

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
FEBRUARY 18, 2016
AGENDA
6:00 P.M.**

I. Audience for Visitors

II. Additions or Amendments to Agenda

III. Minutes

- A. Regular Meeting – December 3, 2015
- B. Regular Meeting – January 21, 2016

IV. Public Meeting

- A. Conceptual Master Plan for a proposed mixed use development of an 1.27 acre parcel for commercial, residential and elderly housing with parking at 9 & 11 Park Street in the VC District by Handy's Hotels and Rentals, LLC, owner.

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.

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
February 18, 2016**

- MEMBERS PRESENT:** David Nistico (Chairman); John Alden, Amber Thibeault, Diane Clemens, Joe Weith, Nick Meyer, Andrew Boutin.
- ADMINISTRATION:** Robin Pierce, Development Director
- OTHERS PRESENT:** Ed Daudelin, Frank & Judy Naef, Anne Whyte, Dan Kerin, Gabe Handy, Ed Von Sitas, Tom Helmstulle, Rick Harrison, Elaine Sopchak, Lois Blaisdell, Janet Wilson, George Tyler, John Reynolds.
- AGENDA:**
1. Call to Order
 2. Audience for Visitors
 3. Additions/Amendments to the Agenda
 4. Minutes
 5. Public Meeting
 - Conceptual Master Plan, Mixed Use Development, Two Buildings, Commercial/Residential and Elderly, 9 & 11 Park Street, Handy Hotels and Rentals, LLC
 6. Other Planning Commission Items
 7. Adjournment

1. CALL TO ORDER

Dave Nistico called the meeting to order at 6 PM. There were no announcements.

2. AUDIENCE FOR VISITORS

Ed Daudelin, 17 Cascade Court, reported the hurricane fence installed by his neighbor is on his property and the neighbor refuses to remove the fence. Mr. Daudelin asked if a fence can be installed without permission from the Village Office. Robin Pierce said the village does not get involved in boundary disputes which are civil matters handled by the courts. John Alden noted a fence less than 6' in height can be installed without a permit.

Dan Kerin, Southview, said when he lived on South Street a neighbor had a property dispute and had the sheriff present when they installed their fence.

3. ADDITIONS/AMENDMENTS TO THE AGENDA

None.

4. MINUTES

December 3, 2015 & January 21, 2016

MOTION by Amber Thibeault, SECOND by John Alden, to approve the 12/3/15 and 1/21/16 minutes as presented. VOTING: unanimous (7-0); motion carried.

5. PUBLIC MEETING

Conceptual Master Plan for a proposed mixed use development with two buildings and parking, one with commercial/residential and one with elderly housing, on a 1.27 acre parcel at 9 & 11 Park Street in the Village Center District by Handy's Hotel's and Rentals, LLC

Gabe Handy appeared on behalf of the application.

STAFF REPORT

The Planning Commission received a written staff report on the application, dated 2/18/16. Robin Pierce stated:

- The proposal is in line with the majority voice at the Design Five Corners workshop and meets the standards in the Land Development Code.
- Master Plan review looks at what is proposed broadly (i.e. uses, access points, and such) rather than building details. If the master plan is approved then there will be site plan review for each building on the parcel.
- The village is considered a growth center which means compact settlements surrounded by open/farm land.
- The applicant agreed to provide a widened sidewalk to match the sidewalk for the development at 4 Pearl Street.
- Presently there are two lots (9 & 11 Park Street) which will be merged into one large lot.
- The applicant has an agreement with the School District for an access and utilities easement from the proposed elderly housing building to the school driveway.
- Presently the parcel has three curb cuts. The applicant may eliminate a curb cut once the development is complete.

APPLICANT COMMENTS

Gabe Handy noted the following:

- Presently on the property is a restaurant with a lease to Year 2021 and apartment houses with a lease to 2017. Effort is being made to find a compromise on the leases so the project is not delayed.
- The plan is to first build 44 units of independent living senior/elderly housing (units will be 650 s.f. to 700 s.f. in size) with underground parking in the rear of the lot next to the school property and then do the building on the front corner portion of the parcel so the project will be built in two phases.
- The elderly housing building will have three stories and underground parking. The building on the front corner portion of the lot will have three stories of residential above the commercial uses so the building will be four stories in height. Parking will be under the building with parking for the commercial uses behind the building. The number of units in the corner building will be determined by the number of parking spaces which will not be less than 40 spaces.
- Access to the parcel is from Park Street (two curb cuts) and Park Terrace (one curb cut).

Joe Weith mentioned being able to do maintenance on the side of the senior housing building if the building is on the lot line. Mr. Weith mentioned an architectural tool

known as “Sketch Up” that may be helpful in seeing how buildings fit in context to the area. Robin Pierce explained the concept is going through the Master Plan review process. There is no guarantee approval of the master plan will lead to site plan approval.

John Alden noted the following considerations:

- Demolition of existing structures.
- Streetscape change with a four story building up to the street.
- Submitting the application after the updated Land Development Code is adopted because the application meets what is in the updates.
- Park Street School is a historic building and the view corridor looking up to the school is included in the historic designation so the proposed senior housing building may need to be buffered.
- Parcels involved or adjacent are in the Village Center District where there is 100% lot coverage and zero setback from the street.
- Changes to site conditions around the applicant’s property are not accurately shown on the site plan and should be. Also, the site plan needs to show how what is proposed ties into what is around the development and how that satisfies the Land Development Code.

Diane Clemens suggested the senior housing building may be better placed on the other side of the lot (farther from the school view corridor). Ms. Clemens asked if there is any visibility issue with the ramp into Building 1. Mr. Handy said there is a guardrail so there is not a visibility issue. Ms. Clemens asked if the parking for Building 2 (senior housing) is at-grade. Mr. Handy said the entrance to the underground parking is at-grade and then the lot escalates slowly.

Nick Meyer mentioned connectivity and walkability in the downtown and asked if sidewalks are proposed for the senior housing building. Robin Pierce reiterated the applicant agreed conceptually to a wider sidewalk for the building on the corner portion of the lot. Following further discussion the Planning Commission felt there should be sidewalk from Building 2 to Park Street or Park Terrace. Nick Meyer asked if there will be a traffic study for the portion of Park Terrace to Park Street. Robin Pierce confirmed this.

John Alden noted Park Terrace is narrow and the access should be widened. Robin Pierce stated an exit from the property by the school driveway has been negotiated, and the applicant has two access points on Park Street.

PUBLIC COMMENT

John Reynolds asked if the concept of a master plan review is new to the village review process. Robin Pierce said the process was added to the Land Development Code five years ago and is there for the Planning Commission to determine if an idea for a site meets the intent of the municipal plan and the requirements of the Land Development Code. Mr. Reynolds commented the basic concept of the Handy proposal seems excellent.

Frank Naef, 4 Park Terrace, noted a prior proposal for a La Quinta Inn with parking was in the same location as Building 2 (senior housing) in the current proposal. The grade of the land is steep (14%) and a retaining wall was going to be required with the La Quinta application. Mr. Naef observed the exit for Building 2 puts all vehicles onto the entrance to the school. There are preschool aged children at the school. Robin Pierce noted there will be access onto Park Terrace as well similar to access for a prior development proposal by Mr. Naef. Joe Weith said the first phase of the development (senior housing) will show the vehicle traffic so the site plan needs to reflect the buildings and curb cuts in the master plan. Frank Naef asked about parking for the building on the corner of the lot. Robin Pierce said the parking will be within the footprint of the building. Details will be shown at site plan review. Mr. Naef asked if there are any historic buildings involved. Robin Pierce said there is a list of historic sites and that will be part of the discussion. The restaurant building has had many changes over the years. Mr. Naef asked who manages the traffic plan for construction. Robin Pierce said the general contractor will oversee what has been approved by the Village Engineer. Mr. Naef asked about the minimum dimension between driveways. Robin Pierce stated at this point the minimum dimension is not met. Mr. Naef asked about having an exit onto Park Street and not Park Terrace. Gabe Handy said he was told the better layout is Park Terrace to move traffic without interfering with traffic on Park Street. Robin Pierce added the village encourages decreasing the number of curb cuts.

Dan Kerin, 10 Southview, commented it was thought the Lincoln Inn was historic, but only the barns at the Lincoln Inn qualify as historic. Mr. Kerin spoke positively about the proposed development, noting the proposal is a continuation of what is being built at 4 Pearl Street and what the people said they wanted to see in the village downtown. Senior housing is a good addition.

Ed Von Sitas, 43 Jackson, observed the single family houses on the parcel are now multi-family houses and the former Willy house next to the restaurant had a barn that is now long gone. Mr. Von Sitas stated the proposal blends with the new building on the corner of Park St/Pearl St. and keeps the concept going. The focus of the discussion with the Planning Commission should be whether the proposal meets the master plan.

Anne Whyte, 10 School Street, expressed concern about traffic with an access on Park Terrace along with the access for the 4 Pearl Street. Robin Pierce said the curb cuts are about opposite of each other. Ms. Whyte said the impact of traffic from 4 Pearl Street on Park Terrace is not yet known. There are people parking on Park Terrace. There are delivery trucks. The area is very congested and dangerous now with no sidewalks and very little room for emergency vehicles. Having another large building with commercial uses and apartments without a traffic light to help people merge into the traffic flow will result in long wait times. A new traffic study should look at this. Ms. Whyte also expressed concern about the size of the new building relative to the surrounding buildings. Robin Pierce noted the streetscape is set for buildings along Park Street. The Fire Chief reviews all development plans and saw no problems with the proposed conceptual master plan. Ms. Whyte spoke about the existing condition of Park Terrace which is caving in from the construction vehicles for the project at 4 Pearl Street. The

vehicles are blocking driveways because they are oversized for the road. Ms. Whyte said the language of being a village with greens and such is at odds with being a downtown with the height of buildings and 100% lot coverage.

The Planning Commission stressed projects must meet the rules as stated. John Alden noted in the role of planning, only three people showed up at work sessions in the past nine months for update of the Land Development Code. Five years ago it was written into the Land Development Code that the village wants four story buildings in the Village Center District. The density is wanted in the zone. Five Corners is the busiest intersection in the county.

Elaine Sopchak, 81 Park Street, urged the developer to look at the Design Five Corners Study and the results of the charrette as well as public input on the visualization of what is wanted downtown. Ms. Sopchak asked if fire truck access to Building 2 will be from the Park Street School access, and noted the need to discuss the width of the access from Park Terrace and the need for sidewalks. Robin Pierce said emergency access will be from Park Street School. There was mention of the visual of Building 2 from the street. Robin Pierce said the building will be banked into the grade of the hill. The front of the building will be four stories and the back will be two and a half stories.

Judy Naef, Park Terrace, stated there have been problems since day one of the project at 4 Pearl Street with traffic and tractor trailer trucks idling and blocking driveways. Also, people continue to use the one-way street in the wrong direction. The police have been contacted without results. Robin Pierce said he talked to the site supervisor at 4 Pearl Street and had the police talk to the site supervisor as well

There were no further comments.

MOTION by Amber Thibeault, SECOND by Diane Clemens, to close the public portion of the hearing for the proposal at 9 & 11 Park Street by Handy Hotels and Rentals, LLC. VOTING: unanimous (7-0); motion carried.

DELIBERATION/DECISION

Master Plan, Mixed Use Development, Two Buildings, Commercial/Residential & Elderly, 9 & 11 Park Street, Handy Hotels and Rentals, LLC

John Alden expressed disappointment that items which should have been submitted with the master plan were not submitted. There is concern about impact on Park Terrace, ped/bike connectivity, and the senior housing building being taller than Park Street School. The general idea is consistent with what the Land Development Code is suggesting, but more detail is needed on the proposal. The parcel is large and twisted into the fabric of what is already there so it is important to have all the details to know the proposal works.

David Nistico urged thinking about the big picture and having a standard that works. All items in Section 502 of the Land Development Code must be addressed.

Diane Clemens said items were addressed verbally, but need to be in writing. The concept is doable, but will be a challenge. Sketches and views are needed, and it will be critical to see how the project complies with the Land Development Code. Every piece must be in compliance in order to proceed to the next step. Robin Pierce said the Village Engineer made comments beyond master plan review that will help the applicant.

Amber Thibeault said language in Section 502 says “optional or as required by the Planning Commission”, but the Planning Commission wants the information so it is not optional.

MOTION by Diane Clemens, SECOND by Andrew Boutin, to support the conceptual master plan for a mixed use development in two buildings with underground parking on 1.27 acres at 9 & 11 Park Street in the Village Center District by Handy Hotels and Rental, LLC noting that the applicant heard the comments and concerns expressed by the Planning Commission at the hearing on 2/18/16. VOTING: unanimous (7-0); motion carried.

6. OTHER PLANNING COMMISSION ITEMS

Next meeting: March 3, 2016

Agenda: Work Session: LDC Update (focus on Section 502)

7. ADJOURNMENT

MOTION by Nick Meyer, SECOND by Andrew Boutin, to adjourn the meeting. VOTING: unanimous (7-0); motion carried.

The meeting was adjourned at 7:45 PM.

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