

33 **3. Article V, Section 5.6 of the Zoning Regulations: Site Plan Review**

34 As a commercial use, the project requires site plan review pursuant to Section 5.6 of the Town of
35 Essex Zoning Regulations. The purpose of site plan review is to ensure compliance with the Town
36 Plan, the Zoning Regulations, and conditions of previous approvals, if any. Site plan review
37 standards specifically include preservation of natural and scenic features, layout of development,
38 access, internal circulation, parking, landscaping, lighting, and utilities and fire protection.

39 The applicant has submitted the following plans:

- 40 • Sheet CS001, "Site Cover Sheet," prepared by Langan Engineering and Environmental
41 Services, Inc., dated 1/30/25.
- 42 • Sheet VL101, "Boundary and Topographic Survey," prepared by Langan Engineering and
43 Environmental Services, Inc., dated 1/23/25.
- 44 • Sheet VL102, "Boundary and Topographic Survey," prepared by Langan Engineering and
45 Environmental Services, Inc., dated 1/23/25.
- 46 • Sheet VL103, "Boundary and Topographic Survey," prepared by Langan Engineering and
47 Environmental Services, Inc., dated 1/23/25.
- 48 • Sheet VL104, "Boundary and Topographic Survey," prepared by Langan Engineering and
49 Environmental Services, Inc., dated 1/23/25.
- 50 • Sheet VL105, "Boundary and Topographic Survey," prepared by Langan Engineering and
51 Environmental Services, Inc., dated 1/23/25.
- 52 • Sheet CS002, "Master Legend & Notes," prepared by Langan Engineering and Environmental
53 Services, Inc., dated 1/30/25.
- 54 • Sheet CS003, "Master Legend & Notes," prepared by Langan Engineering and Environmental
55 Services, Inc., dated 1/30/25.
- 56 • Sheet CS100, "Overall Site Plan," prepared by Langan Engineering and Environmental
57 Services, Inc., dated 1/30/25.
- 58 • Sheet CS101, "Site Plan I," prepared by Langan Engineering and Environmental Services, Inc.,
59 dated 1/30/25.
- 60 • Sheet CS102, "Site Plan II," prepared by Langan Engineering and Environmental Services,
61 Inc., dated 1/30/25.
- 62 • Sheet CS103, "Site Plan III," prepared by Langan Engineering and Environmental Services,
63 Inc., dated 1/30/25.
- 64 • Sheet CS501, "Site Details I," prepared by Langan Engineering and Environmental Services,
65 Inc., dated 1/30/25.
- 66 • Sheet CS502, "Site Details II," prepared by Langan Engineering and Environmental Services,
67 Inc., dated 1/30/25.

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- 68 • Sheet CP101, “Signage & Striping Plan I,” prepared by Langan Engineering and
69 Environmental Services, Inc., dated 1/30/25.
- 70 • Sheet CP102, “Signage & Striping Plan II,” prepared by Langan Engineering and
71 Environmental Services, Inc., dated 1/30/25.
- 72 • Sheet CP103, “Signage & Striping Plan III,” prepared by Langan Engineering and
73 Environmental Services, Inc., dated 1/30/25.
- 74 • Sheet CP501, “Signage & Striping Details I,” prepared by Langan Engineering and
75 Environmental Services, Inc., dated 1/30/25.
- 76 • Sheet CP502, “Signage & Striping Details II,” prepared by Langan Engineering and
77 Environmental Services, Inc., dated 1/30/25.
- 78 • Sheet CP503, “Signage & Striping Details III,” prepared by Langan Engineering and
79 Environmental Services, Inc., dated 1/30/25.
- 80 • Sheet CG100, “Overall Grading & Drainage Plan,” prepared by Langan Engineering and
81 Environmental Services, Inc., dated 1/30/25.
- 82 • Sheet CG101, “Grading & Drainage Plan I,” prepared by Langan Engineering and
83 Environmental Services, Inc., dated 1/30/25.
- 84 • Sheet CG102, “Grading & Drainage Plan II,” prepared by Langan Engineering and
85 Environmental Services, Inc., dated 1/30/25.
- 86 • Sheet CG103, “Grading & Drainage Plan III,” prepared by Langan Engineering and
87 Environmental Services, Inc., dated 1/30/25.
- 88 • Sheet CG501, “Grading & Drainage Details I,” prepared by Langan Engineering and
89 Environmental Services, Inc., dated 1/30/25.
- 90 • Sheet CG502, “Grading & Drainage Details II,” prepared by Langan Engineering and
91 Environmental Services, Inc., dated 1/30/25.
- 92 • Sheet CG503, “Grading & Drainage Details III,” prepared by Langan Engineering and
93 Environmental Services, Inc., dated 1/30/25.
- 94 • Sheet CG504, “Grading & Drainage Details IV,” prepared by Langan Engineering and
95 Environmental Services, Inc., dated 1/30/25.
- 96 • Sheet CU100, “Overall Utility Plan,” prepared by Langan Engineering and Environmental
97 Services, Inc., dated 1/30/25.
- 98 • Sheet CU101, “Utility Plan I,” prepared by Langan Engineering and Environmental Services,
99 Inc., dated 1/30/25.
- 100 • Sheet CU102, “Utility Plan II,” prepared by Langan Engineering and Environmental Services,
101 Inc., dated 1/30/25.

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- 102 • Sheet CU103, “Utility Plan III,” prepared by Langan Engineering and Environmental Services,
103 Inc., dated 1/30/25.
- 104 • Sheet CU501, “Utility Details I,” prepared by Langan Engineering and Environmental
105 Services, Inc., dated 1/30/25.
- 106 • Sheet CU502, “Utility Details II,” prepared by Langan Engineering and Environmental
107 Services, Inc., dated 1/30/25.
- 108 • Sheet CU503, “Utility Details III,” prepared by Langan Engineering and Environmental
109 Services, Inc., dated 1/30/25.
- 110 • Sheet CU504, “Utility Details IV,” prepared by Langan Engineering and Environmental
111 Services, Inc., dated 1/30/25.
- 112 • Sheet CU505, “Utility Details V,” prepared by Langan Engineering and Environmental
113 Services, Inc., dated 1/30/25.
- 114 • Sheet CE101, “Erosion Prevention & Sediment Control Plan Phase I,” prepared by Langan
115 Engineering and Environmental Services, Inc., dated 1/30/25.
- 116 • Sheet CE201, “Erosion Prevention & Sediment Control Plan Phase II,” prepared by Langan
117 Engineering and Environmental Services, Inc., dated 1/30/25.
- 118 • Sheet CE501, “Erosion Prevention & Sediment Control Plan Details I,” prepared by Langan
119 Engineering and Environmental Services, Inc., dated 1/30/25.
- 120 • Sheet CE502, “Erosion Prevention & Sediment Control Plan Details II,” prepared by Langan
121 Engineering and Environmental Services, Inc., dated 1/30/25.
- 122 • Sheet LL100, “Overall Site Lighting Plan,” prepared by Langan Engineering and
123 Environmental Services, Inc., dated 1/30/25.
- 124 • Sheet LL101, “Site Lighting Plan I,” prepared by Langan Engineering and Environmental
125 Services, Inc., dated 1/30/25.
- 126 • Sheet LL102, “Site Lighting Plan II,” prepared by Langan Engineering and Environmental
127 Services, Inc., dated 1/30/25.
- 128 • Sheet LL103, “Site Lighting Plan III,” prepared by Langan Engineering and Environmental
129 Services, Inc., dated 1/30/25.
- 130 • Sheet LL501, “Site Lighting Details,” prepared by Langan Engineering and Environmental
131 Services, Inc., dated 1/30/25.
- 132 • Sheet LP100, “Overall Planting Plan,” prepared by Langan Engineering and Environmental
133 Services, Inc., dated 1/30/25.
- 134 • Sheet LP101, “Planting Plan I,” prepared by Langan Engineering and Environmental Services,
135 Inc., dated 1/30/25.

- 136 • Sheet LP102, “Planting Plan II,” prepared by Langan Engineering and Environmental
137 Services, Inc., dated 1/30/25.
- 138 • Sheet LP103, “Planting Plan III,” prepared by Langan Engineering and Environmental
139 Services, Inc., dated 1/30/25.
- 140 • Sheet LP501, “Planting Details,” prepared by Langan Engineering and Environmental
141 Services, Inc., dated 1/30/25.
- 142 • Sheet FP0.01, “Fire Protection Specifications, Schedules & Notes,” prepared by Ceso, Inc.,
143 dated 9/30/24.
- 144 • Sheet FP1.01, “Overall Fire Protection Criteria Plan,” prepared by Ceso, Inc., dated 9/30/24.
- 145 • Sheet FP7.01, “Fire Sprinkler Specifications,” prepared by Ceso, Inc., dated 9/30/24.
- 146 • Sheet FP7.02, “Fire Sprinkler Specifications,” prepared by Ceso, Inc., dated 9/30/24.

147

148 The applicant has also submitted:

- 149 • Traffic Impact Statement
- 150 • Stormwater management report
- 151 • 50-foot buffer waiver request
- 152 • Follow-up materials requested by the DRB

153

154 **(A) ZR Section 5.6(A), General Requirements**

155 **1. Conformance with the Essex Town Plan**

156 The project complies with the following goals and policies of the 2024 Essex Town Plan:

157 **General Policy 2:** *Economic growth shall be diversified, with development occurring*
158 *in and around the Essex Town Center, the Susie Wilson Road Corridor, and the Saxon*
159 *Hill/RPD-I district.*

160 **Goal 1f:** *Economic development is carried out in the Saxon Hill Industrial Park with*
161 *consideration and respect for the natural surroundings.*

162 **Specific Policy 2(S).1:** *Assure that new industrial and commercial development*
163 *occurs within existing industrial and commercial zoning districts.*

164 **2. Dimensional limitations and provisions of the Zoning Regulations**

165 This project is located in the Resource Preservation District – Industrial (RPD-I) and
166 must conform to the standards listed in Table 2.14 of the Zoning Regulations.

167 **(a) Table 2.14, Resource Preservation – Industrial District (RPD-I) Standards**

168 **i. Purpose**

169 The project reflects the purpose of the RPD-I district as a development that is
 170 outside and with no impacts to the 60% of the zone designated for conservation
 171 and recreation purposes.

172 **ii. Permitted and Conditional Uses**

173 Storage, warehouse and distribution facilities are permitted uses in the RPD-I
 174 zone. No conditional uses are proposed.

175 **iii. District Dimensional Requirements**

176 The proposed project conforms to Table 2.14(D), Dimensional Requirements
 177 of the RPD-I district, as noted below:

Dimensional Requirements	Required	Proposed
Minimum Lot Area – Nonresidential	40,000 sq. ft.	999,266 sq. ft.
Minimum Lot Frontage	200 ft.	1,609 ft.
Minimum Front Setback (from ROW)	50 ft.	97.3 ft.
Minimum Side Setback	25 ft.	301.6 ft.
Minimum Rear Setback	25 ft.	143.6 ft.
Minimum Buffer to Residential Districts	200 ft.	N/A
Maximum Lot Coverage – All	60 %	50.2 %
Maximum Height	45 ft.	31 ft.

178
 179 **iv. District Development Standards**
 180 The applicant has requested a waiver to clear the 50-foot buffer required under
 181 ZR Section 2.14(E)(9)(c). The regulation states:

A 50-foot buffer shall be maintained along all interior streets other than Allen Martin Drive, unless waived by the Planning Commission (now the DRB). Applicants seeking a waiver of buffer requirements in the 50-foot buffer shall make such a request from the Planning Commission (now the DRB) during the site plan review process. Any such waiver request shall include an explanation of why a waiver is necessary, a description of the extent of disruption in the 50-foot buffer, and a proposal for mitigation through additional landscaping and/or revegetation. If a waiver is granted, the Planning Commission (now the DRB) shall state this determination in its approval, along with any conditions for mitigation, including a landscaping plan.

193 The applicant has provided a waiver request as required for the DRB’s
 194 review, which states:

We are writing on behalf of Scannell Properties, LLC to formally submit a waiver request for clearing within the 50-foot buffer along Kimo Drive for Lot 13. Lot 13 was formally comprised of Lot 13 and 14. Clearing within this buffer is necessary to construct access

199 *drives, sidewalks, stormwater infiltration basins, protective barriers*
200 *around the infiltration basins, utility services, grading, landscaping,*
201 *and street trees.*

202 *Access drives and components of stormwater management systems*
203 *may be allowed within 50-foot buffers per section 3.2(A)9(c) of the*
204 *Official Zoning Regulations. The access drives and sidewalk are*
205 *required in the buffer to provide safe and efficient access to the site.*
206 *The stormwater infiltration basins and stormwater components are*
207 *required in the buffer to accommodate the natural topography*
208 *draining to the southwest towards the buffer. The groundwater is*
209 *also high, which limits our ability to provide subsurface detention*
210 *outside the buffer. Street trees are required in the buffer due to the*
211 *lack of space in the right-of-way to place them. General grading*
212 *also needs to occur with buffer to tie these elements together in*
213 *addition to the improvements outside the buffer.*

214 *The total area of work within the 50-foot buffer along Kimo Drive*
215 *totals +/- 67,235 square-feet (1.54 Acres). The clearing limits can*
216 *be seen on the provided plan and the attached figure entitled Wavier*
217 *Request Figure. The buffer has been left intact where feasible, for*
218 *example, the northern section of Lot 13 by the wetlands.*

219 *The impacts to the buffer shall be mitigated through the preservation*
220 *of 221,224 square-feet (5.08 Acres) of land in its current existing*
221 *state outside of the 50-foot buffer. This includes 135,250 square-feet*
222 *(3.10 Acres) in the 100-foot no build buffer along the eastern*
223 *property line and an additional 85,994 square-feet (1.97 acres)*
224 *throughout the side. Impacts to the buffer are further mitigated*
225 *through native landscaping and revegetation, including street trees*
226 *along the Kimo Drive as shown in the landscaping plan, as well as,*
227 *grasses and small plantings, also shown in the landscaping plan.*

228 **3. Protection of public health, safety, and welfare**

229 In a 3/7/25 email, the Essex Fire Department provided the following comments:

230 *This project should be required to complete the road. No exceptions and no delays.*
231 *This will generate substantial traffic all to one choke point and will result in*
232 *substantial risk for crashes in winter due to the topography. In addition, it will then*
233 *create increased traffic going up Sand Hill Road which will again increase the risk*
234 *of crashes. All of which will impose additional demands the fire department.*

235 In a 2/4/25 email, the Essex Police Department provided the following comments:

236 *No comments from EPD*

237

238 **4. Outstanding violations**

239 This parcel does not have any outstanding zoning violations.
240

241 **(B) ZR Section 5.6 (B), Natural and Scenic Features**

242 The Zoning Regulations state that “site layout and design, to the extent feasible, shall
243 incorporate and protect significant natural features as identified on the Significant Features,
244 Scenic Resources, and Water Resources Maps contained in the Town Plan of record or
245 through site investigation.” This is evaluated through the following criteria:

246 **1. Topography**

247 The Zoning Regulations call for minimal changes to a site’s topography and vegetation,
248 specifying that a site “shall be planned to retain, insofar as possible, the natural contours
249 and to conserve the natural cover and soil.”

250 Extensive vegetation removal and grading would occur to clear and level the site
251 for buildings, paved circulation areas, and stormwater treatment basins. However,
252 the existing contours have resulted from previous sand extraction activities and do
253 not represent the site’s natural conditions.

254 **2. Steep Slopes**

255 Steep slopes are not present.

256 **3. Surface Waters and Wetlands**

257 The property contains wetlands in the northern portion of the site. The applicant is not
258 proposing to disturb the wetland area or wetland buffer.

259 **4. Renewable Energy**

260 The applicant has not proposed utilization of renewable energy. The proposal would
261 not impact the ability of neighboring properties to use renewable energy.

262 **5. Open Space**

263 Protecting open space is not a component of the applicant’s proposal, and is not
264 required in the 40% developable portion of the RPD-I area.
265

266 **(C) ZR Section 5.6 (C), Access**

267 Pedestrian and vehicular access to the site, including road intersections, shall meet all
268 applicable design standards, including the Town’s Public Works Specifications and related
269 access requirements under Section 3.1. In addition, the DRB shall consider and may impose
270 conditions with regard to the following:

271 (2) The maximum safety of pedestrian and vehicular access to and from the site from
272 the street network and adjacent property, including but not necessarily limited to:

- 273 (a) Access location(s);
274 (b) The number and width of access points;
275 (c) Curve radii at access points;
276 (d) Acceleration or deceleration lanes on adjacent public streets;
277 (e) Sight distance improvements;
278 (f) Shared access with adjoining properties;
279 (g) Safe and efficient exterior lighting of pedestrian and vehicular circulation areas,
280 suitable to the level of use and context of the site;
281 (h) The location of sidewalks and/or other walkways; and
282 (i) Pedestrian or vehicle signs.

283 The plans provide a suitable connection for pedestrians and bicycle users
284 from the shared-use path along the street to the site's entrance area.
285

286 **(D) ZR Section 5.6(D), Site Circulation**

287 The DRB shall consider and may impose conditions as necessary to ensure the adequacy
288 of on-site vehicular and pedestrian circulation.

289 (1) Particular attention shall be given to safety, including:

290 (b) Traffic and pedestrian movement patterns

291 (3) The DRB may require pedestrian walkways to facilitate pedestrian movements.

292 The plans provide adequate connections for pedestrians and bicycle users
293 within the site.
294

295 **(E) ZR Section 5.6(E), Parking**

296 Parking must be provided in accordance with Section 3.9 of the Zoning Regulations, which
297 states that for the proposed distribution facility use there must be at least:

- 298 • 1 parking space per 400 gross sq. ft. of floor space, or
- 299 • 2 parking spaces per 3 employees

300 The applicant is proposing a 106,993 sq. ft. building, which would require 268
301 parking spaces. The applicant is proposing 482 parking spaces, 9 of which
302 would be accessible spaces, with 2 of those space being van-accessible. This is
303 in accordance with ZR Table 3.4.

304 ZR 3.9(H)(3) states that continuous bays of parking shall not exceed 20 spaces
305 without being divided by an island containing at least one shade tree and
306 appropriate shrubs. The provided plan complies with this requirement.

307 (2) Bicycle parking spaces/racks shall be provided in accordance with Section
308 3.9(H)(2) of these Regulations – which states:

309 Businesses, public buildings, and multi-unit dwellings may be required, at
310 the discretion of the DRB or the Board of Adjustment, to provide facilities
311 for bicycle parking. Uses which may be required to provide bicycle parking
312 include but are not limited to shopping centers, restaurants, grocery stores,
313 recreation facilities, motels, government offices, schools, hospitals and
314 clinics, multi-unit dwellings, and mass transit terminals.

315 The Town’s regulations do not indicate how to determine the
316 appropriate design of bicycle parking facilities (number of parking
317 spaces, layout of racks, etc.). The applicant should therefore follow
318 guidance provided in VTrans’ *Pedestrian and Bicycle Facility
319 Planning and Design Manual* (see Sec. 9.5.11 starting on page 9-
320 13). Since the demand for bicycle parking is unknown at this time,
321 and it is likely that employees (rather than customers) would
322 generate demand for bicycle parking spaces, staff recommend that
323 an indoor parking area be initially offered to employees (rather than
324 an outdoor space). This approach seems mostly likely to support
325 bicycle use by employees. Staff feels that the final design can be
326 left to the applicant’s discretion.

327 **(F) ZR Section 5.6(F), Landscaping and Screening**

328 The DRB can require landscaping to achieve the objectives of the Zoning Regulations and
329 the Town Plan. The landscaping objectives in the Resource Preservation District –
330 Industrial (RPD-I) relate to preservation of forest cover, including routing utilities along
331 driveways where possible and replacing any disturbed buffer areas with trees of the same
332 species and at the same density. Additional landscaping requirements can be found in ZR
333 Table 5.1, which states, among other things, that the DRB and the Town Engineer shall
334 approve the applicant’s planting plans for portions of the buffer areas cleared for utilities.
335 Staff recommends that the Town’s Tree Warden and Conservation and Trails Committee
336 recommendations regarding tree selection and other landscaping be considered.

337 The Tree Warden and the Conservation and Trails Committee support the
338 landscaping plan, including the portion in the 50’ buffer to be cleared and replanted.

339 **(G) ZR Section 5.6(G), Lighting**

340 The Zoning Regulations call for an exterior lighting plan that provides “site lighting and
341 lighting levels that are appropriate for the anticipated activities on the site and the
342 property’s surrounding context, and that maximize the efficiency of site lighting and energy

343 demand, while minimizing up-light glare, and unnecessary spillover light or light diffusion
344 onto adjacent properties.”

345 The provided lighting plan does not comply with ZR Section 5.6(G)(3) for the interior
346 of the site where activity will occur, with no single point exceeding the maximum
347 recommended illumination of 7 foot-candles. A revised lighting plan is recommended.

348 The applicant has provided a corrected lighting plan.

349

350 **(H) ZR Section 5.6(H), Utilities and Services**

351 **1. Water Supply and Sewage Disposal**

352 In a memo dated 3/11/25, Public Works provided the following comments:

353 **Water/Sewer:**

354 1. *All new water infrastructure shall be installed in accordance with Sections 514, 515, and*
355 *516 of the Town’s Standard Specifications for Construction and meet all AWWA*
356 *requirements. A representative of the Town of Essex Public Works shall witness the*
357 *installation, connection, and testing of all new water services.*

358 2. *All new sewer infrastructure shall be installed in accordance with Section 512 of the Town’s*
359 *Standard Specifications for Construction. A representative of the Town of Essex Public*
360 *Works shall witness the installation, connection, and testing of all new sewer services.*

361 3. *The applicant’s engineer has based the water and sewer calculations for the proposed*
362 *commercial warehouse building off a total of 146 employees for the site. Table 10.12.380 of*
363 *the Town’s Water Use Ordinance lists occupied warehouses as having a domestic water*
364 *and sewer demand of 15 GPD per employee. Staff calculate the water and sewer usage for*
365 *the proposed warehouse as follows:*

366
$$146 \text{ employees} \times 15 \text{ GPD} = 2,190 \text{ GPD}$$

367 *The water and sewer service fees for the project as proposed will be as follows under the*
368 *current fee schedule. If the fee schedule changes, then the fee charged shall be the fee in*
369 *effect at the time of submittal for the building permit.*

370
$$\text{Water: } (2,190 \text{ GPD} \times \$5.90/\text{gal}) + \$2,000 = \$14,921.00$$

371
$$\text{Sewer: } (2,190 \text{ GPD} \times 10.60/\text{gal}) + \$1,000 = \underline{\$24,214.00}$$

372
$$\$39,135.00$$

373 4. *The plans show a 6” water main serving hydrants. The State of Vermont requires 8” for*
374 *water mains serving all new hydrants.*

375 5. *The Utility Plan sheets indicate ductile iron water lines on site. The service stubs that will*
376 *be provided will be C900. The Contractor will have to transition from C900 to ductile iron.*
377 *Include a detail for the transition.*

- 378 6. *On Sheet CS003 for fire hydrants, private hydrants within the Town are to be painted*
379 *yellow.*
- 380 7. *On Sheet CS003, 1.7 Water Service Connections: The connection, gate valve, and water*
381 *service stub will have been made through the Kimo Drive Project*
- 382 8. *The applicant's engineer contacted the Town's consultant to run the Town's water model on*
383 *March 4, 2025. The results of the hydraulic analysis were not completed in time for the*
384 *review of the site plan application. The applicant's engineer shall submit updated plans*
385 *with the design modifications needed as a result of the hydraulic analysis to be reviewed*
386 *by Public Works. Public Works recommends that this should be made a condition of*
387 *approval.*

388 **2. Stormwater Management**

389 In a memo dated 3/11/25, Public Works provided the following comments:

390 **Stormwater:**

- 391 1. *A State stormwater permit and General Construction Permit will be required for the*
392 *project. Copies of the permits shall be submitted to Public Works, and it is recommended*
393 *that this be made as a condition of approval.*
- 394 2. *As per Section 511.4.1 of the Town's Specifications for Construction, all stormwater pipes*
395 *shall have a minimum diameter of 18."*
- 396 3. *On Sheet CU101, it shows stone line ditching through the access drive at the bottom of the*
397 *sheet.*
- 398 4. *On Sheet CS002 - "Winter Guidelines" notes - Include enhanced reporting requirements*
399 *for the winter months. "During the winter construction period (October 15 through April*
400 *15), daily inspections shall be conducted of areas that have been disturbed and are not yet*
401 *finally stabilized."*

402 **3. Utilities**

403 In a memo dated 3/11/25, Public Works provided the following comments:

- 404 1. *The Town is not a part of Dig Safe and the Town's Public Works Department must be*
405 *contacted 48 hours prior to any excavation.*
- 406 2. *CU101 shows electrical and communication conduits running both under, and parallel to*
407 *the road. Service conduits are to cross perpendicular to the road.*
- 408 3. *LP101 and LP102 Landscape trees obstructing sight distance at access points are to be*
409 *removed from the plan sheets. The required sight distance is 305'.*

410 **(I) ZR Section 5.6(I), Fire Protection**

411 See comments from the Fire Department in Section (A)3 above.

412

413 **4. Comments from the Parks & Recreation Department, and Conservation**
414 **and Trails Committee:**

415

416 **PARKS & RECREATION DEPT.:**

417 In a 2/20/25 email, the Essex Parks & Recreation Department provided the following comments:

418 *No comments from Parks & Recreation.*

419

420 **CONSERVATION AND TRAILS COMMITTEE:**

421 At its 3/11/25 meeting, the CTC issued the following comments:

422 *1. ~~Maintain the 50-foot buffer in its natural state. Move the retention ponds within the~~*
423 *~~building envelope rather than use the 50-foot buffer.~~*

424 At their 5/13/25 meeting, the CTC updated their comments in #1 above to read:

425 CTC members advise developers to work with the Tree Warden to develop a
426 reforestation plan for the 50-foot buffer that includes salt-tolerant species and
427 will achieve sufficient density for noise and visual screening.

428 *2. Reduce the parking surface area by adding parking underneath the building. This can be*
429 *achieved by having underground parking throughout the entire building footprint.*

430

431 **5. Additional Findings by the Development Review Board (if any)**

432 •

433

434 **Proposed Conditions**

435 1. All conditions from previous approvals shall remain in effect except as modified herein.

436 2. All construction shall be in conformance with the plans listed above as may be amended
437 herein.

438 3. Prior to the issuance of a zoning permit, the plans shall be revised as follows:

439 a. A revised lighting plan that complies with ZR Section 5.6(G)(3) shall be provided.

440 b. Sheet CU101 shows electrical and communication conduits running both under, and
441 parallel to the road. Service conduit locations shall be revised to cross perpendicular
442 to the road.

443 c. Sheets LP101 and LP102 landscape trees obstructing sight distance at access points
444 shall be removed from the plan sheets. The required sight distance is 305'.

- 445 d. The plans show a 6” water main serving hydrants. The State of Vermont requires 8”
446 for water mains serving all new hydrants. The plans shall be revised accordingly.
- 447 e. The Utility Plan sheets indicate ductile iron water lines on site. The service stubs that
448 will be provided will be C900. The Contractor will have to transition from C900 to
449 ductile iron. The plans shall be revised to include a detail for the transition.
- 450 f. On Sheet CS003 for fire hydrants, private hydrants within the Town are to be painted
451 yellow. A note indicating this requirement shall be included on the plans.
- 452 g. The applicant’s engineer contacted the Town’s consultant to run the Town’s water
453 model on March 4, 2025. The results of the hydraulic analysis were not completed in
454 time for the review of the site plan application. The applicant’s engineer shall submit
455 updated plans with the design modifications needed as a result of the hydraulic analysis
456 to be reviewed by Public Works.
- 457 h. On Sheet CU101, it shows stone line ditching through the access drive at the bottom of
458 the sheet. The plans shall be corrected.
- 459 i. On Sheet CS002 - “Winter Guidelines” notes - Include enhanced reporting
460 requirements for the winter months. “During the winter construction period (October
461 15 through April 15), daily inspections shall be conducted of areas that have been
462 disturbed and are not yet finally stabilized.”
- 463 4. The Town is not a part of Dig Safe and the Town’s Public Works Department shall be
464 contacted 48 hours prior to any excavation.
- 465 5. All new water infrastructure shall be installed in accordance with Sections 514, 515, and
466 516 of the Town’s Standard Specifications for Construction and meet all AWWA
467 requirements. A representative of the Town of Essex Public Works shall witness the
468 installation, connection, and testing of all new water services.
- 469 6. All new sewer infrastructure shall be installed in accordance with Section 512 of the
470 Town’s Standard Specifications for Construction. A representative of the Town of Essex
471 Public Works shall witness the installation, connection, and testing of all new sewer
472 services.
- 473 7. The following water and sewer service fees, or the fees in effect at the time of submittal,
474 shall be paid at the time of submittal of the building permit.
- 475 a. Water: $(2,190 \text{ GPD} \times \$5.90/\text{gal}) + \$2,000 = \$14,921.00$
- 476 b. Sewer: $(2,190 \text{ GPD} \times 10.60/\text{gal}) + \$1,000 = \$24,214.00$
- 477 8. A State stormwater permit and General Construction Permit will be required for the project.
478 Copies of the permits shall be submitted to Public Works.
- 479 9. As per Section 511.4.1 of the Town’s Specifications for Construction, all stormwater pipes
480 shall have a minimum diameter of 18.”

- 481 10. An electronic copy of the plans as may have been revised shall be submitted to the E911
482 coordinator in .PDF file format. Another copy shall be submitted in geodatabase or
483 shapefile in Vermont State Plane Meters, NAD83 (NSRS or most current); alternatively,
484 coordinated CAD data – Vermont State Plane Coordinates, US Survey Feet, Grid Zone
485 4400, NAD 83 (2011) epoch 2010.0, NAVD 88 (geoid12b); alternatively, paper showing
486 three (3) values of State Plane Coordinates.
- 487 11. All utility lines shall be installed underground.
- 488 12. All storm water infrastructure shall be installed in accordance with the specifications and
489 details provided within the *Town of Essex Standard Specifications for Construction*.
- 490 13. At the discretion of the Zoning Administrator, as-built plans shall be submitted to the
491 Community Development Department prior to the issuance of a certificate of occupancy.
- 492 14. No occupancy of the structure shall occur until a certificate of occupancy inspection and
493 sign off is issued by the Zoning Administrator. A copy of the State's occupancy approval
494 shall be filed and attached to the Town's inspection approval.
- 495 15. Prior to the issuance of a Certificate of Occupancy for each building, the E911 address
496 shall be affixed to the building in contrasting colors to be easily visible from the roadway.
- 497 16. Prior to the issuance of a Certificate of Occupancy and for the life of the project thereafter,
498 the applicant shall maintain emergency contact information for the site directly with both
499 the Fire Department and the Police Department.
- 500 17. All landscaping (including existing vegetation shown on the plans) shall be guaranteed for
501 the life of the project. Any dead or diseased plantings shall be replaced as soon as
502 seasonally possible. There shall be no structures built within the 50 ft. buffer area.
- 503 18. All pavement shall be maintained in a state of good repair for the life of the project; any
504 line striping shall be maintained so as to be visible at all times.
- 505 19. All conditions from previous approvals shall remain in effect except as modified by this
506 approval.
- 507 20. The Town's Tree Warden has some remaining concerns regarding plant species selection.
508 Prior to the issuance of a zoning permit, the applicant shall work with the Tree Warden to
509 select species that are satisfactory to the Tree Warden.
- 510 21. By accepting the conditions of this approval without appeal, the applicant confirms and
511 agrees for itself and all assigns and successors in interest that the conditions of this approval
512 shall run with the land and the land uses herein permitted and will be binding upon and
513 enforceable against the applicant and all assigns and successors in interest.

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515 Staff Report submitted by Kent Johnson, Town Planner.

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