

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
FEBRUARY 15, 2018
AGENDA
6:00 P.M.**

I. Audience for Visitors

II. Additions or Amendments to Agenda

III. Minutes

A. Regular Meeting – January 18, 2018

IV. Public Meeting

A. Master plan review for a proposed mixed use development of 10.7 acre parcels for commercial/retail, residential and parking at 4-36 Park Street and 3 Maple Street in the VC District, by Essex Downtown Development, LLC, agents for LI Park Street Properties, McEwing Properties, Robbins Mountain Towers and 3 Maple Street Essex, LLC, 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-Held 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 15, 2018**

- MEMBERS PRESENT:** John Alden, Amber Thibeault, Diane Clemens, Andrew Boutin, Steven Shaw, Joe Weith. (Dave Nistico was absent.)
- ADMINISTRATION:** Robin Pierce, Development Director.
- OTHERS PRESENT:** Jim Bernegger, Andy Suntup, Alex McEwing, Jennifer Fiscaletti, Benjamin Avery, Frank Naef, Dustin Bruso, Dennis Bruso, Greg Morgan, Julie Miller-Johnson, Michael Munson, Andrew Sepic, Kristofer McEwing, Michael Buscher, George Tyler, Paul O'Leary, Colin Flanders (Essex Reporter), Joel Baird (Burlington Free Press).
- AGENDA:**
1. Call to Order
 2. Audience for Visitors
 3. Additions/Amendments to the Agenda
 4. Minutes
 5. Public Hearing:
 - Master Plan, Mixed Use Development, 4-36 Park Street, Essex Downtown Development, LLC
 6. Other Planning Commission Items
 7. Adjournment
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1. CALL TO ORDER

In the absence of Chairman David Nistico, Vice Chair John Alden called the meeting to order at 6 PM. There were no announcements or disclosures. Individuals to give testimony on applications before the Planning Commission were sworn in.

2. AUDIENCE FOR VISITORS

There were no comments from the public at this time.

3. ADDITIONS/AMENDMENTS TO THE AGENDA

Emails received regarding the proposed project for 4-36 Park Street from Steve Hannon (Genesee & Wyoming Railroad) and Thomas Weaver (222 Franklin Inc.) were noted.

4. MINUTES

January 18, 2018

MOTION by Diane Clemens, SECOND by Amber Thibeault, to approve the minutes of January 18, 2018 as written. VOTING: unanimous (6-0); motion carried.

5. PUBLIC MEETING

Master Plan for a proposed mixed use development on 10.7 acres for commercial/retail, residential, and parking at 4-36 Park Street and 3 Maple Street in the Village Center District (VCD) by Essex Downtown Development, LLC, agents

for LI Park Street Properties, McEwing Properties, Robbins Mountain Towers, and 3 Maple Street Essex, LLC, owners

Ben Avery with Blackrock Construction, Mike Buscher with T.J. Boyle Associates (architect), Paul O'Leary with O'Leary-Burke Civil Engineering, and Alex McEwing, property owner appeared on behalf of the application.

STAFF REPORT

1. The Planning Commission received a written staff report on the application, dated 2/15/18. Robin Pierce said the proposal is exactly what is called for in the Design Five Corners Initiative and Village Comprehensive Plan for development in the Village Center District with mixed use, pedestrian friendly amenities, and tying into the Crescent Connector. Before the Crescent Connector can be built the railroad crossing will be built so the contractors are contained within the site. The right-of-way drawings for the road are done. The appraisals are done. Negotiations with adjacent property owners will be done. VTrans will bid out the project in January 2019 for award in the spring of 2019.

APPLICANT COMMENTS

Ben Avery reviewed the proposal to redevelop underutilized portions of the assemblage of properties at 4-36 Park Street, noting the following:

- First phase will be four new buildings including two frontage buildings on Maple Street and the anticipated Crescent Connector.
- The mixed use development will have ground level commercial and residential units above.
- The second phase of the development will be two buildings with residential units behind the former Flanders building.
- Options for the Lincoln Inn and the laundromat are still under consideration and a proposal will be brought forward when appropriate.
- Components to be addressed include inclusionary affordable housing (approximately 45 units), workforce housing, one and two bedroom market rate units, and "for sale" condos. The top floor terraces of the four storey buildings lend themselves to "for sale" units.
- Commercial uses will be concentrated on the frontage streets. Maple Street is an excellent location.
- Due to the angle of the lots open space can be created around the buildings.

Mike Buscher reviewed existing conditions on the site. The following was noted:

- Nearly 95% of the current site is impervious.
- The existing lots have infringed on the boundary of the railroad for many years.
- The development proposal includes three four-storey buildings with parking underneath on the Park Street property and one new building off Maple Street.
- The emphasis with the development is on pedestrian and bicycling circulation and creating public streets that are active and vibrant. There will be pedestrian nooks for residents and pocket parks for the general public.

- The Park Street buildings will have a garbage and recycling structure (four walls and a roof) with controlled access. There will be a separate garbage and recycling area for the Lincoln Inn and the other Maple Street building.
- Proposed Buildings A & B are mixed use with commercial on the first floor and residential above. The setback will mirror the Milot building at 4 Pearl Street. Amenities include outdoor benches and other features. Building B will have a public gathering space and seating. There will be restaurants.
- The proposal enhances and activates the streetscape with storefront windows, outdoor benches, art, and sculptures. Community amenities organized for the residents of the buildings and managed by the homeowners association include a BBQ grill and seating, swimming pool, community garden, play area for children though not many children are anticipated to be living in the housing.
- There will be small scale signage and wayfinding to create a sense of place and branding and to make the site a destination location like the rest of the village center area.
- Work has been done on mechanisms to reduce car ownership and parking demand such as membership in CATMA, increasing public transit service, potentially locating a bus transit hub on the site, indoor bike storage, bike repair/wash nearby, and car share membership.

Joe Weith asked about the following:

- Testing to ensure there can be underground parking on the site - Alex McEwing said the railroad did borings for the Crescent Connector. When the Lincoln Inn was purchased there were collapsed drainage line so all the surface drainage was going under the railroad tracks to 34 Park Street. When the drainage was rebuilt sand to a depth of 12' was found. Also, the Crescent Connector will be brought up to grade level to meet the grade of Park Street. Ben Avery added the parking garage will not go down 12' due to the grading that is to be done. There will not be underground parking in the brown field at 3 Maple Street. Mike Buscher pointed out there is a natural pitch on the south side of the property and the other side will be brought up to grade.
- Proposed 340 parking spaces to include the parking by the Lincoln Inn - Mike Buscher said all the parking is on the Park Street parcel, on-street on the Crescent Connector, at-grade, and terrace level. The Lincoln Inn parking is not included.
- Location of the reserved 100 residential units for the future – Ben Avery said a non-determination letter from Act 250 for approximately 100 units for future planning purposes will be submitted. The exact number of units is not known at this time so the parking need is not known. It is understood future development of the laundromat building stands alone.

John Alden asked about the following:

- Parking count of 476 spaces – Mike Buscher said 340 spaces include 23 on-street spaces on the crescent connector. The spaces on the railroad right-of-way are not included (the railroad wants to know the project before agreeing to parking on railroad property). There are 13 spaces with Building A on Maple Street that are

counted in the total. Parking on the side of the crescent connector (29 spaces) is on McEwing property.

- There is no parking requirement in the VCD and per demand side calculation for retail/commercial and 174 units of residential the parking need is 252 spaces; the proposal shows more – Mike Buscher said the proposal shows existing as well as new parking.
- Locating the swimming pool indoors for year round use – Ben Avery said the amenities are meant to give the residents in the housing units opportunity to live, work, play in the same space.
- The proposal does not address the Lincoln Inn or the laundromat parcels and does not reinforce the Park Street edge – Ben Avery said there are challenges that cannot not be solved at this time so any plan would simply be illustrative. Once the project is moving forward with the frontage buildings the Park Street frontage can be addressed. Discussions will continue with the railroad. The planned building on Park Street can be shown on the plan (shadow box) with comment on the streetscape.

Joe Weith said it would be helpful to do a parking matrix using parking per unit and parking per square foot for the uses and including the parking for the Lincoln Inn and laundromat. John Alden added the property is a piece of the Five Corners area so it may be of benefit to have some capacity in the parking. Ben Avery said a cross-parking matrix that looks at the parking count globally can be done.

Diane Clemens observed there is a lot of impervious surface and minimal green space. Ms. Clemens asked about diverting water and maximizing penetration on the site. Mike Buscher said drainage will be addressed in detail going through the site plan review process. The amount of impervious coverage is actually being decreased by three times and three times more green space will be provided. Trees will be planted to provide shade. The parking by the railroad will be returned to green space. Storm water drainage will be handled by ground infiltration if the soils allow otherwise there will be underground infiltration devices installed. Ms. Clemens urged fencing the playground area by the railroad tracks for safety purposes. Ben Avery said there will be fencing and controlled access. Play areas will be sprinkled around the site.

Steve Shaw urged considering ways to screen the parking on Park Street. Also, the community garden will be shaded on the west and east sides. Mr. Shaw asked if there is a road to the west of Building A. Mike Buscher said the area by Building A is for loading/unloading and trash activity. There could be ingress/egress if this can be worked out, but the parcel is out of the control of the project. Moving the building to the east was felt to be prudent. There is a curb cut 20' to the east.

Andrew Boutin asked about the following:

- Flat roofed buildings – Mike Buscher said the design has not yet been done. There likely will be rooftop decks.
- The parking spaces on each side of the railroad (74 spaces) will be removed – Mike Buscher said the spaces were not included in the parking count. Only 13

- public spaces on the crescent connector were included. A lease must be secured with the railroad for parking on the north side of the tracks (the current parking arrangement has worked with the railroad for the past 50 years).
- Shaking by trains could impact the underground parking structure – Ben Avery said the engineers and architects will address this. Noise will be handled with better insulation and windows.
 - Gated crossing on the railroad tracks and traffic light on Park Street by the Crescent Connector – Robin Pierce said the rail crossing will be gated and there will be a traffic light on Park Street that is sequenced with the other traffic light on the Crescent Connector and the train.
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PUBLIC COMMENT

Jennifer Fiscaletti, Redwood Terrace, asked if there will be parking for patrons of the restaurants. Mike Buscher said the parking will be shared with residents and patrons. Jennifer Fiscaletti asked how access to the pool will be regulated. Ben Avery said residents will have controlled access to the pool.

Frank Naef, Park Terrace, said 1.5 parking spaces per unit is the correct ratio, not 1.25 per unit due to the existing parking problem in the area. More spaces are needed. Ben Avery said there will be greater than 1.5 spaces per unit overall. All shared parking is being incorporated.

Michael Munson, Park Street, commented as follows:

- The site plan shows mostly paved area.
- It is not clear if the pool is public space or what the objectives are for the public spaces and amenities.
- Public amenities have been lost in the village center so the Planning Commission should take a strong position to replace them.
- The Planning Commission should look at how the plan relates to the public area in the village center and how it relates to the Crescent Connector.
- A parking study should be done in the village before deciding on any future development.
- The Crescent Connector should be built before allowing more development to see if the roadway addresses congestion at Five Corners.

Dennis Bruso, East Coast Printers, stated the development is on private property with public access to property that previously had no public access. The development does not detract from the area and will improve the downtown of Essex Junction. There is enough parking for the uses and even some for the village though it is not up to the property owner(s) to provide parking for the village.

Andy Suntup, Athens Drive, commented a mini-city is being built with four-storey buildings up and down the street. Associated costs for the new development need to be known (i.e. larger schools, larger library, improved public parks and facilities, infrastructure). Diane Clemens pointed out a large number of children are not anticipated with the residential units proposed, the library is well equipped to handle more patrons,

people in the village can use village and town parks for both active and passive recreational activities, and anything that is built with taxpayer money will provide a benefit to all.

Julie Miller-Johnson, Beech Street, observed the green space in the development looks like islands of grass surrounded by parked cars and the Crescent Connector, not usable green space.

There were no further comments. The public comment portion of the meeting was closed.

DELIBERATION/DECISION

Master Plan, Mixed Use Development, 4-36 Park Street, Essex Downtown Development

There was discussion of parking and using the 1.5 ratio at a minimum. Development on each individual parcel will allow further review of the parking. Shared parking works in some circumstances. Robin Pierce noted a plan was done to show all public parking in the VCD. John Alden pointed out the plan does not show how often the spaces are used or when they are available (i.e. shared parking).

MOTION by Diane Clemens, SECOND by Joe Weith, to accept the conceptual master plan for a mixed use development on 10.7 acres for commercial/retail, residential, and parking at 4-36 Park Street and 3 Maple Street in the VCD by Essex Downtown Development, LLC, agents for KI Park Street Properties, McEwing Properties, Robbins Mountain Towers, and 3 Maple Street Essex, LLC, owners, with the following conditions:

1. All staff comments in the Staff Report shall be addressed and satisfied prior to site plan approval.
2. Storm water management shall be provided entirely on-site and the Village Engineer shall review the final plans for compliance.
3. All work shall comply with the Essex Junction Land Development Code.
4. The applicant shall complete, to staff's satisfaction, and sign a Sewer Capacity Voluntary Permit Revocation Form prior to the village releasing a Letter of Capacity to the State of Vermont after each site plan approval.
5. The applicant shall provide documentation that secures parking rights with contiguous sites that are owned by others for approval by the Village Attorney prior to site plan approval.
6. The master plan shall be revised to incorporate a building(s) and streetscape improvements in keeping with the Design Five Corners Initiative along Park Street in the vicinity of the laundromat.

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

6. OTHER PLANNING COMMISSION ITEMS

Essex Town Center Next Study Committee

The Planning Commission was urged to look at the planning materials for the Route 15 corridor from McDonald's to Route 128. There is a standing invitation for the Planning Commission to sit in on the town planning commission meetings.

Challenges to Urban Renewal

Diane Clemens said the presentation she attended on challenges to urban renewal was interesting. The Planning Commission should discuss what parking looks like and how it inter-relates in the village.

Joe Weith recommends the village embark on a comprehensive parking plan looking at existing spaces and locations, current and future demand, and locations for new public parking. Strategies should be developed on how to provide more public parking in strategic locations. George Tyler, Village President, said the Trustees have discussed asking the Planning Commission to look at parking in the village overall. The Trustees understand parking is an essential problem that needs to be resolved. Joe Weith requested a consultant be hired to prepare a comprehensive parking plan that analyzes and identifies locations and defines strategies to implement parking. George Tyler said the Trustees recognize the information could be key in resolving the parking situation in the village. The focus is on increasing residential density in the Five Corners area and creating pedestrian/bike accessible green spaces/pocket parks.

John Alden said ongoing guidance and discussion with the Board of Trustees is crucial when trying to implement the vision for Five Corners and implementing the Land Development Code and comprehensive 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 8:15 PM.

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