

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
August 7, 2008**

MEMBERS PRESENT: Mark Thibeault (Chairman); Dan Kerin, Andrew Boutin, Diane Clemens. (Liza Kilcoyne was absent.)
ADMINISTRATION: Robin Pierce, Developer Director.

1. CALL TO ORDER and AUDIENCE FOR VISITORS

Chairman Mark Thibeault called the meeting to order at 7:30 p.m.

Handy Proposal for 231-235 Pearl Street

Gabe and Diane Handy briefly reviewed proposed changes to planned construction at 231-235 Pearl Street. Changes include decreasing the length of the building by 17', reducing the number of two bedroom apartment units in the building, reshaping the front of the building, eliminating dormers on the roof, and adding a community area on top of the underground garage (10' covered porch with the remainder of the space being open patio). Mr. Handy felt the proposed changes are minor changes, not major changes. Minor site plan changes typically are handled administratively. The building will be served by municipal water and sewer. Reducing the number of bedrooms will reduce the sewer allocation. The current proposal is for nine two-bedroom units, 23 one-bedroom units and three studio apartment units for a total of 35 units (the total number of units is unchanged). There are no changes proposed to parking, landscaping, or lighting. Mr. Handy said the materials (steel) and contracts for the parking garage are ready to go. Mr. Handy agreed to return to the Planning Commission in September if the noted changes are considered major changes to the submitted site plan. Following discussion, the consensus of the Planning Commission is the changes as presented (i.e. reducing the size of the development) can be handled administratively.

2. ADDITIONS/AMENDMENTS TO AGENDA

None.

3. MINUTES

July 17, 2008

MOTION by Andrew Boutin, SECOND by Dan Kerin, to approve the 7/17/08 minutes as written. VOTING: 4 ayes; motion carried.

4. PUBLIC MEETING

Mark Thibeault explained the procedure to be followed with applications before the Planning Commission and swore in those individuals to give testimony.

Site plan for construction of four additional parking spaces and striping of three existing parking spaces at 39 Lincoln Street in the MF/MU-2 District by Andrew Rowe with Lamoureux & Dickinson, agent for Howard Center, Inc., owner

Andrew Rowe and Chris Pepin (Howard Center) appeared on behalf of the application. A revised site plan was submitted to the Planning Commission.

APPLICANT COMMENTS

Andrew Rowe noted the Howard Relief Society (aka Howard Center) owns the property at 39 Lincoln Street and provides adult day care services to special needs adults during morning and afternoon hours. Occasionally a client will stay overnight due to an emergency situation or on an as needed basis. The “Workers in Wood” property to the south shares parking with Howard Relief Society as well as the curb cut. The proposal is to add four parking spaces and paving in the rear yard at 39 Lincoln Street. There was a single car garage under the building originally, but this was converted to an entryway many years ago. There is an existing stone retaining wall. The existing wall will be reconstructed if possible. Reconstruction of the north foundation wall on the building will also be done to stop water from getting into the basement. There is 20% shading of the parking area (another tree will be planted). No lights are proposed. There are no exterior lights now. The applicant indicated the Howard Center closes at 4:30 p.m. each day. There has not been a need for lights to date. There is a light on the Workers in Wood building.

STAFF REPORT

Robin Pierce pointed out the raised garden in front of the building is in the setback, but locating the garden there is the only way those in a wheelchair could have a garden. Photographs showing the front of the building, the patio/garden area, and the entryway in the rear of the building where the garage was formerly located were reviewed. It was noted the patio area was added in May, 2008 and the garden was planted in June, 2008. The patio/garden is in the setback as well as in the right-of-way (i.e. outside of the property line).

There was discussion of the ramp access and returning a striped section of pavement to grass. Mark Thibeault observed relocating the van drop off area will allow the accessible ramp to be realigned.

Chris Pepin with the Howard Center explained the need for the parking. There are two shifts for the day program (morning and afternoon) and clients are delivered/picked up at the same time. The transportation vehicles block the neighbor’s driveway preventing customers from getting to the woodworking shop. Clients at Howard Center are “medically fragile” and must be dropped off/picked up close to the building. Clients typically do not stay overnight unless there is an emergency need to stay. Previously there was overnight use at the site. The maximum number of clients at the site would likely not exceed 10 people, and there are at least five to six staff members at the site for the clients. Mark Thibeault stated if the primary use of the site is during the day for family care services and not overnight services except incidentally then the use needs to be better defined. A change of use for the site may need to be filed. Also, if the use is nonconforming there may be limitations on expansion. If the use is changed to a conforming use then the limitations may be eliminated.

Mr. Thibeault asked if there is a copy of the easement for shared parking on file. Andrew Rowe stated the easement may pre-date use of the site by the Howard Center. Mark Thibeault asked about the rear yard area. Andrew Rowe stated there is about a six foot drop in elevation. The plan is to add fill and repair the existing retaining wall. Drainage swales will direct run off toward the railroad tracks to avoid run off going onto the adjacent lots. It is estimated the work will take approximately two weeks to complete. Material from the rear yard must be removed and new material (fill) brought in.

PUBLIC COMMENT

Bruce Douglas, adjacent property owner (Workers in Wood), stated according to the parking easement he has the right to park on the Howard Center side of the driveway, but the Howard Center does not have the right to use his side of the driveway for parking. Conversations regarding the parking situation have been on-going for the past year with the Howard Center. The situation has improved, stated Mr. Douglas. The transportation vans were blocking customers of Workers in Wood from the site.

There was further discussion of the use of the driveway and parking for the two lots. It was noted the vans have been pulling up by the sidewalk and dropping off/picking up clients of the Howard Center. Van drivers have been asked not to block the driveway entry to Workers in Wood. Mark Thibeault asked if parking in the rear yard would still be needed if the on-site parking designated for the transportation vans is opened up for parking and the vans park on the street. Mr. Pepin stated in addition to staff for daily activities there is a weekly staff meeting with an additional five or six people coming to the building (total of approximately 13 people). Mark Thibeault suggested working with the Board of Trustees to create a loading/unloading area for the vans. Mr. Thibeault volunteered to accompany Howard Center representatives in discussions with the Trustees regarding a dedicated area on the street for client drop off/pick up, similar to the pull offs in Burlington for the buses. There is still need for additional parking for the Howard Center staff. Bruce Douglas observed the parking as shown on the site plan does not allow parking for his customers. Mr. Douglas suggested employees park their cars off site and trucks use the area by the Howard Center building only.

There were no further comments.

MOTION by Dan Kerin, SECOND by Diane Clemens, to close the public portion of the application by the Howard Center for 39 Lincoln Street. VOTING: 4 ayes; motion carried.

DELIBERATION/DECISION

Site Plan, Parking, 39 Lincoln Street, Howard Center

The Planning Commission wanted further information and modification to the application to address a client loading/unloading area, client and staff numbers, better definition of the use, and the existing patio in the setback and right-of-way.

MOTION by Mark Thibeault, SECOND by Dan Kerin, to table the application for 39 Lincoln Street by Howard Center pending further information from the

applicant on the following: 1) client loading/unloading area; 2) client and staff numbers; 3) definition of the use; 4) the existing patio/garden in the setback and right-of-way. VOTING: 4 ayes; motion carried.

5. OTHER PLANNING COMMISSION ITEMS

State Property on West Street

Diane Clemens announced an upcoming meeting to discuss possibly using the state land on West Street for a dog park. Ms. Clemens will attend the meeting as a member of the Planning Commission.

6. ADJOURNMENT

**MOTION by Mark Thibeault, SECOND by Dan Kerin, to adjourn the meeting.
VOTING: 4 ayes; motion carried.**

The meeting was adjourned at 9 p.m.

RScty: M.E.Riordan