

**VILLAGE OF ESSEX JUNCTION  
PLANNING COMMISSION  
NOVEMBER 20, 2014  
AGENDA  
6:00 P.M.**

**I. Audience for Visitors**

**II. Additions or Amendments to Agenda**

**III. Minutes**

A. Regular Meeting – October 16, 2014

**IV. Public Hearing**

A. Final site plan review for demolition of restaurant, office/maintenance building and single family dwelling to construct a proposed 9,286 s.f. apartment building/office space at 40 Park Street in the VC/MCU District by O’Leary-Burke Civil Associates, agent for 222 Franklin Inc., owner.  
*(Application tabled per applicant at the October 16, 2014 meeting)*

**V. Other Planning Commissions Items**

**VI. Adjournment**

Pursuant to 24 VSA Section 4464(a)(1)(C) Participation during the public hearing before the Essex Junction Planning Commission is a prerequisite to the right to take any subsequent appeal.

Members of the public are encouraged to speak during the Public-To-Be-Heard agenda item, during a Public Hearing, or, when recognized by the Chair, during consideration of a specific agenda item.

NOTE: The Planning Commission may choose to postpone consideration of any application not started before 10:00 P.M.

This meeting will be held in the conference room of the Essex Junction municipal building at 2 Lincoln St., Essex Jct., VT. Reasonable accommodations will be provided upon request to the Village, 878-6950, to assure that Village meetings are accessible to all individuals regardless of disability.

For information on subsequent meetings on the above mentioned applications, please contact the Community Development Department from 8 – 4:30 at 878-6950 or the website [www.essexjunction.org](http://www.essexjunction.org).

**VILLAGE OF ESSEX JUNCTION  
PLANNING COMMISSION  
MINUTES OF MEETING  
November 20, 2014**

**MEMBERS PRESENT:** David Nistico (Chairman); John Alden, Diane Clemens, Andrew Boutin, Amber Thibeault, Nick Meyer.

**ADMINISTRATION:** Robin Pierce, Development Director.

**OTHERS PRESENT:** Paul O'Leary, Michael Dugan, Curt Montgomery, Tom Weaver, Brett Bartlett, Bryan Currier

- AGENDA:**
1. Call to Order
  2. Audience for Visitors
  3. Additions/Amendments to the Agenda
  4. Minutes
  5. Public Hearing
    - Final Site Plan, Demolition/Construction, Apartment Building/Office Space, 40 Park Street, O'Leary-Burke Civil Associates, agent for 222 Franklin, Inc., owner
  6. Other Planning Commission Items
  7. Adjournment
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**1. CALL TO ORDER**

Chairman David Nistico called the meeting to order at 6 PM.

**2. AUDIENCE FOR VISITORS**

None.

**3. ADDITIONS/AMENDMENTS TO THE AGENDA**

There were no changes to the agenda.

**4. MINUTES**

*October 16, 2014*

**MOTION** by Amber Thibeault, **SECOND** by Diane Clemens, to approve the 10/16/14 minutes as written. **VOTING:** 4 ayes, 2 abstentions (John Alden, Nick Meyer); motion carried.

**5. PUBLIC HEARING**

**Final Site Plan Review for demolition of a restaurant, office/maintenance building and single family dwelling to construct a proposed 9,286 s.f. apartment building with office space at 40 Park Street in the VC/MCU District by O'Leary-Burke Civil Associates, agent for 222 Franklin Inc., owner**

Paul O'Leary appeared on behalf of the application.

**APPLICANT COMMENTS**

Paul O'Leary showed a rendering of the proposed building and noted the following:

- The existing restaurant, adjoining single family house and office building will be demolished and replaced with a 9,268 s.f. mixed use building.
- There will be four floors of one bedroom apartments (12 units per floor) and 6,000 s.f. of office space on the first floor of the building.
- The office space will be accessed from the back of the building by the parking. Remaining space on the first floor will be storage for the apartments.
- The building from the street level will be four stories with a walkout in the back where the office space is located (the land drops down seven feet).
- The proposed changes to the site will net seven new parking spaces over the existing count.
- Using the formula of two spaces per unit and one space every 10 units for guests for 360 units at build out will require a significant amount of parking, but parking counts done on weekdays and weekends revealed an average of 1.28 spaces are being used by the 222 occupied units. Applying that figure (1.28 spaces) to the proposal shows 450 parking spaces will be needed. There are 562 spaces on the site now and seven will be added with the proposal for a total of 569 spaces or 1.68 spaces per unit.
- VTrans traffic studies project traffic congestion/volume on Park Street to remain flat. Level of service will not change at the intersection of Park Street and the development. The proposal will add only 12 PM peak hour trips to existing conditions.
- Comments/questions from the Village Engineer have been addressed. Finalized storm water calculations will be forwarded as requested. The project requires a state storm water permit.
- The landscape budget for the project is \$50,000.
- The lighting plan is for three LED lights, one at the entrance and two in the back of the building. A second light head is being added to the two existing poles on the site.
- Sidewalk will be replaced after the retaining wall is installed along the new building.
- The parking configuration on the site is unchanged.
- The single family house to be demolished is not historic per documentation from the state.
- Two zoning districts bisect the building. The front portion is in the Village Center District and the back is in the Mixed Commercial District.
- The new building (L-shaped) is similar in color and materials to the existing adjacent multi-story building. Building materials will be maintenance free vinyl clapboard and shakes, taupe color, shingled roof, dark green shutters.

Curt Montgomery submitted a letter from the Vermont Department of Historic Preservation regarding the single family house.

#### STAFF REPORT

The Planning Commission received a written staff report on the application, dated 11/20/14. Robin Pierce noted the following:

- Landscaping per the Land Development Code should be 2% of project construction cost.
- Regarding the decrease in required parking, the Planning Commission in the past has permitted buildings with less parking than required. Staff is finding less parking is needed than what is required in the LDC. Less parking means less impervious surface and less storm water issues for the village which is an MS4 permit community.
- VTrans will require intersections within 1000' of the crescent connector road to be studied in order to sequence traffic lights with Five Corners to achieve less traffic congestion.
- Having the road into the development slightly offset from the intersection will help slow cars through the intersection and provide a safer situation.

There was discussion of bringing the commercial use to the front of the building facing Park Street for better visibility. The applicant pointed out the parking would then be away from the commercial entrance. Also, the building is on the edge of the Village Center District and historically businesses have struggled being farther from the center of the village. The accessible spaces and the entrance to the apartment units are in the back of the building.

There was discussion of replacing the trees to be removed and having a bike rack and storage for the apartment dwellers. The lawn in front of the building facing Park Street will remain as green space. Nick Meyer suggested another Maple tree be planted on the north corner of the building to help bring down the mass of the building.

Nick Meyer asked the configuration of the development. Curt Montgomery calculated 40% are one bedroom units and 60% are two bedroom units presently, but with the new building the split will be nearly 50/50 one and two bedroom units. The one-bedroom market is underserved in Chittenden County.

John Alden observed the building maintains the rhythm on the street except with larger structures. Curt Montgomery pointed out the outside buildings and themes are similar in the development, but change within the buildings.

#### PUBLIC COMMENT

There were no comments from the public.

**MOTION by John Alden, SECOND by Amber Thibeault, to close the public portion of the application for an apartment building with office space at 40 Park Street by 222 Franklin, Inc. VOTING: unanimous (6-0); motion carried.**

#### DELIBERATION/DECISION

Final Plan, Apartment Building with Office Space, 40 Park Street, 222 Franklin, Inc.

**MOTION by John Alden, SECOND by Diane Clemens, to accept the proposed parking as outlined in the application for 40 Park Street by 222 Franklin, Inc. VOTING: unanimous (6-0); motion carried.**

**MOTION by John Alden, SECOND by Nick Meyer, to grant final site plan approval for demolition of the restaurant, office/maintenance building and single family dwelling to construct a 9,286 s.f. apartment building with office space at 40 Park Street by 222 Franklin, Inc., with the following conditions:**

1. All staff comments shall be addressed and resolved to staff's satisfaction prior to issuance of permits.
2. Staff will confirm building materials and colors comply with the requirements in the LDC for the Village Center District.
3. Dig Safe shall be added to Sheet 4.
4. The landscape budget for the project shall be 2% of the construction budget.
5. Replacement trees shall be planted in the parking area by the nine spaces shown on the site plan.
6. The tree species to be planted at the northwest corner of the building shall be replaced with a larger tree.
7. Bike racks shall be shown on the plans.
8. A parking waiver will be granted.

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

**6. OTHER PLANNING COMMISSION ITEMS**

- The Trustees requested massage facilities be changed to a conditional use in the LDC. Personal services are permitted uses now. A public hearing will be warned for the next Planning Commission meeting on the change for massage facilities.
- The village charrette facilitated by Julie Campoli will be held in January, 2015.
- The tree committee is doing a tree inventory in the village and discussed working with property owners to plant trees on private property.
- At the recent VRAN meeting return of train service to Montreal was discussed. There was mention of Regional Planning and VTrans discussing a more formal design of the train station.
- The lease, maintenance and construction agreements for the multi-use path along the railroad tracks from Central Street to Grove Street are signed. The project will be put out to bid and construction started in spring, 2015.

**7. ADJOURNMENT**

**MOTION by Nick Meyer, SECOND by Andrew Boutin, to adjourn the meeting.**

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

The meeting adjourned at 7 PM.

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