



O'Leary-Burke Civil Associates, PLC

CIVIL ENGINEERING | REGULATORY AND PERMIT PREPARATION | LAND SURVEYING | CONSTRUCTION SERVICES | LAND USE PLANNING

November 4, 2025

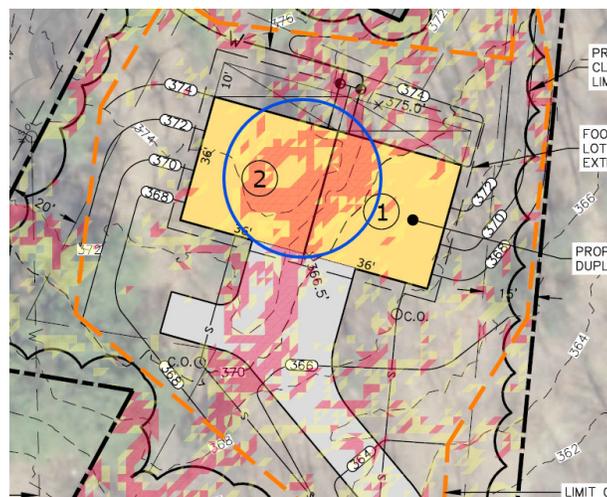
Sharon Kelley
Zoning Administrator
81 Main Street
Essex Junction, VT 05452

RE: Ely Family, LLC – Mixed Use Development
Prelim/Final Minor Subdivision/Site Plan Amendment – **DPW Responses**
45 River Road, Essex, VT

Dear Sharon:

We are writing on behalf of Ely Family, LLC (c/o Ray Ely) in response to the September 4th, 2025 Development Review Board hearing where the combined Preliminary/Final Minor Subdivision and Site Plan Amendment application at 45 River Road was continued. Please find the DPW comments dated 8/27/25 copied on the next page with responses provided.

In addition to DPW comments, the plans have been revised to include a new light pole in the rear of the parking lot adjacent to the curb cut for the duplex. Building mounted lights on the proposed addition have also been included to provide further lighting to the rear and eastern side of the building. Additional signage has also been included for the loading area. Photos have been included of junk found around the “steep slope” portion of the property where the duplex is being proposed along with a photo of the property dating back to 1967 has also been included for historical context. These items were found in the circled area below. The irregular rectangular portion of the rear of the property was due to the land being utilized by the Village of Essex Jct. as part of the water distribution system. We believe the junk in the photos is related to the dismantling of that system and portions of the previous infrastructure being buried on the property.



Traffic

1. *The applicant shall submit a copy of the Highway Access Permit and any other approvals from VTrans District 5 regarding the curb cut and sight distance.*

Attached.

2. *Per Section 220 of the Town of Essex Standard Specification for Construction, a traffic study will be required due to the commercial building expansion.*

Please see attached email response from DPW stating a TIA is not required.

3. *The Driveway (Type A) detail on Sheet 2 identifies 12" thick gravel. However, per detail 100.10 (Driveway Type A) in the Town of Essex Standard Specifications for Construction, the gravel should be 24" thick. Also, this detail should include 2" thick type III bituminous concrete pavement.*

The Town's Type A driveway detail has been included on Sheet 2. A note stating the Fire Department is requiring the driveway to be constructed at 20' wide has been included as note #2. The Applicant understands the DPW detail and Fire Depts comments are conflicting, but has chosen to satisfy the Fire Dept in regards to the width of the driveway.

4. *A leader on Sheet 3 identifies a "proposed 14' wide shared driveway". The driveway is identified as 20' on Sheet 1. Additionally, note 2 of the Driveway (Type A) detail on Sheet 2 states the minimum and maximum width of the drive, this does not match the width of the driveway on Sheet 1.*

The note on Sheet 3 has been updated. See response above.

5. *The "existing gravel area" on the southeast side of the parcel, proposed to be utilized as a part of the drive access to the new duplex, should be paved and based on the required driveway standards.*

The gravel portion of the drive on the eastern side of the building will be paved 15 feet beyond the existing pavement edge. Please refer to Sheet 3.

Water/Sewer

1. *All connections to the Town of Essex water system must adhere to Section 514, Potable Water Specifications, of the Town of Essex Standard Specifications for Construction. A representative of the Town of Essex Public Works Department shall witness all connections to the Town's water system.*

OK.

2. *Sheet 1 identifies the "approx.. location of existing 10" D.I. water service". This is a water main line, not a service line.*

The note has been revised on Sheet 3.

3. *The Typical Water Trench detail on Sheet 2 should match detail 400.01 (Water Trench) in the Town of Essex Standard Specifications for Construction.*

The water trench detail on Sheet 2 has been updated to the Town detail.

4. *A leader on the Water Service Connection detail on Sheet 2 described PVC water mains, however the water main is identified as D.I. on Sheet 1. See detail 400.05 (Water Service Connection) in the Town of Essex Standard Specifications for Construction for information to be included regarding D.I. water mains.*

The water service connection detail has been updated to include a DI direct tap corporation.

5. *According to Section 10.12.140 of the Town's Water Ordinance, a separate and independent corporation stop and curb stop with valve box shall be provided for every building with a non-shared building entrance and single vertical living units. The duplex*

shall have two separate and independent corporation stops and curb stops with valve boxes. A single water service is not acceptable. New curb stops shall be located at the edge of the 20-foot permanent waterline easement.

Two separate water services have been included for the proposed duplex, see Sheet 1. Please refer to Sheet PL1 for water service easement off CWD main to water shut offs.

- 6. All connections to the Town of Essex sewer system must adhere to Section 512, Sanitary Sewer Specification, of the Town of Essex Standard Specifications for Construction. A representative of the Town of Essex Public Works Department shall witness all connections and work performed on existing sewer infrastructure.*

OK.

- 7. On Sheet 1, Public Works recommends installing sewer manholes rather than the proposed clean out located northeast of the store and the proposed clean out located north of the previously described clean out. A sewer manhole detail shall be included in the plans, see detail 300.01 and 300.02 (Sanitary Sewer Manhole and Sanitary Sewer Manhole Invert) in the Town of Essex Standard Specifications for Construction.*

While we understand DPW is recommending a SMH, the Applicant will abide by the State Wastewater System and Potable Water Supply rules which require cleanouts every 100 feet for longer sewer service runs and bends.

- 8. The Typical Sewer Trench detail provided on Sheet 2 does not include information regarding the width of the trench. See detail 300.04 (Sanitary Sewer Trench (Gravity)) in the Town of Essex Standard Specifications for Construction.*

The Town Sewer Trench detail has been added to Sheet 2.

- 9. For the purpose of purchasing water and sewer allocation, Public Works used Table 10.12.380 of the Town's Water Use Ordinance to calculate the total demand for the project as proposed. Public Works calculated the water and sewage usage for the proposed duplex to be 140 GPD per unit or 280 GPD for the proposed duplex. Additionally, Public Works calculated the water and sewage usage for the proposed 990 SF building addition to be 4 GPD per 100 SF or 40 GPD. The applicant currently has 500 GPD of purchased sewer allocation for the existing gas station and convenience store. With the addition of the duplex and building addition, the applicant will be required to apply for an additional 320 GPD to meet the required allocation above. The application will require Selectboard approval. Once approved, the applicant will purchase the allocation in the amount calculated below.*

The residential portion look OK. The commercial addition is mostly for freezer space. We do not expect the commercial addition to contribute to additional employees, kitchen appliances using water, or other uses that would cause the water/sewer use of the building to increase. We request the total allocation increase for the property to be 280 gpd. Understood on Selectboard approval.

- 10. If the applicant receives an additional sewer allocation from the Selectboard, the water and sewer connection fees have been estimated below using the current fees.*

Water: (320 GPD x \$5.90/gal) + \$1,000 = \$2,880.00

Sewer: (320 GPD x \$10.60/gal) + \$1,000 = \$4,392.00

Total = \$7,280.00

If the water and sewer fee schedule changes, then the fee charged shall be the fee in effect at the time of the submittal for building permit.

Understood. See comments above.

Stormwater

1. *It does not appear that stormwater management has been considered for this project. A copy of the applicant's State Stormwater Permit and General Construction Permit shall be submitted to Public Works prior to commencement of construction.*

The jurisdictional trigger for a State Operational Stormwater Requirements for previously developed sites is 1 acre of total impervious. The total impervious on this site after all improvements have been made is 0.72 acres, therefore, the impervious associated with the project is considered de-minimis and no operational stormwater requirements apply to the project.

The jurisdictional trigger for a State Construction General Permit is 1 acre of total disturbance. The project is proposing to impact less than 0.5 acre. Due to the minimal impact to 'steep slopes', the Applicant is voluntarily electing to apply for a Low-Risk Construction General Permit for project to satisfy concerns from the Development Review Board. The Applicant is OK with a condition of approval stating that a Construction General Permit shall be required prior to building permit issuance.

2. *EPA issued the Lake 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.*

No Stormwater system is proposed. See above.

3. *On sheet 3, the leader for the construction fence references a detail, however no detail for construction fencing is proposed*

A more descriptive note has been included on Sheet 3 for the construction fence.

Please find the following information attached:

1. VTrans Highway Access Permit;
2. Onsite Junk Photos;
3. 1967 Photo of Lot;
4. DPW Traffic Response Email 9-24-25
5. Revised Plan Sheets last revised 11/4/25;
 - a. Sheet 1 – Site Plan
 - b. Sheet 2 – Construction Details
 - c. Sheet 3 – EPSC Plan
 - d. Sheet 4 – Lighting Plan (new plan)
 - e. Sheet PL1 – Subdivision Plat
 - f. Exhibit #1 – Parking & Circulation Plan

Sincerely,

Bryan Currier

Bryan Currier, PE