

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

I. Audience for Visitors

II. Additions or Amendments to Agenda

III. Minutes

A. Regular Meeting – June 16, 2016

IV. Public Hearing

A. Final site plan review for a two story 18,774 s.f. addition to an existing light manufacturing building at Flex-A-Seal, 1 Jackson Street in the MCU District, by Krebs & Lansing Consulting Engineers, agents for Hank Slauson, owner.
(Application rescheduled from August 4, 2016 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.

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

MEMBERS PRESENT: David Nistico (Chairman); John Alden, Amber Thibeault, Andrew Boutin, Joe Weith, Steve Shaw. (Diane Clemens was absent.)

ADMINISTRATION: Robin Pierce, Development Director.

OTHERS PRESENT: Greg Morgan, Bill Nedde, Hank Slauson, Bill Whitby.

AGENDA:

1. Call to Order
2. Audience for Visitors
3. Additions/Amendments to the Agenda
4. Minutes
5. Public Hearing
 - Final Plan, Manufacturing Building Addition, 1 Jackson Street, Flex-A-Seal
6. Other Planning Commission Items
7. Adjournment

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

None.

4. MINUTES

June 16, 2016

MOTION by Amber Thibeault, SECOND by John Alden, to approve the minutes of 6/16/16 as written. VOTING: 4 ayes, one abstention (Steve Shaw)[Joe Weith not present for vote]; motion carried.

5. PUBLIC HEARING

Final Plan for a two storey, 18,774 s.f. addition to an existing light manufacturing building at Flex-A-Seal, 1 Jackson Street, in the MCU District by Krebs & Lansing Consulting Engineers, agents for Hank Slauson, owner

John Alden recused himself from the Planning Commission. Bill Nedde, John Alden, Hank Slauson, and Bill Whitby appeared on behalf of the application.

STAFF REPORT

The Planning Commission received a written staff report on the application, dated 8/18/16.

APPLICANT COMMENTS

Bill Nedde reviewed the site plan and existing conditions, noting the parking, loading docks, building expansion area, and stormwater system (infiltration chambers will be installed on the northerly and south side of the building to collect storm water runoff). Existing water and sewer services will be used. There will be separate service to the new addition.

John Alden reviewed the existing building and proposed expansion to provide more manufacturing space. There will not be an increase in staff. Flex-A-Seal has customers all over the world and employees about 100 employees at the site in Essex Junction (second largest employer in the village). Mr. Alden reviewed the traffic pattern for trucks accessing the two loading bays at the back of the building. Landscaping on the site includes a large existing hedgerow and trees. Existing plantings will be supplemented in the appropriate places (i.e. avoiding the infiltration chambers). Regarding parking, in addition to the parking on the site Flex-A-Seal has a long term lease for parking and access on the adjacent property owned by the village. Lighting on the building and grounds will be fully shielded downcast lights at a height of 16' so no waivers are necessary. There is canopy lighting in the canopy over the front door and lighting by the loading docks at the back of the building. There are lights above all the exit doors.

Robin Pierce commented the long term lease with the village shows the commitment of the village to having Flex-A-Seal remain in the village. Mr. Pierce suggested the applicant use the urban tree nursery program at the Center for Technology for plantings or provide a donation in lieu of plantings through the Village to the CTE Urban Nursery. The village partnered with CTE on the urban tree program. John Alden said the final numbers for landscaping are not yet known, but the applicant will work with Staff on plantings/donation.

David Nistico asked if there is any new construction proposed on village property. John Alden stated the expansion is only on the Flex-A-Seal site. In the future space for parking may be needed. The property owner will work with the village on this. This type of manufacturing use has a higher number of employees and the business owner has looked at other buildings, but there was not enough parking. Flex-A-Seal has arranged to have employees park nearby and will work with the village in the future if additional parking is needed.

Joe Weith asked if parking on the village property satisfies the parking need presently and with the expansion. John Alden confirmed this. It was noted per the regulations the applicant needs to provide 25 parking spaces and is providing 28 spaces. Mr. Weith pointed out the parking aisle width does not meet the requirement. John Alden said the parking is existing and not being changed (i.e. grandfathered). The parking spaces in the front of the building are being reworked and will meet the required width. Joe Weith asked if the Fire Chief feels the site is accessible. John Alden confirmed this. Regarding lighting, Joe Weith commented the village may want to consider greater heights for lights in industrial zones provided the lights are shielded and not impacting adjacent properties.

Joe Weith pointed out the existing building does not meet the setback. John Alden agreed the building is an existing nonconforming structure and is on the lot line of the right-of-way for the railroad. The building was originally a warehouse for the railroad. Robin Pierce added the expansion can be allowed provided there is no increase in the nonconformance of the building.

Amber Thibeault mentioned the letter from an adjacent property owner expressing concern about additional parking. John Alden said there is no additional parking proposed on the Flex-A-Seal site at this time. The existing 28 spaces are being restriped. Additional employee parking is on the land leased from the village.

David Nistico asked if there will be an increase in truck traffic with the expansion. Hank Slauson said an increase no greater than 10% may occur. It is expected more material will be delivered (bigger loads), but not more trucks.

There was discussion of waivers. Joe Weith questioned whether the criteria for waiver of lot coverage is met by the proposal. John Alden said the character and the space created and protected is through 'superior design'. The infiltration chambers are a sophisticated stormwater design that will handle a 10 year 24 hour storm (the existing system cannot handle this). The viewshed from the green area is not impacted for the neighbors. The area does not have open space except on railroad property which is off limits. More manufacturing space is being provided so Flex-A-Seal can remain in the village. The proposed addition fits in the nonconforming space and is an efficient way to achieve a larger footprint. The property owner made a significant monetary contribution with the proposal in order to remain in the village. The lot coverage increase is 7% (13,300 s.f. building footprint and net new impervious surface of approximately 7,000 s.f.).

Andrew Boutin asked about heavy trucks on village roads. John Alden said it is estimated there will be 10% more truck traffic on roads already used by dump trucks and heavy equipment from Public Works. There will not be more frequent truck deliveries or a significant increase in the number of trucks, but more material per delivery. The material is steel which is very heavy. Hank Slauson said most of the truck traffic is deliveries by UPS and FedEx.

PUBLIC COMMENT

A letter, dated Marcy 11, 2016, from Cecilia Polansky and John Heerman, 9 Jackson Street, was received regarding the number of additional employees, having enough parking, increase in trips by large trucks, when an alternate access for truck traffic may be needed, and the noise level from the site.

There were no further comments.

MOTION by Amber Thibeault, SECOND by Andrew Boutin, to close the public portion of the hearing on the Final Plan for expansion at Flex-A-Seal, 1 Jackson Street. VOTING: unanimous (5-0); motion carried.

DELIBERATION/DECISION

Final Plan, Manufacturing Building Addition, 1 Jackson Street, Flex-A-Seal

There was mention of Flex-A-Seal staying in the village and the long term lease arrangement. Joe Weith expressed concern about the proposal meeting the criteria for a lot coverage waiver and suggested downsizing the addition to meet the permitted lot coverage. There was discussion of having to meet some or all of the criteria and "superior design". John Alden said the expansion is the most square footage that could be done and still have a reasonable building for Flex-A-Seal to remain on the site. The green space is all that can be done on an industrial site with an industrial building. Joe Weith suggested investigating a boundary line adjustment with the village.

MOTION by Amber Thibeault, SECOND by Andrew Boutin, to approve the waiver requested for lot coverage and approve the Final Plan for a two story, 18,774 s.f. addition to a light manufacturing building at Flex-A-Seal, 1 Jackson Street, with the following stipulations:

1. All staff comments shall be addressed by the applicant and resolved to staff's satisfaction prior to the issuance of any permits.
2. All work shall comply with the Land Development Code.
3. Post-development storm water runoff from the site shall not exceed pre-development storm water runoff from the site.
4. The waiver for 72.2% lot coverage is granted.
5. Lighting shall meet the 16' height requirement.
6. The applicant will donate a percentage of the required landscape budget to CTE via the Village for the urban tree nursery project.
7. The applicant will explore the potential for a boundary line adjustment with Public Works to help meet the lot coverage requirement.

And further, it is noted the existing structure is noncomplying and the expansion meets the requirement of not increasing the noncompliance.

VOTING: 4 ayes, one nay (Joe Weith); motion carried.

John Alden returned to the Planning Commission.

6. OTHER PLANNING COMMISSION ITEMS*Renewable Energy Sites*

Robin Pierce will forward to the Planning Commission the email he sent to Regional Planning regarding protecting the landscape and retaining productive farmland by requiring renewable energy to be of a scale that suits an area, is used in the area it is generated and thus does not require as many transmission lines generated in the area and hooked into the existing grid.

Food Truck and Pergola

Joe Weith asked if the food truck and pergola by Five Corners was reviewed by the Planning Commission. Robin Pierce said temporary uses do not require site plan review.

Status of LDC

Robin Pierce reported the Trustees wanted to further discuss the language for massage parlors and building height. The Trustees changed the wording in the comprehensive plan to say buildings over four stories in height are not anticipated. There was mention of clarifying or eliminating subjective phrases such as “superior design” in the LDC. Joe Weith stressed the need for clear criteria for waivers.

Acknowledging Written Correspondence

The Planning Commission agreed any written correspondence that is received from the public will be noted under the “Public Input” section of a hearing.

Time Limit for Public Comments

Amber Thibeault suggested a policy be written establishing a time limit for comments during the public forum portion of the meeting. The suggestion will be added to the next meeting agenda for discussion.

7. ADJOURNMENT

MOTION by Amber Thibeault, SECOND by Andrew Boutin, to adjourn the meeting. VOTING: unanimous (6-0); motion carried.

The meeting was adjourned at 7:18 PM.

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