MINUTES SUBJECT TO CORRECTION BY THE ESSEX JUNCTION PLANNING COMMISSION. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE COMMISSION.

VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
July 18, 2013

MEMBERS PRESENT: Diane Clemens, John Alden, Aaron Martin, David Nistico, Andrew Boutin, Nick Meyer, Amber Thibeault.

ADMINISTRATION: Robin Pierce, Development Director

OTHERS PRESENT: Pat Scheidel, Elaine Sopchak, Toni Morgan, Andrew Snow, Steve Kolvoord, Doug Henson, Deb McCanna, Norman Smith, Lori Houghton, Jason Starr (Essex Reporter).

AGENDA:

1. Call to Order
2. Audience for Visitors
3. Additions/Amendments to the Agenda
   - Election of Chair and Vice Chair
4. Approval of Minutes
5. Public Meeting/Hearing
   - Sketch & Final Plan, Subdivision, Two Lots, 145 Maple Street, IBM Essex
   - Change of Use, Professional Office to Personal Service Establishment, 78 Lincoln Street, Kolvoord
   - Conceptual Plan, Redevelopment with Commercial and Residential Space, 4 Pearl Street, Milot Real Estate for Chittenden Trust Co.
6. Other Planning Commission Items
   - Ethics Policy
7. Adjournment

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1. CALL TO ORDER

Diane Clemens called the meeting to order at 6:04 PM.

2. AUDIENCE FOR VISITORS

There were no comments from the public.

3. ADDITIONS/AMENDMENTS TO THE AGENDA

Add:

- Acknowledge and Sign Ethics Policy
- Election of Chairperson and Vice Chairperson

Election of Chair and Vice Chair

MOTION by Nick Meyer, SECOND by Aaron Martin, to nominate Diane Clemens as Chair and John Alden as Vice Chair of the Essex Junction Planning Commission. There were no other nominations. **VOTING: unanimous; motion carried.**

Diane Clemens is Chairwoman and John Alden is Vice Chairman of the Essex Junction Planning Commission.

4. APPROVAL OF MINUTES

April 18, 2013

MOTION by Aaron Martin, SECOND by David Nistico, to approve the minutes of 4/18/13 as presented. VOTING: unanimous (7-0); motion carried.

5. PUBLIC MEETING/HEARING

Sketch and Final Plan for a two lot subdivision at 145 Maple Street in the L-I District by IBM Essex, owners

Andy Snow appeared on behalf of the application.

STAFF REPORT

The Planning Commission received a written staff report on the application, dated 7/18/13. Robin Pierce noted the Village Engineer had questions on access and easements, but these matters will be covered when development applications are submitted for the lots. John Alden expressed concern about precluding future alignment of the access road with Rivendell Drive if access and easements are not discussed with the subdivision of the lots. Robin Pierce reiterated access will be covered when an application is received for development of each lot.

APPLICANT COMMENTS

Andy Snow, IBM Facilities and Site Operations Manager, explained the proposal to subdivide a 5.58 acre parcel north of the railroad tracks and bordered by Maple Street, Robinson Parkway on IBM property, a driveway to the parcel north of the tracks, and a utility road to the west. The lot is the future location of the police facility.

PUBLIC COMMENT

There were no comments from the public on the application.

MOTION by Aaron Martin, SECOND by Nick Meyer, to close the public portion of the application by IBM Essex for 145 Maple Street. VOTING: unanimous (7-0); motion carried.

DELIBERATION/DECISION

Sketch & Final Plan, Subdivision, Two Lots, 145 Maple Street. IBM Essex

MOTION by David Nistico, SECOND by Aaron Martin, to approve the application for a two lot subdivision at 145 Maple Street by IBM Essex with the following stipulations:

1. **An easement enabling the new 5.58 acre site to be accessed via Robinson Parkway shall be executed prior to any development work on Lot 2.**
2. **The Town shall discuss the potential to move the limited access road to the police facility to align with Rivendell Drive.**

VOTING: unanimous (7-0); motion carried.

Change of Use from Professional Office to Personal Service Establishment and Storage at 78 Lincoln Street in the NLSO District by Steven Kolvoord, agent for Philip and Louise Kolvoord, owners

Steven Kolvoord appeared on behalf of the application.

STAFF REPORT
The Planning Commission received a written staff report on the application, dated 7/18/13.

APPLICANT COMMENTS
Steven Kolvoord noted the following:

- Philip and Louise Kolvoord purchased the property at 78 Lincoln Street in 1967.
- In October 2012 the use on the site included mini-storage units, a shed, and an office building where Sherman Electric was formerly located.
- In March 2013 Hathaway Taekwondo leased 1400 s.f. of the 2200 s.f. of space in the office building. The remaining 800 s.f. is climate controlled storage.
- The requested change of use is from office to personal services.
- There are seven parking spaces and one accessible space on the site plus space where cars can park by the mini-storage units.
- The storage units are 100% rented. The kiosk is not used much.
- Taekwondo classes will be held Monday, Tuesday, Wednesday, and Thursday. There are 8-10 students in a class. Parking is tight at the change of classes, but the gates to the mini-storage area can be opened and patrons can park there.
- There have been no complaints regarding parking at the mini-storage. Most storage unit places leave the gates open.
- There will be no parking in the snow removal/storage area.
- There is no dumpster on the site for the mini-storage use and the taekwondo use does not need a dumpster.
- No taekwondo tournaments will be held at the site.

Nick Meyer asked if the parking spaces could be defined on the south side of the lot. Mr. Kolvoord stated the area is not wide enough. Parking will be a challenge in winter so the gates to the mini-storage may have to be open more often. The taekwondo use is a one to two hour parking need in a 24 hour day. It may be necessary in the winter to truck out excess snow from the site.

John Alden observed the parking appears to be close to the property line. Mr. Kolvoord assured the parking will not encroach on the adjacent property. Nick Meyer suggested the parking spaces be striped. Mr. Alden advised against this because the parking which is for the current use may not always be in that location and the current use could change. The parking is a management issue to ensure there is no parking on Route 2A or the neighboring property.

PUBLIC COMMENT
Norman Smith, adjacent property owner, stated many cars park along the south side of the entrance to the site. The concern is this occurring in winter with snow banks. Mr. Smith urged requiring parking to be at the back of the site.

There were no further comments.

MOTION by John Alden, SECOND by Nick Meyer, to close the public portion of the change of use application for 78 Lincoln Street. VOTING: unanimous (7-0); motion carried.

DELIBERATION/DECISION

Change of Use, Personal Service Establishment, Taekwondo Classes, 78 Lincoln Street, Kolvoord

MOTION by John Alden, SECOND by Nick Meyer, to approve the change of use to a personal service establishment for taekwondo classes at 78 Lincoln Street with the following recommendations:

1. **There shall be no taekwondo tournaments held at the site.**
2. **The gate to the mini-storage unit area shall be on a timer to be open during the taekwondo classes so additional parking is available to patrons.**
3. **The Hathaway Taekwondo lease terminates in three years and if the use will continue the applicant must return to the Planning Commission for review.**

VOTING: unanimous (7-0); motion carried.

Conceptual Plan for redevelopment at 4 Pearl Street to include 15,000 s.f. of commercial space on the first floor of the new building and 45,000 s.f of residential units in the next three floors of the building with underground parking and a waiver of Section 703.B.2 for loading requirements by Milot Real Estate, agent for Chittenden Trust Co., owners

Greg Rabideau appeared on behalf of the application. John Alden disclosed his office is working with Rabideau Architects on a different project. The Planning Commission felt Mr. Alden did not need to recuse himself at this point in time.

STAFF REPORT

The Planning Commission received a written staff report on the application, dated 7/18/13. Robin Pierce made suggestions on color and materials for the façade of the building for consideration by the developer (having the brick all the same may help "lift" the building). Also, the developer may want to consider having the corner portion of the building at a greater height than the rest of the building (85' is the height allowed by the Land Development Code). Mr. Pierce also suggested the developer do a traffic study after six months of occupancy to confirm traffic volume is as anticipated and to determine if any improvements are necessary.

APPLICANT COMMENTS

Greg Rabideau showed a color rendering of the proposed building for the redevelopment of the property at 4 Pearl Street (the color of the building in the rendering was not accurate). Mr. Rabideau noted the following:

- The developer wants to do a redevelopment that is consistent with the historic character of the area. There will be a mix of uses with a less suburban and more village like appearance. The commitment is to do a high quality building.

- The existing bank building will be demolished and replaced with an L-shaped building having a mix of commercial uses (café, restaurant, professional offices) on the first floor and residential dwellings on the next three floors (51 dwelling units in total with 24 two-bedroom units, 24 one bedroom units, and three studio units).
- The goal is to have activity at the street level and a mix of activity in the building.
- The building will have wings on Route 2A and Route 15 with the front corner facing the Five Corners intersection. The building will have glass, brick masonry, and windows. Materials and features present in the village will be threaded into the building, such as double hung two-over-two windows, gesture of a cornice on the wings, different materials, colors, shapes so the building is interesting visually and compatible with the Village.
- There will be a double sidewalk system around the building with one sidewalk next to the building then a planted buffer (planted island, benches, and such) and then the village sidewalk. Pedestrian activity is being encouraged. The building entrance will be ADA compliant. The front corner area of the building could be made into a space to sit and gather.
- There are 95 parking spaces on the site with 51 in the underground garage. There will be one parking space per residential unit plus parking for the commercial uses. Shared parking is proposed because the commercial uses will likely need parking during the day and most of the residential spaces are available during the day.
- The site will be accessed from Park Terrace. The curb cut will be closed on Pearl Street.
- The applicant will try to save the stand of mature Linden trees on Park Street during construction, but if that is not possible the trees will be replaced in-kind with fairly good sized trees.
- The development is exempt from Act 250 review because the area is a designated downtown. A storm water permit is not required because the site is less than one acre. There are storm flows now which will be used. The storm water system will be gravity flow except for the pump to be used to pump water from the underground parking level to the infiltration system before discharge. Roof water drainage will be collected with an internal roof drain system. The water will be treated before discharge. More details will be provided at the next level of review.
- A waiver is requested for the truck loading area. It is anticipated the commercial uses will be smaller establishments and smaller delivery vehicles will be used (i.e. UPS delivery type trucks).
- Regarding traffic, according to the ITE standard a bank with a drive through teller window generates a higher volume of traffic than a mixed residential and retail development.
- The building is up on the street with attention to detail, a variety of colors and materials, and an emphasis on the pedestrian level. The parking is hidden by the building. There will be discussion of using solar with the building.
- It is hoped to have the permitting complete by fall (2013) to start construction next spring (2014).

Andrew Boutin stated the building is nicely done for a city setting, but does not look like an historic village building. Also, there are 47 parking spaces shown on the plan, not 51 spaces. Mr. Boutin suggested using Drury brick on the building if possible. Use of the roof space by residents of the building should also be considered. Robin Pierce stated that we are not looking for a pastiche of the past but rather a building design that recognized the importance of the past and the promise of the future.

Aaron Martin stated the building rendering is a good first attempt with the blend of wood and brick though more brick on the building would be better.

David Nistico asked about the access from Park Terrace. Robin Pierce noted the street is two way traffic by the site. If a waiver is granted for deliveries then trucks should not be allowed. John Alden expressed concern about having only one access to the site which could cause traffic backups and discourage people from coming to the site. Greg Rabideau explained there is an easement along Maple Street for the adjacent property which must be preserved and that is why the driveway will remain (the curb cut to Maple Street will be closed).

There was discussion of traffic. John Alden observed the overall traffic at Five Corners will have an impact on the building, not necessarily traffic from the building having an impact on Five Corners. Greg Rabideau assured the developer will work with the Village to make the traffic flow work. Robin Pierce again noted the recommendation in the staff report to do a traffic study after six months and 50% occupancy. John Alden suggested the option to use another access point be included in the plan. Nick Meyer suggested prohibiting a left turn off Park Terrace and directing traffic to the crescent connector. John Alden pointed out it may not be necessary to prohibit a left turn all the time though. Greg Rabideau assured different scenarios will be considered.

There was discussion of the underground parking. David Nistico asked if the parking is for tenants only. Greg Rabideau said essentially there is one interior parking space per unit. Transit use should be encouraged from this type of location. Businesses at the site will use available parking. Robin Pierce noted the commercial parking requirement depends on the use, but ranges from one space per 500 s.f. up to 1,000 s.f. Greg Rabideau said the layout of the parking will be optimized and the access will be reconsidered. It is expected that most of the outside parking will be used by people patronizing the businesses. People will also be able to walk to the businesses. There was mention of the traffic flow in the parking garage having a more circular flow.

Nick Meyer asked about ventilation hoods for any eateries at the site. Greg Rabideau said the planning includes vents to the roof top. There will be a mix of professional office space and other businesses, but there is a limit to what can be accommodated.

There was discussion of landscaping. Nick Meyer suggested the existing maple trees are at the end of their useful life and should be replaced. John Alden pointed out mature trees are suburban, not urban, and do not promote street life. It may be more appropriate to have less green space. Grass is not in character with the regulations that state no setback

and concrete sidewalk. Urban trees are in grates and appropriately sized for the space. Much can be done with the sidewalk space to create activity. Greg Rabideau said there should be some street tree presence to soften the look of the building, but the developer will consider a more urban streetscape approach to the hardscape. Nick Meyer stated scale is a concern. A human scale is needed and this can be handled with landscaping which will soften the building and help with being pedestrian friendly and with storm drainage.

John Alden noted the project has some reflection of the Land Development Code which is good. The Code refers to pedestrian circulation in the village center district and not detracting from the historic character. The building is less historic looking and more contemporary versus the description by the developer. The front corner looks the least historic. Greg Rabideau pointed out there are gables and clapboards on the building. The historic revival has been a struggle. John Alden suggested looking at the relationship to the neighbors, the surrounding context, and meshing with the rhythm down the road. Balance is needed.

PUBLIC COMMENT
Lori Houghton, 40 School Street, stated the verbal description is of a project that the village wants in the downtown area, but the depiction appears very modern. The bank building had green space and was brick material. The proposed building should not necessarily be made modern because the bank was modern. Brownell Block is the signature block of the village and a good example to follow. Buildings should be brought to the street and trees replaced with other types of plantings (flower planters and such). Ms. Houghton also commented on delivery trucks, noting that even small businesses receive deliveries from large trucks.

Elaine Sopchak, Sycamore Lane, asked about the entrances to the businesses in the building and parking in the evening hours when residents in the dwelling units will be occupying the parking. Greg Rabideau stated the businesses will have entrances in front and in back of the building. Regarding parking, each unit has one dedicated space and beyond that the parking is shared. There is parking available within walking distance of the building. As much parking as possible for the businesses will be provided. Ms. Sopchak asked about the types of businesses that may be interested in the site, local or national chain. Mr. Rabideau said the rent will be driven by the economics of the project so it is not known what type of businesses will locate at the site. Ms. Sopchak commented on the material in the 'spacer' area on the building and suggested the center portion of the building be all brick to be more in keeping with the historic look. Also, the cornice over the clapboard should continue all around the building. Mr. Rabideau said the spacer material is zinc coated and contrasts with the other building materials. John Alden pointed out having a narrower 'spacer' area makes the feature less dominant. Elaine Sopchak asked if the rendering of the building could be posted on the village website so people can comment. Mr. Rabideau said the rendering can be posted after preliminary plan review. The developer would like to return at the next meeting for final review with the understanding another meeting will be necessary if aesthetics are still an issue.

Toni Morgan, resident, stated the scale and size of the building is difficult to perceive as is Five Corners handling more traffic. Also, storm water is absorbed by grass and trees and this will be lost if the trees and green space are removed. In addition there will be no shade. Most cities have wide sidewalks and trees to provide shade. John Alden pointed out the existing building (bank) is vacant currently and traffic is difficult at Five Corners so the new building will not impact the intersection which is already overloaded with traffic. The site is slated for dense, more urban type of development. The project is consistent with what theVillage wants in this location. Diane Clemens added people have asked for more opportunities downtown to walk to without having to park and re-park their car.

There were no further comments.

MOTION by John Alden, SECOND by Aaron Martin, to close the public portion of the proposal for redevelopment of 4 Pearl Street. VOTING: unanimous (7-0); motion carried.

DELIBERATION/DECISION
Conceptual Plan, Redevelopment with Commercial and Residential Space, 4 Pearl Street, Milot Real Estate for Chittenden Trust Co.
MOTION by John Alden, SECOND by David Nistico, to approve the conceptual plan for redevelopment of 4 Pearl Street with commercial and residential space by Milot Real Estate for Chittenden Trust Co. with the following recommendations:

1. **Comments from the Village Engineer and staff shall be addressed and/or satisfied.**
2. **Parking and loading practices shall be more fully worked out to better define the waiver request.**
3. **Aesthetic components of the building shall be reworked as discussed.**

VOTING: unanimous (7-0); motion carried.

6. OTHER PLANNING COMMISSION ITEMS

Ethics Policy
The Ethics Policy was reviewed and signed.

7. ADJOURNMENT

MOTION by Aaron Martin, SECOND by Amber Thibeault, to adjourn the meeting. VOTING: unanimous (7-0); motion carried.

The meeting was adjourned at 8:12 PM.

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