

**Town of Hinesburg  
Development Review Board**

**March 17, 2015**

Approved 3/7/15

Present: Sarah Murphy, Ted Bloomhardt, Dick Jordan, Zoe Wainer, Andrea Bayer, Greg Waples. Dennis Place arrived at 7:35pm.

Representing Applications: Brett Grabowski, Mike Buscher, David Burke, Alan Norris, Peter Heil, and Leslie Morrissey.

Public Present: John Lyman, Kyle Bostwick, Butch Holcomb, Dale Wernhoff, Carrie & David Fenn, Bob Thiefsals.

Zoe W. chaired the meeting, which was called to order at 7:32pm. There were no agenda changes. There were no public comments for non-agenda items.

Zoe W. made a **motion to approve as amended the minutes of 3/03/15**. Greg W. **seconded the motion**. The Board voted **6-0**. Dennis P. abstained.

**Anup & Meena Dam:** Revision to Previously Approved Subdivision Final Plat—ct'd from 10/21, 12/16, 2/3. The applicants, who propose revisions to the final plat to modify conditions and lot line for a previously approved 7-lot subdivision, have asked for a continuance. Zoe W. made a **motion to grant the request for a continuance on this application and continued it to the 6/2 meeting**. Dick J. **seconded the motion**. The Board **voted 7-0**.

**Hinesburg Center, LLC/Phase II:** Sketch Plan—ct'd from 12/16 & 1/20, 3/3.

Taking into account feedback from the Select Board, who felt that the money offered by the applicant towards the Important Public Space/Infrastructure should be significantly higher, the Applicant is revising their proposal and is no longer seeking this particular density bonus. The Applicant said they will instead achieve the required density as shown on the plans by increasing the number of affordable residential units to 20% for a 40% density bonus. The project maintains one residential density incentive under the dwelling unit size for a 50% bonus. This change will not result in any changes to the building footprints, overall units or square footage counts, nor the configuration of lots, roadways, parking or other site layout elements. The Applicants provided the Board with revised density calculations to demonstrate. The affordable units (a total of 9 required) will be mixed with regularly priced units.

The Applicants demonstrated their response to Board feedback about yard space/green space. There will be a similar house spacing pattern as seen in the Creekside neighborhood; 16' between homes. Per the regulations, the Applicant feels that large building in the project more than adequately meets the setback requirements and that the overall project does adequately meet the green space requirements. In fact, the Applicant feels that the green space in front of the large building may be too much, and is not in his view progressive towards the streetscape.

Ted B. asked about stormwater plans. Mike B. said detention for storm water is already constructed in Phase I and will likely collect some of the storm water runoff from this project as well. They do expect to increase the landscaping.

Zoe W. asked about the applicant's phasing plans. Mike B. said they will be asking for the entire project to be permitted. He then reviewed one of the plan submittals that shows the possible construction sequence or phases. Brett G. said determining phasing this early may be premature. He said it is important to consider the need for infrastructure and for building to minimize impacts on existing development. Greg W. asked about the crossing of Patrick Brook, suggesting it be done at the forefront of the phasing schedule. Brett G. said that will be an economic decision, saying sales need to support such infrastructure. Zoe W. said she doesn't see the sense of building what would essentially be a road to nowhere right away and urged coordination between other projects which makes sense. Brett G. said he would be happy to work together for timing of that intersection of projects. Greg W. said the final decision is likely to condition in a time frame to prioritize that intersection and he feels a specific date is premature. Dick J. said in his view, nothing should preclude building it early. Dick J. said he feels that the extension of Farmall Drive should be in Phase I. Brett G. said he agrees, that should be in the earliest phase possible. Zoe W. opened the discussion to the public.

Kyle Bostwick spoke from the audience as a homeowner in the Creekside neighborhood saying that the seasonal freezing and thawing has once again revealed water pooling in the area. He urged the developer and the Board to address storm water first and strongly urged a storm water mitigation plan. Also, he asked if the setbacks between structures mentioned of 16' meets the Village standards. Alex W. said the applicant for this project is seeking the appropriate waiver for that. Kyle B. asked the applicant for clear and specific intentions for the small back lot on this project, adjacent to his home. Mike B. said there is nothing proposed there. Per previous discussions, Mike B. said, the area has potential for ag-based use (i.e., barn, shed, etc.) but said it is likely to be left open as a visual corridor.

Dick J. asked about trees shown on the plans in an open area. Mike B. said they propose supplementing the vegetation there to increase the sense of privacy and to act as headlight buffers. He said they do envision leaving the center area open. Kyle B. asked the Applicant if they were willing to also buffer that open Ag space. The applicant said yes.

Ted B. asked about the potential impact of the water capacity limitations. Zoe W. said there is not water capacity for this project. Greg W. said this project will require 37.5% of the remaining wastewater capacity. Brett G. said also, the applicant can supply/drill individual wells (minus the 28-plex large building) Ted B. said he feels that this project needs to be connected to the Town. Brett G. said the infrastructure will be put in; however the option does exist for the developer to provide the water source until the municipal capacity is available. Zoe W. asked if the other board members had any input regarding the municipal infrastructure capacity limitations. Greg W. said there is a general policy concern regarding the capacity limitations. Ted B. said the wastewater allocation is the purview of the Selectboard. Brett G. said it is 1<sup>st</sup> come, 1<sup>st</sup> served. Alex W. said he feels that due to the location, this project should be considered. Zoe W. said she finds it difficult to use the capacity issue as a basis for denial. Alex W. said the Selectboard is looking at revising the allocation numbers.

Bob Thiefals spoke from the audience, saying he is bothered by the 1<sup>st</sup> come, 1<sup>st</sup> served basis.

Mike Buscher asked the Board if they have any specific “red flag” issues with this proposal. Ted B. said he feels that the 28-plex needs more green space. Brett G. said that building is slated for commercial on the entire 1<sup>st</sup> floor. The setbacks alone offer 20’ of green space. This is at the extreme end of setbacks, he said.

Peter Erb suggested the Board, if they move to approve, approve the lots, not the buildings, footprints, sizes, etc. He also suggested underground parking be considered in this project.

Bob T. asked from the audience, how the mix of residential and commercial spaces is going to work together. He said there are limited types of commercial uses that could operate with residential right next to it or above it.

Zoe W. said for her, the scale of the large 28-plex building is a concern and will need to be addressed but is not a fatal flaw.

Zoe W. made a **motion to close the public hearing and to take up further discussions in deliberative session.** Sarah M. **seconded the motion.** The Board **voted 7-0.**

**Hinesburg Center, LLC/Phase II:** Conditional Use for Commercial Space over 1,000 sq. ft.

Brett G. explained that he has a potential tenant for the first floor of the building at 52 Farmall Drive (Lot 47). The tenant will be a Physical Therapy business with a small retail gym component. The 1<sup>st</sup> floor of this building is approximately 2,800 sq. ft. He provided floor plans, hours of operation (M-F 6a-8p, Sat 7a-5p & Sun 8a-2p), total number of employees (3-4) and a parking matrix demonstrating adequate on-site parking. No additional water or sewer capacity is requested.

Peter Erb asked the Board for discretion to approve small changes without the need for the applicant to come back for revisions. Ted B. urged caution and noted the potential impact on other aspects of this mixed-use development such as shared parking. Brett G. said he will come before the Board for signage which will likely go out by Rte. 116.

Zoe W. made a **motion to close the public hearing and to approve the draft approval as provided.** Greg W. **seconded the motion.** The Board **voted 7-0.**

**Alan & Nancy Norris:** Final Plat Approval request for a 24-Unit Planned Unit Development (PUD). These 24 Units will be comprised of one 3-unit, two 4-units, one 6-unit and one 7-unit multi-family dwellings. The lot is 23.96 acres and is split between the RR2 & Ag Districts located on the west side of Rte. 116 across from New South Farm Rd and Buck Hill Rd W.

David Burke briefly reviewed the proposed development. He said there was a site visit with VTrans which Rocky Martin attended as well. Alan Norris is offering a match of 20% towards the most expensive portion of the sidewalk construction on the west side of Rte. 116.

The Applicant went through the 5 major/ 7 minor items listed in the staff report: #1) Garage Setbacks; the applicants feel that at preliminary they had a majority of the Boards’ agreement that the regulations don’t require 10’ setbacks when making the distinction of which is the “front” yard. Some architectural changes were made to the elevations which were shown to the Board. Alan N. said the 10’ garage setback makes no sense to him. Peter Erb urged people to consider the experience of the residents.

Ted B. said the applicants had not made significant architectural changes to mitigate the garages in his opinion.

The Board looked at landscaping plans. Zoe W. noted where service berries and crabapples had been changed to such plantings as honey locust, Princeton elms, tree lilacs, hedge maples, magnolias, pear; she said these larger scale species are a step in the right direction in her view.

Sarah M. said regarding mitigation of the garages, she was hoping to see some changes to the porch depths or something. Dick J. said the garage doors should be kept as small as possible to reduce the bulk of the garages. The applicant said they are okay with that, perhaps a 9' max (single car width).

#2) Traffic Generation/Impact; the Applicant said Rte. 116 is a state highway and the State has ok'd the access point for this project. Peak trip numbers were provided by the Applicant to the Board.

#3) Density Bonus/NGBS Green Home Cert.; David Burke said there is no argument regarding having 3<sup>rd</sup> party verification and meeting regional standards. There was some discussion regarding energy efficiency standards and ways to achieve them. Alan N. said they have been in talks with Leslie Jones at Efficiency Vermont. The Applicant feels that this project meets the required standards and they are ok with applying the Silver Level of Standards if the Board feels that is necessary.

Carrie Fenn spoke from the audience, on behalf of the Energy Commission, who would like to have standards as high as possible applied to this project which sets a precedent for achieving this particular density bonus. They would like to see more solar incorporated into this project as well. They would like to hear from Efficiency Vermont also.

Bob T. spoke from the audience, saying NGBS (National Green Building Standards) is a regulatory group. He feels that we should not offer density bonuses for projects that do not truly go above and beyond the basic standards.

Alan N. said he feels they are following the standards and feels this is late in the process to be discussing the density numbers for this project. He voiced his frustrations with staff. Regarding the sidewalk, he asked if the Board would be requiring a timeframe on that construction. Ted B. said timing is a must. Dick J. asked about phasing plans for this project. David Burke said phasing for this project is yet to be determined and will be based in part on feedback from the Selectboard, the municipal water supply, the location of the Rte. 116 sidewalk & crossing, etc. He asked the Board, at what trigger would they require that sidewalk construction. Sarah M. and Greg W. were both willing to trigger the sidewalk construction after construction of the 3<sup>rd</sup> building.

Zoe W. made a **motion to continue this application to the 4/21 meeting**. Greg W. **seconded the motion**. The Board **voted 7-0**.

**Leslie Morrissey:** Conditional Use Permit for an Inn, which will be a single-unit B&B in an accessory structure on her property located at 125 Swamp Rd in the RR2 District. The applicant said she is going to try her hand at an Air B&B in order to aid in paying property taxes. Greg W. asked if there are any permits required from the State as far as state health regulations and serving the public. The applicant admitted she did not know for certain.

Ted B. made a **motion to close the public hearing and to approve the draft approval decision as amended**. Greg W. **seconded the motion**. The Board **voted 7-0**.

Greg W. made a **motion to go into deliberative session to discuss the Johnson, Blackrock and Hinesburg Ctr, LLC applications**. Dick J. **seconded the motion**. The Board **voted 7-0** and entered deliberative session at 10:19pm.

**Other Business:**

The meeting adjourned at 11pm.

Respectfully submitted,

Freedra Powers, Recording Secretary