

1                                   **PROGRAM/PROJECT REVIEW COMMITTEE MEETING MINUTES**

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3   **WEDNESDAY, MAY 13, 2009**

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5   The meeting of the Policy/Project Review Committee was held at the Northwest Regional Planning Commission  
6   office. At 5:30 PM, M. Guernsey opened the meeting.

7   **ATTENDANCE:**

8   Commission: Baderstadt, Andrea ; Garrett, Harold ; Guernsey, Michael ; Howrigan, Patrick ; Kade,  
9   Barry ; Kittell, William ; Lambert, John ; Leach, Christopher ; Peirce, David ; Roberge, Richard ;  
10   Speer, Neal ; Steen, Colleen ; Charron, Claude ; Manning, Bob .

11

12   Staff: G. Brunswick.

13   Intern: R. Doyle

14   Guests: Jeff Nelson, VHB Pioneer, David White, David White and Associates, Robert Jess, P.E., Lowe’s.

15   **1) Minutes.** M. Guernsey asked for comments on the March meeting minutes.

16           *H. Garrett motioned to postpone due to incompleteness. D. Peirce seconded. Motion passed.*

17   C. Steen noted a correction under wagon wheel redevelopment where that should be than. G. Brunswick will send  
18   out full copy of minutes next month with correction.

19   **2) Staff Updates.**

20   Brunswick updated the Committee on the draft 2009 Vermont Long Range Transmission Plan, which is out for  
21   public comment. The Plan provides an overview of the transmission planning process, including recent changes  
22   made to it, an inventory of transmission and sub-transmission deficiencies and causes across the state, and a  
23   discussion of proposed transmission and non-transmission solutions. Brunswick noted that improvements to  
24   substations in Georgia and St. Albans and construction of a transmission line between the two towns is 3<sup>rd</sup> on a list  
25   of priority projects in the plan. The Committee confirmed that this improvement is much smaller in scale than the  
26   major transmission replacement south of Burlington.

27   Brunswick updated the Committee on the Lake Champlain Basin Program’s Champlain Valley National Heritage  
28   Partnership Preliminary Planning Framework, which is a planning process towards designating the Valley as a  
29   National Heritage Area. There was a question on whether this designation would have restrictions on development.

30   Brunswick updated the Committee on a meeting between VTRANS and CVPS, which VTRANS invited NRPC  
31   to, on making sure that reconstructing the transmission line along VT 105 and US7 to VT207 would accommodate  
32   planning improvements for that highway.

33   Brunswick updated the Committee on an application that was just received for a Dollar General store in Richford.  
34   The project will redevelop the former IGA grocery store just south of the Village in the sub-regional growth center.  
35   Brunswick explained that she does not see any potential conflict with the Regional Plan and asked for support to  
36   write a letter of no conflict. The Committee agreed.

37   As there were guests, M. Guernsey asked for Committee members to give their names.

38   M. Guernsey explained that Lowe’s representatives will be giving a presentation on the details of their project to  
39   date and that it will be important for the Committee to not get into policy or regional plan conformance issues

1 tonight. We should be focused on getting the facts. The Committee will have plenty of time to discuss the project  
2 in more detail. Lowe's has yet to submit for Town or Act 250 approval.

3 **3) Lowe's Presentation.**

4 D. White introduced himself, Jeff Nelson from VHB Pioneer, and Rob Jess from Lowe's. He noted that this is the  
5 4<sup>th</sup> meeting held with various groups around the area to provide background information about the project. They are  
6 planning to submit a zoning application to the Town fairly soon. M. Guernsey reminded all that the full Board of  
7 Commissioners approves NRPC comments, not this Committee.

8 R. Jess introduced himself as a development manager with Lowe's. He has been working on a project here since  
9 2004. They didn't submit then because of feedback from the Town that before allowing such a big project, they had  
10 growth issues they wanted to assess. Things have shaped up nicely for the project to fit into the location next to  
11 Price Chopper. It is an infill project in an approved commercial subdivision in a town and regional designated  
12 growth center. It is sized to focus on the Franklin County market, 12,000 square feet smaller than the store  
13 proposed in 2004. In total it is a 121,500 square foot building, plus a 32,000 square foot garden store. This is  
14 essentially the same as the store in Essex.

15 R. Jess explained that they believe it complies with St. Albans Town zoning and that will not be applying for a  
16 variance or PUD modifications.

17 D. White reviewed the site plan. He noted that they are preserving a natural cedar swamp. He explained that the  
18 parking lot will connect into Price Chopper. He explained that this project is located in an approved subdivision  
19 with 3 lots. If Lowe's is developed, one lot will remain undeveloped. He explained where the Federal Street  
20 Extension may connect near the development.

21 D. White noted that they anticipate traffic, economic impact, wetlands, and stormwater to be the topics and will  
22 focus on those issues tonight.

23 **Traffic.** D. White explained that Lowe's is not a big traffic generator. As far as the number of trips, according to  
24 their studies Lowe's generates 289, while Price Chopper generates 560, Franklin Park East is permitted for 665,  
25 Walmart generates 778, Highgate Commons generates 1,100, the Walmart plus PUD generates 1,119, and Franklin  
26 Park West generates 1,294. One reason is that the items are bulky and therefore do not have same density of  
27 product, resulting in fewer trips by customers. He explained that a traffic study is underway and that they will be  
28 proposing offset projects for traffic impacts in area.

29 **Economic impact.** D. White explained that with this type of project they have completed economic modeling in  
30 addition to supplemental work, including a consumer survey a case study on a dozen other municipalities across the  
31 east with characteristics similar to Franklin County where Lowe's has been open for a period of 2 years. The survey  
32 involved calls to households to find out shopping patterns. Highlights include that there is substantial sales leakage  
33 – 35% of demand is not occurring in Franklin County. The consumer survey showed that 64% shop elsewhere for  
34 home improvement, 76% for those that work in Chittenden County. These results support the economic modeling.  
35 Case studies were completed for 12 communities, which included 186 businesses with competing product lines. A  
36 total of 3 of the 186 closed after Lowe's. They called the remaining businesses and 47 agreed to be interviewed.  
37 These businesses indicated that over a 3-5 period, 37 of 47 increased or maintain sales and 40-47 increased  
38 employment. D. White explained that this is likely because people like to comparison shop and support local  
39 business. He explained that he does not want to make a claim that Lowe's has no competitive effect, but with  
40 47million dollar sales leakage, Lowe's does not need to take away sales from local stores to meet sales needs. He  
41 explained that the case studies were not cherry picked, but were carefully chosen for best match to Franklin County.

42 B. Kittell asked whether the figures were generated prior to 2007 and if he could break it down. He is interested in  
43 garden versus lumber business. Will this be in the study? D. White can't say whether the analysis is broken down

1 that way. But in terms of impact on competitors, it is broken down. B. KIttell noted that he does not see leakage  
2 in the garden department.

3 A. Baderstadt asked about visualizing square footage of the store. D. White explained that Plattsburgh is larger,  
4 but that South Burlington and Essex are similar. R. Doyle asked how many parking spaces are proposed - can we  
5 compare to parking spaces at price chopper? D. White explained that there are certainly more than price chopper  
6 because it is based on square footage. We have over 400 parking spaces proposed based on zoning. But the zoning  
7 requirement is more spaces than we think we need. He explained that they will be proposing that approximately 90  
8 parking spaces not be paved, and be grassed.

9 H. Garrett asked about the placement of the store. If the Federal Street extension is a long way out, why is the store  
10 not site along the major thoroughfare of Route 7? D. White explained that for their traffic studies, they are not  
11 counting on the Federal Street extension. White was involved in the search for the site and it is best for a range of  
12 reasons. Exit 19 was ruled out because of prime agricultural soils and less existing development. This site was  
13 already an approved subdivision, so it was attractive. It seemed to be where long term planning wanted growth.

14 C. Steen asked if there was any plan for the cedar swamp. D. White explained that it would be perpetually  
15 conserved.

16 The Committee discussed employment. D. White explained that the store would employ 130 people with a strong  
17 benefits package. He does not have the break down of how many are part time versus full time.

18 J. Nelson presented on water quality and environmental considerations, specifically wetlands and stormwater. He  
19 explained that he has been working on the site since 2003. He showed a map of the area and a map of Stevens  
20 Brook, which is adjacent to the site. Three sections of Stevens Brook are impaired (303d), but not the section  
21 where Lowe's is proposed. He showed a photo of the existing site. It was cleared at one time, not there is lots of  
22 scrub. They have been monitoring ground water levels.

23 **Wetlands.** Nelson explained that they found 4 wetlands. One is a cedar swamp, one a shrub swamp, a natural  
24 wetland behind price chopper, and the other two are borrow pit wetlands, which exist due to historic digging that  
25 caused ponding water and wetland vegetation. These wetlands are still protected by state rules.

26 Nelson explained that they will be permanently conserving the cedar swamp, and that there will be no impact to the  
27 cedar or shrub swamp. He explained that each of these wetlands is given a 50 ft buffer under state rules. He  
28 explained that the borrow pit wetlands will be filled and removed. The VT Wetland Rules allow for mitigation.  
29 He explained that they are proposing to construct a replacement wetland, built at two different levels. He explained  
30 that they have applied for a conditional use determination, which is currently pending.

31 **Stormwater.** Nelson explained that the store is not located in a stormwater impaired watershed, so they are not  
32 required to do extra requirements. However, they have decided to adopt stricter standards and to not allow any  
33 increase in the level of pollution discharged into the watershed. To achieve a net impact of zero, they need to do  
34 additional projects to protect water quality. Nelson explained the details of the stormwater treatment system  
35 proposed. It is designed to handle the 100 year storm, based on the 2002 stormwater rules.

36 Nelson explained the three supplemental water quality measures proposed to create no net increase. They will be  
37 upgrading the existing stormwater basin behind price chopper because it was designed with old stormwater  
38 standards. They will be completing a pilot green roof project on a portion of the Lowe's roof. In addition, they  
39 will be fencing off a buffer to Steven's Brook at the Boissanault Farm. The area has been used for grazing with no  
40 buffer. In addition to fencing off, they will be revegetating the area to stabilize it and allow it to resume its natural  
41 meander pattern.

42 M. Guernsey asked about the size of the replacement wetland. Nelson replied that it is in the 1.5-2 acre range. The  
43 total area of impacted wetlands is 1.6 acres, but he explained they had to mitigate the ponded area of about 1 acre.

1 Guernsey asked if the wetlands will need maintenance. Nelson explained that they are relatively low maintenance,  
2 but will be inspected annually. One issue they will be careful to monitor is keeping invasive plants out.

3 Guernsey asked about maintenance of the stormwater pond. Nelson explained that new permits have a requirement  
4 for semi-annual inspection and reporting to the state and to clean out sediment. With respect to Lowe's in South  
5 Burlington and Essex, once a project is operational, we are very diligent about maintenance.

6 D. Peirce noted that before Dan Lindley left the Town, they were considering better enforcement of all stormwater  
7 ponds and there should be more attention paid to maintaining them. R. Jess explained that they have prepared a  
8 maintenance manual and that everyone gets a copy. VHB Pioneer will be doing the inspections.

9 H. Garrett asked if the stormwater pond is similar to Walmart, which seemed to be state of the art? Nelson  
10 explained that they have applied the design allowed by the stormwater manual. It does not have the same system as  
11 Walmart, it is not needed to meet the requirements of the stormwater manual. He explained that on-site they meet  
12 the requirements, but they exceed them with off-site projects.

13 A. Baderstadt asked if the pilot green project works are there plans to expand it? R. Jeff explained that it would  
14 not be expanded at this location. Potentially, Lowe's would use a green roof at another location.

15 A. Baderstadt noted a concern about accessibility for people. She explained that bus service may not be appropriate  
16 given type of product, but for some of the products it would work. She asked if transit will be provided, she knows  
17 that it is provided to Price Chopper. R. Jess explained that it is a choice the transit company needs to make. If it  
18 is something they wanted to do, could do it. D. White explained that there will be a pedestrian route between Price  
19 Chopper and Lowe's.

20 D. Peirce noted that it may be part of a deal with VTRANS that sidewalks are required.

21 A. Baderstadt explained that currently there is no place to wait for bus at Price Chopper and that would be good  
22 thing to include.

23 D. Peirce asked if there are any low impact development techniques incorporated into the project, other than the  
24 green roof pilot project. Nelson explained that some parking spaces are grassed, which limits impervious surface.  
25 He also explained the splitter system, where in the event that the replacement wetland is not getting enough water,  
26 they could harvest roof water out to the wetland. Also, there are recharge swales around the parking lot, which is an  
27 effort to maintain the water balance on the site.

28 B. Kittell asked what would happen if they go out of business? D. White has had a role in the area for many years  
29 and knows we have faced some empty spaces at Highgate Commons. The solution is to adapt spaces and modify  
30 them to bring in new business. Other times, you need to change from retail to a non-retail use. For example, a  
31 Plattsburgh store was redeveloped into a hospital out-patient center, and Lowe's in Essex redeveloped an abandoned  
32 site.

33 D. Peirce asked how much money stays local and if there is anything that gets reinvested into the community? He  
34 explained that the vast majority of the employees stay local, but it is likely that the main money goes back to the  
35 home office. He asked if they use local banks? R. Jess answered that they do not use local banks. He noted that  
36 they predominantly pay a pretty good wage, but does not have specific wage ranges because it varies from store to  
37 store.

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#### 39 **4) Georgia Wind.**

40 Brunswick explained the status of the Georgia Wind project. She attended the pre-hearing conference and a public  
41 hearing has been scheduled. To have comments ready for the public hearing, the Committee needs to approve

- 1 comments for the full Board to ratify at the May Board meeting. She explained that comments should be based on  
2 conformance to the Regional Plan for aesthetics and for environmental impacts. She also explained that an erosion  
3 and sediment control should be required prior to approval.
- 4 The Committee discussed the project and comments to submit to the board. The Committee agreed that comment  
5 should include that the stormwater and erosion control systems be maintained and monitored over the long term.
- 6 In addition, they agreed that the project must have a decommissioning plan.
- 7 The Committee discussed aesthetic impacts and confirmed their earlier conclusion that the visual impact is adverse,  
8 but not undue given the public benefit of clean, renewable power generation.
- 9 The Committee discussed noise standards. It was agreed that comments should include that noise standards be  
10 upheld, that there be some sort of monitoring of noise.
- 11 M. Guernsey asked that Committee members call Brunswick by Friday with any further concerns on the project.  
12 Otherwise, Brunswick will draft these comments for submittal to the Board.
- 13 **5) Other Business.**
- 14 None.
- 15 H. Garrett motioned to adjourn. C. Steen seconded. Adjourned at 7:47.