

**Town of Hinesburg
Development Review Board**

January 6, 2015

Approved 1-20-15

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

Alternate Members Present: John Lyman, Kevin Cheney.

Members Absent: None.

Also present: Peter Erb (Zoning Administrator) Alex Weinhagen (Director of Planning & Zoning) and Freeda Powers (Recording Secretary). Representing Applications: Ben Avery, Dave Marshall, George Bedard, Lawrence Caron.

Public Present: Barbara Forauer, John Kiedaisch, Joe Bissonette, Anne Donegan, Andrea Morgante, Maggie Gordon.

Zoe W. chaired the meeting, which was called to order at 7:35pm.

There were no changes to the agenda.

Minutes from 12/16/14: Zoe W. **made a motion to approve as written** the minutes from 12/16/14. Dick J. **seconded the motion.** Ted B. abstained. The board voted **6-0.**

Haystack Crossing LLC/BlackRock Construction: Sketch Plan (version II) Continued from 12/2/14.

Ben Avery and Dave Marshall reviewed the revisions to the site plan proposal. The applicants propose a 50' shift to the west in an effort to bring all of the buildings out of the Agricultural District. This will be done via elimination of several units which will also impact density numbers, bringing them down slightly and bringing the plan into compliance with current regulations. The change will also compress the green space to the west of the shifted units slightly. The applicants are still open to discussion with regards to the area to the west between the new boundary and the Agricultural District (50') but assured the Board that they have no plans to extend lots into the area. This change in the plans means the applicants are no longer requesting the Conditional Use request to shift the Village NW Zoning District boundary 50' to the west.

The Board acknowledged receipt of two legal opinions offered by the Town and the Applicants attorneys in support of the applicants request that some supporting infrastructure be allowed in the Agricultural District. Zoe W., Greg W., Dick J., Ted B., Andrea B. were all in agreement that there is nothing which disallows this and were ok with it.

Zoe W. asked what impact if any the Town's application for the rec fields may have on this application. Alex W. said the rec fields are not to count towards the green space portion of this proposal.

Zoe W. voiced her concern and caution in regards to the Town's water/sewer capacity limitations and its impacts on the applications before them. Alex W. said this is a good point to consider and is clearly a significant issue at hand. Having said that, he added that it is a fact that the bond did pass and said the

new wells are expected to be online late summer/fall of 2015. The anticipated yield will not accommodate Hinesburg Center's Phase II or this project. It will meet the current needs only. Additionally, he noted that the existing wells will be going offline at that point. The Town is actively exploring additional water supplies but there is no time horizon. He said it is possible that some applications can provide their own water to projects. Also, the Town is looking to change the allocation of infrastructure costs to these types of large projects. Wastewater is not as much of an issue due to State flexibility.

Ted B. said he is inclined to follow as Act 250; no permit without the ability to fulfill the infrastructure demands of a given project. Zoe W. said she is concerned with moving forward with projects of this scope/size without adequate water/wastewater capacity. Greg W. said in his view, the more constricting choke point is the impact on the schools. He reiterated his concern regarding the capacity pressure on the elementary school in particular. Alex W. said the school is working on the numbers and will get back to the Town by the end of February at the latest with feedback. The applicants explained that the numbers provided by them were calculated by figuring the number of units= number of students = impact fee. The applicants said they are also very interested in the schools' capacity as it relates to other aspects of impact (traffic volume, phasing, etc.).

Regarding mixed use and potential vs. dedicated spaces, Ted B. said he is not in favor of having the "option of commercial with the possibility of residential" and instead advocates for having commercial space that is dedicated as such and if necessary, "not built until demand" is there to support it. Zoe W. agreed. Greg W. said the regulations do recommend commercial be built concurrent or first before residential and he suggested the Board could make this conditional. The applicants noted mixed use in buildings A, B, C. Ted B. said each phase should have some commercial in it. The applicants said some flexibility within each of the larger buildings is needed.

Sarah M. voiced her concern regarding the size/scale of building E. Zoe W. agreed, adding that building H is also of concern regarding size/scale. She said to her, the scale seems massive which is one of her concerns and will have an impact on lot layout should also be considered. Dick J. said in his view, it does help to justify larger buildings to have mixed-use with dedicated commercial space. Zoe W. said the proposed 3-story building height also needs to comply with fire codes. The applicant said the 3-story building will likely be 35' minimum. Local fire codes require sill heights no more than 28' which the applicants are aware of. Sarah M. mentioned that the memo received by the Police in regards to this application seems indefinite. She said she is concerned with this particular impact and would like to know our current police numbers regarding calls/yr. to see what type of impact this project might have.

Zoe W. asked about the projects potential impacts on the Buildings/Facilities department. Alex W. said there has been no feedback thus far on that. Ted B. said we as a Town cannot impede development due to sidewalks, etc.; if density numbers are high, a project needs the connectivity. He asked for clarification from the applicant regarding their submission regarding student numbers calculations. The applicants explained that their figures calculated an absorption model scaled to a 96 student increase over a 5-yr build out (though they feel this is likely to be longer). This equates to an 18 student increase per year.

Zoe W. mentioned adequate green space around the multi-unit housing and asked that the applicants create *livable space* around these areas and said at this time she feels the plan could use work here. She also noted the previous plans of a potential access to the north and asked the applicants where that

stands. The applicants said Mr. Busier has his own plans and has at this point departed from this project. Alex W. reminded the applicant and the Board that Rte. 116 is a State Highway and any future planning regarding that intersection for Riggs Road and Rte. 116 will be a process. This applicant, he said, wants to see their traffic study fleshed out to start the conversation with NRG, the Town, the State and all involved stakeholders.

Zoe W. noted public comments received from the Village Steering Committee and asked if there were any other public comments or questions regarding this application. There were none.

Andrea B. asked about the VSC comments regarding the Planning Commission's work on revising regulations and how that might impact this project. Greg W. explained that if revisions to regulations are made, this application is vested in the regulations as they are before us now. He recommended continuing this application until the Town has heard back from the schools regarding capacity numbers.

Peter E. encouraged the Board to consider where in the project the proposed light manufacturing would be. J. Lyman spoke from the audience, asking if the Board approves of the concept would they allow a time frame for development in regards to the water supply. The applicant said they can enter into an agreement with the Select Board to solve the problem regarding general infrastructure as it relates to the overall health of the community.

Sarah M. said building 'J' in her view has inadequate green space for 24 units. She noted that building 'E' is almost 200' long and dwarfs its green space. Dick J. said 'E' could be smaller but he would like to see some dedicated commercial space.

Andrea Morgante spoke from the audience, asking the applicants and the Board to consider the cultural significance of the site.

John Kiedaisch spoke from the audience; he concurs with Andrea M.s comments regarding cultural significance and also voiced his concern with the broad 50' band of unused land created by the change proposed by the applicant and asked how will the applicants propose the space be used? The applicants said that for now it is green space but they have no more specific ideas at this time.

Barbara Forauer spoke from the audience, asking about the road commissioner's concerns regarding road width/snow plowing, etc. The applicants said they will work with the Buildings & Facilities department to be sure the project meets the challenges for safe streets. ROW's at 60' do allow for flexibility.

Ted B. made a **motion to continue the public hearing to 2/17/15**. Sarah M. **seconded the motion**. The Board voted **7-0**.

Caron: Final Plat: George Bedard presented this application on behalf of Lawrence & Cynthia Caron. The lot layout shown at preliminary plat has been modified to show Lot 3 reduced to 0.85A with the balance of that lot designated for transfer in fee to the Town (now shown as Lot 3A 0.95A) for use for storm water treatment. The proposal includes an easement on Lot 1 of 10' to future utilities. The Board discussed sewer easements to Lot 2 in Lot 3 regarding the potential building envelope. Peter E. recommended it be noted in the deed language delegation of responsibility to repair to sewer lines if damaged. George B. said that can be done.

Zoe W. asked that botanical plant names be used in Finding of Facts #12.

Zoe W. made a **motion to approve the application as amended**. Greg W. **seconded the motion**. The Board voted **7-0**.

Other Business: Zoe W. made a **motion to accept the Towns' request for a 1 year extension of Site Plan Revision for the old police station and surrounding site**. Greg W. **seconded the motion**. The Board voted **7-0**.

Zoe W. made a **motion to adjourn**. Ted B. **seconded** the motion. The meeting adjourned at 9:34pm.

Respectfully submitted,

Freeda Powers, Recording Secretary