

Memo to: Hinesburg Select Board

From: George Dameron, on behalf of the Hinesburg Village Steering Committee

Re: Select Board, Act 250 Review, and Hannaford Project

Date: January 26, 2013

The charge of the Village Steering Committee by the Select Board in 2005 was threefold: to gather, generate and prioritize ideas and plans which will help to enhance the quality of life in the village; to bring these ideas forward in an advisory manner to the elected officials, appointed boards and commissions and town staff; and to serve as a voice for the residents and businesses located in the village area. In the light of our charge, we provided our best advice regarding traffic related to the Hannaford application to the Development Review Board in both November of 2011 and July of 2012. We believe that the DRB considered our advice in addition to reports by consultants and town staff when it approved the Hannaford project with significant conditions of approval. Many of those conditions related to traffic mitigation measures and to the setting aside of escrow accounts. We do not question the final decision of the DRB. Indeed, **we come before you this evening to ask you to be fully engaged in the Act 250 process and to put your full support behind the DRB's conditions of approval that relate to traffic mitigation and the cost of improvements.**

Currently there are several sets of appeals now before the Environmental Court. A group of concerned citizens (Responsible Growth Hinesburg) has appealed the site plan and conditional use approvals. On the basis of our understanding, this appeal is rooted in an interpretation of Hinesburg zoning regulations. Hannaford has also filed a cross-appeal that calls into question not only the site plan approval by the DRB, but it is also going far beyond that by challenging

certain zoning regulations themselves. On a separate track, the subject this evening, there is the Act 250 application that Hannaford needs to file for its project. The town has received a questionnaire that asks whether the town would bear any “unreasonable burdens” as a result of this project. Our understanding is that the Select Board’s involvement in the Act 250 review can go beyond the simple completion of this questionnaire.

We therefore wish to make several recommendations as you consider your involvement in the Act 250 process:

1. **We strongly recommend that you, the Select Board, become thoroughly engaged in the Act 250 application process, well beyond the completion of the Act 250 questionnaire. Specifically, we urge the Select Board to raise and highlight, as part of its engaged involvement in the Act 250 application process, the issues confronted and thoroughly examined by the DRB regarding the potentially deleterious impact of the Hannaford project on village traffic and on our village road infrastructure.** As you know, a significant number of conditions of approval imposed by the DRB concerned traffic mitigation and the setting aside of funds in escrow to make sure that Hannaford bears the costs of mitigation, not the taxpayers. We do not question these conditions. In fact, we urge you in your communications with Act 250 staff to be supportive of the conditions of approval endorsed by the DRB in the areas of traffic and traffic mitigation.
2. **We also recommend, echoing the recommendation made in writing to you by Alex Weinhagen, our Town Planner, that the Town (i. e., Select Board) establish strong lines of communication with VTrans staff immediately so that a) our state transportation agency is aware of our concerns regarding traffic and traffic**

mitigation as it relates to the Hannaford project, b) so that the Select Board is continually engaged and involved in discussions regarding traffic mitigation and improvements that concern VTrans and Hannaford, and c) so that that VTrans is clearly aware that the Town wants all traffic mitigation costs and improvements to be shouldered by Hannaford, not Hinesburg taxpayers.

As you know, Hinesburg village is served by a single north-south traffic corridor. In the absence of the traffic mitigation measures and provisions for escrow set-asides imposed as conditions of approval by the DRB, we believe that the village will not be able to handle the increased traffic and that Hinesburg taxpayers will bear an unreasonable burden to pay for future traffic mitigation and improvement measures. Regardless how each of us on the Select Board, the DRB, or the Village Steering Committee may feel as individuals about the location of a Hannaford store in the heart of the village, we all share a common interest here. We all want to make sure that our village can handle any new traffic and that the taxpayers of our town are not forced to subsidize unnecessarily the traffic mitigation and improvement measures made necessary by the siting of a privately owned grocery store. For these reasons, we urge you to become intensively engaged in the Act 250 process.