

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
NOVEMBER 2, 2017
AGENDA
6:00 P.M.**

I. Audience for Visitors

II. Additions or Amendments to Agenda

III. Minutes

A. Regular Meeting – October 19, 2017

IV. Work Session

A. Discuss architectural plans for a 4 storey multi-unit elderly housing building at 9 & 11 Park Street in the VC District, by Ruggiano Engineering, agents for Handy's Hotels & Rentals LLC c/o Gabe Handy, owners.

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
November 2, 2017**

- MEMBERS PRESENT:** David Nistico (Chair); John Alden, Amber Thibeault, Steven Shaw, Joe Weith, Diane Clemens. (Andrew Boutin was absent.)
- ADMINISTRATION:** Robin Pierce, Development Director.
- OTHERS PRESENT:** John Hartigan, Ed von Situs, Mary Lefcourt, Meredith & Darren Connolly, MJ Engel, Hugh Gibson, Bob Provost, Gabe Handy, Daniel Kerin, Anne Whyte, Judy Naef, Janet Wilson, Matthew Diem, Derek Cote, Nick Meyer, Michelle Dufresne, John Reynolds, Collin Flanders (*Essex Reporter*).
- AGENDA:**
1. Call to Order
 2. Audience for Visitors
 3. Additions/Amendments to the Agenda
 4. Minutes
 5. Work Session:
 - Site Plan, Four Story Multi-Unit Building, 43 Senior Housing Units, 9 & 11 Park Street, Handy
 6. Other Planning Commission Items
 7. Adjournment
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1. CALL TO ORDER

Chairman David Nistico called the work session to order at 6:05 PM.

2. AUDIENCE FOR VISITORS

There were no comments from the public at this time.

3. ADDITIONS/AMENDMENTS TO THE AGENDA

Add:

- Email from George Tyler to the Planning Commission, dated 10/24/17, regarding support of the Five Corners project and projects the village wants to see in the Village Center District.

4. MINUTES

October 19, 2017

MOTION by John Alden, SECOND by Amber Thibeault, to table approval of the 10/19/17 minutes until the next meeting. VOTING: unanimous (6-0); motion carried.

5. WORK SESSION

Site Plan for Phase 1 of the approved Master Plan to construct a four story, multi-unit elderly housing building with 43 one bedroom apartments at 9 & 11 Park

Street in the Village Center District by Ruggiano Engineering, agent for Handy's Hotels and Rentals, LLC c/o Gabe Handy, owner

The following comments/questions were made/discussed during the work session:

- Dave Nistico said the Planning Commission received updated information on the project. The drawings are much improved. The colors on the outside of the building will help fit with the rest of the environment.
- Diane Clemens noted the trees presently on the site will be removed for the driveway to the buildings. Some vegetation is needed in the current view corridor to avoid the proposed building looking like an industrial structure. Trees will soften the environment and make a more human environment, not just a built environment. Information is needed on the following:
 - Trees on the applicant's property and the village property.
 - Landscape softening of the concrete building on asphalt.
 - Landscape plan for the south side of the building and the Park Street School side of the building.
- Gabe Handy noted the landscape budget is \$50,000 for the project of which \$30,000 has been planned. The remaining \$20,000 was to be donated to the village to plant trees wherever the village wants, but instead this money can be used for trees in the front of the building or a botanical garden. The existing vegetation is scrub brush and will be removed.
- Dave Nistico suggested the applicant work with staff on trees for the south side of the building.
- A gentleman in the audience asked how visible the new building will be and where the green space for the building at 4 Pearl Street is located. Diane Clemens pointed out there are trees in grates and potted plants in front of the building at 4 Pearl Street.
- David Nistico said the elevation difference is reason to soften the building.
- A woman in the audience was appalled the Planning Commission is so concerned about trees when there are elderly people who want to stay in the village and need a place to live. Diane Clemens pointed out trees add moisture to the air and shade for the environment which makes it better for the built environment and the residents. Having shrubs, flowers, trees makes the built environment more tolerable for our species and others being displaced. David Nistico stressed the Planning Commission wants this type of project in the Village Center District (VCD).
- Bob Provost said the use makes sense for infill, high density development in a highly visible location. There should be consistency and a rhythm of the neighborhood so Handy should not be asked to do something the Hinsdale project was not asked to do. There is air conditioning for cooling.
- Diane Clemens said more vegetation is needed.
- John Alden said the building needs trees for screening and buffering. A balance between respect for the location and moving forward into the future needs to be found. Hinsdale has a street façade. The Handy building does not. The building does not have to match everything around it, but it should not overwhelm or be overbearing to the neighbors. The building needs to be made softer without relying on neighboring spaces or landscaping. The shape and bulk of the building has not

changed. The perceived bulk is still there. There are five stories on the east side (garage and four stories on top).

- Gabe Handy said dormers are not energy efficient or cost effective and decrease upper floor space. The buildings on Lincoln Street have dormers and they are hot in the summer and cold in the winter. Plus there was four months of extra construction time. The design was an added \$200,000 expense. The shingles today are stained. Mr. Handy said he would not do dormers again. A metal façade like his building on Suzie Wilson Road is an option though. The proposed building is behind the Hinsdale building and will not be as visible as the planned building to replace the five houses on Park Street in 2018. The senior housing units will be 700 s.f. with a rent of \$950 per month including utilities which is \$300 below market rate.
- John Alden suggested a mansard roof concept where the floor area is not impacted. Michelle Dufresne said structurally the roof truss cannot be done with a mansard.
- Bob Provost suggested envisioning the site 10 years from now with development all around and mature trees.
- John Alden suggested using the façade treatment to make the building look like three stories by treating the fourth story differently. Michelle Dufresne said the base of the building with three stories on top was done in a different color. The colors run with the verticals so the building looks taller than it is.
- Darren Connolly asked about the height of Park Street School, noting the Handy building is very close to the school. The ‘softening’ idea is good. John Alden said the school building with two stories plus gables is 35’ in height. Due to the slope of the land the Handy building looks about the same height as the school. The Handy building is 42.5’ in height not counting the underground garage.
- Darren Connolly said there are 60’ tall maple trees on the property which if removed will take away any privacy. John Alden said the Handy building is 15’ away from the School Street edge. All the trees will be removed and new ones planted. Gabe Handy said brush is being removed and the large trees in the buffer zone will be preserved. Michelle Dufresne clarified there will be 8’ for over-dig so a majority of the trees may be lost.
- David Nistico said the applicant needs to clarify and work with staff on the landscaping all around the building.
- Meredith Connolly spoke of the loss of the wooded lot and impact on privacy by a four story building on the lot with residents who will be able to look right into the back yard. A 10’ or 14’ high hedge will not provide privacy. A fence is needed. There will also be noise from the exhaust fan in the parking garage and trash smell. Property value will go down. A 3-D model of the site from School Street was promised, but not provided by the applicant.
- Diane Clemens mentioned infill development by her house with a house 15’ from the property line and another house six inches from the driveway. Shrubbery and trees help.
- Joe Weith said the Planning Commission must make decisions based on the criteria in the zoning regulations and not on emotional issues or property value criteria. The VCD calls for density and zero lot lines. The proposal abuts a single family neighborhood and an historic school. How the building fits with that and if there are ways to soften the bulkiness of the building needs further consideration.

- Bob Provost said the area is a transitional zone that is changing how Five Corners will look in the future. Change is stressful and painful.
- John Alden said the north side buffer (Naef side) with a solid fence and narrow tree line is an improvement.
- Judy Naef said they have no privacy and would like a high solid fence that cannot be climbed. There are people and dogs congregating in the area now.
- Suggestion was made for a high fence and evergreens. Robin Pierce pointed out a fence taller than six feet needs a variance from the Zoning Board. Residents said they want a combination of landscaping and fencing on the north and east sides of the property.
- Meredith Connolly asked for a property survey. Gabe Handy said his property has been surveyed. The lot will be re-staked and the pins shown.
- There was mention of lot coverage. Zoning in the district allows 100% lot coverage. The proposed development is at 73%.
- Nick Meyer asked about the distance from the parking lot to the neighboring houses. Robin Pierce said the measurement is not shown on the site plan. Nick Meyer observed there is limited room for plantings. The building is being “shoehorned” into the site. The landscape budget should be fully used on the site and perhaps the applicant could make arrangements to plant trees on the neighbors’ property if they are agreeable. The trees will shade the parking.
- Meredith Connolly asked the distance from the exhaust fan to the property line. Michelle Dufresne said there is enough room for the airway without encroaching on the 15’ buffer.
- A gentleman who said he has been a village resident for the past 20 years opined the building is ugly and does not fit the area. The tax break for the building at 4 Pearl Street was mentioned and whether Mr. Handy will get a tax break. Robin Pierce noted the residential portion of the building at 4 Pearl Street is full. The commercial space is harder to fill. Dave Nistico said the building at 4 Pearl Street is out of the scope of the meeting and will not be discussed.
- There was mention of the elevation view of the building from the School Street side and photo renderings which would be beneficial to see how the building fits. Michelle Dufresne noted the photos would be taken from the public right-of-way.
- There was a question about parking for the building since there is an issue with parking now in the area. Robin Pierce said the parking meets the code requirements. There are 23 underground spaces and 8 surface spaces as well as public parking in the vicinity for the 43 units. Per the code .5 parking space is required per dwelling unit of elderly housing so for the project 21.5 spaces are required and the applicant is showing 31 spaces with two accessible spaces. Michelle Dufresne noted the location also has nearby bus service and sidewalk.
- Anne Whyte said she will forward her list of concerns which include the following:
 - Loading area for the senior bus
 - Room for snow removal
 - Striped sidewalk
 - Senior citizen residents navigating the parking lot with cars, the dumpster, no loading area, only a striped sidewalk
 - Assigned parking spaces

- The building being too big for the site
 - Delivery trucks blocking parking spaces
 - Handicap spaces being wider
 - Bike rack in the courtyard space and by the exhaust fan
 - No room for a buffer, fence, sidewalk, and parking
 - A smaller building could accommodate amenities
 - Smart growth
 - Relationship of the building to the surrounding houses
 - 3-D rendering from all perspectives per the code
- Steven Shaw mentioned moving the building in to accommodate sidewalk. Michelle Dufresne said 62' width is the minimum for underground parking. David Nistico said the Planning Commission asked the applicant to move the building in to have a buffer. Robin Pierce said the landscaping could be put on the neighbors' side of the fence to have room for sidewalk.
 - A 73 year old senior citizen said seniors can negotiate parking lots very well without sidewalk. The development offers a dwelling, heat, lights, and TV for \$950 per month plus a place to park your car. The property owner will remove the snow in the winter.
 - Dan Kerin stated if the village plants trees on the neighbors' property it must be clear that the neighbors agree to maintain the trees in perpetuity.
 - John Reynolds spoke of the impressive way the village has improved the Five Corners area and the opportunity with the Handy proposal to expand and move in the right direction. Once the blighted buildings are removed there will be opportunity to make significant improvement to the area and get better overall long term appearance and functionality of Five Corners. Everyone needs to look at the big picture and to the future. The comments have been about what the individual wants, not what is best for the vitality and improvement of the village overall.
 - Joe Weith said it seems the applicant is trying to cram a big building into a small area. The bulk of the building needs to be softened to better fit with the surroundings.
 - Amber Thibeault asked that staff send the Planning Commission all materials in a timely fashion to allow review (3-D rendering, color copies of materials, and such).
 - David Nistico pointed out there have been many improvements to the project and the applicant will do what can be done to address the concerns expressed. Regarding the height and scale of the building, the structure could be bigger and cover more of the lot per the code. It is a tight location, but the project is what the village wants to see and senior housing is needed.
 - Michelle Dufresne said a pitched roof and gables over the windows can be done, but the building will be taller. Robin Pierce mentioned changing the materials on the top floor of the building.

There were no further comments.

MOTION by Amber Thibeault, SECOND by Diane Clemens, to close the work session on the Handy proposal for 9 & 11 Park Street. VOTING: unanimous (6-0); motion carried.

John Alden suggested staff review the letter from Anne Whyte, May 2017, address the questions and give the answers to the PC. David Nistico stated it is the applicant's responsibility to address the neighbors' concerns. The Planning Commission does not design projects.

It was suggested that the staff report on the project note that a loading area on a private drive is not required by the code.

The Planning Commission pointed out there is conflict with 100% lot coverage and encouraging a buffer, trees, and shrubs of good quality to remain on the site. Diane Clemens suggested the applicant work with Hinsdale on a joint effort for trees for both properties to achieve shading. The applicant should show existing and planned trees and those on contiguous properties.

John Alden commented the area is becoming an urban environment as suggested in the code. It is a painful process to find a balance between what is there and where the village wants to go. There was further discussion of the redevelopment of the Five Corners area.

6. OTHER PLANNING COMMISSION ITEMS

Email on Joint Meeting with Trustees

There was discussion of the email regarding a joint meeting with the Planning Commission and Board of Trustees on Design Five Corners, the concept and what is incorporated in the Land Development Code. Robin Pierce said a grant was received and Regional Planning will be holding two meetings with the Planning Commission and the Board of Trustees. David Nistico said the Planning Commission does have the ability through the Land Development Code and the Comprehensive Plan to influence what is in the Design Five Corners plan.

7. ADJOURNMENT

MOTION by Amber Thibeault, SECOND by Steve Shaw, to adjourn the meeting.

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

The meeting was adjourned at 8 PM.

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