



October 6, 2025

Adam Nilson  
Cameo Holdings, LLC  
135 Northside Drive  
Shelburne, VT 05482

**CERTIFIED MAIL**

Re: **SITE PLAN AMENDMENT - DRB #2025-11**  
**3 BUSHEY LANE, ESSEX, VT**

Dear Mr. Nilson:

At its meeting held on October 2, 2025, the Development Review Board (DRB) voted to approve your parking expansion, a new dumpster enclosure, and stormwater treatment upgrades at an existing 20,000 square foot warehouse building located on 2.14 acres at 3 Bushey Lane (FKA 25 Gauthier Drive, Lot 16, Gauthier Industrial Park). The parcel (Tax Map 009, Tax Parcel 003, Tax Lot 016) is in the Industrial (I1) zoning district. The approval is granted with the following Findings and Conditions:

**FINDINGS:**

The Applicant seeks approval of a proposed parking expansion, a new dumpster enclosure, and stormwater treatment upgrades at an existing 20,000 square foot warehouse building located on 2.14 acres at 3 Bushey Lane (FKA 25 Gauthier Drive, Lot 16, Gauthier Industrial Park). The parcel (Tax Map 009, Tax Parcel 003, Tax Lot 016) is in the Industrial (I1) zoning district.

**1. Section 5.2 of the Zoning Regulations: Application Requirements**

The Applicant has submitted the following plans:

- Sheet C1.0, "Existing Conditions Plan," prepared by Civil Engineering Associates, Inc., dated 7/22/25.
- Sheet C2.0, "Proposed Conditions Plan," prepared by Civil Engineering Associates, Inc., dated 7/22/25, revised 8/18/25.
- Sheet C2.1, "Proposed Conditions Plan," prepared by Civil Engineering Associates, Inc., dated 7/22/25.
- Sheet C2.2, "Pond Profile and Details," prepared by Civil Engineering Associates, Inc., dated 7/22/25.

- Sheet C2.3, “Proposed Lighting and Landscaping Plan,” prepared by Civil Engineering Associates, Inc., dated 7/22/25, revised 8/18/25.
- Sheet C3.0, “EPSC Site Plan,” prepared by Civil Engineering Associates, Inc., dated 7/22/25, revised 8/18/25.
- Sheet C3.1, “EPSC Notes and Details,” prepared by Civil Engineering Associates, Inc., dated May 2025.
- Sheet C4.0, “Details,” prepared by Civil Engineering Associates, Inc., dated 7/22/25.
- Sheet C5.0, “Specifications,” prepared by Civil Engineering Associates, Inc., dated 7/22/25.
- Sheet C5.1, “Specifications,” prepared by Civil Engineering Associates, Inc., dated 7/22/25.
- Sheet C5.2, “Specifications,” prepared by Civil Engineering Associates, Inc., dated 7/22/25.

## **2. Section 5.6 of the Zoning Regulations: Site Plan Review**

The purpose of site plan review is to ensure that the layout and design of development on pre-existing or approved lots conform to the Town Plan of record, these Regulations and applicable conditions of previous subdivision and conditional use approvals. Standards specifically relate to the internal layout of a site, its physical design, and the functional integration of the site with adjoining properties, uses and infrastructure. In reviewing site plans, the Planning Commission shall consider and may impose conditions and safeguards only with respect to criteria specified below.

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

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

The project complies with the following policy and goal of the 2024 Essex Town Plan:

Land Use and Development Goal 1a: Essex West is developed as a sub-regional growth center that provides employment opportunities, a diversity of housing opportunities, and retail and personal services.

Specific Economic Development Policies 2(S).1: Assure that new industrial and commercial development occurs within existing industrial and commercial zoning districts.

#### **2. Conform to dimensional limitations and provisions of the Zoning Regulations**

This project is located in the Industrial (I1) zoning district and must conform to the standards listed in Table 2.10 of the Zoning Regulations.

##### **Purpose:**

This area provides for employment opportunities in manufacturing, warehousing, research and development and commercial uses which specifically serve the industries or their employees in areas serviced by good transportation facilities and public utilities. Other uses incompatible with industrial uses, such as residential uses, shall not be permitted for the health, safety and welfare of the community.

**Table 2.10 District Development Standards:**

<b>Dimension</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Maximum Lot Coverage	70%	<b>36%</b>	<b>42%</b>
Parking Requirement	2 spaces per 3 employees	<b>3 spaces</b> (1-3 employees)	<b>19 spaces</b> (28 employees)

Staff comments: the proposed lot coverage increase (for the additional parking lot area), and the increase in parking spaces comply with the requirements.

**3. Adequate protection of public health, safety, and welfare**

In an 8/25/25 email, the Essex Fire Department provided the following comments:

*At a previous fire call to this building, the owners inquired about the possibility of moving the existing fire hydrant from the front parking area down towards the edge of the Bushey Lane and the driveway. Although nothing is mentioned here about moving that hydrant, it is not out of the realm of possibility to move it. This would require dialog with Public Works internally before we present a unified answer back to the Applicant.*

*Fire requests the Applicant verify that their alarm system dials the Essex Town Fire Department for emergencies, and NOT the Essex Junction FD. (NOTE TO STAFF: This will be a requirement moving forward as we have too many alarms and alarm monitoring companies using the wrong emergency phone numbers).*

*With this change in occupancy, and the fact that this building has not paid Impact Fees before, the new Town Fire Impact Fees will apply.*

**4. Outstanding violations**

This parcel does not have any outstanding zoning violations.

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

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

**1. Topography**

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

Staff comments: The proposed changes would minimally impact the site.

**2. Steep Slopes**

The regulations state that, “Development is discouraged on slopes of 15 percent or steeper due to the likelihood of erosion and stormwater runoff problems. Development shall be prohibited on slopes of 20 percent and steeper due to the likelihood of environmental damage.”

Staff comments: Steep slopes are present on the site, but the expansion of the existing parking lot and creation of new parking lot will not encroach into the steep slope areas.

**3. Surface Waters and Wetlands**

None present.

**4. Renewable Energy**

Staff comments: The Applicant has not proposed utilization of renewable energy. The proposal would not impact the ability of neighboring properties to use renewable energy.

**5. Open Space** - Maximize protection of open space in Essex’s rural areas. Clustered development with protected open space is preferred over dispersed development that fragments open space.

Staff comments: Protecting open space is not a component of the Applicant’s proposal, and is not a requirement since this site is not in a rural area.

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

In a memo dated 9/16/25, Public Works provided the following comments:

**Traffic:**

*1. On Sheet C4.0 (Details), the Typical Pavement Section should have 24” of dense graded crushed stone. See Driveway (Type B) detail number 100.11 (A-11) in the Town of Essex Standard Specifications for Construction.*

*2. On Sheet C4.0 (Details), the Curb w/ Sidewalk Detail should have a curb reveal of 7”. See Concrete Curb detail number 100.07 (A-7) in the Town of Essex Standard Specifications for Construction.*

*3. On Sheet C4.0 (Details), the Concrete Sidewalk Detail includes a leader stating 8” thick at driveway crossings, however the plans do not show a location that the sidewalk crosses the driveway. The Applicants’ engineer shall add the proposed sidewalk driveway crossing to the plans or remove the text from the leader on the detail.*

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

The site circulation will be changed due to the proposed addition of a 4-space parking lot on the north side of the building. Access to this parking lot will be via the gravel access drive along the east side of the building.

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

Off-street parking:

There are currently three parking spaces present for employees. The new tenant expects to have approximately 28 employees and is proposing to add 15 new parking spaces for a total of 19 parking spaces. ZR Table 3.3 lists off-street parking space requirements, which are based on use type. For uses including manufacturing, light manufacturing warehouse, storage and distribution facilities, wholesale establishments, and machinery repair facilities parking requirements can be calculated in two ways: 1 space for every 400 gross SF of floor space or 2 spaces for every 3 employees. The Applicant has selected the second approach so that 19 parking spaces would serve approximately 28 employees (calculated to serve 27 employees), which staff finds to adequately comply with the regulations.

Accessible (ADA) parking:

ZR Table 3.4 lists ADA standards for accessible parking. The Applicant is proposing one accessible parking space out of the 19 parking spaces, which complies with the regulations.

Off-street loading requirements:

ZR 3.9(J) describes the Off-Street Loading requirements which states:

For every building hereafter erected, altered, extended, or changed in use for the purpose of business, trade or industry, there shall be provided paved off-street loading space for loading and unloading vehicles as set forth below:

(2) Wholesale, Manufacturing, Warehousing and Trucking uses-one (1) space of at least 1,000 square feet for each 10,000 square feet of gross floor area.

Staff comments: Deliveries vehicles currently utilize the driveway area proximate to the main doors. The Applicant proposes to continue with the current method of accommodating delivery vehicles. Based on the building's 20,000 square foot size, two spaces of at least 1,000 square feet would be required. The driveway area (without including the parking spaces) exceeds 2,000 square feet, which satisfies the requirements.

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

The Zoning Regulations states that the DRB may require planting and other landscaping in order to achieve the objectives of the Regulations and the Town Plan. The DRB shall consider and may impose requirements with regard to the adequacy of landscaping, screening and setbacks to achieve maximum compatibility and protection of adjacent

properties, including size, variety, number and location of trees, front yard green space, other buffer yards, and screening outside of storage areas or other unsightly areas from public streets and/or adjoining properties.

Staff comments: Plan Sheet C2.3 shows a small number of proposed landscaping changes, which include the addition of 10 new shrubs. A 12” oak and a 14” oak currently exist between the dumpster and infiltration basin. When the infiltration basin is enlarged, the Tree Warden believes that the oaks will require removal. The Applicant’s intention is to retain the two trees if possible. The Tree Warden has these additional comments:

1. The Applicant should verify that the shrubs are not placed too close to the dumpster.
2. The shrubs near the new parking lot should be at least 36” from the asphalt.
3. The Shrub Planting Detail should indicate that the bark of the shrub is not touched by the mulch, and that the root flare needs to be exposed (not buried).

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

The Zoning Regulations call for an exterior lighting plan that provides “site lighting and lighting levels that are appropriate for the anticipated activities on the site and the property’s surrounding context, and that maximize the efficiency of site lighting and energy demand, while minimizing up-light glare, and unnecessary spillover light or light diffusion onto adjacent properties.”

Staff comments: Two wall-mounted lights are currently present; those two lights are proposed to be replaced and two additional lights are proposed for a total of four lights. The provided lighting plan on Sheet C2.3 complies with ZR Section 5.6(G) requirements.

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

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

In a memo dated 9/16/25, Public Works provided the following comments:

##### ***Water and Sewer:***

1. *The current building has a total of 100 GPD of purchased water and sewer allocation. The Applicant shall verify the number of employees for the warehouse as this project will likely require the approval and purchase of additional allocation. For the category of use for an industrial/warehouse, the allocation will be 15 GPD per person per shift. The approval of this application should be conditioned on the approval of additional allocation by the Selectboard.*
2. *Bollards shall be installed around the existing hydrant between the new parking spaces for protection.*

***Stormwater:***

- 1. A copy of the Applicants' State Stormwater Permit and General Construction Permit shall be submitted to Public Works prior to commencement of construction.*
- 2. EPA issued the Lake Champlain Phosphorus Implementation Plan, which calls for higher levels of phosphorus removal for all stormwater discharges to the Lake or in tributaries. Because of this Plan, the Applicant will need to provide the pounds of phosphorus to be removed by the proposed system to Public Works.*
- 3. The plans do not show the outlet location of the 12" HDPE from the outlet structure at the infiltration sand basin.*
- 4. Proposed deep sump catch basin #2 has a 12" PVC pipe connection. The existing 12" PVC pipe is not shown on the plans. It is unclear where the existing pipe is located and where the stormwater flows to. The infiltration sand basin includes a 12" PVC outlet into the basin, however the full length of the pipe is not shown on the plans. It is unclear if this 12" PVC pipe that outlets at the basin is the same 12" PVC pipe to be connected to proposed deep sump catch basin #2.*
- 5. On Sheet C2.2 (Pond Profile and Details), the Deep Sum Catch Basin detail should have a 12" minimum crushed stone subbase. See Catch Basin detail number 200.02 (A-15) in the Town of Essex Standard Specifications for Construction.*
- 6. The line type for Proposed Swale and Existing Swale are the same. It is unclear where swales are proposed. Additionally, the Grass Channel detail on Sheet C4.0 (Details) states the bottom width of the grass channel is on the site plans. However, the site plans do not state the bottom width. The minimum bottom width of the grass channel shall be 12-inches. See Drainage Swales detail number 200.06 (A-19) in the Town of Essex Standard Specifications for Construction.*

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

See comments from the Fire Department in above Finding 4 (A) 3

**CONDITIONS:**

1. A Zoning Permit and all associated fees shall be required prior to any site work and the permit posting shall be posted by the roadside during the appeal period and during construction.
2. A Certificate of Occupancy shall be scheduled with the Zoning Administrator prior to occupancy and a copy of the State occupancy shall be provided at that time.
3. All construction shall be in conformance with the plans listed above as may be amended herein. Three (3) hard copies of the final, approved plans shall be submitted to Community Development.
4. All conditions from previous approvals shall remain in effect except as modified herein.

5. Comments from the Public Works Department and the Fire Department mentioned in the report above shall be addressed to the satisfaction of those two departments prior to the issuance of a zoning permit, these comments include:
  - a. The plans require the following revisions:
    - i. On Sheet C4.0 (Details), the Typical Pavement Section shall have 24” of dense graded crushed stone.
    - ii. On Sheet C4.0 (Details), the Curb w/ Sidewalk Detail shall have a curb reveal of 7”.
    - iii. On Sheet C4.0 (Details), the Concrete Sidewalk Detail includes a leader stating 8” thick at driveway crossings, however the plans do not show a location that the sidewalk crosses the driveway. The Applicants’ engineer shall add the proposed sidewalk driveway crossing to the plans or remove the text from the leader on the detail.
    - iv. The plans shall show the outlet location of the 12” HDPE from the outlet structure at the infiltration sand basin.
    - v. Proposed deep sump catch basin #2 has a 12” PVC pipe connection. The existing 12” PVC pipe is not shown on the plans. It is unclear where the existing pipe is located and where the stormwater flows to. The infiltration sand basin includes a 12” PVC outlet into the basin, however the full length of the pipe is not shown on the plans. It is unclear if this 12” PVC pipe that outlets at the basin is the same 12” PVC pipe to be connected to proposed deep sump catch basin #2. This issue shall be addressed to the satisfaction of Public Works.
    - vi. On Sheet C2.2 (Pond Profile and Details), the Deep Sum Catch Basin detail shall have a 12” minimum crushed stone subbase.
    - vii. The line type for Proposed Swale and Existing Swale are the same. It is unclear where swales are proposed. Additionally, the Grass Channel detail on Sheet C4.0 (Details) states the bottom width of the grass channel is on the site plans. However, the site plans do not state the bottom width. The minimum bottom width of the grass channel shall be 12-inches.
  - b. The Applicant shall verify the number of employees for the warehouse as this project will likely require the approval and purchase of additional allocation. The approval of this application shall be conditioned on the approval of additional allocation by the Selectboard. Per the Public Works memo dated 9/16/2025, the water and sewer service fees to be determined by Public Works, shall be paid at the time of submittal of the building permit.
  - c. Prior to the issuance of a Certificate of Occupancy, bollards shall be installed around the existing hydrant between the new parking spaces for protection.

- d. A copy of the Applicants' State Stormwater Permit and General Construction Permit shall be submitted to Public Works prior to commencement of construction.
  - e. EPA issued the Lake Champlain Phosphorus Implementation Plan, which calls for higher levels of phosphorus removal for all stormwater discharges to the Lake or in tributaries. Because of this Plan, the Applicant will need to provide the pounds of phosphorus to be removed by the proposed system to Public Works.
  - f. The Applicant shall verify that their alarm system dials the Essex Town Fire Department for emergencies, and NOT the Essex Junction FD.
6. Town Fire Impact Fees shall apply and shall be paid at the time of submittal of the zoning permit.
  7. A State stormwater permit and General Construction Permit will be required for the project. Copies of the permits shall be submitted to Public Works and the Zoning Administrator.
  8. All lighting shall be installed and maintained as shown in the plans. All exterior lighting shall be fully shielded in such a manner as to conceal light sources and reflector/refractor surfaces from view beyond the perimeter of the area to be illuminated. No wall mounted lights or additional lights beyond those shown on the approved Site Plan shall be installed on the site without DRB approval. All light fixtures shall be complete cutoffs with an illumination angle of no more than 90°.
  9. An electronic copy of the plans as may have been revised shall be submitted to the E911 coordinator in .PDF file format. Another copy shall be submitted in geodatabase or shapefile in Vermont State Plane Meters, NAD83 (NSRS or most current); alternatively, coordinated CAD data – Vermont State Plane Coordinates, US Survey Feet, Grid Zone 4400, NAD 83 (2011) epoch 2010.0, NAVD 88 (geoid12b); alternatively, paper showing three (3) values of State Plane Coordinates.
  10. All utility lines shall be installed underground.
  11. All storm water infrastructure shall be installed in accordance with the specifications and details provided within the Town of Essex Standard Specifications for Construction.
  12. As-built plans, if required by the Zoning Administrator, shall be submitted to the Community Development Department prior to the issuance of a certificate of occupancy.
  13. Prior to the issuance of a Certificate of Occupancy for each building, the E911 address shall be affixed to the building in contrasting colors to be easily visible from the roadway, and by the roadside and maintained for the life of the project
  14. No occupancy of the structure shall occur until a certificate of occupancy inspection and sign off is issued by the Zoning Administrator.

15. Prior to the issuance of a Certificate of Occupancy and for the life of the project thereafter, the Applicant shall maintain emergency contact information for the site directly with both the Fire Department and the Police Department. The Applicant shall install and/or maintain a Supra Key Box, with current emergency contact information.
16. All landscaping (including existing vegetation shown on the plans) shall be guaranteed for the life of the project. Any dead or diseased plantings shall be replaced as soon as seasonally possible.
17. All pavement shall be maintained in a state of good repair for the life of the project; any line striping shall be maintained so as to be adequately visible at all times.
18. By accepting the conditions of this approval without appeal, the Applicant confirms and agrees for itself and all assigns and successors in interest that the conditions of this approval shall run with the land and the land uses herein permitted and will be binding upon and enforceable against the Applicant and all assigns and successors in interest. All conditions from previous approvals shall remain in effect except as modified by this approval.

This decision may be appealed to the Vermont Environmental Court pursuant to Section 7.4 of the *Town of Essex Official Zoning Regulations* and 24 V.S.A. § 4471. Any appeal must be filed by certified mail to the Environmental Court and by mailing a copy to the Essex Town Clerk within 30 days of the date of this approval.

**TOWN OF ESSEX DEVELOPMENT REVIEW BOARD:**

By:   
\_\_\_\_\_  
**Ian Carroll, Chairman**

G:\DRB\APPROVAL\ Bushey Ln 3 Site Plan Amend OCT2025