

Annotated Agenda

February 18, 2013

3. Late Homestead Filing

Guests: (1) Missy Ross, Town Clerk/Treasurer/Delinquent Tax Collector

Enclosures: (1) Memorandum from Missy

The Town has collected an 'additional' \$2,846.93 as a result of rule changes in Montpelier last year related to late filings on homestead declarations. As Missy explains in her memo, the Town is under no obligation to assess these penalties. The proposed tax revenue for the Town did not include estimated revenue for these penalties so there a refund does not impact anticipated revenues for the Town. Missy will be in attendance to answer further questions.

(1) Consider a Motion to refund the 8% late filing homestead declaration penalties for the 2012/2013 tax year.

(2) Consider a Motion to abolish the 8% late filing homestead declaration penalty in Hinesburg.

4. Act 250 Questionnaire, Hannaford

Guests: (1) Alex Weinhagen, Town Planner
(3) Frank Koss, Police Chief
(4) Al Barber, Fire Chief
(5) Rocky Martin, Buildings & Facilities
(6) Mike Anthony, Highway Foreman
(7) David White, White + Burke
(8) Gail Hendersen-King, White + Burke

Enclosures: (1) Municipal Impact Questionnaire Memo from Alex
(2) Wastewater Allocation Permit & Memo from Rocky
(3) Wastewater Extension Permit & Memo from Rocky
(4) Curb-Cut Permit
(5) Buried Utility Permit
(6) Updated Stormwater Agreement***
(7) Site Plan
(8) Process Update Memo from Alex
(9) Utility Plan
(10) Village Steering Committee Letter
(11) Municipal Impact Questionnaire
(12) Al Barber email: Fire Flow Follow-UP
(13) Al Barber email: Fire Apparatus Access
(14) Rocky email: Buried Utility
(15) Alex eMail: Curb Cut Permit
(16) Al Barber eMail: Act 250 Questionnaire Follow-Up
(17) John Roos email and reports

White & Burke notified the Town of Hinesburg of their objective to receive approval for the following six (6) items on behalf of their clients, Hannaford.

1. Act 250 Municipal Impact Questionnaire
2. WW/W allocation request
3. Water and Wastewater Extension Permit
4. Buried Utility Permit for stormwater pipes in Commerce Street

5. Storm water Agreement for maintenance of stormwater pipes in Commerce Street
6. Curb-Cut Permit

Staff is prepared to facilitate discussion and have the Selectboard consider items 1, 2, and 3. Items 4, 5, and 6 will not be ready for consideration.

Item #1 – Act 250 Municipal Impact Questionnaire: This item asks the Town to identify its capacity to provide services without unreasonable burdens for 1) fire protection; 2) police protection; 3) rescue services; 4) solid waste disposal; 5) road maintenance.

As his memo highlights, Fire Chief Al Barber indicated that the project would pose an undue burden on the capacity of the town to provide fire protection due to water flow and roof access. Chief Barber also questioned fire apparatus accessibility to the site. It appears in a follow-up email from Chief Barber (February 14, 2013) that he feels the accessibility is no longer an issue; however, Chief Barber still has concerns regarding fire flow (February 15, 2013) and recommends a fire flow test be completed to validate assumptions on the water system. Chief Barber will be available Monday evening to discuss the issues in more detail with the Selectboard.

A few weeks ago, at the Selectboard meeting, it was noted that the Town has not been given Hannaford's full ACT 250 State application and therefore may not have all necessary pieces of information on hand to make a decision on the Municipal Impact Questionnaire. Some past applicants have submitted the entire State Act 250 application with the municipal questionnaire for staff and Selectboard review and some past applicants have not. There is not a stated Selectboard policy regarding this. One might be able to argue that the scope of this project is larger than other Act 250 projects Hinesburg has had to deal with thus far and therefore it requires more information. The other issue that has been raised is more specific to the stormwater planning; however, if you look at the Act 250 Municipal Impact Questionnaire, stormwater is not part of the checklist, unless you argue that it is tied in with road maintenance (maybe a bit of a stretch). It would be more appropriate to deal with the stormwater issue through the State Act 250 process. Same goes for the issues brought up in the Village Steering Committees letter to the Selectboard.

Consider Approving the Act 250 Municipal Impact Questionnaire and having the Town Administrator Sign-Off as an Agent of the Selectboard; and Include a Letter Explaining the Potential Issue of Fire Flow as noted by Chief Al Barber.

Item #2 – Wastewater Allocation Request: See Rocky's memo to the Selectboard.

Consider a Motion Approving the Wastewater Allocation Request of 1,960 gallons per day for Martin's Food of South Burlington for the proposed Hannaford at Lot 15, Commerce Park; with the associated Wastewater Allocation Fee of \$23,343.60 due when the building permit is issued.

Item #3 – Wastewater/Water System Extension Permit: See Rocky's memo to the Selectboard. I think it is important to note here that the plans that have been submitted for approval may not be the final routing plan Hannaford uses; in fact, as Rocky's memo states, their project engineer has mentioned that they will most likely modify their plans with an alternate wastewater main routing. Therefore, Rocky is recommending approving the extension permit for the plans that have been submitted only. If later they decide on an alternative routing, this extension permit would no longer be valid.

Consider a Motion Approving the Wastewater/Water System Extension Permit with conditions for plans submitted by O'Leary Burke titled Hannaford Supermarket & Pharmacy dated 11-09-10 with revisions through 01-28-13 and if any modifications are proposed they shall be resubmitted for review and approval by the Selectboard and treated as a new application.

Item #4 & #5 – Buried Utility Permit and Utility Agreement: In this case, the buried utility is the new stormwater pipe and associated materials proposed for Commerce Street. In the Selectboard packet is the latest Agreement. Town attorney HAS NOT had a chance to review this document. There are also some outstanding issues and questions from Rocky and Mike Anthony regarding the design of the infrastructure and the shim work Hannaford will do. While we can discuss these documents in general terms Monday evening they are not on the docket for approval.

No Official Action Anticipated.

Item #6 – Curb Cut Permit: The Selectboard isn't approving curb-cuts anymore but it's at least worth nothing where things stand. See Alex's February 5th email. Mike Anthony and Alex will be available for further discussion if need be.

No Official Action Anticipated.

5. Fletcher Allen Wastewater Allocation

Guests: (1) Rocky Martin, Buildings & Facilities

Enclosures: (1) Wastewater Allocation Permit
(2) Sewer System Map
(3) Site Map

The newly approved Fletcher Allen facility on Lot 1 in the Bissonette subdivision off Shelburne Falls Road is seeking their wastewater allocation. See Rocky's Memo and attached permit.

Consider a Motion Approving the Wastewater Allocation Request for Fletcher Allen Health Care, Inc. for their new approximately 5,500 s.f. family outpatient facility located on Lot #1 of the Bissonette Subdivision off Shelburne Falls Road with the Associated Allocation Fee of \$9,528.00 due when the Building Permit is Issued,

6. Sunset Lake Consecutive Water Agreement

Guests: (1) Rocky Martin, Buildings & Facilities

Enclosures: (1) Agreement
(2) Memo from Rocky

Rocky's January 30, 2013 memo sufficiently explains this agenda item. Bud Allen has reviewed and approved of the Agreement. By entering into this agreement, the Town will help keep costs down for the residents of Sunset Lake by doing the necessary sampling tests required by the State and by sending out the annual consumer confidence reports required by law.

Consider a Motion Approving the Consecutive Water System Agreement between the Hinesburg Water Department and Sunset Lake Villa Mobile Home Park.

7. 3D Visualization

Guests: (1) Alex Weinhagen
(2) Village Steering Committee Members

Enclosures: (1) eMail from Alex
(2) Aerial Visualization

A few Selectboard members and roughly 50 or so others attended a public presentation on February 11, 2013 for the unveiling of the 3D Visualization Project. This project was budgeted for out of the FY2012 town budget with \$3,000 in local matching funds to go along with \$15,000 from the State to pay for the work done by TJ Boyle and Associates. The Selectboard approved the contract with TJ Boyle last spring and the work has been managed by the Village Steering Committee with consultation from Alex Weinhagen.

Those in attendance would most likely agree that the presentation was eye-opening and fascinating, if nothing else. The purpose of the short agenda item for tonight is to review with Alex and members of the VSC what the next steps will be, the timeline for those next steps, and expectations.

No Official Action Anticipated.

8. Affordable Housing Grant

- Guests:**
- (1) Alex Weinhagen, Town Planner
 - (2) Rocky Martin, Buildings & Facilities; Affordable Housing Committee
 - (3) Other members of the Affordable Housing Committee Expected
 - (4) Matt Moore, Champlain Housing Trust
 - (5) Letter from VHFA – Tax Credits

- Enclosures:**
- (1) Champlain Housing Trust: <http://www.champlainhousingtrust.org/>
 - (2) VCDP Homepage http://www.accd.vermont.gov/strong_communities/opportunities/funding/vcdp
 - (3) Master Plan for Site
 - (4) Affordable Housing Committee Letter of Support

The purpose of this agenda item is for the Selectboard to consider preliminary support for sponsoring a Vermont Community Development Program grant for an affordable housing project in back of Kinney and to grant the Champlain Housing Trust permission to proceed with a grant application.

If preliminary support is granted by the Selectboard at this meeting, a public hearing will be warned and scheduled during the April 1, 2013 Selectboard meeting for final approval of the grant application. Grant applications are due to the State by April 9; awards will be announced June 13.

This is the same grant program Hinesburg applied to and received funding for the Vermont Smoke & Cure project.

I've asked VCDP to provide more detail by the time of the public hearing on April 1 as to the expectation(s) of in-kind donations of time by Town staff and time that might be recaptured from grant funds. As we know, there is some amount of time required by staff to administer these grants, between the Clerk, Administrator, and Town Planner.

Also in the Selectboard packet is a letter from VHFA providing information on the tax credit allocation this project is applying for. Capturing these credits is a competitive process and a letter from the Town could benefit the application. VHFA's public hearing for distribution of these credits is scheduled for March 18th.

Consider a Motion Granting Preliminary Commitment to the Champlain Housing Trust to Support an Application to the Vermont Community Development Program for a \$300,000 pass-through Grant from the Town of Hinesburg in Support of the Hinesburg Village Housing Affordable Housing Project.

Consider a Motion Setting a Public Hearing for the April 1, 2013 Selectboard meeting and Consider Final Approval of the Grant Application at that Time.

Consider a Motion to have the Town Administrator Draft and Send a Letter to the Vermont Housing Finance Agency in Support of the Hinesburg Village Housing Affordable Housing Project to Support this Projects Application to the Low Income Tax Credit Program.

9. Bissonette Recreation Field Project Update

- Guests:**
- (1) Tom Ayer

- Enclosures:**
- (1) Proposed Survey Contract with Trudell Consultants
 - (2) Economic Development Grant Application

Tom Ayer can give the Board (and public) an update on his fundraising efforts to date. He summoned a meeting a few weeks ago with the Buccaneers (youth football program) to start the process of contracting field space time in exchange for fundraising for their construction. Alex Weinhagen and I met with Doug Henson (L&D) to review the survey work for Trudell to complete to sub-divide the (roughly) 11 acre parcel from the larger 90 acre parcel. The most significant change from the original/preliminary lot lines is that the strip of land between the

northern property edge and the start of the new parcel will be increased from 75' to 100'. This will in turn reduce the 'buffer' zone between the 2 fields. The parking area will also have to shift slightly to the south. Furthermore, the temporary roadway will require a 50' right-of-way and the water/sewer easements will need to be shown. Once the survey work is complete, the project can go back to the DRB for final approval and the Town and the Bissonette can work on finalizing the legal language for the transfer of land. Then...Mr. Ayer can start moving some earth!

I was informed by CCRPC that some additional monies are still available through the Regional Economic Development Grant program. It seems to me that this project fits the criteria nicely. Why not?

Consider a Motion Approving the Contract between the Town of Hinesburg and Trudell Consultants for the Necessary Survey Work for the Bissonette Recreation Field Project.

Consider a Motion Approving the Town of Hinesburg to Submit an Application to the 2012 Regional Economic Development Grant Program for \$25,000 in Support of the Bissonette Recreation Field Project and to have the Town Administrator Submit a Completed and Signed Application on Behalf of the Town of Hinesburg.

10. Inter-Municipal Police Services

Guests: (1) Frank Koss, Chief of Police

Enclosures: (1) 'Concept' Contract

The Town of Huntington contacted me a few months ago about the possibility of having the Hinesburg Police Department provide police services to the Town of Huntington. They showed specific interest in receiving some traffic control work on a weekly basis. Chief Koss and I met with their Town Administrator and Selectboard Chair to get a better understanding of their needs. As a result of that meeting, we drafted a 'concept' contract and sent it to Huntington. This concept contract is not a 'first offer' in anyway nor is it binding. It was put together as a document to further the discussion. Because our January schedule was so busy, we did not have time on any of those agenda items to discuss this in public; so tonight is the introduction of this item for the Board and the public to think about. The Town of Huntington is looking at a number of options and we have not had a follow-up meeting with them.

The purpose of this item is for Chief Koss to explain how an agreement like this one would play out if it was implemented and also to get an idea from the Selectboard (and community) what kinds of thoughts and questions come to mind.

No Official Action Anticipated.

11. Animal Control Ordinance: Kitty-Cats

Guests: (1) Frank Koss, Chief of Police

Enclosures: (1) Memo from Frank
(2) ACO Ordinance http://www.hinesburg.org/documents/animal_control_ordinance.html

See memo from Chief Koss. Maybe we can extend the policy to snakes, ferrets, and hamsters, too. Okay, it's late on a Friday night.

Yes or no to picking up domestic cats?

No Official Action Anticipated.

12. Consider Name for New Road

- Guests:** (1) Joe and/or Michael Bissonette
- Enclosures:** (1) Street Sign Length Regulations
(2) Map of new road location

This agenda item is to name the new road in the Haystack Crossing subdivision which will be created with the curb-cut for the new Fletcher Allen. Haystack Crossing was the first choice for this road; Mike Anthony would prefer Haystack Rd. because it reduces the amount of total letters and therefore reduces the size of the new sign. The property owners seem okay with Haystack Road.

Consider a Motion approving the name Haystack Road

13. Water/Wastewater Department Organizational Structure

- Guests:** (1) Rocky Martin, Buildings & Facilities
- Enclosures:** None

Because our Water/Wastewater department is now in need of a Wastewater Operator with a Grade 2 license we are going to 'contract' with the Town of Richmond for a few hours per week of work from their Grade 2 operator. At one time in the past, Rocky had his Grade 2 but he has since let it lapse. Rocky is indenting on renewing his Grade 2; however, the test for that license is not until May. Over the long-term we are going to look at a few different options on how to (re) organize the Water/Wastewater Department in the future. We should have a recommendation for the Selectboard to consider in March or April.

Consider a Motion to contract with the Town of Richmond for their Wastewater Operator Grade 2 license until further notice.

14. Town Administrator's Report

1. Town Meeting Preparations – The Board and Administrator should discuss expectations for Town Meeting night. I think it works well if the Administrator 'presents' the budget, but the Selectboard members should be the ones 'advocating' for the budget. We should have a plan for Town Meeting night. I am also planning on meeting with Joe Fallon (Town Moderator) the week before to review the Warning.
2. Vt Gas Pipeline – The Town of Hinesburg filed its Motion to Intervene. We anticipate an updated filing from Vermont Gas on February 28th. The first public hearing is set for March 21. Phil and/or I, along with Town legal counsel will attend.
3. Town Administrator Mini Vacation – Following Town Meeting I will be taking a 5-day or so weekend. Looking like Thursday, March 7 – Tuesday, March 12. I'll be available on phone and email; Renae will be the point-person in my place while I am away.
4. Budget Report – Will go over with Selectboard. See Selectboard packet. Feel free to ask questions if they come up over the week.
5. Next Selectboard Meeting – March 18th. This will be the organizational meeting for the 'new' Selectboard.
6. Selectboard Institute – Phil attended last year; might be worth attending to interact with elected officials from around the State and with VLCT staff.

7. Roads & Bridges Standards – See attached documents. More discussion forthcoming.
8. Water Feasibility Study – Anticipating draft study for review before end of February.
9. 116 Paving – Set-up a follow-up meeting for the April 1, 2013 Selectboard meeting with representatives of the State.
10. Rec Basketball Feedback – See positive feedback regarding ‘Hinesburg Folks’. Thanks to Michael Bissonette, Kate Myhre, and Terry Francis for making Hinesburg recreation a positive experience for our 5/6 grade girls!