

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
November 5, 2009**

MEMBERS PRESENT: Liza Kilcoyne (Chairwoman); Dan Kerin, John Alden, Aaron Martin, Andrew Boutin, Diane Clemens.
ADMINISTRATION: Robin Pierce, Development Director.

1. CALL TO ORDER and AUDIENCE FOR VISITORS

Chairwoman Liza Kilcoyne called the meeting to order at 7 p.m.

2. ADDITIONS/AMENDMENTS TO AGENDA

Add: Approval of the 10/28/09 special meeting minutes.

3. MINUTES

August 20, 2009

MOTION by John Alden, SECOND by Andrew Boutin, to approve the 8/20/09 minutes as written. VOTING: unanimous (6-0); motion carried.

September 17, 2009

MOTION by John Alden, SECOND by Aaron Martin, to approve the 9/17/09 minutes with the following clarification/correction:

Page 3, Varga Application, Deliberation/Decision, 1st paragraph, 2nd sentence – replace the word “composite” with “average size”.

VOTING: 5 ayes, one abstention (Diane Clemens); motion carried.

October 28, 2009 – Special Meeting

MOTION by John Alden, SECOND by Diane Clemens, to approve the 10/28/09 special meeting minutes with the addition of the statement: “Thanks were extended to Mark Thibeault for his many years of service on the Essex Junction Planning Commission.” VOTING: unanimous (6-0); motion carried.

4. PUBLIC MEETING

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

Site plan amendment to reconfigure access drive, parking lot, walkway, install drainage, lighting and landscaping at 21 Park Street in the Village Center District by Bruce Murdough, agent for the Essex Junction School District, owner

Bruce Murdough (EJSD) and Mike Burke (Krebs and Lansing Engineering) appeared on behalf of the application. John Alden disclosed EJSD is a past and current client, but he is not working on the proposal before the Planning Commission. The consensus of the Planning Commission and the applicant is there is no conflict of interest and recusal of Mr. Alden is not necessary.

APPLICANT COMMENT

Bruce Murdough reviewed the site plan showing planned parking, sidewalk, a 20' wide access road, lighting, existing access to the Hinsdale property, and potential future connection to the adjacent property (Ming). Ideally the work will be done by next summer, said Mr. Murdough. The parking lot will be paved and striped. There is agreement with the comments from the Village Engineer and the items will be addressed. Further discussion of the drainage item is requested though. Mike Burke explained there is agreement if the driveway to the Ming lot is built then a culvert drainage structure will be needed to accommodate run off on the northerly side of the property (Comment #2 from the Village Engineer), but prior to the connection being built a grass lined swale works well.

Regarding accessible parking spaces, there are 10 parking spaces by Park Street, said Mr. Murdough. An accessible space will be added at that location. There is an accessible space by the school. The access road is shown at 20' wide, but if the connection to the Ming property is made it makes sense to widen the road to 24' at that time. John Alden noted the Hinsdale connections are in use now, but the site plan says "future". Bruce Murdough stated the agreement has been formalized. The road connections and parking will be paved. Mr. Alden asked about any impact on drainage. Mike Burke stated there is a swaling effect on the property now. It would be overkill to install drainage by the Hinsdale property. If drainage is installed for the Ming property a connection to the municipal storm system on Park Street will be made, upgrading the entire area. John Alden noted the applicant will inspect the onsite storm water system annually. Bruce Murdough stated Public Works cleans the systems for the schools.

John Alden referred to the walkway by the parking, noting people will likely cut the corners rather than follow the angled layout of the sidewalk. Mike Burke stated the sidewalk layout is as presented because there is storm water run off to a swale at the elbow in the sidewalk and closer to Park Street there are buried railroad signal cables and the area cannot be disturbed. Following further discussion there was agreement the sharp turns in the sidewalk should be softened.

STAFF REPORT

The Planning Commission received a written staff report on the application, dated 11/5/09. Robin Pierce confirmed issues mentioned by the Planning Commission and Village Engineer have been addressed by the applicant, including accessible parking spaces and separating public parking from the school parking. It appears from the proposed connection to the Ming property down to Park Street the parking is public while above the intersection the parking is for the school space. It is suggested there be a light at the proposed intersection to the Ming property, stated Mr. Pierce. Mr. Murdough said a light will likely be installed at the intersection when the lights for the parking lot are done. Regarding the access road, continued Mr. Pierce, the application needs to state the access road will be paved. Mr. Murdough assured the roadway and parking will be paved. There will not be curbing around the parking area in order to allow sheet drainage to the grass swales. Regarding landscaping, the landscape requirement is met and new tree plantings are proposed, said Mr. Pierce. Dan Kerin mentioned the future access to the

Ming property will require removing some existing trees. Mike Burke said the substantial trees will stay intact. The vegetation and trees closer to Park Street are small and brushy and will be removed. John Alden mentioned the proposed trees (honey locust) between the parking areas will impact the vista from the street to the Park Street School building which is over 100 years old and purposely setback from the road with open space between the street and building. Liza Kilcoyne observed the trees frame the view. John Alden suggested planting the trees outside of the walkway to maintain the view. Mike Burke mentioned a point of interest in that research of the property revealed the village boundary was determined by the property lines of the residents who attended the school.

PUBLIC COMMENT

Meredith Jette, neighbor, expressed concern drainage improvements may be hinged on future connection to the Ming property for a hotel which may not ever occur. Mike Burke explained drainage will be collected in a swale directing run off to the east to Park Street. The state requires discharge to be limited to pre-development limits. The property owner must manage and control storm water on their site. Liza Kilcoyne stated the Planning Commission is tasked with planning and considering potential future development in the village.

Frank Naef, 4 Park Terrace, asked about the width of the access to the Ming property. It was noted the access will be one-way egress and the road width is planned to be 20'. Mr. Naef recalled previous discussion of a two-way road. Robin Pierce stated the school district did not want two-way traffic. All traffic from the hotel will enter from Park Street and exit through the access road. Mr. Naef stated access to his project is through the Ming property. Liza Kilcoyne noted the issue of a one-way or two-way access road is between the property owners. Mr. Naef asked about a provision for landscaping on the north side of the west parking area that abuts the Ming property. Bruce Murdough pointed out there are existing trees on the Ming side of the property. Mr. Naef mentioned the steepness of the hill and parking parallel to grade leading to car doors banging into the adjacent car parked downhill. Mike Burke said the area is leveled and crowned to less than five percent grade.

There were no further comments.

MOTION by Andrew Boutin, SECOND by Liza Kilcoyne, to close the public portion of the application by EJSd for site plan amendments at 21 Park Street. VOTING: unanimous (6-0); motion carried.

DELIBERATION/DECISION

Site Plan Amendment, Access Drive, Parking, Drainage, Lighting, Landscaping, 21 Park Street, Essex Junction School District

MOTION by John Alden, SECOND by Liz Kilcoyne, to approve the site plan amendments by the Essex Junction School District to reconfigure the access drive, parking lot, walkway, install drainage, lighting and landscaping at 21 Park Street in the Village Center District with the following conditions:

1. **The view corridor of Park Street School from Park Street shall be maintained and staff approval shall be secured on the final location of trees near the center of the view corridor.**
2. **A second accessible parking space shall be added to the site plan as proposed by the applicant (one by the school and one by the parking by Park Street).**
3. **Lights on the southern portion of the site shall be located between the sidewalk passway and the parking lot.**
4. **The applicant shall address the Village Engineer's comments with the exception of item #2 (drainage) which shall be addressed if a hotel application (on the Ming property) comes forward for consideration.**
5. **The sidewalk configuration on the site shall include a "softening" of the curves.**

VOTING: unanimous (6-0); motion carried.

Conceptual plan for a 30 unit multi-family building, two 3-unit buildings, underground parking, and demolition of single family dwellings and a mobile home at 58, 60, and 62 Lincoln Street in the R-O and MF-MU2 Districts by Bernard Chenette, agent for Diane and Gabe Handy, owners

Sean Handy, Michelle Dufresne, and Bernie Chenette appeared on behalf of the application.

APPLICANT COMMENTS

Bernard Chenette noted the original concept plan was presented July, 2008 (and subsequently tabled). Mr. Handy owns three lots on Lincoln Street (58, 60, & 62 Lincoln Street) that border the Catholic cemetery. The lots will be merged and 50' of property will be purchased from the Catholic Diocese of Burlington. There is an agreement in place for an easement. A boundary line adjustment will be made for the combined lot which will be approximately three acres. The zoning districts bisect the property (R-O in front and MF-MU2 to the rear). There is a request for waivers from setbacks with the zones. The proposal includes a 30 unit building on the rear portion of the combined lot and two triplexes to the front. Storm water will be handled on site with infiltration basins and underground chambers. The sandy soil drains well. The site will be connected to municipal storm drains on Lincoln Street as well as to sewer and water service. There will be two-way traffic flow into the development from Lincoln Street. There is a right-of-way agreement in place for the area beyond the entry to the development (serves as a private road to some housing units). The traffic analysis will be updated for the entire project.

There was discussion of parking. A total of 75 parking spaces are planned including 34 in the underground parking garage (one accessible space inside and two by the ramp into the building), 19 on the private right-of-way, three on the east end of the building, and one accessible space on the west end of the building. Mr. Chenette stated the plans show 36 underground parking spaces, 34 underground spaces would be more feasible. The number of parking spaces is lightly below the requirement, but the former planner said two per unit is overkill and it would not be a problem to get a parking waiver, said Mr. Chenette. There is an area where seven spaces could be added or request could be made

for 58 parking spaces and a waiver for five spaces. Sean Handy said there is probably more than enough parking provided as most tenants will not have two cars requiring two spaces. Four of the 30 units are one bedroom dwellings. The remainder are two bedroom units. The agreement with the church allows use of open parking for people attending services at the cemetery, noted Mr. Handy.

Michelle Dufresne reviewed a rendering showing the underground parking configuration including the accessible space. Each space is nine feet wide and 18' long. There is a travel aisle in the middle of the garage.

Regarding landscaping, plantings per the agreement with the Diocese are a prescriptive designated series of planting and paving along the entrance road to the cemetery, said Mr. Chenette. The existing four foot high fence will remain. A landscape architect will be involved in the final design.

There was discussion of the front setback for the northern most triplex building. The proposal does not exceed lot coverage and the setback is to an arbitrary line, said Mr. Chenette. There is to be a four foot wide sidewalk and an eight foot wide greenstrip plus the setback which means there is over 20' from the building to the road. It is better to move the buildings forward and have more open space behind than in front. There is a request to move the zone line around the condominium building ("A") 50' in a westerly direction.

Michelle Dufresne reviewed the building facades. The triplex buildings along Lincoln Street are walk-up units with brick on the lower portion of the front façade and horizontal vinyl siding above. Garages are behind the units. The 30 unit apartment building with a mansard roof will appear like row housing to create a neighborhood feeling. Elements on the building will create jigs and jogs. The building is the same height as the slope/bank in the back. The building will be angled from Route 2A so the length of the building is obscured. The triplex buildings will also screen the apartment building.

STAFF REPORT

The Planning Commission received a written staff report on the application, dated 11/5/09. Robin Pierce asked about emphasizing depth articulation. Ms. Dufresne stated lighter and darker shades of color (probably green) will be used. There was discussion of making the building more visible and providing more definition rather than screening from view. There was mention of adding articulation to the triplex buildings to break up the expanse. Liza Kilcoyne commented the porches fit with the context of what is on Lincoln Street. John Alden referred to the MF-MU2 zone and the requirement of unique design characteristics or land planning for a Planned Residential Development (PUD). Ideas might include connection to bike paths or nature trails (something for the good of the residents in the development or expanding to the public in general).

Ms. Kilcoyne asked about the maintenance of roads. Sean Handy stated road maintenance will be included in the condominium association agreement. The agreement with the Diocese includes maintaining and plowing the road by the condominium association.

Diane Clemens asked about sidewalks. Mr. Chenette stated there is sidewalk within the complex and the sidewalk will be extended on Lincoln Street to meet existing sidewalk.

It was noted landscaping and traffic will be covered at the next stage of review. Aaron Martin expressed concern about the skewed layout of the intersection on Lincoln Street, noting the area is heavily traveled with high traffic volume and congestion. Andrew Boutin expressed concern about the landscaping by the cemetery and people jumping the fence to get into the cemetery. Dan Kerin pointed out with more people living in the area there will be a neighborhood watch of sorts.

There was discussion of moving the condominium buildings into either the MF-MU2 District or the R-O District. The Residential-Office District allows current or future buildings. There are standards for residential conversion to offices or businesses. It is possible with the development proposal there could be businesses in the condominium units at the front (by Lincoln Street) and residential units to the rear. Zoning approval for a business would be needed and the condominium association would have to decide if a business is allowed or not. There was mention of moving the zoning district line so only the building along Lincoln Street is in the R-O District.

Waiving of parking spaces or designating more parking was discussed. Liza Kilcoyne stated there is always a need for parking so if there is room on the site for parking this should be planned. Michelle Dufresne suggested the condominium association could ensure an area is reserved for future parking if it is needed, but the area could be green space until that time. Stipulations could be included in the condominium association documents. The Village Attorney reviews the documents and provides comment to the Planning Commission. Sean Handy stated each unit will have one designated parking space. Any remaining spaces are undesignated and open for general use.

PUBLIC COMMENT

A gentleman in the audience commented the parking garage is similar to the underground parking at 235 Pearl Street. The gentleman asked if the proposed condominium units will be rentals. The applicant stated the likely plan is to sell the units.

There were no further comments.

MOTION by Liza Kilcoyne, SECOND by Andrew Boutin, to close the public portion of the conceptual plan by Diane and Gabe Handy for multi-family housing on the parcel resulting from the combination of lots at 58, 60 & 62 Lincoln Street. VOTING: unanimous (6-0); motion carried.

DELIBERATION/DECISION

Conceptual Plan, Multi-Family Housing, Combined Parcel of 58, 60 & 62 Lincoln Street, Handy

MOTION by Liza Kilcoyne, SECOND by John Alden, to approve the conceptual plan by Diane and Gabe Handy for a 30 unit multi-family building, two 3-unit

buildings, underground parking, and demolition of single family dwellings and a mobile home at 58, 60, and 62 Lincoln Street with the following conditions:

- 1. The applicant shall confirm ownership of the right-of-way.**
- 2. Building elevations and massing shall be addressed.**
- 3. The traffic analysis shall be updated.**
- 4. Accessible parking as required shall be shown on the site plan.**
- 5. Details on landscaping shall be provided.**
- 6. The applicant shall secure approval of the waiver request for the front yard setback of the northern most triplex building.**
- 7. The applicant shall confirm the reason for the request to change the zone demarcation around Condominium 'A'.**

VOTING: unanimous (6-0); motion carried.

5. OTHER PLANNING COMMISSION ITEMS

Norm Charbonneau, 5 North Street

Norm Charbonneau submitted a signed petition, dated September 23, 2009, from residents requesting a zoning change on North Street, Central Street, and Grove Street from R-2 to R-3 in order to make lots more 'buyer friendly'. The area from North Street north to Grove Street is zoned R-2. Central Street between Central Street and Main Street is zoned R-3. North Street and half of Central Street is zoned R-2. The change in zoning will allow investment properties (i.e. existing structures renovated to include apartment units without the requirement of being owner occupied), said Mr. Charbonneau, adding the area is already developed with apartment houses and duplexes.

Liz Kilcoyne noted the Planning Commission is in the process of updating the regulations and will take the request under consideration. The public is invited to attend the work session. Staff will notify Mr. Charbonneau of the work session when the area including North Street is being discussed so he can attend and provide comment. Diane Clemens noted the Central Street group has been discussing having rentals versus owner occupied houses in the area. Aaron Martin said there is a good mix of single family and multi-family units in the North Street/Grove Street neighborhood area.

6. ADJOURNMENT

MOTION by Liz Kilcoyne, SECOND by Dan Kerin, to adjourn the meeting.

VOTING: unanimous (6-0); motion carried.

The meeting was adjourned at 8:50 p.m.

RScty: M.E.Riordan