



Town of Hinesburg  
Planning & Zoning Department  
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April 2, 2014

Kane Smart  
Downs Rachlin Martin PLLC  
PO Box 190  
Burlington, VT 05402-0190

Mr. Smart:

Thank you for the 45-day pre-filing notice package for the VTel wireless telecommunication facility proposed at 1570 Baldwin Road in Hinesburg. The notice was dated February 13, 2014, and the Hinesburg Planning Commission reviewed and discussed it at their March 26, 2014 meeting. Gordon Matthews from VTel was kind enough to provide feedback ahead of that meeting regarding four questions posed by our Director of Planning and Zoning.

Section 8.3 of the Hinesburg Town Plan clearly supports the enhancement and expansion of telecommunication technologies and networks. However, this section qualifies that support with the proviso that such facilities do not have significant adverse environmental, health, or aesthetic impacts. This Town Plan language is further fleshed out and implemented through Article 7 of the Hinesburg Zoning Regulations, which details a thorough process and standards for the review of wireless telecom facilities. For this particular project, the Planning Commission has two concerns that we would like to see addressed in VTel's petition for certificate of public good to the VT Public Service Board.

1. **Stormwater Control & Impacts to Steep Slopes** – The initial portion of the proposed access road climbs directly up steep slopes of 25% or greater. This will undoubtedly cause adverse stormwater runoff impacts to the Town road (Baldwin Road) as well as water quality as runoff enters the Town's roadside drainage ditch system. This is in conflict with section 7.11.1 #13 of the Zoning Regulations, which states that, "The Facility, and associated access roads, shall not have an undue adverse impact on water quality due to stormwater runoff or erosion." Mr. Matthews indicated that the initial portion of the access drive appeared to be in the 15-25% range based on the VT ANR's "Natural Resources Atlas" online mapping slope data. Respectfully, we believe this data source is not accurate or precise enough for site level slope determinations. Based on highly accurate 2004 LIDAR elevation data for Chittenden County, our mapping indicates that approximately 75' of the initial portion of the proposed access road will go directly up a slope of 25% or greater. An adequate stormwater and erosion control plan should be created, and the Applicant should consider redesigning the access road to minimize impact to the Town Road and drainage system – e.g., consider introducing one or more switchbacks. Please note that although no zoning permit will be required for the project due to the current State exemption, the project will require an access permit from the

Hinesburg Selectboard for the new driveway. Concerns about impact to the Town Road are likely to be raised in that process as well.

2. **Tree Clearing on Surrounding Property** – The existing woodland around the project is part of what assures the facility will not have an undue adverse aesthetic impact pursuant to section 7.11.1 #10 of the Zoning Regulations. Tree clearing proposed by VTel appears to be reasonable. However, it is unclear if VTel has an agreement with the landowner to ensure that the woodland around the project (beyond the facility) remains intact. The Applicant should secure such an agreement from the landowner so that the visualizations provided are accurate now and in the future.

The Planning Commission respectfully requests that these items be addressed, and that this letter be provided to the Public Service Board as part of VTel's application. Please send any response to the Director of Planning & Zoning (Alex Weinhagen, hinesburgplanning@gmavt.net), and he will forward it along to the Planning Commission.

Sincerely,

Joe Iadanza  
Planning Commission Chairperson