Town of Hinesburg
Development Review Board
December 6, 2011
Approved December 20, 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, Elly Coates, Gill Coates, George & Debbie Dameron, Dona Walker, Jason Cummings, Dena Monahan, David & Barbara Lyman, Douglas Boyce, Damon Yakurleff, Joe Bissonette, Steve Giroux, Dorothy Pellett, Margery Sharp, David & Carrie Fenn, Rolf Kielman, Johanna White, Barry Russell, Patti Drew, Scott Jaunich, Jim Collins, Sam Collins, Jean Kiedaisch, Greg Glade, Marian Willmott, David White, Paul Wieczoreck, Carol Jenkins, Rachel King, Ken Brown, Jeff French, Debbie Light, Heidi Simkins, John Roos, Aaron Kimball, Kathy Rohde, Sally Reiss, Ginny Roberts, Kristy Mcleod, Carl Bohlen, Alice Merritt, Elizabeth Lee, Geoffrey Gevalt, Gail Webb, Bob Merritt, Gay Reagan, Natacha Liuzzi, Catherine Goldsmith, Mary Crane, Bob Thiefels.

**NOTE – Partial list. Not everyone that attended signed in. Alex W counted 65 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 15, 2011 Meeting:
Ted B MOVED to approve as written. Greg W SECONDED the motion. The motion PASSED 7-0.

Cummings – Home Occupation in Accessory Building:
Conditional Use for a home occupation in an accessory structure. 267 Lincoln Hill Road. Rural Residential 2 zoning district. Owner/applicant: Jason Cummings. Tax Map #09-01-74.000.

Jason Cummings described the proposed use, which is a home occupation personal training/fitness studio for indoor training with weights and cardio equipment. It will operate within a portion of an existing, accessory structure with no exterior changes. Proposed hours will be Monday through Saturday from 6am-8pm. Clients will arrive both singly and in small groups, with low traffic levels (e.g., 5-10 new trips per day) that will comply with the limits outlined in the Zoning Regulations for conditional use home occupations.

Greg W noted that the property has two driveway accesses to Lincoln Hill Road, and asked how this came to be. Jason C said these driveway accesses were there when he purchased the property from his parents, and also there when they purchased the property some time ago from the previous owner.

Greg W asked if the existing exterior lighting will remain the same. Jason C said it would. Tom M asked about the size of classes. Jason C said any group classes would be capped at five people in order to comply with the maximum traffic allowance outlined in the Zoning Regulations. Ted B noted that the driveway sight distance was an issue mentioned by staff. Peter E clarified that he originally thought the speed limit was 35mph, but in fact, the speed limit is only 30mph, so the recommended sight distances are shorter, and do not appear to be a problem. Ted B asked about the space to be used in the building for the home occupation. Jason C said the home occupation would utilize only a small portion (540 square feet) of the existing accessory structure, and he described how the other portions of the structure would be used.

The Board reviewed draft approval language written by staff. Greg W noted a typo in Findings of Fact #7, and recommended modifying or eliminating Order #1 dealing with exterior lighting. Greg W said this order is not needed since no additional exterior lighting was proposed or reviewed. Dick J asked if the existing exterior lighting was sufficient for the proposed use. Jason C said it was, and that he would be happy to return to the Board if he found more was necessary.

Ted B MOVED to approve the draft decision (approval) as amended. Greg W SECONDED the motion. The motion PASSED 7-0.

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 November 15 meeting.*

Tom M noted that this review was continued from the November 15 meeting. He explained that Hannaford had requested more time to get feedback on traffic mitigation measures from the VT Agency of Transportation. The applicant plans to present more information on traffic issues at the December 20 meeting. Tom M said that tonight's meeting will focus on compliance with the Official Map, and additional discussion on building design. He said that the Village Steering Committee will give a short presentation first, followed by a presentation by Hannaford, followed by discussion between the applicant and the Board, and concluding with public comments.

George Dameron, on behalf of the Village Steering Committee (VSC), briefly explained an addendum to the VSC comments made about traffic at the November 15 meeting. This addendum was distributed in writing to the Board, and addresses the specific standards in the Zoning Regulations that are applicable to the VSC comments on traffic.

Rolf Kielman, on behalf of the VSC, made a presentation (including slides) for the benefit of the Board and the applicant with other suggestions and observations about the project. He noted that written comments had also been submitted. He emphasized the following:

1. The size of the building remains a problem, but so too does the large building footprint, which makes compatibility with surrounding buildings as well as the inclusion of more

site amenities and functional green space difficult. The VSC encourages the consideration of a two-story structure, and Rolf K showed some examples.

2. The VSC gives the applicant credit for making several improvements to the plans from the original proposal. Some positive changes include: removal of the drive through pharmacy window, revision to and consolidation of the truck access, improved landscaping, modest public spaces, farmers market potential, more appropriate exterior lighting plan.

3. The VSC encourages the applicant and the Board to set a high bar for the design of all new development in the village, especially with regard to the provision of public gathering spaces.

4. Rolf K showed several slides with alternative site layouts to demonstrate some ways that the project could be improved. He suggested the applicant and the Board consider the following further ideas for improvements:
   - A better layout and building design that presents a real front (functionally and aesthetically) on to the adjacent streets.
   - An area for the Farmers Market that allows for a partially covered market.
   - Redesign of the south face of the building to create an outside activity and/or café area.
   - Energy production via roof-top renewable energy technology (solar photovoltaics).
   - Conversion to a partial two-story building with a reduced footprint, and slightly reduced overall size.
   - Provide better connection to adjacent lots, particularly pedestrian connections to the adjacent Post Office. Provide clear pedestrian entries into and through the site.
   - Provide some shared parking, and proper pedestrian connections, in part to help accommodate future growth around this site.
   - Reposition the sidewalk coming from Commerce Street to be on the west side of the access.
   - Add a covered walkway along the front of the store both for the entrance and to facilitate pedestrian movement into and through the site.

5. The VSC feels the applicant has not made a significant effort to recognize the importance of the Official Map and the importance of public spaces. The VSC feels the project as proposed is still too large for this site. They feel further improvements are very possible, but are limited in scope by the single-story construction and building footprint. Although many of the issues and suggested improvements seem relatively easy for the applicant to address, other issues continue to present substantial challenges – e.g., wetlands impact, traffic impact.

Tom M recognized Tyler Sterling, representing Hannaford. Tyler S gave a presentation focusing on four new initiatives they propose as part of the Hannaford project: 1) New traffic mitigation measures to improve flow at the Route 116, Charlotte Road intersection; 2) Additional green space to support the proposed Farmers Market venue; 3) Expansion on the pocket park near the Canal into a larger “Canal Park”; 4) An offer to hold a building architecture design charette

with interested community members. Before explaining these initiatives, Tyler S reviewed the size of the proposed store in relation to other supermarkets in the greater Burlington area. He also reviewed written material in which the applicant listed store sizes for similar size communities throughout northern New York and northern New England. They sampled communities with populations between 2,000 people (approximately half Hinesburg's population) and 9,000 people (approx. double Hinesburg's population). They tried to take a representative sample, not a comprehensive or statistical sample. Tyler S reviewed a spreadsheet of about 54 communities, showing the location, population, size of grocery stores, and the calculated square feet of grocery store per resident. Tyler S said their conclusion is that the proposed Hannaford would put Hinesburg about in the middle of all these communities with regard to the square feet of store per resident value.

Tyler S explained that they are proposing three improvements to the Route 116, Charlotte Road intersection, and they recently got positive feedback on these improvements from VTrans. He said that their traffic engineer would present more detailed information about this at the December 20 meeting. The three changes include:

1. Switch to concurrent traffic signal phasing for the Lantmans exit and Charlotte Road (i.e., both would have a green light at the same time).
2. Formalize/stripe a left turn lane/pocket for southbound traffic turning left into the Lantmans entrance.
3. Move the sidewalk, and the stop bar for traffic exiting Lantmans, closer to Route 116 to improve visibility and allow for right turn on red.

Tyler S explained that their second initiative is to add an area of green space on the western side of the parking area proposed for use by the Farmers Market. This space would be in addition to the parking lot area that Hannaford already proposed as an area that could be used by the Farmers Market. This new green space measures approximately 185' by 75', and would allow for alternative designs for the Farmers Market as well as space for permanent features and amenities (e.g., picnic tables). Tyler S showed two possible arrangements for the Farmers Market to take advantage of the new space. He said this additional space would give flexibility to the organizers of the Farmers Market to design the market as needed.

Greg W noted that the hours for the Farmers Market (Thursday afternoon/evening through summer) are not necessarily a slow time for Hannaford's business. He wondered about the combined parking needs of the Farmers Market and Hannaford during the evening, after work peak. Tyler S said there will be some overlap, but he feels the parking proposed will be sufficient.

Ted B asked how the proposed Farmers Market allowance will play out in the long term. Tyler S and David White said that there will certainly be details to work out, but that Hannaford is proposing to make a long term commitment to this community use on this portion of their property.

Tyler S explained that their third initiative is to expand the concept of the pocket park they proposed on the south side of the project. Instead of just a small pocket park, they propose to

give the Town an easement for this area as well as a larger portion of the site that fronts along the Canal and the existing Canal path. He termed this larger easement area as "Canal Park", and said their intent was to give the Town a greater sense of control of the area along the Canal. Hannaford is proposing to grant the Town an easement for this area that allows the Town to design this area as it sees fit (with coordination/input from Hannaford), and with Hannaford providing the same amount of funds as it shows in its proposed landscaping for the area. In other words, the Town could largely control how this portion of the site is improved (landscaping, benches, walkways, etc.), with Hannaford providing funding equivalent to what it had planned to spend on landscaping in this area. Tyler S noted that through this proposal, Hannaford is not simply accommodating space for Official Map elements, but is also providing access and control to the Town, and helping to pay for the creation of those Official Map elements.

Tyler S explained that their fourth initiative is to sponsor a building architecture design charette in the hopes of coming up with a building design that is more acceptable to the community. He said that they have seen a lot of interest in the building architecture by community members and the Board. To better address this issue, Hannaford proposes involving interested community members in a collaborative discussion about alternatives, specifically:

1. Hannaford will hire a facilitator to organize and hold a community design charette, in which participants will break into small groups to discuss various building design options.
2. At the end of the charette, each group will report out to everyone attending with their best ideas and conclusions.
3. Hannaford will then hire an outside architect to create a new building design (version 3) that incorporates the best elements from design charette. Hannaford will then present this new building design at a subsequent DRB meeting for the Board to review.
4. There will be certain design constraints, including: no substantive change to the building footprint; still a single-story building; no substantive changes to the site layout. In other words, the charette would focus on building exterior elements given the parameters of the current site plan proposal.

Tom M thanked Tyler for his presentation, and then asked Board members to comment on the project to date. Tom M started it off with his own observation that he felt the applicant did listen to feedback from the Board and the public from the review of the first iteration of the plan earlier this year. He felt that the first iteration did not adequately deal with the Official Map issue, but he does think that the current proposal does a better job on this front.

Zoe W said she also appreciated the improvements that Hannaford has made, but she is not sure if the current proposal complies with the regulations. She said the regulations need to be reviewed holistically, and that various sections are interdependent. She remains concerned about the size of the building, and especially the size of the parking lot in terms of the site constraints, the purpose statement for the Village Growth Area (section 3.1), and the maximum compatibility standard (section 4.3.4 #3). She feels the applicant is using flawed logic by arguing that other large buildings in the village area serve as a justification for the compatibility of the Hannaford proposal. She also noted that the proposed lot coverage is still very high

given the site constraints (e.g., wetlands, level of parking, need for green space, drainage issues, etc.), even if it is under the theoretical maximum. Finally, she is unsure about the project's compliance with the Official Map. She said she feels they have made steps in the right direction with tonight's proposals, but that she needs to think about this issue more.

Ted B emphasized that he still has concerns about the overall size of the building. He said the Board has heard from many community members that a smaller building size would work much better. He acknowledges that the regulations do not cap the size of buildings in this district; however, he feels that the compliance issue has to do with the maximum compatibility with the surroundings standard (section 4.3.4 #3). Regarding the proposed design charette, he said that if the 36,000 square foot building is non-negotiable, then the building architecture must be more robust in order to meet the compatibility standard. Ted B said he is happy Hannaford is willing to do a design charette, but some of the constraints may make that process difficult. Ted B said he is looking forward to getting more input on traffic impacts at the next meeting, as this remains an important issue. He said he needs more time to consider tonight's proposals regarding the Farmers Market and Canal Park. He said that previous proposal to host the Farmers Market simply in a parking lot was problematic.

Greg W commented on four major issues he has had with the project to date. First, he's concerned about the traffic impacts, and like Ted, looks forward to hearing more about this from the applicant at the next meeting. Second, he needs time to process the new information presented tonight to better comply with the Official Map; however, he noted that there is a distinction between a facility that serves certain individuals, and one that serves the entire community. Third, he is concerned about the size and footprint of the building, and is disappointed that the applicant is showing no flexibility on this front given the concerns the Board has raised about compliance with the maximum compatibility standard.

Dennis P thanked the advisory boards, the public, and the applicant for all of the comments, feedback, plans, and hard work. He felt the applicant made several improvements since the first iteration of the plans – e.g., elimination of the drive-through pharmacy, parking reduction, improved lighting plan, increased green space, attempts to accommodate the Farmers Market. He said that traffic impact is a difficult issue for any project, but that the Town Plan envisions concentrated growth in the village area, and that necessarily means more traffic. He said the Town must work with developers, VTrans, etc. in order to plan for and solve these traffic issues. He mentioned the proposed West Side Road as an example of new infrastructure that is planned and will be needed to help accommodate future traffic loads. Dennis P said he supports the Hannaford project, and feels it does comply with the relevant regulations.

Both Kate M and Dick J indicated that other board members had covered their outstanding concerns with the project. Tyler S asked if the DRB felt the design charette was worth pursuing. Tom M said he thought it was. Ted B said if it does happen, he's not comfortable having it happen within an actual DRB meeting. Kate M said that having a facilitator would be very important. Ted B reiterated that if the building size is not negotiable, then the architecture will really have a high bar to reach in order to meet the maximum compatibility standard. Tom M noted that the exterior design is influenced by the interior design and function. Tyler S agreed, and asked if the Board had any specific design suggestions. Alex W said another way to put this

is for the Board to comment on specific aspects of the building design that are particularly problematic or objectionable.

Ted B mentioned the NRG Systems building as a good example of a large structure that incorporated functional gables and roof lines on the front of the building for southern exposure, natural lighting, and aesthetics. Zoe W said the building size and footprint makes the architecture challenging. She cited Hannaford's Augusta, Maine store as having some interesting features including a front porch like design, second story glass/fenestration, etc. She feels the building really needs to be more innovative in order to meet the maximum compatibility standard, and in order to meet the purpose for the village growth area (section 3.1) which aims to, "allow for development that brings value to the community and maintains Hinesburg's unique sense of place."

David W reiterated the manner in which Hannaford is accommodating two official map elements (Farmers Market and Canal Park), including their willingness to actually construct these community facilities. Dick J asked why the additional green space proposed tonight for the Farmers Market use can't function as a permanent easement in much the same way Hannaford proposes for the Canal Park. David W said the Farmers Market area is not proposed as a formal easement area because Hannaford needs more control of the use of this space – especially the parking area portion.

Tom M opened the meeting for public comments. Jim Collins spoke on behalf of the Lions Club, which is the community group that organizes the Farmers Market. He said the Lions Club looks to the farmers to determine what they need to make a successful market. Needs identified include: power, water, road access, parking, bathrooms, and especially visibility, among others. He said that the Hannaford location was previously not considered for a Farmers Market location due to the lack of visibility as well as many of the other needs listed above. However, he said that if Hannaford generates enough customer traffic, that this location may in fact prove suitable.

Barbara Lyman, representing Hinesburg Village Vision (a non-municipal, community group), said that her group had prepared written testimony about the project and its compliance with the Town Plan, Official Map, and Zoning Regulations. She distributed this document to the Board.

Debbie Dameron commented that if Hannaford takes the building footprint, size, parking lot off the table, then their proposed design charette will not be a true collaboration. Mary Crane echoed Debbie's comments. She said that if the size of the building could be reduced a bit, then the plan could better accommodate a larger park area. She said it is important that the Town preserve significant land in this location for a central gathering space.

Marian Willmott said she wanted to correct misinformation presented tonight by the applicant. She said that the information about grocery stores in the surrounding area was misleading because it cited large stores in Shelburne and at Tafts Corner in Williston. She said that the village area in Shelburne is in fact characterized by a much smaller grocery store, and that Tafts Corners is neither a village area, nor the type of place that Hinesburg wants to become.

Sally Reiss noted that the Busier family, who own Lantmans Market, would have been happy to build another grocery store. She said that the Hinesburg community is well taken care of in terms of grocery stores given how many are in close proximity.

David Lyman said he gave lot 1 (behind fire station) to the Town six years ago, and maybe the Town should do something to provide for a community gathering area in that location. He referred to an advertisement in the current issue of the Hinesburg Record that referred to increased municipal services as a result of a new Hannaford store. David L wondered why no similar concerns were raised when redevelopment of the Cheese Factory was reviewed recently.

Bob Thiefels said that Hannaford would not be negotiating in good faith if the store's size was not part of their proposed design charette. He also said that the suggestions for improvements made by the Village Steering Committee were exciting to him. He felt the Hannaford proposal could be improved if the applicant took these suggestions seriously and started the design process over again.

Sarah Murphy said the Canal Park concept simply represents the previous landscape buffer area, which is needed to help screen the building and parking area. She said the area proposed for the Canal Park is not really usable space.

Carl Bohlen asked if the design charette would happen before the DRB closes the hearing and begins its deliberations. Tom M answered yes, it would have to for the DRB to be able to consider it. Carl B also gave examples of highly valued stores in other communities, such as the Putney general store that burned twice and is now being re-built.

Ken Brown wanted to know about the timing of Hannaford's proposal to improve the Charlotte Road intersection. He noted that the Selectboard has been discussing the same improvements with VTrans for some time. David White replied that Hannaford has been considering possible traffic mitigation measures for over a year, and has been actively soliciting VTrans feedback on these measures for a number of months.

Elly Coates wondered if other applicants had bent over backwards like this applicant is doing? Tom M noted that several applicants of large projects have made significant changes to their proposals based on the review process, and that the DRB has a good track record of its decisions holding up under review. Elly C also asked the Board how the new Jiffy Mart building at the corner of Shelburne Falls Road and Ballards Road fits in with the surrounding buildings. Ted B replied that he actually felt that it did not fit in, but that he was in the minority when that issue was discussed during the review of that project. Barb Lyman commented that she felt Hannaford has been conciliatory and is a cooperative partner in this review process.

Catherine Goldsmith cited the original 1986 approval that created Commerce Park. She read a few sentences from that approval that referenced the concept that this commercial park was intended for small scale commercial businesses. She felt it was important to remember the original intent and purpose of Commerce Park with regard to the large size of the Hannaford proposal. Chuck Reiss, representing Responsible Growth Hinesburg (a non-municipal

community group), directed the Board's attention to a recent follow up submission by their stormwater consultant (Dean Grover), which continues to point out problems with the project's stormwater treatment system. He asked that the Board address this issue at the December 20 meeting. He said that Responsible Growth Hinesburg will make sure that their consultant attends that meeting to speak to the issue.

Jeff French said that part of why he moved to Hinesburg was because of the small community feel. He felt that this development should fit the character of the town, rather than the town being forced to adapt to the applicant's business model. Paul Wieczoreck said that the proposed design charette would be a waste of time given how little movement has been made in the site plan. Bob Thiefels said that the Hinesburg Farmers Market deserves better than just a parking lot.

Debbie Dameron reiterated that the applicant really needs to be willing to negotiate on the building size, footprint, and parking. Peter Erb asked if it made sense to allow all options to be on the table (no constraints) for the proposed design charette, so that Hannaford can consider all the options and ideas that could come from that process. Tyler S said that there need to be some constraints to ensure that the end result is something that Hannaford can support and move forward with.

Tom M MOVED to continue the hearing to the December 20 meeting, and to adjourn tonight's meeting. Dennis P SECONDED the motion. The motion PASSED 7-0. The meeting adjourned at 9:50pm.

Respectively Submitted,
Alex Weinhagen
Director of Planning & Zoning