

Town of Hinesburg
Development Review Board
July 7, 2020
Approved July 21, 2020

Members Present: John Lyman, Dennis Place, Dick Jordan, Jonathan Slason, Branden Martin (alternate), Greg Waples, Sarah Murphy

Members Absent: Ted Bloomhardt and Bryan Currier (alternate)

Applicants: **Rachel Smolker**

Black Rock Construction/ Haystack Crossing, LLC:

Michael Buscher – TJ Boyle Associates

Ben Avery- Black Rock Construction

Public Present: Maggie Gordon, Michael Bissonette, Wendi Stein, Merrily Lovell, Barbara Forauer

Since this was a remote meeting, it is possible there were other members of the Public in attendance, who did not speak nor make themselves known.

Also Present: Mitchel Cypes (Development Review Coordinator), Alex Weinhagen (Director of Planning & Zoning), Al Barber (Hinesburg Fire Chief) and Laura Sau (Recording Secretary)

Dennis P. called the meeting to order at 7:35 PM.

I. Meeting Procedures:

Mitch C.- Displayed Meeting Procedures. Meeting was held remotely due to the current State of Emergency in our best conformance with the Governor's executive order.

- a. Everyone will be muted. Please stay muted until the Public portion of the meeting when it is appropriate for you to speak.
- b. Place yourself in a *well-lit room*, use headphones if possible, and let your family know not to disturb you.
- c. **Please Identify Yourself When You Speak**
- d. Chat and file sharing has been disabled.
- e. If watching via VCAM, you can e-mail Mitch with questions or comments.

II. Agenda Changes:

- a. None.

III. Review minutes of the June 16, 2020 meeting:

- a. Minor spelling and clarification adjustments were made.
- b. Dennis P. **made a motion to approve the minutes of June 16, 2020 as amended.** Dick J. **seconded the motion.** The Board **voted 6-0**; Greg W. abstained.

IV. Rachel Smolker- Conditional Use Review for an accessory apartment on a +/- 16-acre property located at 680 Sherman Hollow Road in the Rural Residential 2 Zoning District. The applicant is proposing to expand an existing cabin into an accessory apartment.

- a. Rachel S.- Main house and extra house- the "hut". Wants to add on to that in order to provide space for you to rent it out to be able to rent as an independent structure
 - Will need more space to add in kitchen and plumbing.
 - northeast of the main house and just west of the woodshed

- Mitch C. displayed drafted site plan.
- b. Dick J.- The woodshed is the smaller building?
 - Rachel S.- The woodshed is bigger than the “hut”. Woodshed is wood storage and chicken pen.
- c. Rachel S.- Been in contact with Mitch to meet requirements such as setbacks.
 - Working with McCain Consulting for wastewater permit, which is pending with the state.
 - Mitch C.- The important part is that they’ve been working with a design professional who believes the current wastewater system can accommodate the addition.
- d. *Concern:* Dick J.- Any issues with building locations related to proximity to wells?
- e. Mitch C.- That has not come up as a concern.
- f. Alex W.- Not an issue in regard to town zoning regulations. State does have suggested setbacks for wells and wastewater, but it will be assessed in Wastewater Permit Rachel gets from the State.
 - Probably not going to be an issue because it’s an existing structure

V. Dennis P. opened the hearing to the public. No Public Comment.

- a. Dennis P. directed the board to the draft decision written by staff. Greg W. had no issues with the draft.
- b. John L. **made a motion to close the public hearing and to approve the draft decision of conditions as written.** Jon S. **seconded.** **The board voted 7-0**

VI. Black Rock Construction/ Haystack Crossing, LLC- Preliminary Plat and Conditional Use review for Phase 1 of a major mixed use (residential, commercial, light industrial) development on a +76-acre property located on the west side of Route 116 north of Kinney Drug and Patrick Brook in the Village Northwest and Agricultural Zoning Districts. Hearing continued from 2/18, 3/17, 4/21, 5/5, 5/19, 6/2, and 6/16/20.

Topics to be addressed at this meeting include municipal impacts (anticipated needs, costs, revenue), street greenbelt width, and other issues.

Jon S. recused himself from the hearing.

VII. Traffic Analysis –

- a. Dennis P- Storm water- Why do we take over storm water system maintenance?
 - Mitch C.- a lot of times the town will partner with communities. Might take over the road but not stormwater. Might partner with impervious area proportion.
- b. Alex W.- neighborhood behind police/fire building- When project was built, town had no interest in taking over stormwater, just roads. However, with more development with police station, town needed to drain into community system, so Town made an agreement with HoA to partner on cost sharing of stormwater system.
 - 1. Commerce Street developed privately-- constant issues with stormwater. Town took over the road and has been asked to partner on stormwater, but the Town won’t until stormwater is up-to-date and working.
 - Dick J.- Reluctant for town to take over stormwater until town knows it works
 - 1. Alex W.- There is a ‘proving’ period for taking over roads or other systems. For example, Thistle Hill.
 - Mitch C.– Clarification from earlier meeting. Dave Marshall said it was the engineer who certifies that would have liability.
 - Ben A.- Happy to keep it, happy to turn it over, whatever the town chooses.
 - Alex W.- Whatever the town chooses relies on Selectboard.
 - *Proposal:* Mitch C.- Could be one of the things the applicant should discuss with Selectboard.
 - *Clarification:* Alex W.- DRB cannot bind the Selectboard to do anything in terms of taking over infrastructure. DRB writes approvals assuming it will be privately maintained roads, water

systems and sidewalks, everything. Approval assumes when it's built and occupied, it's all privately operated, then the Selectboard can make decisions at a later date regarding taking on some of those responsibilities if it makes sense for town.

- Dick J.- No way the DRB can write an order to that effect.
- c. Dick J.- New truck or sidewalk plow would have to be purchased or existing equipment usage costs?
 - Mitch- What town has right now would not accommodate for development. New equipment would need to be purchased. However, equipment would not be used solely on development.
 - Alex. – For this development and planned village growth in future. Right now, town has one sidewalk plow. HoA would be responsible for at least the first few years so town has time to figure out if they choose to take over sidewalks in development.
 1. Current plow trucks are designed for rural roads. Intricate village plowing needs a more nimble truck.
- d. Dick J.- Municipal Property Tax. \$210,000 per year seems low given prices/ costs of homes. (Not State)
- e. Mitch C. displayed breakdown of Taxes on screen.
 - **Valuations per unit:** Single Family Residence- \$350,000, Single family attached \$275,000, Multi family – \$150,000, Commercial- \$100,000, Senior Living – \$160,000, Light Industrial- \$600,000
 - Information from Ben, Town Assessor who reviewed it, and the Town Clerk who supplied tax Rate numbers.
- f. Dennis P.- Hinesburg Community School Update- developer says it should accommodate. Should or will?
 - Alex W.- Received School Districts twice--Chittenden South Supervisory Union (Bob Mason)- Hinesburg Community and CVU have room
 1. Champlain Valley School District (newly named)- Jean Jenson, new operating chief officer – Not 100% on max capacity numbers. But feeling was the same-- does feel like they do have capacity. Cautionary about future, might need to be reevaluated.
 2. Based on Student age generation, Haystack, and Hinesburg Center 2
 3. CVU is very below max capacity.
 4. Dennis P.- concerned about 4 towns, and all of the buildings being built in Williston.
 5. Alex- Whats being built is more condos so a different development style.
 6. Dick J.- From what he knows, student numbers have been dropping.
 7. Alex W.- CVU it's true, not with Hinesburg community School- level enrollment numbers in past 15 years or so. Between the two, HCS is more important to keep an eye on.
- g. Dick J.- Union of elementary schools. Possibility of kids on Charlotte border go there?
 - Alex- part of appeal is that could be possible but not now.
- h. Dennis P.- Where would Hinesburg community expand to?
 - Alex- Entire building is being utilized today. As more students were added, spaces would be used differently. There are limits so that's why town reached out to districts. This project and Hinesburg Center 2 in first phases would be fine. Would need to be reevaluated for phase 2. If town doesn't increase water municipal water capacity for phase 2, that would also be a show stopper.
 - *Concern:* Dennis P.- Not viable to build just phase 1- Wouldn't even get their money back.
 - Ben A.- That's referencing Phase 1a. Entirety of Phase 1 is a project in itself. Asked if school districts were supplied with types of housing being built. What sort of context was applied? In Chittenden County, 1 bedroom contributes to no kids. 2 bedroom apartments are less than 10%, Senior Community- None. Majority will be from 49 single family homes. In Williston Finney Crossing, they are empty nester neighborhoods, moving out of their 4 bedroom houses. New development is as attractive to retirees as new families.
 - Alex- Student estimation was based on housing being built- formulas by VT housing Agency.

- i. Greg W.- West Hinesburg on Charlotte line go to Charlotte school—if they did go, there would be a transfer of funds from Hinesburg to Charlotte.
 - Alex W.- Act 60. Where money flows is based on student count, not what community decides.
 - When Charlotte needs and improvement, everyone pays for it.

VIII. Dennis P. opened the hearing to the public.

- a. Dick J.- Water/ sewer costs- takes into account \$11 million update?
 - Mitch- This upgrade has to happen regardless. Some would go towards connections and such.
 - Ben A.- Connection fees locked in with allocation.
 - Alex W.- There has been discussion of a different allocation system based on scoring projects but haven't moved on it yet. Looked at other communities for comparable fees. Hinesburg is significantly more than other communities, some of the highest in Vermont.
 - 1. Water capacity update is due to developments, so they should pay.
 - 2. Wastewater has to happen regardless of development or not.
 - 3. This project won't make or break budget exercise
 - 4. This project will pay its fair share in terms of allocation and hookup fees.
- b. Barbara F.- Hinesburg Elementary- if it needs to expand, where?
 - Situation of out of staters now wanting to buy property in Vermont.
 - Mitch C.- Schools are saying for phase 1, they're fine.
 - 1. In regards to people moving here, good news for development, and phase 2 may occur sooner. But will re-evaluate when that happens.
 - 2. Dennis P.- What if school is at capacity?
 - 3. Mitch C- Will have to have discussion with school
 - 4. Ben A.- If school needs an update, it's a district-wide cost.
 - 5. Alex W- When there was possible proposal of middle school because Hinesburg community School might not accommodate for amount of students, there was discussion of:
 - Limiting building permits
 - Creating impact fees to offset costs to potentially build new school.
 - i. Many towns who have had school impact fees have stopped collecting due to enrollment decline.
 - Ended up being voted down
 - Before any other big project phase, HCS would have to be reevaluated.
 - Thinks impact fees are still municipal. Dennis P. brought up the point that schools are now districts, are school impact fees district-wide?

IX. Street Greenbelt Width

- a. Dennis P.- Ben A, you disagree with wider greenbelt along the street.?
 - Ben A.- Feels they are providing sufficient greenbelt and there are good reasons for areas where curb and sidewalk meet.
- b. Alex W.- This is rehash. Mike felt it was adequate. Was included in staff report to recognize Municipal Impact. Hope that Staff and Development team can come to an agreement prior to final submission.
- c. Mike B.- Greenbelts are 8.5' or wider. One of widest around. Burlington is 5'-6'. South Burlington 5' greenbelt. Hinesburg Creekside is 7.5' with 24' wide roads
 - Proposing dedicated parking on all roads, unlike Creekside's regular parking.
 - Requirements 3.1 Village Growth area- District Purpose: "Encourage a vibrant mix commercial, residential and civic activities in a compact pedestrian-oriented village... Should include internal streets to make pedestrian feel comfortable... internal streets should form a circulation/ grid and accommodate on-street parking."

- Would people use on street parking in front of Kinney if there was an 8' greenbelt? This is a compact neighborhood. Meeting intent. Increasing greenbelt is in contrast to purpose for zoning in district. Makes it less safe, convenient, and compact
- d. Ben A.- 3ft of snow on the ground and snowbanks- If there isn't a way to get from street to sidewalk, people will walk in the street until the nearest intersection. Not safe. Green belts in lower impact areas of development. Near senior center, it will be higher movement traffic.
- e. Mike B.- Other areas all have hardscapes between sidewalk and parking. More suburban situation to create those greenbelts.
 - Alex W.- Mike and Alex are both towards compact planning, however, goals of district could be interpreted opposite of Mike's interpretation. Sidewalk hardscape next to parking is in the convenience of the driver, not pedestrian walking through site. Greenbelt adds buffer and adds comfort for people to walk through neighborhoods. Don't disagree how it will affect compact nature, but better achieves goals of district, especially in a rural village. Cabrian Rise is an urban environment, which is not what Hinesburg is- a rural village.
 1. Highway Dept wants there to be some separation for snow storage. If sidewalks are consistently covered in slush from plows, doesn't contribute to walkable community. Even if doesn't look like more urban environments.
 2. Staff Report features examples in Burlington with a greenbelt next to on-street parking. Drivers hike over snowbanks, it's not an impossibility
 - Ben A.- Mentions public comments of past meetings of not wanting to see something like other Chittenden County developments like South Ridge that are big and wide. Interpreted it to be more condensed.
 - Mike B.- There are lots of bump outs to correct situations with breaks for parking for smart growth development. Intersections tighter, green out to the street. 11' Drivelanes, 22' Curb to Curb, 8' Parking for safe parking, Rec fields will have overflow parking. Managing parking with refined spaces is the way to go.
 - Ben A.- 4 Tafts, Finney Crossing- Regulations more towards smart growth on street parking with narrower streets.
- f. Branden M.- Favors some aspects on both sides of argument. Eliminating green spaces won't get rid of people going over snowbanks, it will then just pile onto sidewalk. Full occupancy, how much is the on-street parking is absolutely necessary? Is there possibility of eliminating some and adding more green-space?
 - Mike B.- Some on-street parking close to 116 accommodates to meet needs for businesses. Further in is for guests and rec field overflow.
 - Mitch displayed plan 101 on the screen.
 - John L- Blackrock proposed 8' feet wide.
 - Alex W.-Town/ utilities recommend 10'. Alex thinks 8' could be sufficient but there are areas in plan where there is no greenbelt planned. Farmall plowing is problematic and wants to avoid doing again
 - Mike B.- Every towns highway dept wants to make plowing easier. Doesn't mean it's better.
 1. Integrated alleys for rear parking. Guests wouldn't be able to approach houses without going over snowbank or all the way down the road.
 2. Branden M- Alleys?
 3. Mike B.- Alleys meant to be more private- Some lots are as small as 1/8 acre
 4. Dick J.- On-street parking? Mike B.- 22'
 - Sarah M.- Need for some division between sidewalk and street for pedestrian safety. Snowbanks are only part of year, pedestrian use is all year. Could be 5'
 - Mike B.- No active road next to sidewalk, it's parking. 10' wide rec path instead of 5' wide sidewalk.
 - Dick J.- Only one spot where path is up against rd. just north of solar array.

1. Mike B.- Due to setback.
 - Dick J.- Not strongly opinionated. Trees in greenway?
 - Mike B.- Street Trees within street ROW.
 - Dick J.- Concerned about minimum width needed for trees.
 - Sarah M.- Wants input from Highway department because plows currently have a hard time staying withing sidewalk 4'
 - g. Greg W.- Caution of bump outs for emergency vehicles. Traffic calming bump outs.
- X. Dennis opened the hearing to the public**
- a. Wendi S.- Potential solar array. Possibility of multi- use space of solar array Parking lot?
 - Mike B.- Unfortunately it's a protected area.
 - b. Barbara F.- Supports Alex's 10' greenspace. Town wants to promote walkability
 1. Questioning
 2. 'C' building- underground parking?
 3. Bump out made of?
 4. Mike B.- Greenspace
 - Parking provides a buffer. Viable for mixed use area.
 5. Urges board to work with staff. Parking is overshadowing aesthetics. IE. Lot 16 is up against road without much greenspace.
 - c. John L.- Needs to work with staff
 - d. Dick J.-
 - e. Greg W.- Horse before the cart? Not satisfied that the hearing can be concluded until can meet in person. Encourage staff to work with applicant on this.
 - Ben A.-
 - f. Mitch C.- Summarized Board Comments: Where applicant is at now, could add more bump outs. Look at other parking areas for necessity.
 - John L.- Reminder of Highway Dept.-- plows and emergency-- to make it work for everyone.
 - Mitch C.- Fences right next to sidewalk- proposed covenant to address a buffer to help plow.

- XI. Public Input for topics not covered**
- a. Wendi S.- Curious on update on Traffic.
 - Still conversations to be had—intersection with Shelburne Falls Rd. and 116.
 - Discuss open areas?
 - Alex W.- A lot of back in forth between Applicants engineer and town's traffic engineer. Once hearing is closed, board will have suggestions for tweaks.
 - Wendi S.- Queueing for Shelburne Falls Rd. still being debated?
 1. Mitch C.- Still disagree on methodology on traffic. Will go into deliberation with board and will try to hash it out.
 2. Dick J.- New document this week from Stantec. Rick Bryant. New or sometime ago? Alex- not new.
 3. Wendi S.- Stantec Reports- numbers were greater. Applicant feels that improvements currently planned this summer will take care of concerns. Doubtful because there in morning before COVID, with school in session, pretty long back up. What happens in long run if remains concern. Concern that it's a bottleneck area. People trying to get into health center, block intersection.
 4. Mitch C.- Good point especially with buses in the morning. Already built can have right and left turn lane. Can add signs to not block intersection. Things still in discussion.

5. Wendi S.- Concerned about view trying to turn out from Haystack Crossing while coming from development, if you had left and right hand turn, when light turns during peak hours for left turning traffic coming from 116 onto Shelburne Falls Rd.
6. Dick J.- Dennis had same concern—peak hours on Shelburne Falls Rd.

XII. Mitch Pre-Closing Deliberation

- a. Outside of stormwater and traffic, does the board feels need more discussion on any other topic? Hoping to wrap up on **July 21st**. Still expecting Stormwater design from Ben a week ago.
- b. Alex W.- Intent was tonight that any loose ends topics could be discussed tonight to be closed on the 21st. Then could start real deliberation.
- c. Greg W.- Will not vote to approve project without in person testimony.
 - Just a board member, but speaking on behalf of town members who do not have technology access
 - 71 years old and am willing to get together a town hall at distance.
 - Dennis P.- this could go on for years. Might not be able to meet in public.
 - Alex W.- spoke with town admin today. no plan to reopen town office for meetings.
 - John L.- If someone requested hard copies is that possible?
 - Mitch C.- could set up appointments for viewing with town clerk or with Mitch.
 - Ben A.- If anyone want's an 11"x17" plan, to be picked up at office, Ben would supply it.
- d. Dennis P.- Greg better access?
- e. Greg W.- Have been able to access but can't actively participate. However, speaking on behalf of town members who don't have technology access.
 - Mitch C.- Has been actively replying to e-mails during meetings as well as voicing e-mailed concerns.
 - Dennis- This was talked about in a previous meeting and it was voted to continue on.
 - John L.- Not the only project in Hinesburg and Vermont. We have to figure out how to proceed.
 - Branden M.- Agreed
 - Dick J.- Non-technical method for meeting notification and feedback? Hinesburg Record or other publications?
 - Alex W.- Have talked about at staff level. True not everyone reads FPF. Will try to have another article in the Citizen. In all communication, stress that people can call Mitch. Least technical way to help people. Willing to publish in other papers. Can't guarantee it will happen. Understands not everyone reads legal announcements. Might be worth it to have ¼ page ad.
 - Greg W.- Silly that ¼ page ad in paper will suffice to address his comments. Still in favor of public hearing.
 - Ben A.- approaching or have exceeded 40 meetings for the past 4 years. No one showing up because it's not new news. Staff does a good job about reaching out on multiple platforms. Ample time for people to reach out if they wanted to.
 - Alex W.- Mostly stormwater and traffic. Will vote to close hearing and deliberate.
 - Dennis- After closed, would rather not re-open again.
- f. Dennis P.- *Everyone should look at February 14th staff report prior to next meeting*
 - New public correspondence from Barbara F. and Greg LaRoix. Traffic and

XIII. Dennis P. made a motion to continue the Haystack Crossing LLC/ Black Rock Construction hearing on July 21. Dick J. Seconded. Board Voted 6-0 (Jon S is recused)

XIV. News/Announcements/Correspondence:

- a. Mitch was unable to finish Russell Draft Decision. Will do next meeting.
- b. A lot of potential application coming in as well as Hinesburg Center 2

Dennis P. **moved to adjourn the meeting**, Greg W. **seconded**.
The meeting adjourned at 10:00 PM.

Respectfully submitted,
Laura Sau, Recording Secretary