Official Map; 2) site plan review criteria 4.3.4 #3 regarding maximum compatibility with adjacent properties and the character of the neighborhood. Based largely on these two review criteria, she made the following comments about the project proposal:

1. Scale of the building is far larger than anything else in the surrounding neighborhood. A 36,000 square foot building might be acceptable to support the high development density goals in the regulations, but not as a single story, single use building.

2. The proposed parking is front and center, rather than being behind the building and/or properly screened. This parking lot will dominate the site.

3. The project appears to be squeezed into a site that is not large enough for it. As a result, this project includes no meaningful or functional green space.

4. The building is generic, not compatible with the surroundings, and does not add value to the architecture of Hinesburg. Jeanne V cited other buildings that did try to incorporate more complex architectural forms to better fit into and add value to the village – e.g., Kinney Drugs, National Bank of Middlebury, Animal Hospital of Hinesburg, Jolley Mobil Station.

5. The project includes no shared parking areas to help integrate the proposed use into the surrounding uses.

6. The property in question is valuable for a number of different potential uses (commercial, public, etc.), and could be suited for a grocery store use, but not as currently proposed by Hannaford.

7. The proposal is for a regional grocery store on a site that is not large enough or well suited for this sort of regional use.

Michael Oman introduced himself as a consultant hired by Responsible Growth Hinesburg to review and comment on Hannaford's traffic impact assessment report, as well as the project's impact on traffic on the adjacent street network. Michael O briefly explained his credentials, and indicated that the Board was provided with his resume and his written comments ahead of

the meeting. Rather than reiterate everything in his written report, he said he would point out just a few of his most significant comments, as follows:

1. The method used to calculate the total number of vehicular trips generated is an important factor, because he feels the trip generation projection should reflect approximately 80 more trips during the peak hour. He said that Hannaford's traffic model did not follow standard protocol from the ITE (Institute of Transportation Engineers) trip generation manual. He said Hannaford's model used average trip generation for the supermarket use category instead of a better equation called for in the ITE manual. Michael O said Hannaford should have also looked at the actual traffic generation from the existing Lantmans market to assess the best trip generation method. He found the traffic volumes at Lantmans confirmed the results of the proper trip generation equation – i.e., showing approximately 80 more trips during the peak hour than Hannaford's projections.

2. Hannaford's traffic impact assessment contends that traffic volumes at the Lantmans site will decrease from 251 trips during the peak hour to only 100 trips during the peak hour. Michael O said this contention is not substantiated, and not a prudent traffic mitigation measure given that the Lantmans building could be used for any number of new uses that would generate traffic volumes as high or higher than Lantmans existing traffic volume.

3. Hannaford's traffic impact assessment does not accurately capture the current level of traffic back up and queuing southbound on Route 116 during the afternoon peak. Michael O noted that Hannaford's report indicated queues of approximately 1100' extending north from the Route 116, Charlotte Road traffic light to Mechanicsville Road. Michael O observed much longer queues of approximately 3200' extending approximately to Riggs Road.

4. The project proposes no mitigation for the degraded levels of service identified for the Route 116 intersections at Mechanicsville Road and Silver Street.

5. Michael O said the project also proposes no mitigation measures for the Route 116, CVU Road intersection, even though portions of CVU Road have been identified as high crash locations.

Greg W noted that Michael's conclusions are quite different from the conclusions of Hannaford's traffic engineer. Greg W asked if there are facts to support Michael's differing conclusions. Michael O said there were clear facts to support his conclusions. He noted that Hannaford's trip generation estimate did not utilize the established ITE protocol. He noted that Hannaford's trip generation estimate is not based on the best available evidence, which is the existing/actual traffic pattern at Lantmans. He noted that actual trip data for the Lantmans store bears out his contention that a different trip generation equation should be used, and this would result in a higher number of peak hour trips. Greg W asked Michael O if he would be attending the December 6 meeting, when Hannaford presents more information on traffic issues. Michael O said he would be if that was his client's wish.

Zoe W asked if was typical for a project to impact intersections that are so far away from the project area (e.g., CVU Road, Silver Street). Michael O said this typically depends on the size of the project, and the number of new trips proposed for any given intersection. He said that the typical standard used by VTrans is a trigger of 75 new trips during the peak hour – i.e., any intersection at or above that would typically require study. He said the intersections in question all satisfy that criteria.

George Dameron said that the Village Steering Committee is very concerned about truck traffic related to this project, and is interested in getting more information on this, especially as it relates to the Charlotte Road intersection. Sarah Murphy asked for clarification about the traffic back up issue. Michael O went into more detail on how the projected traffic queue was calculated from the Route 116, Charlotte Road intersection given the existing situation, Hannaford's proposed traffic light timing adjustments, etc. He reiterated that their analysis showed that the queue would be approximately 1100' – roughly back to Mechanicsville Road. However, he and others have observed that the current queue extends well beyond Commerce Street, approximately to Riggs Road (about 3200'). Jim Collins asked if traffic on Route 116 would be improved if magically all the traffic from Lantmans was transferred to the Hannaford project on lot 15 on Commerce Street. Michael O said that traffic entering the Lantmans site does appear to inhibit traffic flow on Route 116, and Hannaford is clearly trying to address this. However, the issue is what traffic levels would look like based on the uses that might replace Lantmans grocery store use. Michael O said that traffic from future uses (e.g., convenience store) could be even more than what is there now.

John Roos commented that his impression is that traffic has decreased a bit (about 15%) since the onset of the recession. He wonders if traffic numbers prior to the recession should be considered. Michael O explained some of the factors that go into the projection of design hourly volume, and he felt that the applicant's method on this front was sound. Bethany Ladimer mentioned the old Saputo Cheese Factory that has direct access to Route 116, and is currently being redeveloped. She wondered if there was a way to factor this future traffic into the traffic assessment. Michael O said the applicant had factored in both background traffic and traffic projected for future projects that have been approved. David Lyman agreed that traffic is here, and that it can back up all the way to Riggs Road. However, he can't imagine new traffic from outside town coming into to town during the afternoon peak time, perhaps at mid-day, but not during the peak time.

Carl Bohlen said that the Town should not restrict what could go into Lantmans in the future, as a function of this Hannaford application. He said this property is extremely important to the vibrancy of the village area because of its central location. He feels the project does not meet several portions of the Zoning Regulations and Town Plan. He pointed out that second sentence of section 3.1 of the Zoning Regulations says that the village growth area is for development that brings value to the Hinesburg community and adds to Hinesburg's sense of place. He feels that this big box store will change Hinesburg's sense of place, which is not consistent with the many community meetings and forums that lead to these Zoning Regulations. He also cited section 4.3.4 #3 of the Zoning with regard to achieving maximum compatibility with the adjacent properties and the surrounding neighborhood. He said there is

a huge difference in the building size, its footprint, and the amount of parking between what is proposed and the surrounding neighborhood – either the Commercial district or in the larger village area. He encouraged the Board to bring this review to closure quickly because this project is becoming divisive in the community, and because he feels the Board has ample evidence to find this project is not consistent with the regulations.

Chuck Reiss of Responsible Growth Hinesburg reminded the Board of the report they submitted by Dean Grover, which raised issues with the proposed stormwater treatment system. He hopes the Board will review that and ask for a response from the applicant. Brian Bock wanted to challenge the assertion that there will be increased traffic. He said the assumption is that if the applicant builds a bigger store, that there will be increased traffic and business to support that larger store. He said that maybe the size of Hinesburg's current grocery store is exactly the size that the community needs, and that the proposed Hannaford store is not needed based on the community and the economy.

Tyler Sterling from Hannaford said they will be back at the December 6 meeting to talk more about traffic issues, and that they are appreciative of all the community comments. He said they are also looking forward to more direct dialog with the Board on the various issues.

Later, at the end of the meeting, Greg W MOVED to continue the Hannaford project review to the December 6 meeting. Dennis SECONDED the motion. The motion PASSED 7-0.

Hinesburg Center LLC Project – Design Details for Building C-2 on Lot 41:
Hinesburg Center LLC project located on the corner of Route 116 and Farmall Drive in the Village Zoning District. Tax Map #08-01-06.322, originally from #08-01-06.320. Specifically, building C-2 on lot 41 – the next commercial building proposed for construction after the Kinney Drugs building.

Peter Erb explained that condition #3 of the 9/7/2010 site plan approval for the Hinesburg Center project required that the applicant provide detailed building designs for building C-2 on lot 41 for DRB review before obtaining a building permit. This building was approved in 2010, but only based on generalized artistic renderings, and not with any specific design details. Condition #3 reads, "Detailed plans specifying building dimensions, elevations, lighting, and exterior treatments for building C-2 shall be submitted for DRB review before a building permit application is submitted for this structure. The DRB shall reopen and revise the conditional use review for this building if it finds these plans to be substantially different from the likeness on the renderings."

The developer has provided detailed architectural plans, and Peter E reviewed these with the Board. Alex W noted that the developer has not settled on a specific color for the exterior siding or the roofing. He said that the developer indicated the exterior siding (cement board siding) will be a neutral color, and that the roofing would likely be a neutral colored metal instead of the asphalt shingles shown on the original renderings. He said the developer assured him that the roof would be a more neutral color than the blue roof on the Kinney Drugs. Peter noted that no exterior building lighting is shown on the plans, but that entry lighting (e.g., recessed can lights above entry ways) would undoubtedly be needed/proposed. The Board

agreed that this sort of minimal entry area lighting is consistent with the plans, and would not need further review. Peter E assured the Board that he would work with the developer on site plan revisions if any other exterior lighting was either needed or proposed. Ted MOVED that the Board find the plans for building C-2 on lot 41 are substantially the same as what was depicted in the original project renderings. Dennis SECONDED the motion. The motion PASSED 7-0. The Board encouraged Peter E to work with the developer on color selection for the siding and the roof, as well as other issues that may require site plan revisions if substantive changes to the plans or construction timing are needed – e.g., landscaping, site lighting, sidewalk construction on Farmall Drive and along the western side of the building.

Carl Bohlen said that the Affordable Housing Committee (AHC) supported this mixed-use project because there was a strong possibility that the 15 residential units (in 5 multi-family dwellings yet to be built) would be purchased by Housing Vermont and Champlain Housing Trust, and would become perpetually affordable. Carl B noted that the developer has met with the AHC to indicate that these housing non-profits are no longer interested in these 15 units, but instead plan to work with the developer to create affordable housing in the next phase of the project on land retained by David Lyman. Carl B asked if the Board expected that all 15 residential units would be affordable. Ted B and Greg W indicated that this was a hope but not an expectation, and that only one unit was required to be perpetually affordable pursuant to the inclusionary zoning requirements in the regulations.

Other Business:

Palmer Sketch Plan Decision for 2-lot Subdivision (hearing closed on 11/1/11):

Ted B MOVED to approve the sketch plan decision (approval) as drafted. Dennis SECONDED the motion. The motion PASSED 6-0 with Greg Waples abstaining because he wasn't present at that hearing.

Tom M MOVED to adjourn. Ted B SECONDED the motion. The motion PASSED 7-0.

Respectively Submitted,
Alex Weinhagen
Director of Planning & Zoning