

**Town of Hinesburg
Development Review Board**

February 21, 2012

Approved March 6th 2012

Members Present: Tom McGlenn, Zoë Wainer, Dennis Place, Ted Bloomhardt, Greg Waples, Dick Jordan, Kate Myhre and Bill Moller (alternate sitting in on Redstone application).

Members Absent: None. Peter Erb (Zoning Administrator) was absent.

Also Present: Alex Weinhausen (Director of Planning & Zoning), Freeda Powers (Recording Secretary), Doug Nedde representing Redstone, Representing Hannaford's: David White, Justin Peunick, Paul O'Leary, Rob Bast & Tyler Sterling. Public in attendance included: Anne Donegan, Scott Jaunich, Elly Coates, Gill Coates, Marianna Hulzer, Rick Palveri, Dorothy Pellett, Mary Beth Bowman, Margery Sharp, David Fenn, Carolyn Fenn, John Kiedaisch, Jean Kiedaisch, Gay Regan, Bryce Bussier, Natacha Liuzzi, Carl Bohlen, Geoffrey Gbualt, Justin Pevnicle, Kristy McLeod, Barry Russell, Elizabeth Lee, Steve Giroux, Kelly Leary, Bill Moller, Sarah Murphy, Mary Crane, Paul Wiczored, Jim Collins, Bill Marks, Maggie Gordon, Frank Koss, Patricia Whitney, Ken Brown, Virginia Roberts, John Ross, Jim Dumont, Joel Bouvier.

Tom McGlenn chaired the meeting, which started at 7:35pm.

Minutes from February 7th, 2012 Meeting:

Zoe W **MOVED to approve as amended**. Tom M **SECONDED** the motion. The motion **PASSED** 7-0.

REDSTONE: Catamount/Malone Hinesburg, LLC (Tax Map #20-50-66): Conditional Use/Flood Hazard Area. Proposal to fill three lagoons previously used for waste water. Property located at the western end of the Old Cheese Factory property (#10516 Rte 116) in the Industrial 3 Zoning District.

Greg W recused himself of the Redstone discussion because he will not be able to make the next meeting, and Bill M took his place at the board for this application.

Doug Nedde presented this application on behalf of Catamount/Malone Hinesburg, LLC. He said as they sit now, the lagoons pose a safety hazard due to their steep banks and deep water. He pointed out that while the western lagoons appear to be in the state mapped flood plain, all three lagoons seem to be clear of the flood plain elevation (the western lagoon elevation is 328' and flood level is 326.3'). Tom M asked if the lagoons had been raised. Doug N said no. Alex W clarified that when Saputo sold to Redstone, they went to the state to file a map amendment request, which was approved by FEMA. Tom M asked what the elevation of the lagoons is. Doug N said the lagoons are at 327'-328'. Tom M asked about existing piping and Doug N said the plan is to dismantle that. Doug N said that Saputo did already clean out the lagoons and got the state ok to discontinue their use.

Bill M asked if the lagoons are impervious/lined. Doug N said they are lined. They will probably puncture the liners but are not certain yet. Tom M asked if the liners are biodegradable and Doug N said he did not believe so.

Ted B asked what tenants are moving into the site? Doug N said there is an engineering company, a smoke & cure business and a creamery so far and that they are in talks with other tenants in addition (including a restaurant). Ted B asked if the new tenants will require any dairy treatment? Doug N said yes, but that their dairy flow volume will be far below the facilities capacity and therefore it is not seen as an issue.

Dick J asked if there is an intention to develop the area being filled. Doug N said yes. Dick J asked for clarification, asking if the applicant intends to develop a sports field or parking lot; the development choice could have a vastly different potential impact. Doug N said that is a good point and agreed to bring the discussion back to the engineers to assure that those impacts are considered in the decision making process when that future development takes place.

Dick J asked the applicant if they are prepared to deal with flooding in the LaPlatte river area that might occur when the lagoons are filled in. Doug N said there should not be a flooding issue as the plan is to drain the lagoons first by pumping out the existing water, then puncturing the liners (if they decide that's necessary) and then replacing the water with fill.

Tom M asked if the public had any further questions.

Andrea M said she was glad that storm water treatment was being addressed and shared Zoe's concerns about the impervious status of the lagoons. She also voiced concerns about future storm water treatment on the site. She said with the lagoons lined, once they are filled they will maintain their current state status of impervious cover and wonders about the ANR project review sheet which should address this issue. She wondered if the applicant is required to get a state permit for this. Tom M agreed with Andrea M's concern regarding the ANR sheet and asked if the applicant had it.

Alex W said yes, the applicant is required to get Act 250 approval. He said no, the applicant and board do not yet have the ANR project review sheet for the project, and are waiting to receive that from the state. Alex W reminded the applicant that the ANR sheet is a submission requirement and strongly encouraged them to have it available to the board in the March 6th meeting.

Zoe W asked about the lagoon area on the applicant's master plan map which appeared to have been designated as storm water treatment area but which had not been used as such. Doug N said that engineers found the lagoons unsuitable for water treatment as they sit at a higher elevation and therefore would have required pumping water up to the treatment area.

Tom M made a **motion to continue** to the March 6th meeting and asked that staff come up with draft approval language. Ted B **Seconded** the motion. The motion **passed** 7-0.

Hannaford (Tax Map #20-50-02.100): Traffic impact – review input from independent traffic engineer. Storm Water Control Plan – clarify issues from January 17, 2012 meeting.

Independent engineer Rick Bryant, hired by the town to respond to Applicant's traffic report, submitted his own 7 page response summarizing how the traffic numbers were arrived at and how they make sense. Alex W asked the board if they had any outstanding questions for the applicant. David White represented the applicant and covered the traffic discussion as Roger Dickenson the traffic engineer was not in attendance.

Ted B reiterated his request for traffic data if the Rte 116/Charlotte Rd intersection was improved both *with* Hannaford vs. *without* Hannaford. David W questioned the relevance of Ted B's request, saying the applicant proposed the signal change as mitigation and he doesn't see the purpose of considering it without the proposed project. David W stated that previous attempts by the town to get the light change had failed. In his view, then, the light change could not have been approved without the applicants work with VTRANS. Alex W clarified with the board and the applicant that the town's previous discussions with the state around this light change had been simply a matter of concern, not a request for change; he feels it important not to imply that the town had previously asked for approval for a change in the light signal phase and been denied.

Ted B kindly thanked David W for the study and VTRANS approval for the light signal phasing, but restated his request for the traffic data for a better understanding of what that intersection traffic will look like with or without Hannaford's approval. Ted B said in his opinion, the light change is a simple, low cost improvement.

David W disagreed, saying the fix may be inexpensive, but that the process of getting approval was not simple and reiterated that the town had been unsuccessful at getting approval prior to Hannaford's application.

Ted B asked David W directly, if he understood the request and was refusing it. David W repeated his position that the question is irrelevant. Greg W said that this particular request has been posed to the applicant for close to two months, without response. David W at this point apologized for failing to respond, saying he was unaware that it was a request and assuring the board it will be addressed.

Tom M asked if there were more questions regarding traffic. Dick J said he does not agree with the traffic study capping Lantman's site traffic at only 100 peak hour trips. He suggested the report assume the number remain the same as current. Ted B agreed, saying 250 cars now seems like a reasonable number. David W said it was not intended to cap the number at 100. Relative to traffic, the engineers look at what is most likely to occur. While 250 is very high, the traffic engineer followed his standard professional procedure. David W agreed that there should not be a cap as Hannaford does not want to restrict the future potential of Lantman's property. David W explained that the traffic study results have been redone using the existing Lantman's trip generation.

Tom M asked about the design Charrette planned by the applicant. Rob Bast (of Bast & Rood Architects) announced that the Charrette will be held on March 13th in the meeting room at the Fire Station. It will begin at 7pm and is expected to last 1-2hrs. Bast & Rood Architects have

been hired by Hannaford to facilitate the Charette. Rob B reminded everyone that the charrette is not part of the permitting process, that it is informal and the point of it is to make the proposed building the best building that it can be should it be approved. He said the charrette will offer examples, ideas and encourage discussions. The plan is to brainstorm, review and then share those ideas with Hannaford representatives. This is an opportunity for all who are interested to have a positive impact on the design discussion.

Greg W asked Rob B to review some of the parameters with the board and audience. Rob B said he was not prepared to go into the parameters, as he did not have a list with him. He said the parameters will be available at the charrette.

Chuck R asked if there will be discussion around the interior of the proposed building as well. Rob B said no, the charrette only addresses the outside of the building, nothing inside will be discussed. Chuck R said he thought the applicants were firm in their non-negotiable terms regarding size and footprint of the proposed building. Rob B clarified that “footprint” and “size” is not the same; the footprint of the building is not going to change.

Paul W asked what will be the impact of the charrette on the board’s decision. Greg W said for him, the idea of the charrette is to address the appropriateness of the building within the surrounding area, which is a very important aspect to this application. However, he noted that the Charrette is being conducted by Hannaford. The DRB will not participate and will instead wait for Hannaford to submit any revised application material based on the Charrette if they so choose.

Gay R asked if folks are supposed to sign up or just show up to the charrette. Rob B said there is no sign up required but folks are welcome to email or call him to let him know they plan to attend.

John K asked Rob B who would be facilitating the charrette. Rob B said his firm will facilitate with some assistance from White & Burke. John Rose asked how the information collected at the charrette will be shared. Rob B assured the board that the charrette will be transparent and the community will be able to see the input from the event.

Mary Beth Bowman asked if Mr. White and other Hannaford folks will be there. Rob B said they are going to try to have enough facilitators present, including Mr. White and others with a variety of experience.

Bob Thiefiels spoke from the audience and said he wants to attend the charrette but does not want his participation to be construed as a “go ahead” to the Hannaford project. He stated that he remains opposed to the size and footprint of the proposed building.

David W said respectfully, he *gets it*. He said he genuinely respects and admires community members who continue to come to meetings and participate in any way they can. He said Hannaford’s is willing to improve the design of the building where possible, that they are not trying to be obscure about their design plans. He said they are willing to listen and adapt. He encouraged all present to come, give input not an endorsement.

Tom M addressed traffic concerns: David W gave a presentation to summarize where the process has to go given the discussions and feedback that have already occurred.

In regards to Calibration, the towns' hired engineer Rick Bryant, and David W are in agreement. In regards to Trip Generation, David W said VTRANS uses local rates vs. national rates (national rates tend to run higher) and the Hannaford's folks are using the national rates instead. He said on this issue, too, Rick Bryant and the Hannaford's representatives are in agreement. He said real trip generation numbers will likely be much lower than the models indicate when applying the existing peak hr/peak trip numbers vs. using the national numbers.

David W said the Commerce St/Rte 116 exiting lanes (WB) will be widened, SB lane on Rte 116 will be lengthened, the curb cut for Aubuchon will be moved further East (away from the intersection). He said the Charlotte Rd/Rte 116 intersection main change will be the signal phasing on the traffic light. This change would allow NB/SB movement improvement. Also proposed in front of Lantman's is to move the exit stop bar and existing sidewalk forward to allow vehicles exiting the Lantman's parking lot area to see past the building front to view the South for oncoming traffic & improve time allowed to move through the intersection.

David W addressed pedestrian safety concerns at the intersection of Thornbush Rd/Commerce St/Mechanicsville Rd, saying the Town's recreation path/sidewalk proposal is to extend the pathway to the East, improve signage and sidewalks.

David W said plans to add a Left turn lane on SB Rte 116 at the Charlotte Rd intersection have been nixed, citing both Peter Erb as well as Rick Bryant's recommendations against it. Also, David W said they are no longer proposing a dedicated Left turn lane/WB on Commerce Street citing the incremental difference it would provide.

David W said the change to concurrent phasing at the traffic light at the Charlotte Rd/Rte 116 intersection means they no longer propose to change the light cycle at the Commerce St/Rte 116 intersection.

Overall, David W said, (especially relative to SB traffic) reductions in delay time at the Charlotte Rd/Rte 116 intersection will be evident even with the Hannaford traffic and existing Lantman's (250) trip calculations. By his estimate, queue length should shorten by a couple hundred feet as well.

In conclusion, David W said models show a maintained level of service at the Commerce St/Rte 116 intersection, improvement to level of service at the Charlotte Rd/Rte 116 intersection and no significant change at the CVU intersection. He acknowledges that Mechanicsville Rd has issues, but that it works better in reality than it shows in the models (in part due to driver courtesy and the gaps in traffic created at the Commerce Street light).

David W said it is important to understand that traffic methodology overstates estimates in order to offer conservative numbers; trip generation realities tend to be notably less than the estimates.

David W ended his presentation by stating that the applicant wants to impose two conditions upon completion of the proposed project. 1) Complete a traffic study 6-12 months after the store opens to do trip generation calculations. If the calculations show numbers 20% or more above the estimated generation numbers, the applicants would consider more mitigation to be warranted. 2) SB on Rte 116 at the Commerce St intersection, if the queue backs up over Patrick Brook, the culvert and road there would need to be widened. If that Left turn lane queue is longer than estimated, (blocking thru traffic more than 3min/hr) mitigation would be warranted.

Greg W asked if that meant widening the WB part of Commerce St. David W said no, they would move existing curb lines. Greg W asked if the applicant had negotiated the curb cuts with Aubuchon Hardware. David W said yes, they were in talks with Aubuchon and they were in agreement with the proposed curb cut.

Dick J noted that large delivery trucks may find it difficult to maneuver around the Aubuchon lot area. David W said large delivery trucks don't come often and move very slowly; he does not see that as a potential safety issue.

Dick J asked about the existing stone wall along the sidewalk by Lantman's and wondered if it is on private property. David W said the stone wall itself will remain unaffected, there will just be a wider green belt between that wall and the proposed sidewalk.

Dick J also asked about the proposed conditions the applicant offered. He wanted to know if a 20% difference is appropriate for the volume measure for the overall intersection. David W said 20% seemed like a clear and measurable difference.

Zoe W asked if there is a scale to determine that level of service. David W said yes and presented those numbers to the best of his recollection (0-10 sec=A, 10-20 sec =B, 20-30sec =C, 30-45 sec=D, anything over 60sec =F).

Zoe W pointed out that from what she has seen & heard, for 4 out of 5 of the intersection approaches of the measured levels of service actually drop. In her estimation, the one saving grace is the improvements to SB traffic. David W clarified that the underlying concern from an engineering standpoint is to get the most benefit to the greatest number of vehicles. He said it is also inherent in design that smaller streets take longer to exit from (i.e., side streets). Zoe W asked then how to reconcile the total volume of the other 4 side streets? She asked if the traffic report in the board's previous packets factors in the 250 trip calculation for Lantman's. David W said no, but that the information he presented tonight does. Zoe W requested the applicant provide the board with those recent calculations. David W assured the board they would get the newest study.

Zoe W noted that the Rte 116/Mechanicsville Rd intersection will remain at a level of service = F, and asked how that intersection will change if at all. David W said while it does appear that there will be an increase in delay time at that intersection, in his experience, the model is not true to what actually tends to take place (i.e., the courteous driver theory).

Zoe W asked if the models are including traffic estimates based on permitted buildings only, not looking at a larger “master plan” for the village area. David W said yes, that is correct; the models are based on fully permitted existing projects and do not consider future hypothetical projects.

Zoe W also asked if the traffic light at Charlotte Rd is currently mistimed. Alex W said he suspects that it is slightly off but that it has not yet been tested to be certain. Alex W also clarified with the board and the applicant that the Town has not sought VTRANS approval to change that light. He said no formal request has been made by the Town, only that a concern was voiced to VTRANS. He concedes, however, that Hannaford’s reps did convince VTRANS to approve the change and they did considerable work to do so, that the Town did not.

Tom M asked if the public had any questions.

George Dameron spoke to his concerns for pedestrian safety at the Charlotte Rd intersection and wanted to know if any changes would be made that would affect that. David W said no, the pedestrian crossing times are expected to stay the same. George D clarified if that meant there would be no change to the existing NO TURN/RIGHT light. David W said he was unsure about that in particular and said he will ask the traffic engineer Roger Dickenson. He assured the board that more details will come.

George D also voiced concerns about long-term congestion created by the increase in traffic volume from the South, West and East.

Bill Marks noted the projected traffic study year of 2017 and asked the applicant what that date was based on. David W said that 2017 was based on expectations that the store open in 2012 and said while that is clearly not going to happen now, there is a negligible difference one year to the next.

Bill M said to him, the study provided begs the question: will a store of this nature change the residential makeup and character of the community? David W agreed that indeed it would. Bill M said studies showing population growth remains the big concern for him. At this point, David W clarified, stating that he felt misunderstood. He said the store’s size is not predicated on future growth estimates, it is based on the needs of the current population. He said it is based on the current need for a diversity of products and services to the population already living here.

Bill M cautioned the applicant that credibility is essential.

Ginny Roberts spoke, following up on the Mechanicsville Rd issues. She said an increase in traffic volume on Mechanicsville Rd will result in traffic diverting to 116, creating long delays and congestion at the CVU Road and Commerce Street light/intersection.

George Holloch pointed out that from what he has seen and heard, the anticipated improvements occurring at the Charlotte Rd intersection are a direct result of the change of

signal phasing at the light and in that respect has nothing to do with the Hannaford's project. David W again reminded those in attendance that in his view, the Town could not have gotten VTRANS approval for the signal phase change without the Hannaford's efforts.

John Kadash asked David W about the proposed addition of 2 conditions post-project completion. He said that it takes about 5 years to reach established levels and took issue with the applicant's offer to reevaluate the levels so soon after project completion (offer of 6-12 months out). David W said the study looked at both 2012 and 2017 and feels this long term outlook is adequate. He said to be clear, the reevaluation should compare to the 2012 building projections. He cautioned that the farther out you look, the more difficult it becomes to anticipate changes that may occur. He said beyond a 5 year outlook, it becomes very hard to discern variables.

Carl Bohler said he hopes the Development Review Board is prepared to handle the repercussions if that post project study does show poor results beyond the 20% threshold offered by the applicant or in his opinion, it's not much of an offer at all.

Elly Coates said the Official Map shows Mechanicsville Rd needs improvements and in her experience, most drivers divert to Commerce Street already because there is a traffic light there, increasing their chances of getting through the intersection in a timely manner.

John Roos said in regards to the offer from the applicant for post project completion study of the culvert at Patrick Brook, there would be potential for significant degradation if queue lines are severe. He also asked if there was a conflict with the existing Mobil lot, saying if queue lines are long on Commerce St, the entrance to the gas pumps could be blocked by that traffic. John R also asked if pedestrian traffic was being considered (specifically at the Charlotte Rd and Silver St intersections) and if overall increases in pedestrian traffic are expected.

David W said in regards to the 3 min queue at the Patrick Brook culvert, he wanted to be clear that was referencing peak pm hour data and VTRANS standards are being applied. In regards to the Mobil station, he said they have been in talks with them and said they (Hannaford) have no leverage there. He pointed out that the Development Review Board chose not to change the Mobil curb cut when they had the opportunity to do so. In regards to the Silver Street intersection, David W said there is not expected to be significant impact. David W said there are not expected to be any changes regarding pedestrian safety.

Paul O'Leary spoke and gave a presentation regarding Storm Water Treatment. Paul O cited large development projects including Thistle Hill and Creekside which have more impervious cover than the proposed Hannaford's project and said that those projects were not held to the standards being held in this project (i.e., 50 & 100yr storms). He said the applicant is waiting for the final design (post charette) to complete their water quality control plans.

He cited existing swales which now empty into a detention pool which then empties into Patrick Brook. He said the existing culvert can't handle more than a 2-yr storm without overtopping surrounding driveways, swales and the Dark Star property.

Paul O said the proposal includes installation of an 18" pipe and a large underground storage unit. He said models show this system could handle up to a 25-yr storm with no discharge into the existing smaller culvert and surrounding swales behind Dark Star. He said the proposed system starts to exceed the 18" pipe capacity at the 50-yr storm level resulting in discharge of 2.5cfs into the smaller culvert and existing swales behind Dark Star. He notes that this is still a significantly small discharge number given the use of the 18" pipe which will bear the brunt of floodwaters. Paul O clarified that under all of the storm events modeled (2yr to 100yr), there will be less discharge to the problematic swale behind Dark Star than there is today in it's undeveloped condition.

Tom M asked what the total underground storage tank capacity is. Paul O said about 40K cubic feet.

Zoe W inquired on infiltration, asking if the underground storage tank will be lined. Paul O said yes they are likely to be lined. Zoe W asked what type of treatment will be occurring before the water reaches the tank. Paul O said they still need to decide on a proper treatment method. He made a note that storm water that comes off rooftops is not required to get any treatment prior to retainment.

Ted B clarified that during large storm events, only the first flush of storm water will be treated before going to the underground containment. Paul O said that is correct but also reminded the board that most debris and contaminants are found in the "first flush" or first 9/10" of rainfall and that beyond that first flush, the storm water that comes after is relatively unadulterated.

Dean Grover (from Responsible Growth Hinesburg) asked Paul O to elaborate on filter ideas. Paul O said there are a variety of options available and that the applicant is confident that a proper water treatment method will be achievable.

Dean G asked what the expected volume of water requiring treatment is. Paul O said he did not have those numbers with him. Dean G suggested the applicant use the "10% Rule"; evaluate your effects downstream until your effect is down to 10% of the water supply. He also suggested the applicant better demonstrate the expected impact on swales by Tailhook Towing as well as to the Patrick Brook.

Dick J asked why models show the same volume of rainfall, but with the proposed Hannaford project, show higher runoff volume. Paul O explained that runoff currently comes off a grassy field.

***** asked what could go wrong with the proposed system and what is Hannaford's prepared to do if/when the system does back up? Could neighboring properties be impacted or damaged? Paul O said this scenario is unlikely. He stated permit requires review twice a year to evaluate the system and said if ever the system were to back up the water would pool in the parking lot area, not flow into neighboring properties.

**** asked about sediment clean up from the tanks. Paul O said yes, there will be required maintenance inside the tank to clean out debris and sediment. He said this will be looked at every 2 years.

Zoe W wanted to know where the discharge numbers were being taken from. Paul O said the discharge numbers are taken right out of the end of the 18" culvert.

Dennis P asked if the detention pond should be larger, and Paul O said in his opinion, it is adequate for a 10 year storm.

Other Business:

Tom M mentioned the Design Charrette and encouraged folks to participate.

Tyler Sterling said results from the Charrette will be presented to the Development Review Board on April 2nd. Alex W asked the board to be prepared to discuss any further issues or concerns with Hannaford's representatives at the March 20th DRB meeting. Greg W reminded the applicant that the board wants to see their most up to date final plans. Ted B made a motion to continue discussions to the March 20th meeting.

Tom M Seconded the motion. All approved, the motion passed 7-0.

Greg W **moved to adjourn**. Tom M **SECONDED** the motion. Meeting adjourned at 10:47pm

Respectfully Submitted,
Freedra Powers--Recording Secretary