



Town of Hinesburg
Planning & Zoning Department
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MEMORANDUM

TO: Selectboard
FROM: Alex Weinhausen, Director of Planning & Zoning
DATE: November 12, 2012
RE: Hannaford Project Act 250 Municipal Impact Questionnaire

As most of you know, the Hannaford supermarket project received DRB approval late last year. See attached DRB site plan approval and overall project site plan (sheet C2). The DRB approval has been appealed to the VT Environmental Court; however, the adjudication of the various appeals have been put on hold until the completion of the required State Act 250 permit process. Hannaford (represented by White & Burke Real Estate Investment Advisors) is in the process of compiling the necessary Act 250 application materials. The Act 250 process requires them to obtain input from the Town via a “municipal impact questionnaire” – see attached.

I queried department heads in the Highway, Buildings & Facilities, Police, and Fire departments for input on this, and only the Fire Chief (Al Barber) indicated that the project would pose an undue burden. With that said, I believe both Rocky Martin and Mike Anthony are still waiting for revised plans from Hannaford related to Hannaford’s proposal to install water, sewer, and stormwater infrastructure in the Town Road right of way (Commerce Street). Any issues on this front will be reviewed by the Selectboard as part of the necessary Town buried utilities permit. In other words, any issues on that front should be resolved outside of the Act 250 process.

Al Barber highlighted two specific issues with regard to Town’s capacity to provide fire protection to the proposed project:

- 1. Fire Truck Pump Capacity** – The Hannaford supermarket will have sprinklers connected to the municipal water supply, and will also install a new dry hydrant to the Canal for additional water supply for fire fighting. Al Barber indicated that in the event of a severe structure fire, which overwhelms the initial sprinkler discharge, the Fire Department will use their pumper truck to connect the dry hydrant to the building’s sprinkler system. As I understand it, this allows the Fire Department to put more water through the sprinklers beyond the initial sprinkler discharge. Al estimated that the Fire Department will need a pump capacity of 3500 gallons per minute (gpm); however, the department currently can only provide approximately 2550 gpm. This pump capacity not only feeds the sprinkler system, but must also provide the water supply for the other fire engines that are used to attack the fire.
- 2. Roof Access** – As indicated in the Fire Department strategic plan, the department lacks any sort of aerial device (e.g., ladder truck) to enable roof access to larger buildings. This is an ongoing issue that impacts fire protection for several larger buildings (and taller residential structures) in town. Due to its size, firefighters will not have safe access to the roof of the Hannaford building; thereby, compromising the ability of the Fire Department to provide fire protection. In the past, we have

relied on mutual aid from surrounding communities for use of aerial devices – e.g., 2011 Jiffy Mart fire, 2008 Cheese Plant fire. In 2012, the Village of Essex Junction decided to replace its small-scale aerial truck (which includes a high capacity pump) with a larger truck that will not be of much use in Hinesburg due to its large set up footprint requirements. Also in 2012, the City of South Burlington announced that its small-scale aerial truck will no longer be available for mutual aid responses to surrounding communities. These recent changes significantly impact the response time for a small-scale aerial truck here in Hinesburg. What was a manageable (but not ideal) situation given mutual aid, is now a very problematic situation with regard to fire protection for larger buildings in Hinesburg.

Al Barber also raised a third issue that is more general in nature. He noted that it is difficult for the Fire Department to identify all potential fire safety issues for projects at this point in the review. Final building designs specifying construction type and materials typically are not provided at this point in the review process. Until those construction plans are reviewed by the State Division of Fire Safety, it's difficult for the Fire Department to assess whether they may have other equipment shortfalls related to the proposed project.

So... the question is whether the Selectboard feels the Town has the capacity to provide the necessary services (e.g., fire protection, police protection, road maintenance, water & sewer service) without posing an “unreasonable burden”. You need a motion to authorize either the Selectboard chairperson or the Town Administrator to complete and sign the form. I recommend the Selectboard discuss this with all parties, and then authorize the Town Administrator to complete the form, and attach a letter to further explain the potential impact to the Town with regard to fire protection.

To reiterate from my January 14, 2013 memo... The Town's involvement in the Act 250 review process need not be limited simply to the Municipal Impact Questionnaire. Both the Selectboard and the Planning Commission are automatically allowed to participate as interested parties, if desired. I think it is in the Town's interest for the Selectboard to participate in the Act 250 review – if for no other reason than to simply ensure that the issues with which the DRB grappled are properly addressed. As you know, this project was thoroughly reviewed over two years by the DRB; however, the resulting approvals were not cut and dry. In other words, the DRB felt that there were impacts and compliance issues in several areas that required conditions on the approval. Conditions related to Route 116 intersection improvements, future traffic monitoring, and the posting of related bonds. Conditions related to stormwater control, lighting, landscaping, etc.

As noted in my January 14, 2013 memo, Hannaford's cross appeal of the DRB decision calls into question several of these conditions. Given that the result of that Environmental Court process is uncertain, the Selectboard could help ensure that the community's interests are respected by raising these issues as part of the Act 250 review process.