

**VILLAGE OF ESSEX JUNCTION  
PLANNING COMMISSION  
MINUTES OF MEETING  
March 18, 2021**

**MEMBERS PRESENT:** David Nistico, Chair; John Alden, Vice Chair; Diane Clemens; Phil Batalion; Steven Shaw (Andrew Boutin and Patrick Scheld were absent).

**ADMINISTRATION:** Robin Pierce, Community Development Director; Evan Teich, Unified Manager.

**OTHERS PRESENT:** Abby Dery, Bradd Rubman, Lucy Thayer

- AGENDA:**
1. Call to Order/Audience for Visitors
  2. Additions/Amendments to the Agenda
  3. Minutes – March 4, 2021
  4. Public Hearing:
    - A. Conceptual Plan review of Village at Autumn Pond Phase II for a PUD to redevelop Amber Lantern Apartments. Removal of 4 multi-unit residential buildings and construct 3 buildings (40 units each) with underground parking at 169 Autumn Pond Way in the MF-2 District, by Trudell Consulting Engineers, agent for Dr. Jeffrey Rubman, owner.
  5. Other Planning Commission Items
  6. Adjournment
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**1. CALL TO ORDER/AUDIENCE FOR VISITORS**

David Nistico called the meeting to order at 6:12 PM. He swore in the applicants who will give testimony at the public hearing.

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

None.

**3. MINUTES**

*March 4, 2021-*

**MOTION by John Alden, SECOND by Diane Clemens, to approve the minutes as presented. VOTING: unanimous (4-0); motion carried. David Nistico abstained.**

**4. PUBLIC HEARING**

A. Conceptual Plan review of Village at Autumn Pond Phase II for a PUD to redevelop Amber Lantern Apartments. Removal of 4 multi-unit residential buildings and construct 3 buildings (40 units each) with underground parking at 169 Autumn Pond Way in the MF-2 District, by Trudell Consulting Engineers, agent for Dr. Jeffrey Rubman, owner.

Lucy Thayer, a landscape architect with Trudell Consulting Engineers, detailed the location of the project on the map. She said it is located on Autumn Pond Way, with Essex High School to the south, the Tree Farm to the west, and the Autumn Pond Phase I development to the north. She noted that a Class II wetland in the south provides a buffer

between the property and the high school, and that existing mature vegetation provides a buffer to the west.

Ms. Thayer noted that the project is a continuation of the Autumn Pond Phase I development in terms of aesthetics and detail. She said that the Phase I site currently has 4 multi-unit residential buildings containing 48 units. She said that circulation and parking are interconnected throughout and there are 3 access points from existing development to Autumn Pond Way. She again noted the stream and wetland buffers on the plan, adding that the project will not encroach into the buffers and that they will be removing some impervious surface from the buffers.

Ms. Thayer said that the parcel is approximately 9.75 acres, which permits them to build 153 units. She said that they are proposing 120 units in 3 buildings (with 40 units per building). She said they would like to request a height waiver and build up all four stories of each building. She said there will be underground parking, which works well on the site due to topography (the southeast side near the wetlands is lower in elevation than the northern side, which provides a good location for underground parking). She noted that each underground parking area will have 29 spaces and that the development will also have a surface lot in the south and a surface lot in the north that will also have open spaces with green space amenities. She said they are also proposing parking along Autumn Pond Way, which is consistent with already-existing parking on Autumn Pond Way in Phase I development.

She said that the above-mentioned green areas will have landscaping, trees, shrubs, grills, picnic tables, rain gardens for stormwater treatment. She noted that amenities will also include an indoor heated pool, community space, fitness center, dog park, fire pits, year-round outdoor grills, and walking trails. She noted that the Phase I development has been highly successful and that there are currently no vacancies.

She noted that they are also requesting a parking waiver for this project. She said that their parking analysis comes out to 252 spaces, but are requesting to waive 43 of them, which would leave approximately 1.75 spaces per unit. She said that this is appropriate for the unit mix, which contains studio, one-bedroom, and two-bedroom units. She said that in terms of transportation access, the developers agree with the recommendation for access for bus service to the development.

Mr. Alden said he is familiar with the Phase I project and said that it is one of the nicer developments in the Village and expressed excitement to see a second phase being planned. He said that 1.75 parking spaces for their unit mix is a good balance, and also consistent with what is in similar types of facilities. He said that it is impressive that they will be able to include 90 hidden spots underground, which is also better for the environment. He noted a small concern with potential buffer encroachment, but that this type of decision isn't within the purview of the Planning Commission. Ms. Thayer replied that they will be going through the permitting process with the State, which will need to approve any potential buffer impacts. She said that the project will not create any additional impervious surfaces.'

Mr. Alden said that there have been some concerns about traffic issues, citing a letter received from a resident who is concerned about further negative impacts on already-congested streets. He added that the developers estimated only an increase of 31 trip ends, which seems minimal. He noted that some of the concerns are around using the property as a cut-through to avoid the Five Corners intersection, but that is a different issue that isn't specific to this project. He noted that there were no comments from the fire chief, since questions around emergency access were addressed during the Phase I development.

Mr. Batalion asked about the traffic, noting that there was emergency access granted to Athens Drive. He asked if it is anticipated that the access would be opened. Mr. Pierce replied that the residents on Athens Drive did not want a connection, but it was opened during a storm to allow for access. Abby Dery, an engineer with Trudell Consulting Engineers, said it was the intent to keep the access closed but open it when needed.

Mr. Batalion asked about the height of the building and requested to see the height numbers specified in the final plan. Mr. Alden noted that there is nothing around the buildings to justify limiting them to only three stories. Mr. Batalion requested that the lighting plans, stormwater runoff plans, and bike storage plans be included in the preliminary design.

Mr. Shaw said he doesn't see an issue with the parking waiver but asked about the project's methodology for calculating the number of spaces. Ms. Thayer said that part of the calculation was based on their experience with parking for the Phase I project. Mr. Alden encouraged them to put rationale and calculations in their plan. Mr. Shaw asked if they will show the details for road improvements in this process, and Ms. Dery replied that yes, they will show the widening plans and cross-sections for the improvements. Jeffrey Rubman added that the Phase I design had extra spaces put in and that it consistently has 15 to 20 vacant spaces.

Ms. Clemens noted that she conducted a site visit and saw a dog park on a thin strip of land in the Phase II area. She asked that the dog park location be noted in the plan. She expressed concern about the steep drop-off in the southern corner that's next to the bank for Building 3. She said she doesn't have concerns with the wetlands, but said that anecdotally she has heard that there has been water coming across the road on occasion. She said she would like to see this addressed in further drawings. She agreed with allowing the parking waiver.

John Alden asked about pathways connecting Phase I to Phase II and Bradd Rubman replied that there are pathways to connect residents from both phases with the shared amenities and green spaces.

Mr. Nistico opened the discussion up to the public.

Mr. Pierce spoke approvingly of the use of passive recreation, such as bird-watching in the wetlands adjacent to the property. He also expressed approval for the connection

between Phase I and Phase II sites. He said that in general, this project represents a great example of a Planned Unit Development (PUD).

Mr. Alden said that the Village should continue to promote whatever it can to make the development feel like it's close and connected to the regional commuting system, the bus, and the rail system. He also asked about bicycling and whether a sidewalk or multi-use path is contemplated as part of the project. Mr. Pierce said that they had considered it in the Phase I project, but that the terrain near the wetlands was steep. Mr. Alden suggested that a path is something that could be revisited in this iteration of the project.

Mr. Alden said that the new energy code has many requirements and asked if the project will have solar panels or alternative energy sources. Dr. Rubman noted that a new HVAC system will be installed, but they are still contemplating the options for alternative and renewable energy in this phase of the project. Mr. Rubman added that the buildings in Phase I are extremely energy-efficient.

**MOTION by Diane Clemens, SECOND by John Alden, to close the public portion of the meeting. VOTING: unanimous (5-0); motion carries.**

Mr. Nistico asked whether the Planning Commission felt comfortable granting waivers at this juncture, or whether they would like to wait until a later point in the process. Mr. Batalion said he is comfortable with the parking waiver, but would like to see the design with actual height noted for the height waiver. Other board members expressed support for the applicants' request for a height waiver and expressed support for the parking as presented. They said that they will grant formal approvals further along in the process.

The Planning Commission noted several recommendations for inclusion in the preliminary plan for the project, including building height calculations, parking calculations, any plans for preserving vegetation during the demolition process, an update on the approval process with the state regarding the wetland permit, and including bike rack and storage locations as part of the parking plan.

**MOTION by Phil Batalion, SECOND by Diane Clemens, that the Planning Commission support the project with the proposed staff recommendations and Planning Commission recommendations. VOTING: unanimous (5-0); motion carries.**

## **5. OTHER PLANNING COMMISSION ITEMS**

Mr. Batalion asked about any updates on the Village and Town merger conversation and whether separation is being contemplated. He asked if there are advantages or disadvantages to the Village separating from the Town and incorporating as a City. Mr. Pierce replied that there would be minimal impact on planning and zoning regardless. Mr. Batalion asked if incorporating as a City would qualify Essex Junction for additional grants, and Mr. Pierce replied that it would qualify Essex Junction for different grants, not necessarily more or fewer. Evan Teich noted that Cities do not get preferential treatment for grants, but are simply eligible for different grants.

**6. ADJOURNMENT**

**MOTION by Phil Batalion, SECOND by John Alden, to adjourn the meeting.**

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

The meeting was adjourned at 7:15 PM.

*RScty: AACoonradt*