

Town of Hinesburg
Development Review Board
August 20, 2019
Approved September 3, 2019

Members Present: Dennis Place, Dick Jordan, Bryan Currier (alternate), Jonathan Slason, John Lyman; Sarah Murphy entered the meeting a few minutes late

Members Absent: Greg Waples, Ted Bloomhardt

Applicants: Brian Wright, Doug Goulette, Josh Tyler, Jim Donovan

Public Present: Linda Parent, Doug Taff

Also Present: Mitchel Cypes (Development Review Coordinator) and Kate Kelly (Recording Secretary)

Dennis P. called the meeting to order at 7:30 PM.

Agenda Changes: None.

Review minutes of the August 6, 2019 meeting:

John L. **made a motion to approve the minutes of August 6, 2019 as written.** Dennis P. **seconded the motion.** The Board **voted 3-0**; Bryan C. and Jon S. abstained.

Chittenden Solid Waste District/Town of Hinesburg: Site Plan review for a solid waste drop-off facility to be located on a ±38-acre property owned by the Town of Hinesburg at 907 Beecher Hill Road in the Rural Residential 1 Zoning District. The proposed facility includes an attendant booth, two compactors, a roll-off for overflow recycling, a special waste building (for electronics, batteries, etc.), a food waste container, a yard waste bunker, a used oil station, and eighteen parking spaces. The proposed hours of operation are Saturdays 8:30 AM to 3:30 PM.

Brian Wright with Chittenden Solid Waste District (CSWD) said they've had a drop-off center in this location since the early 1990s. In 2017, they closed down because of the town garage construction. They previously took trash, recycling, yard waste, and food (required). They also took special waste (batteries, fluorescent lightbulbs, electronic waste, etc.). They used to take scrap metal, tires, and appliances. They will not accept scrap metal, tires, and appliances with the new space. He described the new layout: now you will enter, deposit materials around the outside, and leave at a different location located to the north of the entrance. The former facility required vehicles to make two stops (trash then recycling) instead of one.

Sarah M. entered the meeting. Brian Wright said they are replacing three uncompacted recycling areas to one compacted recycling load. They will take trash, recycling, yard waste, and food waste, and special waste. In regards to the hazardous waste mentioned in staff notes, they only take universal household waste – mercury devices (batteries and lightbulbs, switches like thermostats), motor oil in a double wall tank, lead acid and other batteries. The new building is larger: it used to be an 8 foot tall, 8 foot wide, and 40 feet long C container. The new building (pole barn) will be open in the front, and wider (20 foot wide x 40 foot long). It is about 2.5 times the size of the C container. Containers will be fully enclosed except for leaf and yard waste (in a small corner of the facility). There is a fence around the entire facility to meet

their permit, which will be locked when they aren't open. The fence will be 6 foot high. The areas in the corners where the fence is off pavement is for snow storage. They are proposing an option for solar array 300 watt; that's a little more than they use (it will cover their electrical use). They will have two compactors that run on 15hp motors. The solar will likely be approved if it comes in at a reasonable price to their board. Dick J. asked if solar panels can directly feed their motors. Brian W. answered it cannot, they will feed the grid then take energy from the grid.

Mitchel C. stated that Brian W. had provided additional information earlier today, which was not on the Staff report and should be part of the Public record. Mitchel C. brought up, which Brian W. confirmed that there is no proposed external lighting, but there will be internal lighting within the attendant booth and the pole barn. Mitchel C. brought up, which Brian W. confirmed that CSWD will need to get a construction general permit. Brian W. said that the construction general permit from the garage still exists, and they will try to extend it. Mitchel C. brought up, which Brian W. confirmed that there will be port-o-let for the employees. Brian W. said it will be around the booth somewhere, off to the side. Mitchel C. brought up, which Brian W. stated that they need no upgrade to the state wastewater permit for their use. Mitchel C. brought up, which Brian W. confirmed that CSWD will cap the well.

Brian W. said they show that there is room for 15 cars to queue up and that they moved the attendant booth further to the south compared to the design submitted in 2017. Mitchel C. complimented the new design in that it eliminated the dangerous opposing traffic shown in the 2017 design and would allow for a faster queue since the new site would not have opposing traffic near the entrance and would be more efficient because vehicles will only have to make one stop instead of two. Jon S. agreed this would likely be true recalling several times when he had to wait for vehicles to move before entering the old site. Mitchel C. said, which Brian W. agreed, that having 19 parking spaces per the new design, as compared to the 13 parking spaces the old site had, should also make the use of the new facility more efficient.

Jon S. asked about the double line on the edge of pavement; is there any curb? Brian W. answered that there is no curb and stormwater will just shed off the pavement here. Jon S. continued that it will be contoured so it gets steeper before the attendant booth. In cases of snow, would they do anything to direct traffic? Brian W. said they could put up cones, but don't anticipate it being a problem.

Mitchel C. asked about the fence; how much area do they actually need for snow storage? Brian W. said they would like to fence in some areas to be about 20 ft. off the pavement in the places shown on the plans, and that even without moving the fence off the pavement there should be plenty of space for snow removal. Brian W. explained that they want the extra area so they wouldn't hit the fence when clearing snow. Mitchel C. said that as far as having the fencing and a staging area extend beyond their area, they will need to coordinate with the Beecher Brook construction and coordinate with the Town. Brian W. said they are proposing a staging area in the existing gravel area to the southwest of their site to use as a storage area for construction.

Brian W. described their proposed timeline: They plan to go to bid the first couple weeks of September, with board approval Sept 26. It will take a few days to get the contract signed, and insurance certificates. They anticipate the notice to proceed Oct. 1. Nov. 15 is when snow begins and asphalt plants shut down, so they have only a few weeks to get asphalt down. They hope to have it built by Dec., possibly with some aspects not completed (like pole barn structure). It will be a tight schedule, and they will perhaps come back in the spring to finish up. He'd like to allow the contractor to work 6 days a week (Mon-Sat). Dick J. said many projects have had construction times on Saturday for other projects, possibly later in the morning or not as late as night. Jon S. asked about elements of construction – will there be blasting? Brian W. said it is only minor clearing, moving dirt, and placing fill, but no blasting.

Brian W. said the pavement is the critical path on construction. Jon S. asked about hours of construction; Brian W. said 6 AM to 5 PM. Mitchel C. mentioned this was likely too early, but will check the regulations. Dick J. mentioned the town may want the material they remove (sand/gravel) for roads and asked if CSWD can operate if there is gravel without blacktop? Brian W. replied that controlling traffic and snowplowing is difficult, and they would likely delay until spring if contractor says it doesn't work. Mitchel C. asked if blacktop was needed to avoid having wastes infiltrate into the soil. Brian W. said this was generally not a problem. Dennis P. asked if compactors sit on concrete; Brian W. replied they do. Brian W. added that they could potentially open a few things (portion of site) up, but he doesn't know if they'd want to. Sarah M. asked the Board about pushing the extended construction hours until spring – they agreed to do this.

Dick J. said it looks like there is ample runoff structures around the left side and bottom. Is there anything on the right to handle it? Brian Wright said the area on the right has a stone lined trench (stone diaphragm) to get water into the ground. This will be built as per the designs by Milone & MacBroom. Dick J. asked if they are piling snow there would it run directly into brook? Mitchel C. said this area is part of the stream restoration project and some water quality treatment will be occurring with the vegetation there.

Dick J. asked about the compactors for recycling with mixed recyclables. How do they separate the recyclables once compacted? Brian W. said it doesn't compact the material like a baler, it just stuffs the box full (papers or containers don't mash together). It gets fluffed up and sorted at the plant, so is not a problem.

Dick J. asked about the area next to booth. Brian W. said that there are two parking spaces for the employees. Dennis P. opened the discussion to the Public.

Linda Parent, adjacent landowner, said they've lived there over 30 years. She commented that there is a lot of traffic on Beecher Hill Rd. on Saturdays. Brian W. said they get ~450 cars/Saturday at this center. Linda P. asked if it will only be a Saturday operation. Brian W. replied this application is only for a Saturday (agreement with town, etc.), but they may be interested in opening on a Wednesday, to make Saturdays less busy. This would require coming back to the town for a permit. Linda P. asked about vehicles lining up onto Beecher Hill Rd before the facility opens; do they have any traffic control plan? Brian W. said they do not. Linda P. mentioned she had read the letter from the Borys' who front Beecher Hill Rd. She supported their suggestions to make signs to control traffic and to only allow access from North Rd. Brian W. said this would be something for the town to consider, not CSWD. Dick J. replied this would be something for neighbors to bring to the Selectboard. Dennis P. suggested making it a recommended access point, as opposed to a road closure.

Mitchel C. mentioned that their sign will be two inches taller by Beecher Hill Rd. (it is 16 sq. ft. instead of 15 sq. ft.). Brian W. said this sign will be near the snowplow sign. The Board had no issues with this.

Dennis P. **made a motion to close the public hearing and take it up in deliberative session.** Jon S. **seconded the motion.** The Board **voted 6-0.**

Jim Donovan and Patricia O'Donnell: Sketch Plan review for a 31-unit, 6-lot major subdivision and Planned Unit Development located at 613 Mechanicsville Road in the Residential 1 and Rural Residential 1 Zoning Districts. The applicants are proposing a mix of single-family residential, multi-family residential, and open space. Lot 1 would be ±2.75 acres for open space. Lot 2 would be ±1.5 acres for 10 multi-family residential units. Lot 3 would be ±2.25 acres for the three existing residential units. Lot 4 would be ±12.0 acres for public open space. Lot 5 would be ±9.5 acres for 10 single-family residential units. Lot 6 would be

±2.0 acres for 8 multi-family residential units. All units to be served by town water and sewer. Hearing continued from 7/16/19.

Jim Donovan apologized that Patricia O'Donnell couldn't make it tonight. Jon S. said he watched the video of July 16, so he will participate in this meeting.

Jim D. said he heard the comments from the last meeting, and based on the comments heard, they will use this as the master plan and focus on lot 2 (Mechanicsville Rd.). They will not be pursuing the development on lots 5 and 6 as part of this application. He clarified that he will request that these lots be subdivided; but with no proposed development on those additional lots. Brian C. asked if we are approving sketch plan only for lot 2 to get on the waiting list for water and sewer. Dennis P. asked about lot 1 as well. Jim D. replied they won't pursue CSA or community garden on that lot. Dennis P. asked if those three lots will be subdivided. He said they will definitely subdivide lot 3 from lot 2. Lot 1 could either be merged into lot 2, or lot 4 – if the town wants to have a parcel that joins out to Mechanicsville, they could put a link between lot 4 (donation) and lot 1. Then lot 1 and 2 would become 1 lot. Two barns and existing house (3 units) would be in lot 3.

Jon S. asked is there a problem subdividing it now and with density bonuses? Mitchel C. replied for the area in the R-1, it would not be an issue. Sarah M. how much density bonus are you getting on lot 2, based on lots 4 and 5?

Jim D. said with density bonuses, when parcel is divided between two districts, you can't get a density bonus from one to the other except for infrastructure. If the town is interested in lot 4 as a park (current riparian park shown on official map is all through lot 4, and proposed park at top of hill is on proposed map), then they would donate hillside as part of lot 4 to connect the two. If Selectboard is interested (he hasn't heard back from them), they might get that bonus (1 point). Mitchel C. said the Applicant will need these bonus point to get a full 120% density bonus, and they would have one affordable unit. Donating land to create a public space, which requires Selectboard approval is one way to get more of a density bonus. Jon S. asked about what the riparian park is. Mitchel C. said this area could be useful to the Town and could allow for similar mitigation like the Beecher Hill Brook project.

Jon S. asked for clarification on why they are no longer using lot 1 for a density bonus. Jim D. replied they didn't know the history of lot 1 and how wet it is getting. They decided just to drop it. They could give a right-of-way or change the subdivision line if town is interested. Dick J. said it has to be 100 feet at least. Mitch C. said it may need to be only 60 feet, in which case it could be an easement or two parcels.

Sarah M. asked if they'd take a site visit. She was concerned with the high density compared to the neighborhood. There won't be land around it that is usable. Jim D. said they have a visible berm that exists, and the dam is holding water in there.

They previously showed units about 1600 sq. ft., 2-story. They are now below 1200 sq. ft. They will get 1.5 points for 75% or more of units being under 1200 sq. ft. He described how they want the building to fit in. He displayed what the units might look like. He said they are trying to keep them as affordable as possible; renting doesn't seem to be working, so they will likely be for sale. He has met with the Affordable Housing Committee and will set up a meeting with the Champlain Housing Trust – details will follow about numbers for costs, etc.

Jim D. said they are hoping to get 25% of energy needs from renewable energy (1 point). This is for on-roof and solar hot water heaters. They anticipate between 2 and 3 points. They think there will be between 6 and 10 units on parcel; may not be officially affordable, but still affordable. They will remove

ones from the back first, leave the ones in the front. Ones in the back will be more barn-like (1 story unit) – Jim D. displayed diagrams.

Mitchel C. mentioned that the Applicants can obtain a 100% bonus, which would allow for 12 total units or one less than the 13 total proposed, if they would make 5 of the 12 units affordable. Dennis P. asked if there will be garages. Jim D. said there wouldn't be, but if there will only be 6, they might put a small garage in the back. Sarah M. said there likely wouldn't be any overflow parking. Jon S. mentioned storage for smaller units – perhaps a structure or room within the buildings for storage like bikes.

Jon S. mentioned interest in easements or cross-lot recreation opportunities. The Board discussed how there is lawn around the back of the existing house and on lot 2. They mentioned the grassy space also falls in the buffer next to the wetland. Jim D. said the wetland delineation was done by Brian at Lamoureux and Dickinson.

Jim D. brought up how they will be removing the back units, and looking at stormwater management, rain gardens and swales. They may also be using portions of lot 3 between the barns for stormwater, and will be managing for quality and quantity. Refuse in the parking will always be in back area. They are using the existing curb cut for #603 (current mobile home) but may have to widen it a bit more. The fencing is on the north side of the driveway; at least some of that will come out. They would prefer no fence in front of lot 2. Sidewalk would feed into development.

Mitchel C. discussed the comments on the two letters. He said that Mike Bissonette wanted the Applicants to have comments now at sketch plan, even though the concerns raised were generally addressed in a preliminary plat application. Jim D. asked if his comments about habitat were referring to the entire site or the portion near CVU? Mitch C. believes it was more the CVU area. Jim D. then asked about the proposed road; they had put in trail based on feedback from staff. Mitchel C. said they should simply make sure they are leaving space for the trail and/or road. They discussed details of the official map. Jon S. said they will not be showing lots 4 and 5 on preliminary application, and this does not preclude the trail/road from happening in the future anyways.

Bryan C. asked if he's applying bonuses, would we approve 10 units? 13 (maximum)? Mitchel C. asked if it would be of benefit to have this hearing continued to work out moving parts? Jim D. said he'd like sketch plan approval for up to 10 units in that configuration. They could specify that the units in the back come out, units in front don't.

Sarah M. said she is worried about density on the lot given the constraints of the wetlands, etc. Dennis P. said we give density to make them affordable. Jon S. said he is comfortable with the density and with proceeding with sketch plan. Trying to get shared space for residents would be good. Sarah M. commented they have a big deck behind the house but it goes much further. Bryan C. said if we approve 10 now, and Jim D. doesn't get bonuses, he may go down below this number at preliminary.

Mitchel C. said there may not be enough water and sewer allocation available in the third tier, which an application from this area would draw from. However, the Applicants may be able to receive allocation from first tier if they have a sufficient amount of affordable house, which might allow this application to move forward. Dennis P. asked if Mitchel C. has enough information to write conditions of approval. He felt he does.

Dick J. asked if 4 and 5 would stay one big lot if town doesn't want lot 1. Jim D. said they may want to transfer development rights from 4 to 5. How large is lot 6? It is 12 acres. Mitchel C. said he'd have to look to see if the proposed development would be possible with this change.

Dennis P. **made a motion to close the public hearing and direct staff to draft conditions of approval.** Sarah M. **seconded the motion.** Kate Kelly discussed the letter written by Meg Handler, herself, and Bob Hyams. The Board **voted 6-0.**

Decision Deliberations

Robert and Anne Frost: Sketch Plan review for a four-lot subdivision located north of O'Neil Road and west of Boutin Road in the Agricultural zoning District. Hearing closed 8/6/19.

They discussed Frost deliberation. There are only four members present. Dick J. made a minor change and they discussed the building envelope size. Dennis P. mentioned that Bob Hedden apologized for some of his language in the previous meeting.

Dennis P. **made a motion to approve the draft as amended.** Dick J. **seconded the motion.** The Board **voted 4-0;** Jon S. and Bryan C. abstained.

CSWD - There is an issue with the fence location. Mitchel C. said CSWD has to coordinate with the town as far as any additional fence adjustment and asked If the Board felt that there enough room for snow storage? Dennis P. asked if town should have been here because they are in charge of snow removal? The Board said the Town will not be doing snow removal inside the CSWD facility. Most felt that if CSWD finds snow is causing a problem and knocking the fence down, they will need to replace fence. They discussed possibly put it on the slope, could leave an alley. Jon S. said they have to have evidence of fence location but also construction management and collaboration. John L. said he had concern about them pushing to get it done now. Bryan C. said if they go for a temporary CO, but it is a zoning administrator issue. Mitchel C. said we may make a part of decision.

Jon S. commented on a previous public comment about trees not shielding noise in winter; we probably want construction hours of 8-5 on a Saturday, although it is in the public interest to have it built as fast as possible. The Board said they will go with the town's usual construction times on weekdays. Regarding limiting access from/to Beecher Hill Rd.: most don't think this is a good idea, as it is a public road, but police can watch it and see if it becomes an issue. Jon S. is concerned about the left-hand turn onto North Rd. which is not easy. If residents want them to do that, they should go to the Selectboard.

Dick J. mentioned that in the fence bump-out it looks like it's going into drainageways, etc. – are they taking ownership of it if it needs repairs? If future repair needs to be done, whose responsibility is it? If snow storage becomes a problem in the future they can come back. Is the Town responsible for putting fence back up if they tear it down to fix the swale?

News/Announcements/Correspondence - Mitchel C. said the next meeting will be for NRG's site plan, 80,000 sq. ft. of industrial and office space. There are many pieces to this application and regulations. Currently materials are on Dropbox including a preliminary staff report. He has reserved the entire meeting for this application.

The meeting adjourned at 9:35 PM.

Respectfully submitted,
Kate Kelly, Recording Secretary