



Development Review Board

Town Of Hinesburg

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Meeting Minutes March 6, 2012

Minutes Approved 3/20/12

Members Present: Tom McGlenn, Zoë Wainer, Dennis Place, Bill Moller, Dick Jordan, Kate Myhre

Members Absent: Greg Waples and Ted Bloomhardt

Also Present: Alex Weinhagen (Director of Planning & Zoning), Peter Erb (Zoning Administrator), Freeda Powers (Recording Secretary), representing Hinesburg Center, LLC: Brett Grabowski and Greg Rabideau (Architect), Representing Hinesburg Hillside, LLC: Co-Applicants Collin & Bart Frisbie and Andy Rowe (Engineer), Dan Baldwin. Public in attendance included: Andrea Morgante, Elly Coates, Gail Webb, Dan Jacobs, Lindsay Hay, Greg Rabideau, Heidi Simkins, Wendy Patterson, Patti Drew, Susan Hoepfner, Bill Lippert, Carl Bohlen, Bob and Alice Merritt

Tom McGlenn chaired the meeting, which started at 7:37 p.m.

Minutes from February 22nd, 2012 Meeting: Zoe W MOVED to approve as amended. Dennis P SECONDED the motion. The motion PASSED 6-0.

1) 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.

Alex W said this application was continued from the Feb 21st meeting due to failure to give proper notice. The board heard the application substance with the applicant, Doug Nedde present at that Feb 21st meeting. The applicant expressed no concerns with the draft approval language submitted by staff.

Zoe W addressed her previous concerns regarding whether or not the lagoons are lined/impervious. Alex W said that remained unclear, and said it is likely that the applicant will be inclined to puncture them if that seems appropriate from an engineering standpoint.

Tom M suggested making puncturing the liners a condition of approval. Dick J suggested the conclusion could recommend puncturing the liners. Alex W suggested revising that so the applicant be required to puncture the liners only if not doing so would cause adverse impacts; in that case he suggested the board could tie this condition to a review standard.

Andrea M spoke from the public audience asking about the status of the applicant's ANR project review sheet from the state. Alex W said the applicant had received and presented that information to the board and offered Andrea M a copy of the ANR project review sheet.

Tom M asked if there were any interested parties present. There were none. Tom M said the liner question remains on the table for the applicant. He suggested the applicant be required to puncture the liners unless their engineers can present the board with evidence that they find it unnecessary.

Alex W said in his perception, the only reason not to puncture the liners would be to prevent some kind of long-term contamination from taking place but that it is his understanding that the state had given the "ok" to close down the lagoons and that Saputo had done an adequate job of cleaning them out to the state's standards prior to their closing.

Bill M asked if anyone was aware of the composition of the liners. Nobody was certain.

Peter E cautioned the board not to create a lot issue regarding percentage of impervious cover.

He suggested it would be wise of the board to be mindful of creating long-term pervious surfaces to ensure future subdivision remains feasible.

Zoe W suggested mentioning the requirement to puncture the liners in the Findings of Facts. The board agreed to the amendment. Tom M made a motion to approve the draft decision as amended. Bill M seconded the motion. All approved, the motion passed 6-0.

2) Hinesburg Center, LLC (Tax Map # 08-01-06.322): Lot #43 & Lots 47/48 off Farmall Drive and Kailey's Way. Subdivision Revision, Conditional Use & Site Plan Review.

This application was continued from the Feb 7th meeting due to interest in a final streetscape and landscape plans. Brett Grabowski, developer for this application, presented the board with new visualization data featuring landscape and lighting plans as well as elevation data.

Tom M asked how many years does the applicant anticipate for the landscape plans to be fully complete. Brett G said there are some trees already planted and established and suggested the longest anticipated establish time would be for the proposed new Red Oak trees.

Greg Rabideau, architect for the proposed project, spoke to the internal parking in the rear of the proposed buildings and the streetscape at the front of them. He explained how the applicant proposes to accommodate the grade with plantings and stairs. He showed an example of proposed lighting which is incorporated into the railing system. Alex W asked about the pole lighting that appears on the proposed landscape plans. Greg R said those lights are no longer proposed and are instead being

replaced with the more direct LED option which will light only the stairway areas. Tom M asked if the proposed lights are battery operated. Greg R said no, they will be hardwired. The lighted posts will be at the top and bottom of each stairway.

Bill M asked if there will be stairs between the proposed buildings. Greg R said yes, there will be a combination of stairs and walkways between the units. Brett G said the entrances at the rear of the buildings will require no stairs and will go right from the parking area to the units. Zoe W asked the distance from the proposed buildings to the sidewalks. Brett G said 20'.

Peter E asked about the elevation as it appears on the applicants submitted streetscapes, saying in his mind it is not true to the actual site. He voiced his concerns around the steep grade at the corner of Farmall Drive and Kailey's Way, specifically at the corner/edge of proposed building C-3, between the building and sidewalk.

Tom M asked if there were any interested parties with questions. Dan Jacobs asked if there will be parking allowed along the Farmall Drive sidewalk. Brett G said that is a town-owned street and that no, parking is not allowed. Dick J asked if there is a center line on Farmall Drive and there is not. Brett G said he sees Farmall Drive as primarily pedestrian in relation to the proposed buildings as the true coming/going will be done mostly from the rear entrances where parking will be.

Zoe W asked if the applicant had reconciled what types of uses the site might feature. Alex W said to some degree, yes, that the applicant was hoping to have professional office space with a projected max of 16 employees. Zoe W asked if the proposed use meets the burdens of the current regulations in regards to calculated parking needs etc. Brett G said there is not a need for additional parking, and reiterated that through the mixed parking use in the area, there is adequate parking available currently for these proposed lots.

Peter E referenced the proposed new plantings of Red Oaks on the sloping bank and asked if the trees are indeed going to be planted on those steep banks. Alex W gave an example of the Mulberry Lane project in 2002 where the board approved planting of trees on such steep slopes and noted that the trees did in fact establish themselves despite the grade. Brett G agreed, noting that trees grow fine in the hills of the green mountains all across the region, but also stated they are happy to accommodate this project in any way they can in order to create the best streetscape possible and to maintain a healthy and thriving landscape.

Greg R spoke to Peter E's concerns regarding the grade at the corner of proposed building C-3, saying if necessary they can plant Carpet Juniper or some other non-mow or low-growth habit plants there to prevent soil/bank erosion.

Tom M asked the board if they wanted to close the hearing and direct staff to draft decision language or keep the discussion open for more dialogue.

Alex W said he understood the discussion thus far and could draft decision language for the Board to review without extending the hearing. Alex W asked the applicant what the anticipated time frame is for completion of the sidewalk areas. Brett G said the aim will be to build all three units at once and as the unit foundations are completed, the sidewalk/walkways will be constructed. Tom M made a motion to close the public hearing and to direct staff to draft approval language. All approved.

3) Hinesburg Hillside, LLC (Tax Map #09-01-01-700): Revision to a final subdivision plat & Planned Unit Development (PUD) Redesign Plan for Phase III of Thistle Hill neighborhood. Bart & Collin Frisbie and Andy Rowe presented this application to revise previously approved subdivision plans for senior housing units.

Bart F explained to the board that due to changes in the housing and finance markets, the previous proposal for 32 units of senior housing is no longer a viable development option and therefore they are asking to be re-permitted to fit 11 single-family homes in the same area. He said the new homes will be developed in a similar footprint, size and shape as the existing neighborhood homes. Proposal includes one new road; "Lilac Lane." An open space noted on the original plans (to the North) has been expanded in the new proposal. The applicant is requesting the same waivers from their previous approval with the exception of 1) Roof heights which will now be lower than previously proposed and 2) Parking which will now meet the two space per dwelling standard.

Tom M said in his opinion, there are no major issues in the staff report offered by Peter E.

Kate M asked the applicant who the previous approved units had been intended for. Bart F explained that the previous proposal had been for a series of 4 buildings featuring 32 units for senior housing. Kate M asked why that previous use was no longer being considered. The applicant explained that recent downturns in both the housing and finance markets have made such development very difficult due to pre-sale requirements for financing and expressed that the proposed use is simply not viable in today's market. He said from an economic standpoint, the market moves most senior housing into very large single lots (i.e., very large buildings like Cathedral Square does).

Bart said he thought it appropriate to come before the board now with the proposed changes for what is essentially sketch plan approval before moving ahead with the project.

Tom M reiterated that he saw no major issues with the staff report. Peter E expressed his concern that the applicant appropriately transition the planned units with the village area. The applicant assured Peter E that he feels confident that with proper landscaping, this mutual goal can be achieved.

Dick J inquired on the yard size of proposed lot #36 which appears to abut a storm water basin. Bart F clarified that what is shown is the proposed footprint or envelope of the lot. He said that by working with the buyers and builders, they can use different styles of homes to utilize different parts of each footprint within a given "envelope" to maximize outdoor space.

Tom M asked if there were any questions from interested parties. Dan Jacobs asked if there are any street lights in Thistle Hill. Bart F said no. Tom M asked if there are any proposals for street lights and Bart F said not at this time.

Lindsay Hay voiced her approval for the proposed changes and said she feels the revised plans make more sense for the character of the area, attracting more families. She voiced concerns about the hill behind her home on Mulberry Lane. Bart F assured her that there are no plans to develop or change the hill aside from possibly planting some trees there. He noted that the shape of the hill may change slightly with the movement of fill from other sites.

Gail Webb from Barberry Lane thanked Bart F for his patience and answers and voiced her approval for the plan changes. Her only concern was regarding the proposed roof heights of the new homes and the affect that might have on existing views. Bart F said he was unsure what the final affect would look like but said previous approval for roof heights of 40' had been reduced with the plan change to a max height of 35' for family homes. Bart F also noted that foundation elevations will be similar or lower in the proposed changes as previously parking was planned to be belowground.

Peter E asked if the Site Plans will have true elevation data available. Bart F said the house site elevations and street elevations yes, but noted that different house styles and development on slopes can result in different roof heights. Peter E suggested a predetermined roof height be applied. Bart F repudiated that, saying that there was no predetermined height requirements on the previous 25 approved and built homes in the area and suggested the average height of those projects is probably closer to 31'. In Bart F's opinion, roof heights are unlikely to become an issue.

Bob Merritt, a resident of Thistle Hill, asked if the applicant would consider limiting the homes to single story to avoid any view obstruction. Bart F said in his opinion, regardless of if they are single or 2-storey homes, they will in some way affect the views of existing units. He said in the new plan, using a variety of rooflines and home styles, there will be less of an effect on existing views than with the previously approved project.

Wendy Patterson, also a resident of Thistle Hill, voiced her approval for the proposed changes, citing a softer transition to the village area. She inquired on "flat" areas available in the Thistle Hill neighborhood, saying there are a lot of small children who would benefit from and enjoy a playground area. Bart F said he does envision changes in the future to enhance that, but said from an engineering point, they cannot really "create" flat spaces due to the hillside topography.

Sue Hoepfner, another resident of Thistle Hill, said she, too is pleased with the proposed changes. She said speaking for her own family, they knew when they moved to the Thistle Hill area from a more rural part of town, part of what they were giving up was their large open lot, with open spaces. For them, part of the trade off of moving into the village, was that they now have better access to local services and public spaces (i.e., the schools, library, town hall, etc).

Patty Drew from Thorn Bush Road said although she is not part of the Thistle Hill neighborhood, she is very pleased with what she sees in regards to development and landscaping thus far.

Ali Merritt who lives on Elderberry Lane said she is really in favor of this proposed change. She feels it is much more appealing than the previously approved project. She, too, is pleased with the current landscaping.

Carl Bohlen, from the Affordable Housing Committee, said he thought that Cathedral Square was still interested in looking at the site for senior housing. He said the need remains for such projects but acknowledges the need for funding as well. He said the AHC would like to wait to consider the senior housing option exhaustively. Bart F said he respectfully feels that he has exhausted all feasible affordable housing options.

Tom M asked if there were any other questions or comments. There were not. Tom M made a motion to continue the Final Plat Review to the April 3rd meeting. Bill M seconded the motion. All approved, the motion passed 6-0.

4) Dan Baldwin (Tax Map #11-01-05.001): Subdivision Final Plat Two-Lot Subdivision for property located on Baldwin Road, south of Drinkwater Road. Alex W gave a brief description of the property in this minor 2-lot subdivision with no planned development.

Tom M noted that Lewis Creek will be dividing the two lots, and asked how clearly defined that division is. Alex W said the map had been noted to address this issue by the surveyor and that the center line may shift with the changing channel.

Tom M asked if there were any questions or comments on the application.

Bill Lippert was interested in getting a visual of where the land would be divided and was provided a copy of the lot map.

Zoe W said the application seems straightforward and made a motion to close the public hearing and to approve. Dick J seconded the motion. All approved, the motion passed 6-0.

Other Business: Alex W said the Selectboard is meeting with all the town boards and is asking to meet with someone from the Development Review Board at their March 19th meeting to get an update on the nature and status of the board and its work. Tom M agreed to attend.

Dennis P made a motion to go into closed deliberative session to discuss the Hannaford application. Zoe W seconded the motion. The motion passed 6-0. The board went into closed deliberative sessions at which time Bill M excused himself and left.

After the deliberative session, Dick J moved to adjourn. Tom M seconded the motion. Meeting adjourned at 10:50 p.m.

Respectfully submitted,
Freedra Powers
Recording Secretary