

**VILLAGE OF ESSEX JUNCTION  
PLANNING COMMISSION  
OCTOBER 17, 2019  
AGENDA  
6:00 P.M.**

**I. Audience for Visitors**

**II. Additions or Amendments to Agenda**

**III. Minutes**

A. Regular Meeting – August 1, 2019

**IV. Capital Program Review Committee**

A. Discussion of Planning Commission member to volunteer on Capital Committee.

**V. Public Hearing**

A. Final site plan review for the removal of building D to construct an 8,465 s.f. apartment building with 40 1-bedroom units, 4 studio units with underground parking at 11 Franklin Street in the MCU District by O’Leary-Burke Civil Associates, agents for 222 Franklin Inc., owners.

**VI. Other Planning Commissions Items**

**VII. 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  
October 17, 2019**

**MEMBERS PRESENT:** David Nistico, John Alden, Diane Clemens, Steven Shaw, Andrew Boutin.

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

**OTHERS PRESENT:** Michael Dugan, Todd Roman, Courtney Roman, Andrew Brown, Philip Batalion, Curtis Montgomery, Brett Bartlett, Brian Currier, Paul O'Leary.

- AGENDA:**
1. Call to Order
  2. Audience for Visitors
  3. Additions/Amendments to the Agenda
  4. Minutes – August 1, 2019
  5. Capital Program Review Committee
    - A. Discussion of Planning Commission member to
  6. Public Hearing
    - A. Final site plan review for the removal of building D to construct an 8,465 s.f. apartment building with 24 1-bedroom units, 20 studio units with underground parking at 11 Franklin Street in the MCU District by O'Leary-Burke Civil Associates, agents for 222 Franklin Inc., owners
  7. Other Planning Commission Items
  8. Adjournment

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**1. CALL TO ORDER**

David Nistico called the meeting to order at 6:01PM.

**2. AUDIENCE FOR VISITORS**

Courtney Roman, owner of Railroad & Main restaurant, stated that she is seeking guidance from the Planning Commission on design elements for the building, because current design is not what had been agreed-to when the building's site plan was approved. Robin Pierce noted that Ms. Roman had been sent a notice of noncompliance citing these discrepancies and giving her a deadline of November 3, 2019 to rectify them. Ms. Roman noted that she has been working with Mr. Pierce and Michael Dugan, an architect, to align building design with approved site plan.

Planning Commission members briefly discussed some of the elements of the building design that they would like to change. They agreed that Mr. Dugan will put a proposal together, John Alden and Mr. Pierce will work together to ensure that it meets final site plan criteria and stipulations and will grant Ms. Roman an extension to the current November 3 deadline to make changes.

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

There were no additions or amendments to the agenda at this time.

#### **4. MINUTES**

*August 1, 2019*

**MOTION by John Alden, SECOND by Steven Shaw to approve the minutes of August 1, 2019 as written. VOTING: unanimous (5-0); motion carried.**

#### **5. CAPITAL PROGRAM REVIEW COMMITTEE**

##### **A. Discussion of Planning Commission member to volunteer on Capital Committee**

Mr. Nistico stated that there is not currently a member of the Planning Commission participating on the Capital Program Review Committee (CPRC). He added that former Planning Commission member Amber Thibeault had participated on the CPRC that she is no longer a member of the Planning Commission.

Andrew Brown, a member of the CPRC, described its role for the Village as a group that helps advocate for and prioritize infrastructure improvement projects such as replacing waterlines and repairing roadways and sidewalks. He further noted that having the perspective of a member of the Planning Commission at the CPRC is helpful.

Steven Shaw volunteered to participate on the Capital Program Review Committee.

#### **6. PUBLIC HEARING**

**A. Final site plan review for the removal of building D to construct an 8,465 s.f. apartment building with 24 1-bedroom units, 20 studio units with underground parking at 11 Franklin Street in the MCU District by O’Leary-Burke Civil Associates, agents for 222 Franklin Inc., owners.:**

This item was presented by Paul O’Leary, Brian Currier, and Michael Dugan.

Mr. Currier provided an overview of the proposed final site plan. He noted that the building in question would be located in the middle of the building site in the footprint of the current Building D, which would be demolished. He also noted that the building would be 4 stories, would contain a total of 44 apartment units, and that the owners are asking for a parking waiver, citing a parking study that was accepted by the Village engineer.

Mr. Dugan gave an overview of the proposed Building D, noting that it would be similar to other buildings in the Riverside development and would use the same materials as surrounding buildings. He also noted that it would have an accessible ramp, an underground garage, and would not be taller than surrounding buildings.

##### *Discussion:*

Diane Clemens asked whether the lighting plan included sidewalk and street lights. Mr. Currier replied that there is an existing pole light in front of the building and another in

the corner of the parking lot. He also noted that lights will be added to both ends of the building.

Ms. Clemens noted that the plan proposes to remove a number of trees, and asked if any of them would be saved or transplanted. Mr. Currier replied that they will only remove trees as necessary for excavation, and that there are no plans for transplanting excavated vegetation once it is removed.

Andrew Boutin asked how close to the water table the proposed building would be. Mr. Currier replied that the structural engineer on the project is currently in the process of determining that, adding that the building height of the previous building was determined by the water table. He added that the water table is generally consistent across that entire area and that this proposed building would be sited identically to other buildings in the development.

Landscape and lighting plans were both submitted and reviewed.

**MOTION by Andrew Boutin, SECOND by Diane Clemens to close the public portion of final site plan review for the removal of building D to construct an 8,465 s.f. apartment building with 24 1-bedroom units, 20 studio units with underground parking at 11 Franklin Street in the MCU District by O’Leary-Burke Civil Associates, agents for 222 Franklin Inc., owners.**

**VOTING: unanimous (5-0); motion carried.**

**MOTION by John Alden, SECOND by Andrew Boutin, to grant a parking waiver as requested for the final site plan for an 8,465 s.f. apartment building with 24 1-bedroom units, 20 studio units with underground parking at 11 Franklin Street in the MCU District by O’Leary-Burke Civil Associates, agents for 222 Franklin Inc., owners. VOTING: unanimous (5-0); motion carried.**

**MOTION by John Alden, SECOND by Andrew Boutin, to approve the final site plan review for the removal of building D to construct an 8,465 s.f. apartment building with 24 1-bedroom units, 20 studio units with underground parking at 11 Franklin Street in the MCU District by O’Leary-Burke Civil Associates, agents for 222 Franklin Inc., owners, with the following conditions:**

- 1. Require the submission of record drawings for the site utilities to the Village of Essex Junction upon completion of construction, in both AutoCAD and PDF format. The Village would also like to request this information be provided in shapefile format in Vermont State Plane Meters, NAD83.**
- 2. A total of 722 parking spaces are required by the LDC for the entire project development; there will be a total of 643 parking spaces provided throughout the project development with completion of this proposed building. Staff recommends a parking waiver as the parking spaces are rarely near full occupancy.**

3. Accessible parking spaces should be added within the underground parking or in the surface parking lot to meet Village Code.
4. Dumpsters shall be covered and have drain plugs installed.
5. The applicant shall submit copies of the stormwater system annual inspection reports to the Village of Essex Junction as a condition of approval.
6. A follow-up traffic study within 6 months of 50% occupancy of the proposed building in order to confirm the trip generation rate and to determine if traffic improvements are necessary will be performed by the applicant.
7. No CO will be issued until all necessary approved State Permits including but not limited to; ACT 250, and Stormwater are submitted to the Village.
8. The applicant shall complete (to Staff's satisfaction) and sign a prior to the Village releasing a Letter of Capacity to the State of Vermont.
9. All work shall comply with the Village of Essex Junction Land Development Code as amended December 13, 2016.
10. All Village Staff recommendations shall be complied with.
11. In lieu of landscaping for the project not equaling 2% of construction costs the difference shall be given to the Village for hard and soft landscaping in the Village Center District.
12. Bike racks shall be provided as part of this development proposal.

#### 8. OTHER PLANNING COMMISSION ITEMS

Mr. Pierce noted that the Village and Town would like to schedule joint Planning Commission meetings with both Town and Village Planning Commissions. Mr. Alden also noted that Village Planning Commission members can serve as alternates on the Town's Planning Commission as needed.

Ms. Clemens requested a copy of the final Comprehensive Plan and Mr. Pierce will obtain a copy from the Chittenden County Regional Planning Commission.

Ms. Clemens proposed that the Planning Commission begin discussing updating the Land Development Code, as it will need to be updated in the next 18 months. Mr. Pierce agreed that staff will put together a schedule and timeline for LDC revisions.

#### 9. ADJOURNMENT

**MOTION by Steven Shaw, SECOND by John Alden, to adjourn the meeting.**

**VOTING: unanimous (5-0); motion carried.**

The meeting was adjourned at 7:09 PM.