

Town of Hinesburg
Development Review Board
February 7, 2017
Approved February 21, 2017

Members Present: Greg Waples, John Lyman, Dennis Place, Rolf Kielman, Andy Greenberg (Alternate Member), Jonathan Slason (Alternate Member), Sarah Murphy arrived at 7:34, Ted Bloomhardt arrived at 7:35, Dick Jordan arrived at 7:42 pm

Members Absent: None.

Representing Applications: Jason Barnard, Larry Williams, Brett Grabowski

Public Present: Bill Mares, Andrew Mills, Kyle Bostwick, Dan Jacobs

Also Present: Dawn Morgan (Recording Secretary), Mitchel Cypes (DRB Coordinator & Zoning Administrator), Alex Weinhagen (Director of Planning & Zoning)

Dennis P. chaired the meeting, which was called to order at 7:32 pm.

Agenda Changes: Mitchel C. requested adding a discussion regarding water allocation policy to agenda item #6. The Board agreed.

Public Comments for Non-Agenda Items: None.

Minutes of 01/17/17: Dennis P. made a **motion to approve the 01/17/17 minutes as amended.** Greg W. **seconded the motion.** The Board voted **6-0.**

Barnard & Gervais, LLC: Sign review for land surveying and consulting business located at 10523 VT Route 116 (corner of Rte 116 and Kelly's Field Road) in the Village Zoning District:

The Applicant explained that the surveying and environmental consulting company, Barnard & Gervais, LLC, had purchased the property previously owned and occupied by Hinesburg Healing Arts. The Applicant said that his company is occupying the downstairs unit and that there is a residential tenant occupying the upstairs unit of the property.

The Applicant said they would like to replace the existing sign post with 2, 4'x4' pressure treated posts with a proposed 10 square foot sign in between the posts. The Applicant went on to say that they plan to sublet the lower portion of the sign to a 2nd company, East Engineering, who will also be located in the downstairs unit of the property.

The Applicant said that they propose to light the sign with a flexible arm LED light that will be positioned at the top of the sign pointing downward toward the sign. The Applicant said he confirmed with VTRANS that the sign will be outside of their right of way. The Applicant then provided the Board with a recently obtained proof showing a closer representation of the sign design.

Greg W. said that he is generally fine with the sign and lighting, but that oftentimes lighting ends up being more visible from the road than originally intended. Mitchel C. said that language addressing Greg W.'s concern is already included in the Draft decision and Ted B. requested adding that the light source should not be visible from off the property.

There were no public comments. Greg W. made a **motion to approve written draft as amended**. Rolf K. **seconded the motion**. The Board **voted 7-0**.

Catamount - Malone/Hinesburg, LLC (Cheese Plant): Site Plan Review for a 5,200 square foot, 6-employee brewery to lease space that is currently vacant. The applicant is proposing changes to parking, landscaping, and sidewalks. The project is located at 10516 VT Route 116 in the Industrial 3 Zoning District. Hearing continued from 1/17/17. Also Conditional Use Review for construction of a sidewalk within a stream setback on this property.

The Applicant said that their application includes the construction of a sidewalk on the south side of the entry drive. He said that they were asked to move the sidewalk 5 feet further east due to it being located in a wetland. Mitchel C. said that staff reviewed the application and that there is really no other alternative location for the sidewalk.

Greg W. continued discussion from the 1/17/17 meeting on Dick J.'s concerns regarding parking islands. The Applicant said that the proposal currently includes the addition of 1-1/2 islands, and they would like to wait on the last island to see how things progress for the brewery. The Applicant went on to say that they would like to have all 3 doors accessible for deliveries. Dick J. said that the Board is willing to try it temporarily, but asked staff to add language to the decision that if there are issues then the Applicant will be required to come back with a better solution than coordinating parking with neighboring businesses.

Dennis P. opened discussion to the public. Alex W. reminded the Board that the Applicant has continued a solution to parking several times and that last time it was made clear that a final solution needed to be proposed. Alex W. continued to say that if there was further tweaking to be done regarding the parking lot then it made sense to do it now rather than waiting for a future use that does not exist yet. Alex W. also said that the last decision encouraged the Applicant and the Board to work on incremental stormwater improvements to this site, but after reviewing the topography with Mitchel C. he determined that this is a legacy site that is difficult to improve in that regard. He said that including the last island, as recommended in the staff report, would be a small token to providing slightly less impervious surface and slightly more green area for a tree and tree well.

Alex W. noted that Mitchel C. had conversations with the tenant about the possibility of utilizing the left most garage door for deliveries and moving some of existing parking spaces to a different location. Mitchel C. indicated the suggestion on the map on screen. Ted B. asked if the suggestion is to eliminate the spaces and Mitchel C. said that the spaces would be shifted to another section of the lot with a wide gap.

The Applicant reiterated their desire to develop the parking lot incrementally, as the brewery does not yet know which loading doors will work best for them. Sarah M. indicated that she understands the request but that incremental development doesn't always work and looking at all of the islands now

would help ensure that they will all work together. There was discussion about frequency of deliveries and possible truck size.

Greg W. acknowledged that this is a unique property and that he would support continued flexibility regarding the creation of infrastructure. Sarah M. requested the addition of language indicating that after a certain period of time, or if a retail space does not emerge, then an island would be considered in a specific location. Greg W. agreed, and Ted B. noted that it makes sense to have both parking and intermittent use of the bay doors for deliveries. Dick J. asked how many total trips per day were anticipated and the Applicant said 37 total, including employees, UPS, etc.

John L. asked how they plan to notify other businesses about scheduled deliveries. The Applicant said there is really only 1 tenant to coordinate with and they are in regular communication with them already.

Rolf K. inquired about the tenant's future plans. There was general discussion about the tenant's plans for production, retail, tasting, etc. The Applicant discussed potential ideas for development of a neighboring space and related sidewalk development. There was general discussion regarding sidewalk development, road widths in relation to truck turning radius, island size, green space and landscaping.

Rolf K. said that he supports the installation of the island and believes that it will not be an encumbrance to turning radius and is the proper thing to do in a public space like this one. Sarah M. suggested a 6 month to 1-year time frame to install the island, and Greg W. agreed that a 1-year deadline made sense. Ted B. and Dick J. agreed that deciding the exact location was not imperative at this point but that there should be a plan to have one installed within 1 year.

Ted B. made a **motion to close the public hearing for the development of the sidewalk in the flood plain and direct staff to draft conditions of approval for both the sidewalk and the site plan revisions.** Dick J. **seconded the motion.** The Board **voted 7-0.**

Hinesburg Center, LLC/David Lyman (Phase II of the Hinesburg Center Project): Sketch Plan Review for mixed use development on a portion of 46 - acre parcel located to the west of Hinesburg Center Phase I (Kinney Drug, etc.), south of Patrick Brook, and north of the Creekside Neighborhood. The proposed project includes eight single - family residential units, two 4 - unit townhouses, two mixed use buildings with commercial use on the 1st floor and three residential units on the 2nd floor, and open space all within the Village Zoning District. This is a new proposal as the DRB denied the previous subdivision proposal in December 2016. Hearing continued from 1/17/17

John L. recused himself from the discussion. There was discussion on water allocation and the Board's role in approving applications without a sufficient water allocation. Mitchel C. said that the available water allocation is reset by the Select Board every July 1st, so the Applicant may have enough water to proceed with the project. Mitchel C. and Alex W. both indicated that the Board could move forward with the sketch plan review and if the developer does not receive an allocation then the sketch plan approval will expire.

The Applicant presented a smaller version of a larger sketch plan previously approved by the Board. Greg W. asked if there was anything new added into this smaller version or if it was simply a portion of

the original plan. The Applicant confirmed that this application was for a portion of the master plan and that nothing had been added.

The Applicant showed the master plan on screen and indicated with a blue line where certain units and mixed-use spaces were eliminated from the larger application (phase 2 of the overall project). Dick J. asked if this plan would be similar in architecture as phase 1 and the Applicant confirmed. Greg W. asked if all of the units in phase 1 were occupied and the Applicant indicated that there are still some vacancies but he has received some inquiries. Greg W. asked if the Applicant is optimistic about occupancy for the commercial units in phase 2 and the Applicant responded that he is, and that there is also a high demand for residential apartments. Greg W. asked if phase 2 included affordable housing and the Applicant confirmed that it does.

Dennis P. asked if the 2 buildings that were removed from the plan would remain open space. The Applicant said that from a water constraint perspective it made sense to remove those buildings, but that they would be built in a later phase. Greg W. asked how parking was working in phase 1 and both the Applicant and Alex W. confirmed that community feedback has been minimal. Greg W. inquired about snow removal and resulting congestion and the Applicant indicated that it currently works well because snow gets pushed into open areas.

Rolf K. asked for some history on the rationale of the phasing of the project and the open community space. The Applicant said that the open space has been there since the Creekside development was built, and it was originally to serve as a break between the agricultural and village zones. Alex W. expanded by saying that the zoning has substantially changed since, so the Applicant's thought is to fill the space, install proper drainage and make it a usable green space.

Rolf K. expressed concern that one of the streets might be left incomplete if not all of the project phases were able to be developed. Greg W. inquired as to what an alternative might be. Rolf K. replied that, from the Town's perspective, a cohesive street front would be priority and an alternative would be to defer the single family housing. Rolf K. also expressed concern about the proposed parking pattern. The Applicant noted that the larger design calls for community green spaces to break up parking. Alex W. noted that one advantage to not completing the street would be take what has been learned from the phase 1 green spaces and apply it here. There was general discussion regarding Rolf K.'s concern, the mix of commercial and residential units in that area and the associated parking and the roadway that would eventually lead to the Haystack Crossing project.

Dennis P. asked about the floodplain. The Applicant said that there is almost no floodplain impact. The Applicant showed on screen that the roadway had already been built and the infrastructure is already in place. Dick J. asked about regulations for the rec path, which appears to be running through the floodplain. Alex W. said that it would be a good idea to have the Applicant coordinate with the trails committee. Dennis P. asked if the remaining land would be hayed, and the Applicant confirmed that it would be either hayed or possibly farmed.

Dennis P. opened discussion to the public. Jonathan Slason, an adjacent land owner in the Creekside neighborhood, said that his main concern is stormwater management. The Applicant agreed that the project does not currently drain well, but that they plan to create catch basins which will be an improvement. Jonathan S. also requested that infrastructure for the project be timed in a way that construction traffic on the Creekside neighborhood roadways.

There was discussion regarding the rec path and the riparian open space. Dan Jacobs, an adjacent land owner in the Creekside neighborhood, expressed concern that a berm appeared in the flood hazard zone and he did not remember hearings. Alex W. confirmed that there were not hearings, but there should have been so it remains an enforcement issue after the fact. Dan J. concurred with Jonathan S. about minimizing construction vehicles on the Creekside neighborhood roads. Dan J. also requested that the Town appoint someone to oversee the project, to be paid for by the developer, to oversee the project. Greg W. said that is something that the Board has discussed at length and they are sensitive to the issue.

Kyle Bostwick, an adjacent land owner in the Creekside neighborhood, noted the parking lot next to the area labeled "E" on the map. Kyle B. said it appeared that there might be farming traffic there and asked if there could be greenery installed as a buffer. Kyle B. asked if the rec path could be modified to meet up with the VAST trail in a more streamlined manner than shown on the sketch. There was discussion about the location of the VAST trail in relation to the Creekside neighborhood and the river. Kyle B. expressed concern about stormwater, asked about plans for parking during snow events, and inquired about street lights. Kyle B. also requested the minimization of construction vehicles on the Creekside neighborhood roads.

Ted B. returned the conversation to Rolf K.'s comments on the single family stretch of the application. Rolf K. reiterated his concern that the remaining phases might not be completed quickly, and encouraged the Applicant to consolidate as much as possible. The Applicant said that, given the infrastructure needs, building out to the corner of that road becomes a necessity. Greg W. said that future approvals could require certain manicuring requirements to the open space. John L. noted that a cul-de-sac at the end of the road should also be considered.

Greg. made a **motion to close the public hearing and direct staff to draft conditions of approval**. Dick J. **seconded the motion**. The Board **voted 7-0**.

Other Business:

John & Julie Eastman: Extension request – Sketch Plan Approval of a 2 - lot subdivision. Decision dated 8/16/16.

Mitchel C. reminded the Board that the application was an 11.2 acre application and has had no prior extensions. However, the sketch plan was heard and then was continued. Dennis P. noted that it was extended because of wetland issues. Mitchel C. reminded the Board that they have decided to notify applicants that this will be their last extension.

Greg W. made a **motion to approve the request for a 6-month extension request and, absent extraordinary circumstances, the Board will not entertain any further applications for adjournments of the final application**. Dennis P. **seconded the motion**. The Board **voted 7-0**.

Water Allocation Discussion:

Mitchel C. asked the Board if they were interested in setting a policy regarding hearing Applications that do not have enough water allocation. He said that there are 2 extremes, the first being that if an Applicant is very close to their water allocation the second being if the Applicant falls quite short of their

allocation. Dennis P. noted that even if there is allocation available, that does not guarantee an Applicant will receive it. Dick J. said that if the Board and the Applicant are both aware that there is a shortage, then the developer is aware and can decide if they are willing to take the risk. There was general discussion about water and current Applications. Rolf K. inquired about the results of drilling on the Blackrock property, and Mitchel C. said that water was found but not enough. Mitchel C. said that it may have been because they did not drill the diameter hole they should have, so a larger diameter hole may produce enough. There was additional general discussion about wastewater and needed upgrades to the system.

The meeting adjourned at 9:54 pm.

Respectfully submitted,
Dawn Morgan, Recording Secretary