

Town of Hinesburg
Development Review Board
July 15th, 2014
Approved August 5th

Members Present: Dennis Place, Greg Waples, Kate Myhre, Zoe Wainer, Dick Jordan, Andrea Bayer, Ted Bloomhardt, Sarah Murphy.

Members Absent: None.

Also present: Alex Weinhagen (Director of Planning & Zoning), Peter Erb (Zoning Administrator) and Freeda Powers (Recording Secretary). Representing applications: Ben Avery, Mike Buschard.

Public Present: Craig Chevrier, Chuck & Sally Reiss, John & Jean Kiedaisch, Mary Beth Bowman, Jeff Glassberry, Rolf Kielman, Mike Bissonette.

Zoe W. chaired the meeting, which was called to order at 8:33 pm.

Minutes from 6/3/, 6/17/ & 7/01:

Zoe W. made a **motion to approve as amended the minutes from June 3rd**. Dick J. **seconded the motion**. Greg W. and Sarah M. abstained. The Board voted **6-0**.

Zoe W. made a **motion to approve as amended the minutes from June 17th**. Greg W. **seconded the motion**. Dennis P. abstained. The Board voted **7-0**.

Zoe W. made a **motion to approve as amended the minutes from July 1st**. Greg W. **seconded the motion**. Ted B. and Kate M. abstained. The Board voted **6-0**.

Haystack Crossing/Blackrock Construction: The applicants are requesting subdivision sketch plan approval for an 84-acre undeveloped parcel owned by Haystack Crossing LLC (Bissonette Family), and located on the west side of Route 116 between Kinney Drugs and Shelburne Falls Road. A portion of the property is located in the Village Northwest Zoning District, and a portion is located in the Agricultural Zoning District. The developer (Blackrock Construction, based in Colchester) is proposing a subdivision of 90+ lots, 225 dwelling units, 50,000+ square feet of commercial space, as well as open/green space. Review continued from 2/18 3/18 6/3 6/17 7/01.

Kate M. recused herself from this application.

The Board resumed discussions on this application to allow board members absent at the 7/01/14 meeting time to review the record of the meeting and be allowed the opportunity to ask any remaining clarifying questions of the applicant.

Ted B. said he agrees that the zoning regulations and planning standards need to be applied. Also, he said, he agrees that a traffic study to be done at preliminary will be a high bar, citing existing traffic problems in the town.

Zoe W. said she shares concerns raised in comments submitted on behalf of the Energy Commission regarding density bonuses. She asked if the applicant has any prior experience dealing with Green Home Certification and do they feel those standards are realistically achievable in this project? Ben A. said yes, they do have experience, not with LEED certification but with state certification for green homes. Alex W. clarified for the applicant and the Board that the Energy Star program is an energy efficiency program, and is not green home certification per our regulations. Ben A. said he believes that they have experience with green home certification but said he personally does not have the expertise to speak to the process or details of those projects they have done. He offered to provide such documentation of their experience with green home certification to the Board if they request it. He said they have reviewed the green home certification criteria and feels that they can meet it in this project. Andrea B. said the applicant is assuring the Board that they can achieve green home certification, but cannot say how they will do so? The applicant said that is correct, at this time, they cannot lay out the details of how they will achieve the standards.

Zoe W. said passive solar gain potentially has a big impact on the lot lay out and building orientation of this project. The applicant said in his view, passive solar gain is on the low end of the bonus acquisition. He said the true bonuses regarding solar gain in green home certification have more to do with mechanical systems and are very technically based. There are various ways to achieve the different levels of certification. The layout of the plan is fairly certain to remain as is.

Dick J. said in his opinion, Sketch Review is the time to see what the maximum build out would be. He said to him, this layout appears doable without major redesign. The applicant agreed, saying they can tweak the size and density further into the process.

Zoe W. acknowledged late submissions from the following members of the public and local boards: Chuck & Sally Reiss, Andrea Morgante, and the Hinesburg Land Trust. Zoe W. then opened the meeting to questions from the public.

John Kiedaisch spoke from the audience, referencing the memo submitted from the Hinesburg Land Trust. He said in brief, the HLT feels strongly that there should be no further human occupancy in the area of Clayplain Forest on this site. They do not feel that constructed trails should be a part of this plan. Zoe W. asked if this was in response to the Trails Committee's request for a floating easement. John K. said not particularly, but the HLT is saying the opposite of what the Trails Committee requested. In addition, he said, the same protection consideration of the existing clayplain forest should curtail the installation of the proposed solar array in that area. The HLT is in agreement with comments offered by the Energy Commission that there are alternative areas on the site (or roof mounted solar) which would be a better choice. In short, he said, he encourages the Board to reject the solar array portion of the project.

Chuck Reiss spoke from the audience, submitting a written letter in which he and his wife, Sally Reiss, voice their opinions regarding this project. In summation, he said, they feel that the Board has not received enough information to date to approve the sketch plan. Fatal flaws they see with this proposal include: affecting a vibrant mixed-use, capacity of the project to preserve the unique and rural character of the land, separation and placement of residential and commercial buildings within the project which fail to reflect the regulations and Town Plan. He went on to say that LEED

and VT Builds Green have multi-faceted and stringent points to meet. He said the Board should require preliminary review to see if the applicant will achieve certification or not. He and his wife are also concerned with the projects' ability to meet total energy requirements, specific in our regulations for achieving density bonuses.

Sally Reiss asked the Board what tools the Town has to see its vision to fruition. Can the applicant show any similar development projects they have completed that demonstrate a similar vision? She voiced her concern with a typically homogenized development.

Mary Beth Bowman spoke from the audience, saying she feels that this is a matter of conscience. She said she understands the role and position of the large land-owner and sees the developer's point of view as well. Ultimately, she said, it is about money. On the other hand, she said, we have the residents of the Town, some here for many generations, who cannot look at this proposal and say it is reasonable. She said suburban development on this land feels wrong.

Rolf K. restated the Village Steering Committee's stance regarding the Rte. 116 frontage, and said of the plans offered by the applicant to date they are in favor of Option B.

Zoe W. said in response to Sally R.'s question regarding what tools the town has to implement the vision of the Town Plan and regulations, the Design Standards try to guide good development.

Ben A. said in response to public input, the solar array and constructed trails are only options, saying the plan is agreeable to what the town emphasizes as priorities. In that respect, they are happy to alternatively restrict encroachment of any sort within the area of concern as mentioned by the HLT and other individuals as it relates to the clayplain forest. Regarding the implementation of mixed-use, he said this is their first major mixed-use project. They do not feel that this proposal represents suburban development. He went on to say that he thinks this project breaks ground in a positive way regarding its scale and inclusion of mixed-uses. Within the plans, he said, they are offering 22 different home designs, ensuring variety. He said they have worked hard to create options. Custom homes will result in different models, colors and landscaping. Mike B. said they feel that this project meets the density section of the regulations and they stand firmly behind the proposal in front of the Board.

John K. said he does not see this as cutting edge development at all. He said the road configuration has remained essentially the same throughout this review and discussion. The whole road system is wrong in his opinion. Furthermore, he said, the solar gain based on structure orientation is not set to achieve maximum gain. He disagrees with comments offered by Dick J., saying that giving approval now and "tweaking" later is not a good way to prepare a plan in the first place. He encouraged the applicant to try other variations regarding orientation and road layout. He feels that the plan should be rejected based on major concepts. He encouraged the Town to work together with developers for a better plan. We are not selling houses in Hinesburg, he said; we are selling neighborhoods.

Andrea B. asked the applicant, if the solar array is not approved, how will the project accomplish the density bonuses? The applicant said green home certification, renewable energy and inclusion of an important public space are all avenues of achieving the density bonuses this project is seeking. They remain confident that this project can achieve the bonuses. In response to concerns raised regarding the solar array, he said, the Public Service Board reviews all net metered solar projects. He said they can build green homes without the certification, adding that in his experience, one

does not always get the value out of the certification itself. The value of the open space in the proposal can fulfill the valuable public space requirement.

Zoe W. voiced her concern and mounting frustration regarding what she called a “shell game” around the solar gain in this project. The applicant said in many ways, the solar concern is counterproductive to the smart growth concept. He said they cannot at this time say how the buildings within the project will ultimately lay out. Ben A. added that plenty of large, active solar opportunities exist within the development even without the array. Having said that, the solar array also presents the town with a real opportunity to offset every for-sale home in this development. In the end, he said, they would love to have this solar array remain a feature of this project.

Ted B. said they still need to figure out how this solar array works with the residential area; unlike the solar project in Charlotte/Ferrisburgh, which are commercial solar projects.

Sally R. said she didn't think the developer could mandate individual home owners/buyers to put solar on the homes they buy. Ben A. said they believe that they would be highly successful at offering solar as an option as part of the sales package of these homes. In fact, he said, they are likely to offer this even with the solar array as part of the project.

Greg W. made a **motion to close the public hearing and go into deliberative session to take up the following application decisions:** Haystack/Blackrock, Enos, and Hinesburg Center, LLC. Ted B. **seconded the motion.** The Board **voted 7-0** and went into deliberative session at 9:51pm.

Zoe made a motion to approve the Hinesburg Center site plan revision decision (approval) as amended. Dennis seconded the motion. The motion passed 7-0. Members participating: Zoe Wainer, Dennis Place, Kate Myhre, Ted Bloomhardt, Greg Waples, Dick Jordan, Sarah Murphy.

Greg made a motion to approve the Enos 3-lot subdivision sketch plan decision (approval) as amended. Ted seconded the motion. The motion passed 6-0. Members participating: Zoe Wainer, Kate Myhre, Ted Bloomhardt, Greg Waples, Dick Jordan, Sarah Murphy.

The meeting adjourned at 10:30pm.

Respectfully Submitted,
Freedra Powers---Recording Secretary