

1 ESSEX PLANNING COMMISSION  
2 September 8, 2022

3 **8 Corporate Drive: Site Plan**

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22 **Summary**

23 The proposal for four mini-storage buildings totaling 26,400 square feet generally meets the  
24 requirements of the *Zoning Regulations*, though minor changes to the stormwater plans will be  
25 required. Since there is no municipal water or sewer required for the site, and traffic demand will  
26 be very low, anticipated impacts from the project to the Town and neighboring properties will be  
27 minimal to nonexistent. As with other lots on Corporate Drive, the applicant has requested a  
28 waiver to clear the 50-foot buffer and replace it with street trees.

29 **Applicant**

30 Jim Ewing Property, Inc.  
31 7 Ewing Place  
32 Unit F  
33 Essex, VT 05452  
34

35 **Proposal**

36 The proposal is for four mini-storage buildings totaling 26,400 square feet, with associated  
37 lighting and paved access routes, at 8 Corporate Drive (Parcel ID 2-072-003-008) located in the  
38 Resource Preservation District – Industrial (RPD-I) zone. The buildings would not require any  
39 water or sewer service, and would utilize on-site stormwater management. The proposal includes  
40 a potential road connection to the adjacent lot at 6 Corporate Drive (currently under the same  
41 ownership).

42 **Background**

43 In October 1997 the Planning Commission approved a private road on Lot C in the RPD-I  
44 district, with the expectation that the road would eventually become a public road. The approval  
45 included a condition that a sidewalk be installed when lots were developed.

46 In November 2000 the Planning Commission gave Final Approval to a 13-lot subdivision, the  
47 first of two phases of the subdivision of Lot C. Lots 1-12 were created, the 13<sup>th</sup> being the  
48 remaining lands for Phase II, and the previously approved private road was made public and  
49 named Corporate Drive. The current proposal is within this original Phase I subdivision.

50 In January 2002 the Planning Commission approved a Final Plan Amendment allowing overhead  
51 power lines on Corporate Drive. Individual lots had to connect to the overhead power via  
52 underground lines.

53 In September 2007 the Planning Commission approved an 11-lot subdivision for the western half  
54 of Corporate Drive.

55 On January 23, 2020 the Planning Commission approved a two-lot subdivision of the parcel at  
56 21 Corporate Drive, resulting in Lot 21A (addressed 23 Corporate Drive), a vacant 235,877-  
57 square-foot lot with 35.36 feet of frontage, and Lot 21B (addressed 21 Corporate Drive), a  
58 46,173-square-foot lot with 19.76 feet of frontage with an existing telecommunications tower  
59 and access drive. The approval specifically authorized a reduction in frontage along the outside  
60 of a cul-de-sac under Section 3.1(C)(2) of the *Zoning Regulations*.

61 Abutting properties to the east are in the RPD-I district and have been or will be developed with  
62 light manufacturing, office, and storage uses.

63 **I. Article V, Section 5.6 of the *Zoning Regulations*: Site Plan Review**

64 As a commercial use, the project requires Site Plan Review pursuant to Section 5.6 of the *Town*  
65 *of Essex Outside the Village of Essex Junction Official Zoning Regulations*. The purpose of site  
66 plan review is to ensure the project's compliance with the *Town Plan*, the *Zoning Regulations*,  
67 and conditions of previous approvals. Site Plan review standards specifically include  
68 preservation of natural and scenic features, layout of development, access, internal circulation,  
69 parking, landscaping, lighting, and utilities and fire protection.

70 The applicant has submitted the following plans:

- 71 • Sheet #1, “60-Scale Overall Site Plan, Ewing Parcel – Lot 8 Corporate Drive, 8 Corporate  
72 Drive, Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 07/25/2022;
- 73 • Sheet #2, “Existing Conditions Plan, Ewing Parcel – Lot 8 Corporate Drive, 8 Corporate  
74 Drive, Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 07/25/2022;
- 75 • Sheet #3, “30-Scale Site Plan, Ewing Parcel – Lot 8 Corporate Drive, 8 Corporate Drive,  
76 Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 07/25/2022;
- 77 • Sheet #4, “Storm & Roadway Details, Ewing Parcel – Lot 8 Corporate Drive, 8 Corporate  
78 Drive, Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 07/25/2022;
- 79 • Sheet #5, “Erosion Control Plan, Ewing Parcel – Lot 8 Corporate Drive, 8 Corporate Drive,  
80 Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 07/25/2022;
- 81 • Sheet #6, “Landscape & Lighting Plan, Ewing Parcel – Lot 8 Corporate Drive, 8 Corporate  
82 Drive, Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 07/25/2022;

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

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

85 The project complies with the following goals and objectives of the 2016 *Essex Town*  
86 *Plan*:

87 ***General Policy 1:*** *Development shall occur in areas suitable for growth in a*  
88 *compact manner as opposed to scattered development throughout Town.*

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

91 ***Specific Policy 2(S).2:*** *The retention and expansion of businesses at existing*  
92 *industrial and commercial sites shall be supported...*

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

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

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

97 **i. Purpose**

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

101 **ii. Permitted and Conditional Uses**

102 Storage facilities are permitted uses in the RPD-I zone. No conditional uses  
103 are proposed.

104

105 **iii. District Dimensional Requirements**

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

<b>Dimensional Requirements</b>	<b>Required</b>	<b>Proposed</b>
Minimum Lot Area – Nonresidential	40,000 sf	89,287 sf
Minimum Lot Frontage	200 ft.	203 ft.
Minimum Front Setback (from ROW)	50 ft.	51 ft.
Minimum Side Setback	25 ft.	26 ft.
Minimum Rear Setback	25 ft.	62.5 ft.
Minimum Buffer to Residential Districts	200 ft.	N/A
Maximum Lot Coverage – All	60 %	59.5 %
Maximum Height	45 ft.	< 12 ft.

108

109 **iv. District Development Standards**

110 Because the southern boundary of the property abuts another lot in the RPD-I,  
111 the 200-foot buffer in ZR Section 2.14(E)(7)(a) does not apply to this lot. The  
112 applicant has requested a waiver to clear the 50-foot buffer required under ZR  
113 Section 2.14(E)(7)(c) and replace it with trees similar to others along  
114 Corporate Drive (this is addressed further in Finding I(F). Otherwise, the  
115 proposal meets all district requirements regarding use mix, height and  
116 coverage requirements, and installation of underground utilities. There would  
117 be no mixed production and sales areas.

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

119 The proposed project will not impact public health, safety, or welfare. The Police  
120 Chief did not raise any concerns with the proposal.

121 **4. Outstanding violations**

122 The property does not have any outstanding zoning violations.

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

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

128 **1. Topography**

129 The *Zoning Regulations* call for minimal changes to a site’s topography and  
130 vegetation, specifying that a site “shall be planned to retain, insofar as possible, the  
131 natural contours and to conserve the natural cover and soil.” Minimal grading and tree  
132 removal would occur to clear and level the site for buildings and stormwater  
133 treatment areas.

134           **2. Steep Slopes**

135           The site does not contain any slopes greater than 15%, and none would be created by  
136           the proposed development.

137           **3. Surface Waters and Wetlands**

138           The property does not contain any surface waters or wetlands.

139           **4. Renewable Energy**

140           The applicant has not proposed utilization of renewable energy at this time. The  
141           proposal would not impact the ability of neighboring properties to use renewable  
142           energy, as it would not create light or wind shade over property lines.

143           **5. Open Space**

144           The proposed building is not located in a rural area or within the Scenic Resource  
145           Protection Overlay (SRPO) District, nor does it contain any open meadows.

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

147           Pedestrian and vehicular access to the site must meet applicable design standards in the  
148           *Zoning Regulations* and Public Works specifications. The Planning Commission can  
149           impose conditions related to on- or off-site improvements meant to mitigate the impact of  
150           traffic, or to maximize pedestrian and vehicular safety.

151           Access to the site would be suitably provided by a curb cut off Corporate Drive, a  
152           municipal Class III paved collector street. The applicant’s narrative states that the new  
153           building will have a traffic volume of 4 PM peak vehicle trip ends (VTEs). Under the  
154           Phase II Corporate Drive subdivision approval, this would leave 75 AM and 48 PM peak  
155           trips available to the remaining lots on Corporate Drive.

156           The applicant’s engineer provided an analysis of impacts to level of service at nearby  
157           intersections. In an e-mail dated August 25, 2022 Public Works staff stated:

158           *1. Public Works is of the opinion that there will be no significant change in the*  
159           *overall traffic flows to and from Corporate Drive or Allen Martin Drive caused by the*  
160           *addition of the storage units on Lot #8. Staff does not see any significant impact to the*  
161           *surrounding transportation infrastructure throughout the area.*

162           Pedestrian access to the site is provided by an existing sidewalk along the south side of  
163           Corporate Drive.

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

165           The *Zoning Regulations* require the Planning Commission to consider on-site vehicular  
166           and pedestrian circulation and allow the Commission to impose conditions to ensure  
167           adequate circulation. The Planning Commission also must consider safety and  
168           accessibility, as required by the Americans with Disabilities Act.

169 Vehicles entering the site from the 60-foot-wide curb cut would access each building  
170 through an access drive 24 feet in width, narrowing to 20-foot-wide paved two-way  
171 drives separating each of the storage buildings. Although this is narrower than drive  
172 aisles for parking lots as required under ZR Section 3.9(A)(1), it meets the residential  
173 driveway standards under ZR Section 3.1(G)(4)(c) and will be sufficient for short-term  
174 loading and unloading. Turning angles are sufficient to accommodate emergency  
175 vehicles; fire safety is reviewed in more detail in Finding I(I).

176 There appears to be adequate space for snow storage in the areas noted on Sheet 2 of the  
177 plans, which ensure snowmelt will be directed to the stormwater treatment areas and not  
178 directly to surface waters.

179 Because the use of the site will generally require vehicular transportation for movement  
180 of personal goods, no significant pedestrian and bicycle demand is expected; therefore,  
181 no interior sidewalks or bicycle racks are required.

182 Storage unit tenants would be responsible for off-site waste disposal, therefore no on-site  
183 waste enclosures are required.

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

185 Parking must be provided in accordance with Section 3.9 of the *Zoning Regulations*, and  
186 no more than 50 percent of a front-yard setback can be devoted to parking.

187 ZR Section 3.9 does not specify parking requirements for self-storage units, and since no  
188 long-term parking is required for such a use, the drive aisles separating the units will  
189 suffice for vehicular parking while loading and unloading materials. Access to units from  
190 the drive aisles must meet any applicable standards of the *Americans with Disabilities*  
191 *Act*. Since little to no bicycle traffic is anticipated, bicycle parking is not required; it is  
192 noted that bicycles may be stored securely within the proposed storage units.

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

194 The Planning Commission can require landscaping to achieve the objectives of the  
195 *Zoning Regulations* and the *Town Plan*. The landscaping objectives in the Resource  
196 Preservation District – Industrial (RPD-I) relate to preservation of forest cover, including  
197 routing utilities along driveways where possible and replacing any disturbed buffer areas  
198 with trees of the same species and at the same density. In addition to the landscaping  
199 requirements, Table 2.14(D)(7)(c) of the *Zoning Regulations* specifies that a 50-foot  
200 buffer must be maintained along interior RPD-I streets, including Corporate Drive, unless  
201 the Planning Commission waives the requirement.

202 The applicant has requested a waiver from the 50-foot buffer requirement. In the project  
203 narrative dated July 29, 2022, the applicant’s engineer wrote,

204 *We are requesting a waiver to clear the 50 ft buffer along Corporate Drive in order*  
205 *to replace the fragmented buffer with street trees similar to the recently approved*  
206 *Corporate Drive Phase II projects.*

207 The applicant proposes four black tupelo (*Nyssa sylvatica*) trees as replacement  
208 landscaping within the 50-foot buffer, in keeping with the ZR Table 5.1(A) requirement  
209 of one tree for every 50 feet of road frontage. Though the species selected represents a  
210 slight departure from the typical red maple and northern red oak, they are appropriate to  
211 the site conditions and increase the diversity of street trees on Corporate Drive,  
212 improving resilience to pests, diseases, and climate change consistent with the [Town of  
213 Essex Tree Care Policy](#). The location of trees also does not conflict with any water-based  
214 underground utilities.

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

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

221 The proposed lighting fixtures would be fully shielded and efficient light-emitting diode  
222 sources on motion sensors with a color close to that of natural sunlight. The lighting plan  
223 provides excellent coverage and uniformity within the limits of ZR Section 5.6(G)(3) for  
224 the interior of the site where activity will occur, with no single point exceeding the  
225 maximum recommended illumination of 7 foot-candles).

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

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

228 The buildings will not require any water supply or sewage disposal, therefore no  
229 impacts to municipal water or sewer systems are created as noted by Public Works in  
230 their August 25, 2022 memorandum.

231 **2. Stormwater Management**

232 The applicant’s narrative (attached) describes the proposed stormwater system. In a  
233 memorandum dated August 22, 2022 Public Works staff provided several design  
234 changes and conditions of approval:  
235

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

239 2. *Cleanouts shall be installed for each of the proposed infiltration trenches for future  
240 maintenance and clean out of the 6” perforated pipes. Public Works suggests  
241 installing clean outs right before catch basins 1, 2, and 3, and at the end near catch  
242 basins 4, 5 and 6. There should also be a clean out at the bend in the perforated pipe  
243 from catch basin 1 to the proposed infiltration basin #2.*

244 3. *There should be a detail for the infiltration basins.*

- 245 4. *In the detail for the deep underground infiltration trench, it shows that the trench is 3*  
246 *ft. deep, but on Plan Sheet 3, the description describes the trench as 2 ft. deep.*
- 247 5. *Under Storm System Maintenance on Plan Sheet 4, under 2.D., it states the sumps are*  
248 *2 ft. deep but Plan Sheet 4 and the detail states that the catch basins are 4 ft. deep.*
- 249 The applicant's engineer must submit revised plans with these changes prior to the  
250 issuance of a zoning permit.

251 **6. Utilities**

252 Corporate Drive has existing overhead power and telecommunications lines, but new  
253 service lines to the buildings would be installed underground. The buildings will not  
254 require natural gas service, though there is an existing line running under Corporate  
255 Drive. All utility service lines to the site will be installed underground.

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

257 As noted in Finding I(D), aisle widths and turning radii are sufficient to allow access by  
258 emergency vehicles. An existing fire hydrant is located on Corporate Drive just across the  
259 street from the lot. In an e-mail dated August 10, 2022 the Fire Chief stated:

260 *The fire department would require that the lanes between the buildings be maintained*  
261 *at a width of at least 12 ' wide by 13'6" high inclusive of any overhangs/eaves. The*  
262 *fire department would also support the Applicant's future plan of a 2nd egress point*  
263 *at the back of this lot connecting to Lot 6.*

264 **II. Additional Findings by the Planning Commission**

265 •

266 **III. Proposed Conditions**

- 267 1. All conditions from previous approvals shall remain in effect except as modified herein.
- 268 2. All construction shall be in conformance with the plans listed above as may be amended  
269 herein.
- 270 3. Prior to the issuance of a zoning permit, the plans shall be revised as follows:
- 271 a. Cleanouts shall be included for each of the proposed infiltration trenches for  
272 future maintenance and clean out of the 6" perforated pipes, with locations  
273 approved by Public Works. This shall specifically include a clean out at the bend  
274 in the perforated pipe from catch basin 1 to the proposed infiltration basin #2.
- 275 b. A detail for the infiltration basins shall be added to the plans.
- 276 c. The discrepancy between the detail for the deep underground infiltration trench  
277 (which shows that the trench is 3 ft. deep) and Plan Sheet 3 (which describes the  
278 trench as 2 ft. deep) shall be corrected.
- 279 d. Under 2.D of the Storm System Maintenance Plan on Sheet 4,



- 280 4. An electronic copy of the plans as may have been revised shall be submitted to the E911  
281 coordinator in .PDF file format. Another copy shall be submitted in geodatabase or  
282 shapefile in Vermont State Plane Meters, NAD83 (NSRS or most current); alternatively,  
283 coordinated CAD data – Vermont State Plane Coordinates, US Survey Feet, Grid Zone  
284 4400, NAD 83 (2011) epoch 2010.0, NAVD 88 (geoid12b); alternatively, paper showing  
285 three (3) values of State Plane Coordinates.
- 286 5. All utility lines shall be installed underground.
- 287 6. All storm water infrastructure shall be installed in accordance with the specifications and  
288 details provided within the *Town of Essex Standard Specifications for Construction*.
- 289 7. At the discretion of the Zoning Administrator, as-built plans shall be submitted to the  
290 Community Development Department prior to the issuance of a certificate of occupancy.
- 291 8. No occupancy of the structure shall occur until a certificate of occupancy inspection and  
292 sign off is issued by the Zoning Administrator. A copy of the State’s occupancy approval  
293 shall be filed and attached to the Town’s inspection approval.
- 294 9. Prior to the issuance of a Certificate of Occupancy for each building, the E911 address  
295 shall be affixed to the building in contrasting colors to be easily visible from the roadway.
- 296 10. Prior to the issuance of a Certificate of Occupancy and for the life of the project  
297 thereafter, the applicant shall maintain emergency contact information for the site directly  
298 with both the Fire Department and the Police Department.
- 299 11. All landscaping (including existing vegetation shown on the plans) shall be guaranteed  
300 for the life of the project. Any dead or diseased plantings shall be replaced as soon as  
301 seasonally possible.
- 302 12. All pavement shall be maintained in a state of good repair for the life of the project; any  
303 line striping shall be maintained so as to be visible at all times.
- 304 13. By accepting the conditions of this approval without appeal, the applicant confirms and  
305 agrees for itself and all assigns and successors in interest that the conditions of this  
306 approval shall run with the land and the land uses herein permitted, and will be binding  
307 upon and enforceable against the applicant and all assigns and successors in interest.

308 **IV. Attachments**

- 309 • Project Narrative, “Site Plan Application, Jim Ewing Properties, Inc., Saxon Hill  
310 Industrial Park, Corporate Drive, Lot 8,” from Jacob Wechsler, E.I., O’Leary-Burke Civil  
311 Associates, PLC, dated July 29, 2022.

312 cc: Jacob Wechsler, E.I., O’Leary-Burke Civil Associates, PLC  
313

314 G:\PC\REPORTS\Corporate Drive 8 Site Plan 20220908.docx