



Town of Essex
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January 29, 2026

David Shenk
Shenk Enterprises, LLC
PO Box 4132
Burlington, VT 05406

CERTIFIED MAIL

Re: **SITE PLAN - DRB #2026-02**
55 THOMPSON DRIVE, ESSEX, VT

Dear Mr. Shenk:

At its meeting held on January 15, 2026, the Development Review Board (DRB) voted to approve your site plan for a commercial warehouse and associated parking at 55 Thompson Drive, Essex. The approval is granted with the following Findings and Conditions:

FINDINGS:

1. Proposal

The proposal is for a 41,250 sq. ft. commercial warehouse building with associated access drive and parking lot at 55 Thompson Drive (Parcel ID 2-072-011-000) located in the Resource Preservation – Industrial District (RPD-I) zone. The lot is approximately 8.86 acres, is currently vacant, and has class II wetlands on the northern portion of the parcel.

A total of thirty employees are proposed for the building which will require 450 GPD of water and sewer (30 employees x 15 GPD/employee).

Parking has been proposed with a front parking area of 21 spaces and rear parking area of 13 spaces for a total of 34 spaces. The proposed use will generate an estimated 7 PM peak hour trips according to the ITE Trip Generation Manual, 11th Edition. Parking computations in accordance with Town regulations produced 20 or 103 spaces.

The 50-foot front buffer along Thompson Drive is only proposed to be cleared in the areas needed for the access driveway and utilities, which does not require a waiver.

The parcel contains some existing trails. In similar fashion to what was agreed to when developing 35 Thompson Drive, the Applicant is open to consideration a deeded access granted to the Town of Essex along the northwest portion of the property to connect to existing Town-owned lands.

TOWN MANAGER	PARKS AND RECREATION	COMMUNITY DEVELOPMENT	PUBLIC WORKS	ASSESSOR	FINANCE	TOWN CLERK	LIBRARY	FIRE	POLICE
878-1341	878-1342	878-1343	878-1344	878-1345	878-1359	879-0413	879-0313	878-5308	878-8331

The site will be substantially cleared to provide access, utility infrastructure, building construction, and associated parking and drives. This includes a portion of developable land on the north side of the parking lot that, while not currently proposed for development, will be cleared and established as lawn for potential future consideration. It is anticipated this can be used as either outside storage, additional parking if needed or potentially a future building site.

2. Article V, Section 5.6 of the Zoning Regulations: Site Plan Review

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

The Applicant has submitted the following plans:

- Sheet 1, "Site Plan," prepared by O'Leary-Burke Civil Associates, PLC, dated 10/15/25, revised 12/3/25.
- Sheet 2, "Lighting Plan," prepared by O'Leary-Burke Civil Associates, PLC, dated 10/15/25, rev. 12/3/25.
- Sheet 3, "Landscaping Plan," prepared by O'Leary-Burke Civil Associates, PLC, dated 10/15/25, rev. 12/3/25.
- Sheet 4, "Erosion Prevention & Sediment Control Plan," prepared by O'Leary-Burke Civil Associates, PLC, dated 10/15/25, rev. 12/3/25.
- Sheet 5, "Water Details Sheet," prepared by O'Leary-Burke Civil Associates, PLC, dated 12/3/25.
- Sheet 6, "Sewer Details Sheet," prepared by O'Leary-Burke Civil Associates, PLC, dated 12/3/25.
- Sheet 7, "Roadway Details," prepared by O'Leary-Burke Civil Associates, PLC, dated 10/15/25, rev. 12/3/25.
- Sheet ST1, "Stormwater Management," prepared by O'Leary-Burke Civil Associates, PLC, dated 10/15/25, rev. 12/3/25.
- Sheet EX1, "Recreation & Conservation Plan," prepared by O'Leary-Burke Civil Associates, PLC, dated 12/23/25 (submitted 1/6/26).

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

1. Conformance with the Essex Town Plan

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

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

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

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

2. Dimensional limitations and provisions of the Zoning Regulations

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

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

i. Purpose

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

ii. Permitted and Conditional Uses

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

iii. District Dimensional Requirements

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

Dimensional Requirements	Required	Proposed
Minimum Lot Area – Nonresidential	40,000 sq. ft.	376,800 sq. ft.
Minimum Lot Frontage	200 ft.	540 ft.
Minimum Front Setback (from ROW)	50 ft.	>50 ft.
Minimum Side Setback	25 ft.	27 ft.
Minimum Rear Setback	25 ft.	35 ft.
Minimum Buffer to Residential Districts	200 ft.	N/A
Maximum Lot Coverage – All	60 %	23 %
Maximum Height	40 ft.	< 40 ft.

iv. District Development Standards

The proposed project design complies with the District Development Standards.

3. Protection of public health, safety, and welfare

In a 11/17/25 email, the Essex Fire Department provided the following comments:

I would request a final floor plan for the building once they get that finished so we can incorporate that as a Pre-Plan into our newly acquired FirstDue software.

Note: Town of Essex Fire Impact Fees apply and shall be paid at the time of submittal of the zoning permit.

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.”

Extensive vegetation removal and grading is proposed to occur to clear and level the site for buildings, paved circulation areas, and stormwater treatment basins. The 50-foot-wide wetland buffers are not shown to be impacted.

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.”

Regulations require the identification of steep slopes (over 15%) within the project. The Applicant has provided mapping of the site that identifies slopes as measured every 2-foot contour, and also an overall slope calculation in both north-south and east-west directions. Utilizing the NS/EW method, there is less than 5% gradation change over the entire disturbed site measured at the most conservative location. However, within the proposed site there are areas that contain both 15%-20% and areas with slopes greater than 20%. Most of these slopes are located along the leading edge of the proposed loading dock area where the final grade will have a 4-foot change to achieve a loading dock arrangement. The natural contours of the site align with the final grading of the building and associated parking. In addition, the final grading of the site will eliminate some existing steep slopes thus yielding a more level site and reducing the amount of steep slopes within the parcel.

The Applicant’s cover letter states:

Regulations require the identification of 15%-20% slopes within the project. While the regulations do not identify how this is to be calculated, we have provided mapping of the site that identify slopes as measured every 2’ contour and also an overall slope calculation in both North-South and East-West directions. Utilizing the NS/EW method, there is less than 5% gradation change over the entire disturbed site measured at the most conservative location. However, within the proposed site there are areas

identified that show undulations that contain both 15% & 20% slope changes. Most of these slopes are located along the leading edge of the loading dock area where the final grade will have a 4' delta to achieve a loading dock arrangement. The natural contours of the site fit well with the final grading of the building and associated parking. In addition, the final grading of the site will eliminate existing 15-20% slopes thus yielding a more level site and reducing the amount of steep slopes within the parcel.

The Applicant has not provided a waiver request for the DRB's consideration. In the proposed design, steep slopes would be reduced or eliminated where impacted by the building, parking lot, and the open area north of the parking lot. Though not specifically addressed in the regulations, the proposed reduction or elimination of steep slopes may be acceptable to the DRB and may not require a waiver.

3. Surface Waters and Wetlands

The property contains surface waters and wetlands which are protected by a 50-foot-wide buffer. Development related to the Applicant's use of the site would not encroach into the buffer area. The proposed Town easement would allow trail development and use within the buffer area in accordance with State regulations.

4. Renewable Energy

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

Previous approvals have long-indicated an intention to maintain access to the pond area and the existing trails, as summarized below.

Forestdale Heights' attorney, in a letter dated 10/1/91, provided a draft of the proposed easement language to the Town for review. The draft language included: "Easement to Town to the Pond and a 50' Strip Around the Pond." and, "This Deed conveys to the TOWN and its Successors and assigns the right to use the lands and premises subject to said easement for purposes of pedestrian and non-motorized ingress and egress for recreational and conservation purposes only."

The Town's attorney (Bob Perry) reviewed the draft easement language and provided to Town staff the following recommendations in a letter dated 10/8/91:

- After the text that reads: "Easement to Town to the Pond and a 50' Strip Around the Pond" the following additional text should be added: "15' Strip referenced thereon as '7.5' easement from each side of property line from Thompson Dr. to Pond for access to Pond."
- To clarify the language because the Town already owned some of the land around the pond, the following additional text was recommended: "Said easement, with a width of 50 feet, also extends from the westerly

sideline of Lot C5-A in a westerly a southwesterly direction around the Pond to land now owned by the Grantee.”

- After the text that reads: “This Deed conveys to the TOWN and its Successors and assigns the right to use the lands and premises subject to said easement for purposes of pedestrian and non-motorized ingress and egress for recreational and conservation purposes only.” the following additional text should be added: “together with the right to construct, maintain, repair and improve a trail and erect signs.”

On 10/10/91, Town staff conveyed the above recommendations to the Applicant by phone and sent a copy of the recommendations to the Applicant in a letter dated 10/10/91. Excerpts from the letter include: “Please change the deed to reflect the language that Bob Perry has suggested and have the deed executed. ... Once the new deed is executed send them back to me and I will record them.”

No additional correspondence has been found by staff after the above letter. Staff presume that either no revised deed was submitted or, if submitted, it was not recorded. The deed language currently (2026) existing in the land records is dated 9/13/91, which is after the PC approval and prior to the Town attorney’s review detailed above.

This discrepancy seems to have been uncovered in 2022 when the owner of 35 Thompson Drive (now Shenk Enterprises, LLC) sought Site Plan approval to develop that parcel. The associated Staff Report dated 4/14/22 stated: “...prior approvals required conveyance of non-motorized recreation easements to the Town providing access to the pond south of the parcel. These easements were not properly recorded when the parcels were originally subdivided, and existing trails on the site would be impacted by the proposed development. This must be resolved prior to approval.” The Planning Commission on 4/14/22 issued the following Condition of Approval: “Applicant shall work with the staff and the Town to resolve historical easements that are referenced in the land records and for which some deeds appear to not have been properly recorded. The Applicant will modify the property plat to create a 50-foot non-motorized recreation and conservation easement to reflect 50 feet from the current high-water mark running east to west starting along the southeastern property line at Thompson Drive.”

After the 4/14/22 PC meeting, staff have not found evidence that the Applicant subsequently worked with Town staff to address the easement discrepancies as required by the PC. The 35 Thompson Drive parcel has not been developed yet, so has not sought a certificate of occupancy yet. Prior to issuance of the certificate of occupancy, resolution of the easement issues is required.

Identical easement issues plague the 55 Thompson Drive parcel, plus a 15’-wide easement encroaching 7.5’ into the west and south sides of the lot is

involved as well. Since both parcels are owned by the same owner, and the owner and Town staff are eager to resolve the easement issues, corrective language is proposed in this Staff Report on lines 236-274 below for the DRB's consideration, and eventual attorney review.

Two easement options are provided: an option developed by Town staff that follows the extent of the 50-foot wetland buffer, and an option provided by the Applicant that is 50 feet from the high-water mark.

Option 1:

Town staff from Community Development and Parks & Recreation propose the following for the DRB's consideration, and subsequent attorney review:

The easement to the Town is for the purpose of pedestrian and non-motorized (legal e-bikes allowed) ingress and egress for recreational and conservation purposes, together with the right to construct, maintain, repair and improve trail segments and erect and maintain signs. The land composing the easement is recommended to consist of three elements (and see Figure 1 below):

- a. The contiguous area within the outside perimeter of the 50-foot wetland buffer shown in the most recent State of Vermont Agency of Natural Resources' (ANR) data around the pond and proximate wetlands along the west and north sides of 55 Thompson Drive and along the south side of 35 Thompson Drive. This boundary may be re-delineated by ANR in the future as requested by owners of either parcel or by the Town. To facilitate a feasible trail alignment and minimize environmental impacts, the outside perimeter of the easement area is recommended to follow the 492' elevation contour line in the northwest corner of the 55 Thompson Drive parcel.*
- b. When the above contiguous area fails to provide at least 50 feet of Thompson Drive frontage on both parcels, the following shall be in effect: An easement 100 feet wide equally straddling the two parcels to span the gap that may exist between the Thompson Drive right-of-way and the wetland buffer to the west. Within this 100-foot width, a 15-foot-wide floating trail easement is proposed. Land within the 100-foot easement and outside of the 15-foot floating easement is recommended to be conserved for the purposes of a wildlife corridor.*
- c. As illustrated on the plat for lots C5-A and C5-B, a 15-foot-wide strip of land straddling the southern and western property lines of 55 Thompson Drive so as to provide access from the Thompson Drive right-of-way to the pond.*

David Shenk, Shenk Enterprises, LLC
 Site Plan – DRB #2026-02
 55 Thompson Drive, Essex
 January 29, 2026

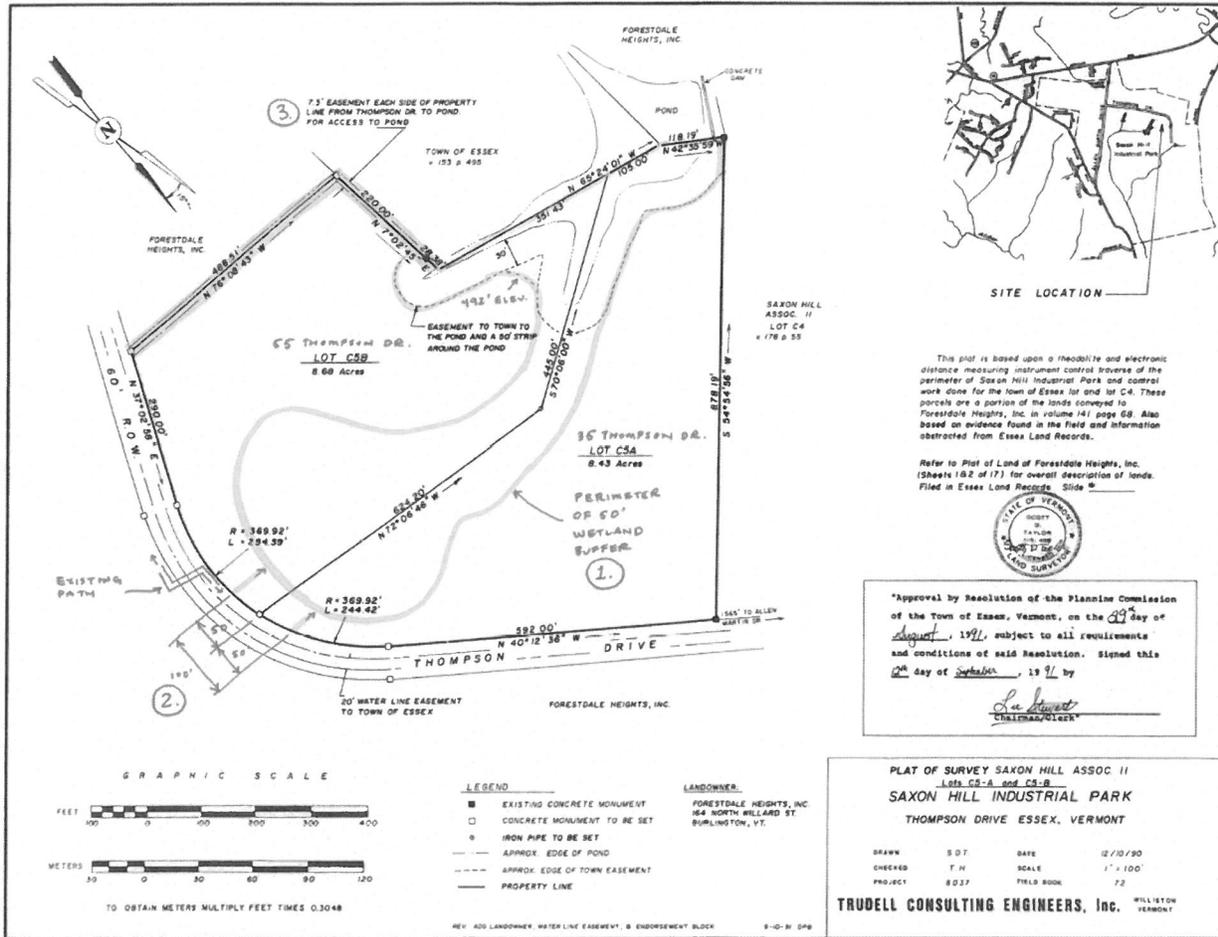


Figure 1: Locations of easements proposed by staff in lines 239-262 above are shown on the Plat filed in 1991 as Slide #258 in the Town of Essex Land Records.

Option 2:

The Applicant proposes an easement area that extends to 50 feet beyond the high-water mark along the sections of the pond that border 35 and 55 Thompson Drive. This area aligns with approvals from 1991 that were never properly filed. However, this proposal does not include the 15-foot-wide easement along the south and west edges of the 55 Thompson Drive parcel. See Figure 2 below.

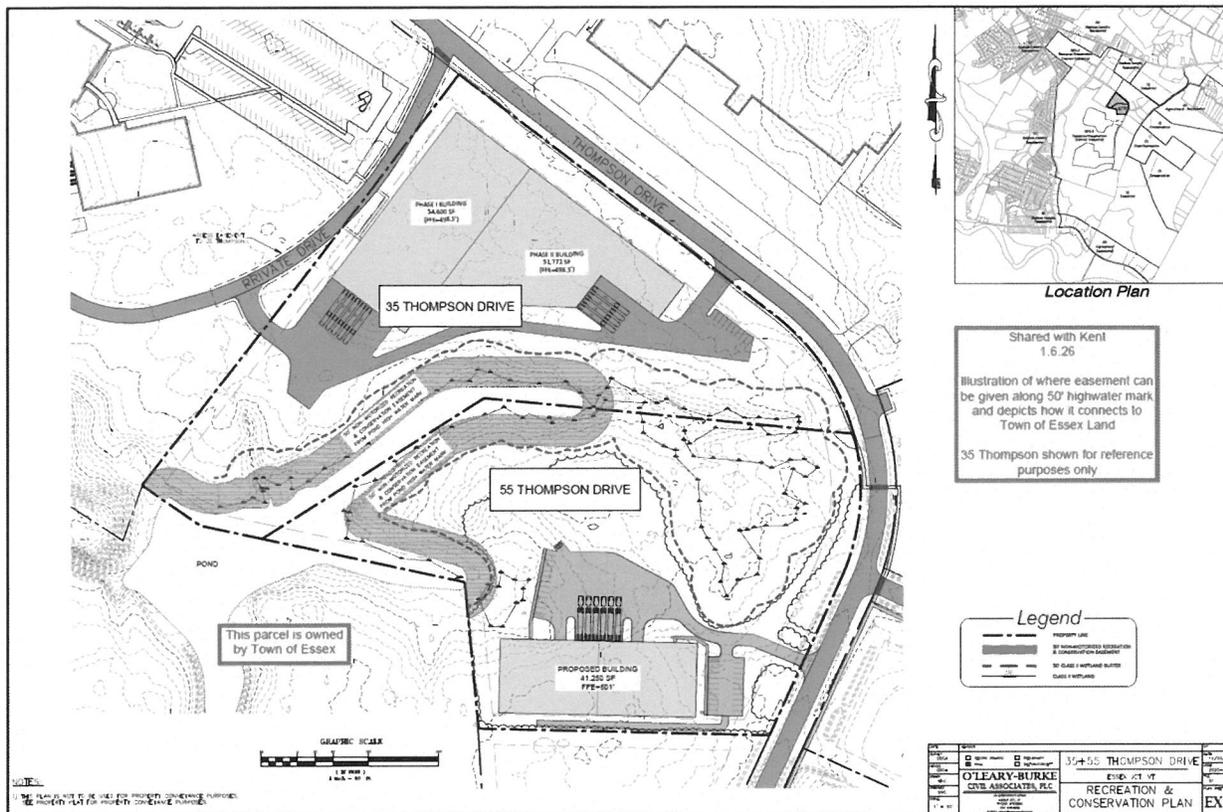


Figure 2: The Applicant's easement proposal.

Comments from the Parks & Recreation Department and the Conservation and Trails Committee:

In an email dated 11/13/25, the Parks & Recreation Department provided the following comments:

On behalf of Essex Parks & Recreation, in consultation with Fellowship of the Wheel, we have the following statements and questions:

-We're grateful and appreciative for the use of the land for recreation through this point, and for the consideration of an easement to allow continued use of the trails.

-Ultimately, we are requesting additional clarification for the location of the proposed easement, including entry and exit points. It would be helpful to see on the map a shaded area that represents that the developer is proposing.

In an email dated 1/8/25, the Parks & Recreation Department provided the following comments:

Trail Alignment Recommendations for 55 Thompson Drive
 The Town of Essex Parks and Recreation has reviewed the development application for 55 Thompson Drive and recommends the following trail alignment shown on the attached map. The forthcoming recommendations are rooted in and guided by environmental

sustainability and preservation, trail connectivity, and the promotion of recreational opportunities- all of which are prioritized in Essex's Town Plan.

EPR recommends the orange/green trail as the best reroute option for long-term sustainability and minimizing environmental impacts. The blue trail is a possible alternative; however, its proximity to the wetland along the northern boundary may pose additional construction, maintenance, and sustainability challenges.

We recognize and appreciate the openness and generosity of the landowner in assisting us in accomplishing our goals and supporting the community. Our proposal seeks to address concerns about further recreation impact and trail maintenance. We feel that by keeping some of the existing trail along the northwest border, this will reduce the likelihood the public will traverse off trail and explore other undesignated parts of the property given how heavily it is used now.

Through granting the Town of Essex an easement, the landowner benefits from our commitment, expertise and capacity to ensure we have safe and well-maintained trails via our Trails Coordinator, relationship with Fellowship of the Wheel and volunteer trail caretaker program.

At its 12/9/25 meeting, the Conservation and Trails Committee issued the following comments:

Regarding the proposed property development at 55 Thompson drive, we, the conservation and trails committee, have the following recommendation:

1. To support the easement proposed by the town recreation and parks department to support trail continuity.

Staff recommend that the DRB indicate their preferred easement concept. This concept should then be reviewed by the Town's attorney to craft the appropriate language. Separate language will be needed for 35 Thompson Drive and 55 Thompson Drive.

(C) ZR Section 5.6 (C), Access

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

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

- (a) Access location(s);
- (b) The number and width of access points;
- (c) Curve radii at access points;
- (d) Acceleration or deceleration lanes on adjacent public streets;
- (e) Sight distance improvements;
- (f) Shared access with adjoining properties;

- (g) Safe and efficient exterior lighting of pedestrian and vehicular circulation areas, suitable to the level of use and context of the site;
- (h) The location of sidewalks and/or other walkways; and
- (i) Pedestrian or vehicle signs.

The plans show a typical driveway connection from the main road to the building and parking lot. There are no pedestrian accommodations or connections to the pedestrian facilities along the road; such accommodations would support pedestrian safety and use, but are not required. This design is typical of other proximate parcels.

The Applicant's proposed design satisfies ZR 5.6(C) requirements.

In a memo dated 1/7/26, Public Works provided the following comments:

Traffic:

1. *The applicant's engineer has provided a Transportation Impact Study and supplemental Heavy Vehicle Volume Estimate based on ITE trip generation rates for the proposed use for 55 Thompson Drive. The applicant has proposed a 41,250 SF warehouse. The provided Transportation Impact Study and Heavy Vehicle Volume Estimate have been reviewed by Public Works and Public Works provides the following comments:*

- a. *This study provides a total amount of transportation impact fees to be collected under Act 145. Table 6 of the applicants Transportation Impact Study identified two VTrans intersection projects that will be impacted by this proposed increased traffic (VT RT 15 and Sand Hill Road intersection project and the VT RT 117 and North Williston Road intersection project). The total impact fee for both projects is estimated to be \$4,913.00. A condition of approval shall be that the applicant provides proof of payment to VTrans for the impact fees associated with Act 145.*
- b. *In addition to the State fees identified, the Town of Essex requires an additional highway impact fee to offset the additional costs associated with the impacts of the additional traffic. Based on this study, the project as proposed will generate an additional 14 PM peak hour trips. As with previous site plan reviews within other areas of the Saxon Hill Industrial Park development, heavy truck loads on the Town's existing road network will require an additional road maintenance fee. The Heavy Vehicle Volume Estimate states the proposed project will generate an additional 1 PM peak hour trip. Fees associated with this application are the following:*

i. Highway Impact Fee: (14 VTE) X (\$104.44) = \$1,462.16

ii. Road Maintenance Fee: (1 VTE) X (\$598.15) = \$598.15

Total = \$2,060.31

The applicant will be required to pay the Highway Impact Fee and Road Maintenance Fee in the amount calculated above prior to the issuance of the building permit.

2. *As with previous applications within the Saxon Hill Industrial Park, Public Works is of the opinion that the DRB should consider putting some restrictions on large delivery type vehicles and tractor trailer trucks from the proposed use of 55 Thompson Drive on parking and idling within the R.O.W. of Thompson Drive or Red Pine Circle. This restriction should be a condition of final approval.*

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

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

- (1) Particular attention shall be given to safety, including:
- (b) Traffic and pedestrian movement patterns
- (3) The DRB may require pedestrian walkways to facilitate pedestrian movements.

The plans show 5-foot-wide sidewalks connecting the parking areas to the building.

The Applicant's proposed design satisfies ZR 5.6(D)(3) requirements.

- (4) In all districts, the DRB may require provision for pedestrian trails/paths and walkways along waterways or other natural features to connect with similar present or anticipated trails/paths on adjacent properties for use by residents or occupants of the development. In particular, such trails/paths shown in the Town Plan of record and/or the Town of Essex and Village of Essex Junction Bicycle and Pedestrian Plan shall be incorporated in site layout and design.
- (5) The DRB may require dedicated easements for future access roads, lanes, non-motorized paths or trails for use by residents or occupants of the development.

The Applicant can satisfy ZR 5.6(D)(4) and (5) by providing an easement as discussed in lines 236-274 above. Option 1 would provide a higher level of access and public benefit than Option 2; however, Option 2 would adequately satisfy the requirements.

(E) ZR Section 5.6(E), Parking

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

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

The Applicant is proposing a 41,250 sq. ft. building, and is estimating that 30 employees would be hired, requiring either 103 or 20 parking spaces. The Applicant is proposing 34 parking spaces, 2 of which would be accessible spaces. In accordance with ZR Table 3.4, at least one of the

accessible spaces would need to be van-accessible. The plans indicate that both of these spaces will be van-accessible.

ZR 3.9(G)(2) states that the DRB, “shall make the final determination regarding the amount of parking required for a particular use, based on agreed upon recommendations and other relevant information.”

Staff feel that 34 parking spaces is a reasonable amount considering the Applicant’s estimated needs of a future tenant. If the selected tenant desires additional parking, they can request a Site Plan Amendment in the future to extend the parking area. Staff recommends that the Applicant delays paving the entire approved parking area until a tenant has been selected in case fewer than 34 parking spaces are needed, to minimize unnecessary impervious surface.

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

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

The Town’s regulations do not indicate how to determine the appropriate design of bicycle parking facilities (number of parking spaces, layout of racks, etc.). The Applicant should therefore follow guidance provided in *VTrans’ Pedestrian and Bicycle Facility Planning and Design Manual* (see Sec. 9.5.11 starting on page 9-13). The plans show 4 inverted-U style bicycle racks (providing 8 bicycle parking spaces) near the building entrance. Since the demand for outdoor bicycle parking spaces at this site is unknown, staff recommends that the initial number of parking spaces be at least 10% of the vehicle parking spaces. Thirty-four vehicle parking spaces are proposed, so at least 4 bicycle parking spaces are recommended (which could be satisfied with 2 inverted-U bike racks). The Applicant has satisfied this amount. Should the number of bicycle parking spaces prove insufficient in the future, more racks could be installed as necessary.

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

The DRB can require landscaping to achieve the objectives of the Zoning Regulations and the Town Plan. The landscaping objectives in the RPD-I just relate to the preservation of forest cover, including routing utilities along driveways where possible and replacing any disturbed buffer areas with trees of the same species and at the same density.

The Applicant’s proposed design satisfies ZR 5.6(F) requirements.

(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.”

The provided lighting plan complies with the regulations.

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

Water Supply and Sewage Disposal

In a memo dated 1/7/26, Public Works provided the following comments:

The applicants’ engineer has completed revisions to the previously submitted plans based on comments from Public Works in a memo dated November 20, 2025. Public Works recommends that all comments below be addressed by the applicant and reserves the right to provide future comments on all future submissions.

- 1. A representative of the Town of Essex Public Works Department shall witness all connections to the Town’s existing water and sewer infrastructure. This shall be a condition of approval.*
- 2. Public Works has reviewed the documentation provided by Aldrich & Elliot regarding their hydraulic analysis. Public Works does not have any concerns with the analysis.*
- 3. This parcel is located within the Town’s sewer core. There are currently 11 EUs (2,200 GPD) of assigned sewer allocation within the Town’s sewer system. The applicant’s narrative states that there will be a total of thirty (30) employees, which will require 450 GPD (2.25 EUs) of water and sewer allocation. The applicant will be required to purchase the water and sewer allocation in the amount calculated below prior to the issuance of the building permit.*

$$\text{Water: } (450 \text{ gpd} \times \$5.90/\text{gal}) + \$1,000 = \$3,655$$

$$\text{Sewer: } (450 \text{ gpd} \times \$10.60/\text{gal}) + \$1,000 = \$5,770$$

$$\text{Total} = \$9,425$$

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 the building permit.

Stormwater Management

- 1. The applicant will be required to obtain a State Stormwater Permit and General Construction Permit. Copies of those permits shall be submitted to Public Works prior to commencement of construction.*

Plan Sheet Comments:

Stormwater Management (Sheet ST1)

1. A detail for the Catch Basin Outlet was added to the sheet, however the detail doesn't include information regarding bedding material. Additionally, the plans do not indicate the invert elevation of the 18" HDPE outlet pipe from the catch basin. Note 1 and 2 of this detail are unclear. Revisions to this detail shall be a condition of final approval and should be provided prior to the issuance of a building permit.

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

See comments from the Fire Department in Section 2.A.3

4. Additional Findings by the Development Review Board:

The DRB has determined that the following easement concept should be codified:

Option 2:

The Applicant proposes an easement area that extends to 50 feet beyond the high-water mark along the sections of the pond that border 35 and 55 Thompson Drive. This area aligns with approvals from 1991 that were never properly filed. However, this proposal does not include the 15-foot-wide easement along the south and west edges of the 55 Thompson Drive parcel. See Figure 2 below.

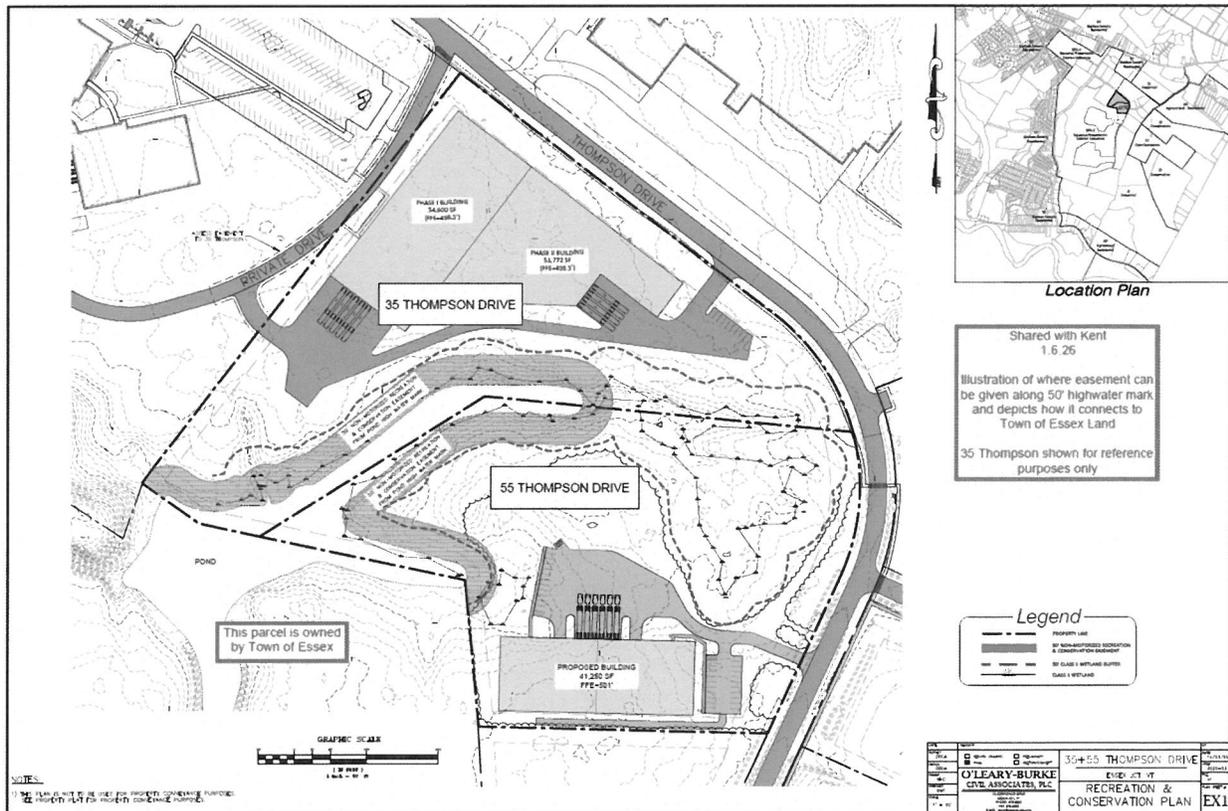


Figure 2: The Applicant's easement proposal.

CONDITIONS:

1. All construction shall be in conformance with the plans listed above as may be amended herein.
2. Prior to issuance of a zoning permit, the Applicant shall work with the Town to resolve easement issues in accordance with the DRB’s Findings in item 4 above, which call for an easement area that extends to 50 feet beyond the high-water mark along the sections of the pond that border 35 and 55 Thompson Drive for the purpose of pedestrian and non-motorized (legal e-bikes allowed) ingress and egress for recreational and conservation purposes, together with the right to construct, maintain, repair and improve trail segments and erect and maintain signs.
3. The Applicant shall provide proof of payment to VTrans for the impact fees associated with Act 145 prior to the issuance of a building permit.
4. The following Highway Impact Fee and Road Maintenance Fee, or the fees in effect at the time of submittal, shall be paid at the time of submittal of the building permit.
 - a. Highway Impact Fee: $(14 \text{ VTE}) \times (\$104.44) = \$1,462.16$
 - b. Road Maintenance Fee: $(1 \text{ VTE}) \times (\$598.15) = \$598.15$
5. Large delivery type vehicles and tractor trailer trucks serving 55 Thompson Drive shall not park on or idle within the R.O.W. of Thompson Drive or Red Pine Circle.
6. A zoning permit application, curb cut application and water and sewer application shall be submitted to the Zoning Administrator for review and approval and shall be posted on the premises during the 15-day appeal period and during construction.
7. All new water infrastructure shall be installed in accordance with Sections 514, 515, and 516 of the Town’s Standard Specifications for Construction and meet all AWWA requirements. A representative of the Town of Essex Public Works shall witness the installation, connection, and testing of all new water services.
8. All new sewer infrastructure shall be installed in accordance with Section 512 of the Town’s Standard Specifications for Construction. A representative of the Town of Essex Public Works shall witness the installation, connection, and testing of all new sewer services.
9. The following water and sewer service fees, or the fees in effect at the time of submittal, shall be paid at the time of submittal of the building permit.
 - a. Water : $(450 \text{ GPD} \times \$5.90/\text{gal}) + \$1,000 = \$3,655.00$
 - b. Sewer: $(450 \text{ GPD} \times 10.60/\text{gal}) + \$1,000 = \$5,770.00$
10. A State stormwater permit and General Construction Permit will be required for the project. Copies of the permits shall be submitted to Public Works.
11. The Catch Basin Outlet detail discussed in lines 501-505 above shall be revised to the satisfaction of Public Works prior to the issuance of a building permit.

12. 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.
13. All utility lines shall be installed underground.
14. All storm water infrastructure shall be installed in accordance with the specifications and details provided within the *Town of Essex Standard Specifications for Construction*.
15. At the discretion of the Zoning Administrator, as-built plans shall be submitted to the Community Development Department prior to the issuance of a certificate of occupancy.
16. No occupancy of the structure shall occur until a certificate of occupancy inspection and sign off is issued by the Zoning Administrator.
17. 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.
18. 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.
19. 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. There shall be no structures built within the 50 ft. buffer area, and no clearing except as necessary for the driveway and utilities.
20. 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.
21. Town of Essex Fire Impact Fees shall apply and shall be paid at the time of submittal of the zoning permit.
22. All conditions from previous approvals shall remain in effect except as modified by this approval.
23. 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.

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:

David Shenk, Shenk Enterprises, LLC
Site Plan – DRB #2026-02
55 Thompson Drive, Essex
January 29, 2026

By:



Ian Carroll, Chair

Cc: Bryan Currier, via email
Patty Davis, 9 Hillside Circle, Essex, VT 05452
Anne Miller, 60 Sydney Drive, Essex, VT 05452
Adam Morse, PO Box 1566, Williston, VT 05495
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