

Staff Report

To: Planning Commission

From: Robin Pierce, Community Development Director

Date: March 21, 2019 Tabled meeting.

Re: Final site plan review to convert a former residential home, accessory apartment, and professional office to 5 residential units; 4 apartments within the existing single family dwelling and 1 residential apartment within the existing garage with 10 proposed parking spaces at 7 Park Terrace in the VC District by Andrew Hood, owner.

Project Location: 7 Park Terrace

Project Area Size: 9,147 square feet

Lot Frontage: 99.3' School Street and 90' Park Terrace

Existing Land Use: Residential, rental units, construction company office.

Surrounding Land Use: Residential & Mixed Use/Retail and Commercial

Minimum Lot Size Village Center District: 5,000 Square Feet

Existing Lot Coverage: 73%

Permitted Lot Coverage: 100%

Proposed Lot Coverage: 80.5% **Proposed Lot Coverage ??????**

UPDATE. Since the last PC meeting the applicant has ordered a survey of the property and provided additional documentation. For the existing building the proposal is to take a maintenance and repair approach buy keeping the existing siding and patching the wood clapboards where necessary: This aspect of the proposal could have been approved administratively. The windows will still be upgraded to increase energy efficiency. The applicant further stated that the windows sash will be replaced with new to match existing. Exterior trim will be left in place or replaced in kind with PVC in lieu of wood. Exterior siding will be patched in kind and painted white (original house color) when weather permits, as option we will paint repaired siding to match existing color if siding repair is minor. As originally the building was white he will be painting the building white in recognition of that historical fact. A landscaping plan has been provided showing screening for the cars parked in the Park Terrace area and the parking space parallel to School Street has been removed and replaced by vegetation which is in line with what the PC requested. The Landscape Plan shows a path from Park Terrace to the existing porch, and a path from the School Street parking area to the access deck on the west side of the building.

The domestic trash containers have been moved to the northern side of the property and placed in a fenced enclosure. Nine parking spaces are proposed, seven outside and two inside the garage, this is a reduction from the 11 parking spaces on the existing property use Plan.

The applicant shall ensure that all exterior lighting meets the Village Land Development Code and be down shielded and dark sky compliant. The Village Engineer shall confirm this prior to a CO being issued.

Project Description.

The applicant proposes to remove existing windows and install energy star windows that match the existing windows in the existing window opening with the exception of the upper gable ends which they propose to return to the original design which was one window in the upper gable ends. New siding will match the existing 4" reveal. ~~The current proposal is to have white window trim and either white or deep granite coloured siding.~~ Any new fascia or soffit will be white in vinyl or metal. Any portions of slate roof that are not savable will be replaced by asphalt shingles, Certainteed Landmark series Georgetown grey colour to match existing roof shingles on garage. There are currently two curb cuts for the property, one on each street. The existing curb cut on Park Terrace will be reduced to twenty feet from twenty four feet. The current arrangement of having parking on both sides of the building will remain with additional plantings proposed to better screen the cars. New trees will be planted on the School Street side of the building. All the apartments will be one bedroom. The building will be sprinklered to meet State requirements. A small new entryway will be added to the south west inner corner of the building to access a common area. ~~An existing deck will be removed to accommodate a tenth parking space.~~ Because of a reduction in the width of current curb cuts the lot coverage has decreased slightly. The house is on the State Historic Registry.

SECTION 604: VILLAGE CENTER (VC)

A. Purpose. To provide for a compact commercial center, having a mix of commercial, governmental, cultural and residential uses, and which reflects and reinforces the existing architecture, design and layout. It is the intent of this district to allow as new structures only those structures which are designed and constructed to be visually compatible with the historic character of the Village Center and similar to existing structures. **NA.**

B. Lot Size/Lot Coverage.

1. The minimum lot size shall be 5,000 square feet. **Standard met.** The Village Center District shall not have a maximum allowable density. The maximum number of dwelling units shall be determined by the ability to meet the standards of the Land Development Code including, but not limited to, parking, setbacks lot coverage and building height.
2. The maximum total lot coverage shall be determined by the Commission as part of Site Plan Review. **There is no change to the lot coverage in this proposal.**

C. Setback Requirements. **None required, no change proposed.** The front yard setback shall be established by the average setback of the principal structures on the two adjacent lots (or the closest two lots on the same side of the same street) and the minimum setback requirement for the underlying zoning district. The principal structure shall have a setback between the established maximum and minimum setback as described above. Semi-attached accessory structures (such as a deck) shall be allowed if there is sufficient space between the principal structure and the minimum setback. Porches that are integrated into the principal structure shall be considered part of the principal structure. If a principal structure is not parallel to the front lot line the setback will be determined by the average setback at the two corners of the structure closest to the front lot line. The Planning Commission may waive this requirement if the following conditions are met:

1. The proposed setback does not negatively impact the character of the neighborhood.
2. The proposed setback would be in keeping with the setbacks and character of anticipated future development of the area.

Applicants may apply for a variance if they do not meet the criteria above but believe they cannot meet the requirements of this section.

D. Permitted and Conditional Uses. **This proposal is permitted.**

E. Design Review and Historic Preservation. Because of the unique and historic qualities of the Village Center District and the special role that it plays in the over-all Village, the Commission is hereby authorized to undertake a special review, as part of its site plan review. Design review is required by the Planning Commission for any proposed construction, reconstruction, demolition or exterior alteration (including a change of color) of any building in the district with the exception of sign permits, which are approved administratively. Activities involving buildings listed or eligible for the state or national registers of historic places must meet additional standards as described below. All reviews shall be conducted at a public meeting. ~~The applicant shall bring material and colour samples to the Planning Commission meeting so that the Commission can review and approve the proposed material and colours.~~

1. Purpose. The purpose of this section is to protect the historic character of the Village Center District including those buildings listed or eligible for the State or Federal Register of Historic Places while accommodating new and appropriate infill and redevelopment supporting increased density and multi-modal development. Infill and redevelopment brings opportunities to protect existing historic resources while increasing density, activity and economic opportunity in the Village Center District. Demolition may be allowed, but only following a thorough review of the economic and structural characteristics of the building and the proposed redevelopment plan and its community benefits. New buildings and modifications to existing ones shall be compatible with the historic character of the Village Center District as represented by the design review standards listed in Section 604.E.4. Residential building close and around this structure have vinyl siding.
2. Applicability.
 - (a) The design review standards are applicable to all development proposals within the Village Center District. The historic preservation design standards with respect to alterations, additions or redevelopment of existing historic structures as defined in Section 604.E.4.B of this Code are applicable to all buildings listed or eligible for the State or National Register of Historic Places. Documentation from the State Division of Historic Preservation documenting a building's eligibility for the State or National Register of Historic Places. **See comments provided elsewhere from Devin Coleman.**
 - (b) Any development proposal for the existing residential structures fronting Pearl, Park, Lincoln, Maple and Main Streets in the Village Center District submitted to the Planning Commission shall be reviewed as a Planned Residential Development (PRD) or Planned Unit Development (PUD) are subject to the provisions of Section 724: Planned Residential Development & Planned Unit Development and Chapter 9: Subdivision Regulations. **NA.**
3. District Design Review Procedures. The Planning Commission may deny approval of a proposed development or modification of a structure if it determines that the intent of this Section has not been met. Accordingly:

(a) Within this district, no structure may be demolished, reconstructed, moved, erected, or changed in use, nor may the exterior be altered or restored without design approval from the Planning Commission, issued in conjunction with subdivision or site plan approval. In the event that subdivision or site plan review is not otherwise required, design review shall be conducted in accordance with site plan review procedures under Section 502 or Section 503.

(b) Nothing in these design control criteria shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the district, which does not involve a change in the design, material, color or the outward appearance of the feature.

(c) The review of plans under this Section by the Planning Commission requires the submission of information listed in Section 502 or Section 503 along with building elevations, a description of materials to be used on the exterior of any structure, plans for exterior lighting, signs, drainage and snow removal, and photographs of existing structures and adjacent buildings if applicable. The Planning Commission may require additional information and documentation, as it deems necessary including 3D drawings and/or models of the proposal to assist in understanding the fundamental design elements and important spatial relationships.

(d) Should the Planning Commission deem it necessary to employ an architect or other qualified individual to review any development proposal, the cost of employing such an individual shall be borne by the applicant.

4. District Design Requirements. The Planning Commission shall review all development applications in the Village Center for compliance with the criteria listed below and in accordance with the character of the district as defined by the Village of Essex Junction Comprehensive Plan. The Planning Commission reserves the right to require applicants to undertake their development per the Secretary of Interiors Standards. Staff will review the applicant's proposal and provide guidance as to what the Planning Commission will expect with historic structures.

(a) Design Standards for the Village Center. **There are no changes to the mass or scale of the buildings.**

(1) The relationship of building mass and architectural detail to open space and to the relative size of a person shall be compatible with such established relationships in the district.

(2) The predominant direction of structural shape, of placement of openings and architectural details at the front facade shall be consistent with such established conditions in the district

(3) Buildings shall generally have no setback from the street and be at least two stories in height to create a consistent street edge and sense of enclosure. Additional building setback to provide for an expansion of the sidewalk or active pedestrian space such as sidewalk cafes or display areas may be allowed and in some cases encouraged.

(4) The proposed height of structures may be limited to within ten percent (10%) of the average height of existing adjacent buildings where necessary to protect the residential character of adjacent residential structures. The height limit shall not apply in predominantly commercial and mixed-use areas.

(5) The following architectural elements or features shall be compatible with existing buildings and significant, predominant or established patterns in the district:

- (a) The relationship between the width to height of the front elevation of the building.
- (b) The relationship of width to height of windows and doors.
- (c) The rhythmic relationship of openings to solid areas in front façades.
- (d) The spaces between the proposed structure or structural alteration.
- (e) The relationship of entranceways to buildings and porches.
- (f) The materials, textures, and colors, including primary and accent or trim colors.
- (g) Proposed architectural details (such as lintels, arches, chimneys).
- (h) Proposed roof shapes and lines.
- (i) Proposed enclosures, including fences, brick walls, stone walls, evergreen hedgerows and building facades, which are also continuous and cohesive with existing walls in the district.
- (j) Proposed landscaping shall be compatible with existing quality and quantity of landscaping in the vicinity, with consideration given to existing landscape mass and continuity.
- (k) The proposed ground cover shall be compatible with the predominant ground cover in the district.
- (l) Storage areas, service areas, trash receptacles, accessory structures and parking areas shall be screened from view from the street and adjoining properties.

- 5. Demolition of Historic Structures. **Not applicable.**
- 6. Formula-Based Retail and Restaurants. **Not applicable.**

F. Parking. Due to the unique characteristics of this District no minimum parking requirements are established. However, the Planning Commission may require parking as a part of any Site Plan approval. The Commission shall use the parking standards of Chapter Seven as a guide to determine reasonable parking. If on-site parking is required, it shall be placed on the side or rear of the building, not in front. If parking is placed on the side, it shall not take up more than 30% of the linear frontage of the lot. The Planning Commission may waive this requirement due to site constraints. Below grade parking or structured parking may also be approved by the Planning Commission.

G. Planned Unit Development. Pursuant to 24 V.S.A. §4407(12), the Planning Commission may approve a Planned Unit Development in the Village Center District. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Village Center District. Any application for proposed development in the Village Center District may, at the applicant's request, be reviewed as a Planned Unit Development under the provisions of this Section.

- 1. General Review Standards.
 - (a) Physical characteristics of the site and relation to surrounding properties.
 - (b) Relationship to major transportation facilities, including mass transit, walkways and bike paths.
 - (c) Design characteristics of the proposal and compatibility to adjoining developed land.
 - (d) Unique design or land planning characteristics.
 - (e) Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.

- (f) The preservation of unique natural physical characteristics.
 - (g) Building design compatibility with adjoining structures.
 - (h) Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.
2. Specific Review Standards
- (a) Proposed traffic flow and circulation design.
 - (b) Structural design and compatibility with adjoining developed properties.
 - (c) Scale and design of proposed structures.
 - (d) Location and setbacks of all proposed structures.
 - (e) Unique physical characteristics of the proposed use.
 - (f) Unique characteristics of the proposed use.
3. Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions.
- (a) Unique physical characteristics of the site proposed for development.
 - (b) Superior building design, lot layout and landscaping design.
 - (c) Provision of public open spaces or superior bicycle and pedestrian access.
 - (d) Joint or combined vehicular access with adjoining properties.

H. Building Height. Building heights shall not exceed four stories or 58 feet, whichever is less.
No change proposed.

SECTION 703: PARKING

~~The applicant has proposed two parking space per apartment for a total of 10 spaces. The apartments are small and this seems a little excessive. All of the apartments are one bedroom, and past experience has shown that this number of parking spaces may exceed that which is required.~~

SECTION 707 FENCES

- A. Purpose: To provide standards for the construction or placement of fences.
- B. Standards. Any fences placed or located on any property shall meet the following standards:
- 1. A fence that does not exceed six (6) feet in height may be located at the property line in any side or rear yard and shall not require a zoning permit. Any fence that exceeds six (6) feet in height shall be deemed a structure. **NA.**

SECTION 708: SCREENING/BUFFERING

- A. Purpose. To provide sufficient screening and buffering to mitigate the potential negative impact of adjoining incompatible land uses.
- 3. Any multi-family use located adjacent to a single-family use shall provide a buffer zone of not less than fifteen (15) feet. The buffer zone shall be landscaped in such a manner as to minimize impact on the adjoining single-family Districts. The Commission may require the placement of an opaque fence and/or hedge to screen the multi-family structure from adjoining single family dwellings.
 - 4. Parking lots located adjacent to public streets shall be screened to minimize glare and vehicle light encroachment on street. Screening may include berms and landscaping.

5. **Waivers.** The Planning Commission may waive the screening and buffering requirement in the Village Center District if it determines that the encroachment will not have an undue adverse impact on adjacent properties. **This is an encouraged and appropriate use of an existing building in the Village Center District that does not extend the existing structures.**

SECTION 719: LANDSCAPE AND TREE PLANTING REQUIREMENTS

A. **Purpose and Intent.** To protect and enhance the community's environmental, economic and aesthetic quality, thereby contributing to the overall objective of promoting public health, safety, and welfare. **The applicant has proposed plantings to screen the parking areas and new trees along School Street. All species shall meet the standards established in the Village LDC with the exception of Ash trees.**

More specifically, it is the purpose of this Section to:

1. Reduce noise, glare, and heat.
4. Promote energy conservation through the use of vegetation.
5. Protect the environment by contributing to air purification, oxygen regeneration, ground water recharge and minimizing erosion through storm water run-off.
6. Enhance community appearance, identity and unique natural beauty.
7. Preserve and protect existing mature tree growth.
8. Channelize vehicular and pedestrian movement within off-street parking areas.
9. Delineate parking areas and adjacent right-of-way.
10. Delineate ingress and egress points.

B. **Tree Protection.** Any application for development approval by the Commission shall submit a plan, which indicates the location of existing mature trees, or tree groupings, and shall indicate on the plan those trees or tree groupings which are proposed to be saved. The Commission may grant a credit of up to fifty (50) percent of the required landscaping for the preservation of mature trees.

C. **Street Trees.** The developer or applicant for any development approval under this Code shall plant one (1) shade tree of a species determined by the Commission for each forty (40) feet of frontage along a right-of-way bordering the property.

2. Street trees shall be planted either within the right-of-way or along the frontage of the lot, as determined by the Commission.
3. The Commission may waive this requirement if substantial efforts are proposed for preserving existing mature trees along the right-of-way.
4. This provision shall not apply to applications for the expansion of existing commercial or industrial facilities if the expansion amounts to five hundred (500) square feet or less of enclosed floor space.

D. **Landscaping.** There shall be a sufficient amount of landscaping and screening, as may be reasonably determined by the Planning Commission, to insure protection of and enhance the quality of the project in question and adjacent properties. The landscape plan must be drawn by a landscape architect, landscape designer, or competent landscape professional. For projects above \$250,000 construction cost, the landscape requirement shall be a minimum of 2% of the total construction cost. This may be waived in unusual circumstances. With a new use on existing development or renovation on existing property, the applicant must provide landscaping adequate to provide screening and

1. Landscaping Requirements.
 - (a) A minimum of fifty percent (50%) of the required landscaping shall be located within twenty (20) feet of the parking lot. All required landscaping shall comply with the intent and purpose of these regulations.
 - (b) All required landscaping shall be installed as per plans submitted.
2. Applicability - New and Existing Developed Areas
 - (a) The Commission may require review of proposed landscaping.
 - (b) New Development or Redevelopment: All new development, construction or reconstruction shall be in full compliance with the provisions of these regulations.
 - (c) Existing Developed Areas. Compliance required: All property with existing development which is not in compliance with the provisions of this Section shall be considered nonconforming, and allowed to continue until such time as application is made to add, enlarge or reconstruct a structure on the property. At that time a plan showing existing and new development and the proposed landscaping plan shall be submitted. The Commission will consider the existing development, proposed change or alteration, and the impact of the proposed use on the site, parking and circulation. Nothing in this Section shall prevent the Commission from requiring landscaping for the proposed area designated for change.
4. Design Standards
 - (a) Required parking areas must be shaded by deciduous trees (either retained or planted by the developer) that have or will have when fully mature a trunk of at least 12 inches in diameter. Each tree shall be presumed to shade a circular area having a radius of 15 feet with the trunk of the tree as the center and there must be sufficient trees so that using this standard, 20 percent of the parking area will be shaded. The 20% parking lot shade coverage may be waived by the Planning Commission in unusual circumstances, such as existing lots or lots which are not visible from off-site.
 - (c) The parking lot should be screened with shrubs or other barriers to the extent possible.

SECTION 720: LOT FRONTAGE

A. Lot Frontage. Within any District, a minimum frontage of sixty (60) feet is required at the street, unless specifically stated otherwise. The Commission may waive this requirement in unusual circumstances. **Standard met.**

SECTION 905: GENERAL STANDARDS

D. Protection of Significant Features.
The proposal retains the existing siding reveal and brings back the original window configuration on the upper gables. Minimum change is proposed to building fenestration.

SECTION 906: STREETS

No new public streets are proposed.

SECTION 909: PEDESTRIAN AND BIKEWAY STANDARDS.

Bike racks included.

SECTION 910: OTHER INFRASTRUCTURE IMPROVMENTS/PUBLIC FACILITIES.

None planned. A new waterline was put in recently.

SECTION 911: MONUMENTS AND LOT CORNER MARKERS.

The required lot corners are shown on the plans.

Staff Comments

General

- 1) *The Development Application indicates that this project is replacing a single family dwelling with an accessory apartment with a 5-unit apartment building. Accordingly, the applicant will need to request and obtain additional sewer and water allocations from the Village of Essex Junction.*
 - ✓ **The applicant has acknowledged this requirement and indicated that “Upon approval of building use change request will be submitted to obtain additional water and sewer use allocations.”**
- 2) *With the recent reconstruction of School Street, the Village of Essex Junction will not allow excavation within the Village right-of-way along School Street resulting in disruption to the roadway, curbing, sidewalk, or subsurface utilities. All municipal and/or private underground utility connections will need to be made from Park Terrace. In addition, construction equipment and material unloading/loading, etc. should be done along Park Terrace to avoid disruption/damage to School Street.*
 - **The plans have been revised to depict a new water service connection to the existing 6” ductile iron hydrant lead along School Street; and the applicant has submitted an application for an Excavation Permit from the Village of Essex Junction for this work. In addition, the applicant has acknowledged the requirement for no disturbance to the roadway and curbing along School Street. We find this acceptable, subject to the requirements of any Excavation Permit issued by the Village of Essex Junction.**

We recommend a condition of approval that construction equipment and material unloading/loading, etc. be done along Park Terrace to avoid disruption/damage to School Street.

- 3) *The applicant should confirm that the proposed trash containers conform to the requirements of Section 706.J of the LDC.*
 - ✗ **This comment has not been addressed.**

Roadways, Drives, Parking, and Walks

- 1) *The plans depict a proposed 20’ wide drive width. Per Section 705.B of the LDC, multi-family dwellings are to be reviewed as a commercial curb cut; and per Section 705.C of the LDC, commercial curb cuts shall be a minimum of 24’ in width for two-way traffic. The plans should be revised accordingly, or a waiver of this LDC requirement must be requested and approved by the Village.*
 - ✓ **This comment has been addressed. The plans have been revised to increase the proposed drive width to 24’.**
- 2) *The plans should be revised to depict all new impervious areas on the site.*
 - ✓ **This comment has been addressed. The plans have been revised in reponse to this comment.**
- 3) *The plan depicts a total of 10 parking spaces on the project site. The layout of the parking is somewhat unconventional, lacks common access aisles, and may be difficult for ingress/egress. In consideration of the nature of this project, we do not specifically oppose the parking configuration, but note that many of the LDC requirements are not specifically met; and may not be applicable given the proposed configuration. We do feel it is important to note that the Village of Essex Junction Municipal Code prohibits on-street parking on the east side of School Street between Park Terrace and Pearl Street; and also prohibits on-street parking on both sides of Park Terrace.*
 - ✓ **This comment has been addressed. The applicant has stated that “We are not requesting use of any on street parking for residents.” Please note that the above referenced on-street parking prohibitions apply to not only residents, but also visitors.**

Grading and Drainage

- 1) *In consideration of the sandy soils on the project site and the MS4 permit requirements applicable to the Village of Essex Junction, we recommend that the applicant incorporate stormwater management best management practices into the project design to the maximum extent practicable, to promote infiltration and minimize stormwater runoff from the project site.*
 - **The plans have been revised to indicate new impervious areas on the site. One of the larger areas of increased impervious area are associated with parking space #8. The applicant has stated that “...two rock drainage swales below the parking on the school street side will slow run off and allow for absorption into the soil. The plan for the parking lot on the Park Terrace side is to remain gravel as it is now.” Due to the proximity to the adjacent down-gradient parcels, we are concerned about runoff onto these adjacent parcels, especially during frozen ground conditions. We recommend that the Village reserve the right to require drainage improvements in the future if drainage problems arise as a result of this project.**

Sewer

- 1) *It is our understanding from the plans that the existing sewer service is to remain. Please note that if any work is found to be necessary related to the existing sewer service, an authorized representative of the Village of Essex Junction will need to inspect the work. A minimum of 48 hours advance notice should be provided prior to the need for inspection(s).*
 - ✓ **This comment has been addressed. The applicant has acknowledged the requirement for 48 hours advance notice prior to the need for inspection(s).**

Water

- 1) *Based on our review of the plans, it appears that the applicant is proposing a new 2” water service connection to the existing municipal water main along School Street to serve the building. A new connection to the water main on School Street will not be allowed. The new water service will need to be connected to the existing water main along Park Terrace. As discussed in General Comment #2 above, the Village would like to avoid any disruption to the recently reconstructed School Street roadway and utilities.*
 - **As discussed in General item #2 above, a new water service connection to the existing 6” ductile iron hydrant lead along School Street is proposed; and the plans revised accordingly. The plans should be further revised to include a hydrant detail, as the existing hydrant will need likely need to be removed and re-installed. In addition, the plans should be revised to require that the existing water service be cut, capped, and abandoned in the presence of an authorized representative of the Village of Essex Junction. If the existing hydrant is installed further to the east, an easement will be required around the hydrant, per the LDC.**
- 2) *The application indicates that the “Building to become sprinklered to meet state requirements.” The applicant should provide confirmation that the proposed water service will provide adequate water supply and pressure for domestic and applicable fire suppression demands.*
 - ✓ **This comment has been addressed. The applicant has stated that the sprinkler and domestic sewer design was done by Chevalier Fire Protection. We find this acceptable.**
- 3) *The plans should be revised to depict the limits of disturbance within the Village right-of-way related to the new water service connection; and provide appropriate details for restoration work (i.e. pavement matching, curb, etc.).*
 - **See Water item #1 above.**
- 4) *The plans should be revised to include a note requiring inspection by an authorized representative of the Village of Essex Junction for any work within the Village right-of-way or involving utilities owned or to be*

owned by the Village. A minimum of 48 hours advance notice should be provided prior to the need for inspection(s).

× **This comment has not been addressed.**

Lighting

- 1) *The plans should be revised to depict the locations and specifications for upgraded or new exterior lighting.*
 - **The plans have been revised to depict new exterior lights. The applicant has indicated that new lights are to be “Rab slim 12 LED dark sky approved lights or similar.” Due to the proximity to the existing residence to the east, there is a concern for light trespass onto this adjacent property. We recommend that the applicant address/discuss potential light trespass onto the adjacent property with the Village staff and/or the Village Planning Commission.**

General

This is an attempt to meld a building from the past with the accommodation needs of the present. The five one bedroom units are what the local market currently needs. By keeping the footprint of the existing structures intact and blending new materials into the old this is a good attempt to meet the standard and spirit of the VC District. The applicant is reducing a 45’ curb cut on Park terrace to 24’. **It may be beneficial to reduce the curb cuts on Park Terrace and School Street to 20’ if the PC agrees.** The applicant has shown snow storage areas in the Village ROW on the Plan, this is not permitted. The applicant shall store snow on the property or have it removed from site.

Recommendations

The Community Development Department recommends that the Planning Commission approve the application to convert a former residential home, accessory apartment, and professional office to 5 residential units

Proposed Stipulations

1. **All Staff comments in this Staff Report shall be addressed to the satisfaction of Village Staff prior to any Permits being issued.**
2. **Stormwater management will be provided entirely on-site. The Village Engineer shall review and approve the site prior to a CO.**
3. **If the landscaping proposed does not reach the 2% funding required for this project. Applicant shall provide funding to the Village at a level that will ensure that 2% of the construction costs have been expended on landscaping. This funding shall be specifically used for street tree development for the Village.**
4. **Construction equipment and material unloading/loading, etc. shall occur along Park Terrace to avoid disruption/damage to School Street.**
5. **All work shall comply with the Village of Essex Junction Land Development Code.**
6. **Upon approval of building use a change request will be submitted to obtain additional water and sewer use allocations by the applicant to the Village.**
7. **The Village reserves the right to require drainage improvements in the future if drainage problems arise as a result of this project.**
8. **There shall be no disturbance to the roadway and curbing along School Street.**
9. **All staff comments in the Staff Report shall be addressed and satisfied prior to issuance of a Certificate of Occupancy.**
10. **The proposed trash containers shall be enclosed and meet the requirements of the Village LDC.**

11. The materials ~~and colours~~ proposed shall receive approval from the Planning Commission. Samples of the materials ~~and colours~~ shall be provided to the Planning Commission by the applicant.
12. **The applicant shall complete and sign a Sewer Capacity Voluntary Permit Revocation Form prior to the Village releasing a Letter of Capacity to the State of Vermont.**
13. **Applicant shall ensure there is no light trespass onto the adjacent properties.**
14. **The applicant shall store snow on the property or have it removed from site.**