

**TOWN OF HINESBURG
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT, CONCLUSIONS & ORDER**

**Haystack Crossing LLC & Town of Hinesburg
Site Plan Approval for a Municipal Recreation Area
Parcel Number 16-20-56.500**

This matter came before the Hinesburg Development Review Board (DRB) on the site plan application of Haystack Crossing LLC and the Town of Hinesburg, hereafter referred to as the Applicant, for a municipal recreation area on an 8.11-acre parcel located on the west side of Route 116, south of Shelburne Falls Road and north of Patrick Brook. The DRB held a public hearing on November 18 and December 2, 2014. Trevor Lashua (Town Administrator), representing the Applicant, was in attendance at the meetings.

Based on the above-mentioned public hearing and the documents contained in the “document” file for this proposal, the DRB enters the following Findings of Fact, Conclusions and Order.

FINDINGS OF FACT

1. The Applicant is requesting site plan approval of a municipal recreation area on an 8.11-acre lot in the Agricultural Zoning District. The subdivision to create the 8.11-acre lot was reviewed and approved concurrently with this site plan review. The lot in question is lot 5 from that 2-lot subdivision. Lot 5 is located on the west side of Route 116, south of Shelburne Falls Road and north of Patrick Brook; parcel # 16-20-56.500. The property is largely undeveloped and comprised of agricultural fields. With the exception of an access road to lot 5, this application proposes no new development on the abutting parcel (lot 4). With that said, there has been coordination between the Applicant and Black Rock Construction regarding their conceptual-level proposal for extensive development on the eastern side of lot 4.
2. Three recreation fields are proposed – two large rectangular fields suitable for a variety of sports (e.g., soccer, football, lacrosse, etc.) and one baseball/softball field. Supporting infrastructure includes: an access road from Shelburne Falls Road; a 77-space parking lot; a 10-space overflow parking area; a multi-purpose building (e.g., equipment storage, restrooms, concessions, etc.); a playground area; landscaping; drainage.
3. Prime agricultural soil dominates nearly the entire parcel. The topography of lot 5 is largely flat with very gentle transitions downward from north to south toward Patrick Brook and the LaPlatte River on the abutting Lyman property. A stream originating on the CVU high school property runs through and along the boundary of the parcel. The most significant water features are the flood hazard areas associated with the Laplatte River and Patrick Brook, and associated wetland areas – all located on the south, west, and northern boundaries of the property. Other features include a VAST snowmobile trail.
4. This decision is for one of four specific applications reviewed simultaneously for the project. The four applications included:
 - a. Subdivision Final Plat for a two-lot subdivision.
 - b. Site Plan for the municipal recreation area.
 - c. Conditional Use for development in a flood hazard area.
 - d. Conditional Use for development in a stream buffer area.
5. Early stages of the subdivision review included discussions about the site, even though the formal site plan application was made recently with the final subdivision application. The DRB

- reviewed the Applicant's subdivision sketch plan on November 20, 2012, and granted sketch plan approval on December 18, 2012. The DRB reviewed the subdivision preliminary plat application on March 19, 2013, and granted preliminary plat approval on April 16, 2013. Preparation of the subdivision final plat application was delayed, and the DRB approved a 6-month extension to the preliminary plat approval on April 1, 2014.
6. The combined final application was received on September 22, 2014 and deemed complete on October 14, 2014. This application included a variety of survey, engineering, and related documents. The final version of the plans reviewed by the DRB were as follows: 1) Final plat by Scott Taylor (Trudell Consulting Engineers) dated February 8, 2010 and last revised on December 1, 2014 (stamped received 12/2/2014); 2) Engineering sheets 1-8 by Doug Henson (Lamoureux & Dickinson) dated June 2014 and last revised on December 2014 (stamped received 12/2/2014); 3) Landscaping and overall project cost estimates by Doug Henson (Lamoureux & Dickinson); 4) Project narrative by Alex Weinhagen (Town of Hinesburg) dated November 4, 2014; 5) Draft deed language prepared by Roger Kohn (prepared on behalf of the Town with review by other interested parties); 6) Draft irrevocable offer of dedication and temporary trail easement language prepared by Joe Fallon (on behalf of the landowner). All of these submissions are contained in the document file (16-20-56.500) in the Hinesburg Planning & Zoning office. This file also contains staff reports and correspondence from other parties that were discussed during the review and are part of the record.
 7. The following members of the DRB were present for the final plat hearing on November 18, 2014, constituting a quorum: Zoe Wainer, Dennis Place, Ted Bloomhardt, Greg Waples, Dick Jordan, Sarah Murphy, Andrea Bayer. The following members of the DRB were present for the final plat hearing on December 2, 2014, constituting a quorum: Zoe Wainer, Ted Bloomhardt, Greg Waples, Dick Jordan, Sarah Murphy, Andrea Bayer. See the official meeting minutes for a list of others present at the meeting(s).
 8. The November 18, 2014 public hearing was warned in *The Citizen* on October 30.
 9. The previous 2011 4-lot subdivision that created the subject property included a master plan for the overall property that called for recreation fields in roughly the proposed location. The current subdivision has configured the boundaries of lot 5 and the access road in coordination with a revised master plan proposed for lot 4 by Black Rock Construction that is still under DRB review. The proposed recreation field subdivision is consistent with both the approved 2011 master plan for the property, and the current/ongoing planning underway for the property. This approval in no way addresses or approves the Black Rock Construction project currently under DRB review.
 10. The Hinesburg Official Map shows future public trails around the outside edge (south, west, north) of the property and a future Town road along a portion of the proposed access on lot 4.
 11. The Applicant clarified at the November 18 meeting that the project will be completed in phases as funding allows. The first phase will include the access road, parking lot, and the two rectangular multi-use fields. The baseball field, the multi-use building (restrooms, concessions, equipment storage, etc.), and the playground would be installed later as funding allows. Installation of underground utilities will likely happen during later phases – i.e., when the multi-use building is completed.
 12. Lot 5 is proposed to be served by municipal water and sewer; however, the lot is outside of the Town's current sewer service area. Per the June 24, 2013 letter from the former Town

Administrator, Joe Colangelo, the Selectboard has agreed to allow a wastewater connection for this public amenity pursuant to the provisions of the Wastewater Allocation Ordinance.

13. While a general plan for the utilities has been proposed (i.e., necessary easement areas identified), no utilities are necessary for the initial build out of the recreation fields. At the November 18, 2014 meeting, the Town Administrator stated that portable restrooms would be located in the vicinity of the multi-use building until funding allows for construction of building and associated restrooms.
14. No lighting is proposed as part of this site plan, although the parking lot center islands were sized properly to allow for some in the future. This site plan approval will need to be revised should parking lot or field lighting be desired in the future.
15. Engineering sheet 6 shows details for the proposed access road including a 26' wide gravel road, with two 10' travel lanes and a 3' stabilized shoulder on each side with either gravel or grass surface. The plan indicates gravel 24" deep on top of road fabric to separate the road base from the existing sub-base soils. The project engineer stated at the November 18 meeting that the road design is recommended for this site, and is the same as what he would recommend for a subdivision on similar terrain/soils. With that said, he indicated that the amount and type of gravel could be modified from 24" to 18" in compliance with the Town's road standard for class 3 roads. Sheet 6 includes a note to this effect, thereby giving the Town both design options.
16. In a November 18, 2014 email, Town Fire Chief indicated the importance of providing emergency vehicle access to the fields so that patients can be loaded into rescue/ambulance vehicles at the site of the injury.

CONCLUSIONS

1. Given the likely phasing of construction, it is important that basic infrastructure shown on the site plan is installed as part of the first phase of construction. How many fields are completed and utilized in each phase need not be stipulated; however, the following site infrastructure must be completed before recreational use of the site begins: parking lots (primary and overflow), access road, landscaping, perimeter drainage and culvert under the access road, stabilized base for pedestrian path and emergency vehicles on south side of parking areas. It is understood that the multi-use building and the playground area are improvements that will only proceed as funding allows, and if these are installed, it will likely happen in the future (i.e., after the recreation area is already in use). Areas not yet completed should be maintained in a safe and orderly fashion with attention to proper erosion control – e.g., soil stockpiles properly secured, pedestrian access to fields remains available, etc.
2. No traffic study was done because the use of this municipal recreation area is likely to occur at specific times and days, and only within the spring/summer/fall seasons. Regular evening and weekend use for municipal recreation programs and partner athletic organizations (e.g., CSSU Buccaneer football) is not anticipated to generate large traffic volumes on the surrounding roads. Occasional events (e.g., soccer/lacrosse jamboree) may generate higher traffic volumes, but these events will be infrequent, and primarily on weekends when traffic congestion is minimal.
3. The road width is an important component because it will accommodate both vehicles and pedestrians. Either design option for depth and type of road gravel, as indicated on sheet 6, is acceptable for the proposed access road. It is understood that future development on lot 4 (i.e.,

should the Black Rock Construction project proceed) will likely make further and final improvements to the access road.

4. The development plan adequately accommodates (provides space for) the trail elements and the future Town road shown on the Official Map.
5. The proposed southerly trail connecting to Route 116 is necessary to ensure pedestrian access from the existing village core to the recreation area pursuant to section 4.3.4 #1 of the Zoning Regulations.
6. The grading and erosion/stormwater control plan adequately addresses the development on lot 5. Stormwater control will primarily be through sheet flow and grass-lined swales with discharges well away from watercourses. The grading plan accounts for existing topography that could allow the northerly stream to jump its banks during an extreme storm event. The site grading provides a route for such an extreme drainage circumstance along the eastern edge of the property that should minimize damage to recreation field infrastructure.

ORDER

Based on the Findings of Fact and Conclusions set forth above, the Hinesburg DRB approves the proposed site plan subject to the conditions listed below.

1. Two full size paper copies and a digital version (Adobe PDF) of the final/revised plans shall be submitted.
2. The engineering plans shall be revised as follows:
 - a. Sheet 1 and sheet 8 shall be revised to show continuous stabilized base material all the way to the parking lot access (just west of the overflow parking area) to facilitate emergency vehicle access to the primary fields.
3. Parking lots (primary and overflow), access road, landscaping, perimeter drainage and culvert under the access road, stabilized base for pedestrian path and emergency vehicles on south side of parking areas shall be installed in the initial phase along with field construction. Minor deviations to the timing for installation of specific and minor landscaping elements (e.g., a few trees) may be approved by the Zoning Administrator – e.g., delayed planting of a few trees between parking area and baseball field to allow for construction access. Nursery stock shall be used for all tree and shrub plantings.
4. Refuse and recycling containers shall be utilized and maintained to ensure proper disposal of solid waste.
5. The proposed southerly trail connection to Route 116 shall be constructed and available for public use when recreational use of the fields begins.
6. Delineation between parking areas and both grass lawn cover and pedestrian paths shall be installed as necessary to maintain the integrity of these site features.
7. Soil stockpiles shall be properly treated for erosion control, and shall not persist longer than two years, at which point, the stockpile shall be used, removed, or spread out and properly stabilized, seeded and mulched.

8. Utility service shall be via underground lines. The proposed utility easement locations on lot 4 (for the benefit of lot 5) may be realigned pursuant to DRB review of development on lot 4.
9. Prior to recreational use of any of the fields, a qualified and licensed professional shall submit a letter to the Zoning Administrator stating that the completed project elements (at minimum – parking lots, access road, landscaping, perimeter drainage, culverts under access road, stabilized base for pedestrian path and emergency vehicle access) have been installed per the plan and this approval.
10. If experience indicates problems with parking and our traffic circulation, the Applicant shall immediately propose modifications to the plans in the form of a site plan revision application for the DRB to review.
11. Areas exposed during construction shall be treated consistent with the procedures contained in the Vermont Handbook for Soil Erosion and Sediment Control on Construction Sites.
12. The Applicant shall obtain a zoning permit for the municipal recreation area use. This site plan approval shall expire in one year, or as otherwise indicated in section 8.5 (Zoning).
13. This project shall be completed, operated, and maintained as set forth in the plans and exhibits as approved by the DRB and on file in the Town Office, and in accordance with the conditions of this approval. Deviations may be made from these plans if they are:
 - a. Approved by the designer, or equivalent, and
 - b. In conformance with the intent of this decision, and
 - c. Determined by the Zoning Administrator that they are not significant enough to require a formal revision to the DRB decision.

Development Review Board

December 2, 2014

Date

Board Members participating in this decision: Zoe Wainer, Ted Bloomhardt, Greg Waples, Dick Jordan, Sarah Murphy, Andrea Bayer.

Vote to approve: 6-0 (see meeting minutes)

30-day Appeal Period:

An “interested person”, who has participated in this proceeding, may appeal this decision to the Vermont Environmental Court within 30 days of the date this decision was signed. Participation shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding. See V.S.A. Title 24, Chapter 117, Section 4465b for clarification on who qualifies as an “interested person”.

Notice of the appeal, along with applicable fees, should be sent by certified mail to the Vermont Superior Court - Environmental Division. A copy of the notice of appeal should also be mailed to the Hinesburg Planning & Zoning Department at 10632 Route 116, Hinesburg, VT 05461. Please contact the Court for more information on filing requirements, fees, and current mailing address.

State Permits: It is the obligation of the Applicant or permittee to identify, apply for, and obtain required state permits for this project prior to any construction. The VT Agency of Natural Resources provides assistance. Please contact the regional Permit Specialist at 878-5676 (111 West St, Essex Jct., VT 05452) for more information.