



O'Leary-Burke Civil Associates, PLC

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

March 2, 2015

Greg Duggan
Town Planner
Town of Essex
81 Main Street
Essex Jct., VT 05452

MAR 16 2015

TOWN OF ESSEX
COMMUNITY DEVELOPMENT

RE: Brookside Village – 15 Upper Main Street

Dear Greg:

We are writing on behalf of Dousevicz Inc., c/o Brad Dousevicz, to apply for preliminary plan review of Brookside Village, a proposed nineteen (19) lot Planned Residential Development located at 15 Upper Main Street, on the Town line between Essex and Essex Junction. This project received Sketch Plan approval from the Planning Commission on June 26, 2014 as a 21-lot Planned Residential Development on two parcels, 15 & 21 Upper Main Street; the current project proposal no longer involves the property located at 21 Upper Main Street. As proposed the project will consist of one (1) retained lot for the existing family home, seventeen (17) new single family home lots, and fifteen (15) carriage homes with 3.0-acres of open space on a single common lot.

To address the concerns of the neighbors who attended the sketch plan hearing we have revised the plan to shift the carriage homes, on the southern side of Yarmouth Lane, further away from the abutter landowners on Juniper Ridge Road. The proposed units are no approximately 50-ft from the southern property line and no clearing of the existing wooded buffer between the carriage homes and residents of Juniper Ridge Road is proposed. Another concern raised by an abutting landowner was regarding stormwater runoff from the southwestern portion of the site. We have designed the site to collect, treat and detain all stormwater runoff from the site is a detention pond located on Lots 6, 7 & 8 which discharges to Indian Brook. The neighbor on the southwest corner of the site can therefore expect to see less runoff than they currently receive because a significant portion of the site has been graded to drain north, instead of south, to the proposed detention pond.

In response to your February 13, 2015 letter regarding the inter-local issues of providing water, sewer, and access to the project we have revised our proposal to no longer request the Town take ownership of the water and sewer mains. Instead all utilities will remain private and the responsibility of the homeowners association. All utilities will be still be built to public works standards to all for future acceptance should the Town and Village ever merge public works departments. Water and sewer allocation will be

provided by the Village of Essex Junction as outlined in the attached letter from Village Manager Charles Stafford to Philip Kolvoord dated May 5, 2003.

In addition, the following changes have been made per the Planning Commissions' approval conditions:

- **Condition #1, Approval Conditions:** Understood, the project will be built per the approved plans and conditions of approval.
- **Condition #2, Residential Phasing:** Understood.
- **Condition #3, Conditional Use Approval:** Not applicable, Conditional Use approval to shift the R2 and B1 subzone boundary between 15 & 21 Upper Main Street is no longer needed because the current proposal only involves the property at 15 Upper Main Street.
- **Condition #4, Site Plan Review:** Attached please find a Preliminary Plan application and checklist which addresses all of the Site Plan review criteria.
- **Condition #5, Tree Warden Review:** On October 2, 2014 we met with the Town Tree Warden Chuck Vile to review the proposed landscaping plan. He did not ask that the plan be reviewed by a professional forester but he did offer recommendations to the type, location, and separation of street trees from sidewalks and utilities. He also suggested that trail maintenance. The landscaping plan has been revised accordingly.
- **Condition #6, Riparian Buffer:** Understood, building envelopes have been shown so that all home sites will be outside of the Riparian Buffer. The riparian buffer will be established by stabilizing the existing slopes and installing a split rail fence along the 50-ft buffer line to provide a permanent barrier between lawn and buffer to allow the buffer zone to re-vegetate naturally. Within the buffer zone a 6' wide unpaved footpath has been proposed to be used for recreation and a portion of the stormwater pond and outlet as allowed under Section 3.11 (F)(2)(H) of the Zoning Regulations.
- **Condition #7, Building Envelopes:** Understood, the only construction to occur outside of the building envelope will be for lot grading.
- **Condition #8, Visual Buffer from VT RT 15:** With the exception of some tree clearing needed to create a new four-way intersection with VT RT 15 and Turnberry Ridge Road and some selective cutting to improve intersection sight distances the

remainder of the trees along VT RT 15 will be left undisturbed to act as a visual buffer.

- **Condition #9, Landscape Plan:** As part of this Preliminary Plan application a Landscape Plan showing all proposed landscaping has been submitted for review and approval. As previously stated this plan was developed with input from the Town Tree Warden.

- **Condition #10, Road Width:** The plans have been revised to show the requested 30-ft roadway width.

- **Condition #11, Traffic Study:** Attached please find a traffic study for the projects' intersection with VT RT 15.

- **Condition #12, Lot 2, 3, & 4 Road Frontage:** The road layout has been revised so that Lots 2, 3, & 4 front on Sycamore Lane instead of the previously proposed dead-end roadway, see SH. 1.

- **Condition #13, Sidewalk Connection:** A site plan has been forward to the Village of Essex Junction for approval of the sidewalk connection, final approval will be required prior to issuance of a zoning permit.

- **Condition #14, Bicycle-pedestrian Path along VT RT 15:** A 10-ft wide bicycle-pedestrian easement has been proposed along the project right-of-way line with VT RT 15. Since VT Route 15 is owned and controlled by the State of Vermont, any construction of a bike path along VT RT 15 is ultimately decided on by the Agency of Transportation. Instead, we have proposed an 8-ft wide multipurpose path to connect the existing bike path on Juniper Ridge Road to VT Route 15.

- **Condition #15, Bicycle-pedestrian Easement along Southeast corner of the PUD:** As requested a 15-ft wide easement to the Town of Essex has been proposed along the southern boundary of Lot #12.

- **Condition #16, Public Utilities:** As requested by Town and Village officials all utilities will remain private and the responsibility of the Brookside Village Homeowners Association. A plan and profile for the proposed roadways and underground utilities has been submitted, see SH. 5 & 6.

- **Condition #17, Stormwater Management and Erosion Control Plan:** As part of this Preliminary Plan application a stormwater management and erosion control plan has been submitted, see SH. S1, S2, & E1-E6. As previously stated the site has been designed to treat and detaining all stormwater from the site before discharging into Indian Brook. The property owners

located to the south of the project should expect to see less runoff than they currently do because our design re-grades a significant portion of the site to drain north instead of south.

- **Condition #18, Open Space:** Approximately 3.0-acres in the southwest corner of the site have been set aside as open space in addition to a 50' Riparian buffer proposed along the top of bank to Indian Brook. The riparian buffer will be established by stabilizing the existing slopes and installing a split rail fence along the 50-ft buffer line. The area will then be allowed to re-vegetate naturally and a 6' wide unpaved footpath has been proposed within the buffer for the residents to enjoy.
- **Condition #19, Draft Covenants:** Attached please find a draft copy of the Declaration of Covenants, Easements, Restrictions and Liens for Brookside Village.
- **Condition #20, Boundary Line Adjustment:** Not applicable, the proposed project no longer involves the 0.75-acre undeveloped lot located at 21 Upper Main Street and therefore does not require a Boundary Line Adjustment.
- **Condition #21, Subdivision Plat:** Understood, a surveyed subdivision plat will be submitted as part of the Final Plan application.
- **Condition #22, Building Height:** Understood, the building height limitation of 40 feet will not be exceeded.
- **Condition #23, Topsoil and Seeding:** Understood, see plan sheet E1 for a details and specifications regarding the replacement of topsoil and reseeding.
- **Condition #24, Utility Ownership:** As requested by Town and Village officials all utilities will remain private and the responsibility of the Brookside Village Homeowners association.
- **Condition #25, Irrevocable Offer of Dedication:** Understood, prior to issuance of zoning permit an irrevocable offer of dedication will be submitted for Sycamore Lane.
- **Condition #26, Water, Sewer, Traffic and Recreation Fees:** Understood, prior to issuance of a zoning permit any Traffic and Recreation impact fee will be paid. Water and Sewer impact fees would not apply because the project would be connecting to the Village water and sewer systems.
- **Condition #27, Village Approval:** Understood, final Village approval will be required prior to issuance of a zoning permit.

- **Condition #28, Street Name Approval:** Understood prior to issuance of a zoning permit approval for the street names will be sought from the Selectboard.
- **Condition #29, On Street Parking Restriction:** Understood, prior to issuance of a zoning permit approval to limit on street parking to the southern side of Sycamore Lane will be sought so that fire hydrants on the northern side of Sycamore Lane remain accessible.
- **Condition #30, Legal Documents:** Understood, prior to issuance of a zoning permit the Town Attorney shall approve all covenants, deeds and legal documents.
- **Condition #31, Lot Markers:** Understood, prior to issuance of a zoning permit all lot markers shall be installed in accordance with Section 4.11 of the *Subdivision Regulations*.
- **Condition #32, State Approvals and Permits:** Understood, all state permits and approvals will be forwarded to the Town prior to issuance of a zoning permit.
- **Condition #33, Approval Conditions:** Understood.

Please find the following attached information:

- 1) Application for Preliminary Plan review w/ \$228.68 application fee (\$125 base fee +\$6.48/abutter x 16 abutters);
- 2) Preliminary Plan checklist;
- 3) Four (4) full size and five (5) 11"x17" sets of revised plans.
- 4) Abutter Lists & Three (3) sets of mailing labels;
- 5) Traffic Evaluation
- 6) Draft Declaration of Covenants, Easements, Restrictions and Lines f or Brookside Village;
- 7) Sample Blasting Plan

If you have any questions or need additional information, please do not hesitate to call.

Sincerely,

Brian J. Bertsch, P.E.
Project Manager

- **Condition #28, Street Name Approval:** Understood prior to issuance of a zoning permit approval for the street names will be sought from the Selectboard.
- **Condition #29, On Street Parking Restriction:** Understood, prior to issuance of a zoning permit approval to limit on street parking to the southern side of Sycamore Lane will be sought so that fire hydrants on the northern side of Sycamore Lane remain accessible.
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- 7) Sample Blasting Plan;

If you have any questions or need additional information, please do not hesitate to call.

Sincerely,



Brian J. Bertsch, P.E.
Project Manager



O'Leary-Burke Civil Associates, PLC

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

April 23, 2015

Greg Duggan
Town Planner
Town of Essex
81 Main Street
Essex Jct., VT 05452

RE: Brookside Village – 15 Upper Main Street

Dear Greg:

We are writing on behalf of Dousevicz Inc., c/o Brad Dousevicz, to respond to issues raised by Town Engineer, Aaron Martin and Public Works Director, Dennis Lutz during their preliminary plan review as outlined in the attached April 8, 2015 memo. Questions and Comments are italicized below and our responses follow each of your questions.

Transportation:

- 1. The Traffic Evaluation submitted for this project analyzes on existing roads and intersections within the Village of Essex Junction and to VT15 in the Town. Of the three intersections analyzed, only one (VT RT 15 and Sycamore Lane) is in the Town of Essex and that access is on to a State highway with VTRANS jurisdiction. The other two, (Sycamore Lane/Juniper Ridge and Fairview Drive/VT RT 15), are located within the Village of Essex Junction. Both require the review and input by the Village of Essex Junction.*

Response: In response to your comments we have redesigned the project to no longer show a road connection to Juniper Ridge Road. Instead the roadway serving the project will be looped and be offered to the Town of Essex and a public street, see SH 1 'Overall Plan'.

Also attached is an updated Traffic Impact Study which has been revised to no longer include traffic from the adjacent Fairview Farms and Countryside development at the projects access with VT RT 15.

- 2. In the absence of an approval from the Village of Essex Junction to allow public road access onto Juniper Ridge Road, the assumption must be made that such an access will not be allowed. However, this is an unknown until the Village provides a response on the acceptability of connection Sycamore Ave to Juniper Ridge Road. No action should be taken on the proposed project until the status of this potential interconnect is determined.*

Response: A roadway connection to Juniper Ridge Road has no longer been proposed, see SH. 1 'Overall Plan'.

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TOWN OF ESSEX
COMMUNITY DEV. OFFICE

3. *If the Village allows the connection, then we believe that there are significant traffic implications due to the use of Sycamore Road as an alternative route to VT15. Due to the location of the Sycamore Ave access to VT15 well north of the current access for most of the Countryside residents at Fairview Drive, Sycamore Road will act as the major primary route for all traffic heading north out of or south into Countryside from VT15. This greatly impacts the "functional characteristic" of Sycamore Drive.*
- a. *With a non-connected roadway into the Village meeting all Town requirements for a dead end road, the development traffic is self-contained and the only traffic on Sycamore is the traffic that is directly associated with the going to or from the residential units. This would be a classic case of a road which functions with its primary purpose being only access. Speed would be lower, traffic would be substantially less than for a through road and the road would function to protect the area as a self-contained "neighborhood." It would be significantly more user friendly to residents who live there.*
 - b. *Alternatively, with the connection to Juniper Ridge, the road tries to act as both an "access road" and a "through connector." The curb cuts are close together, on-street parking becomes a problem, and speeding becomes an issue for the development. In some locations, this does not present a significant problem. On this project it does because of the sole existing access to a large number of Village residents in Countryside who will use this road instead of Fairview Drive. All the major grocery stores serving the area lie to the north off VT15. A map of the Village streets clearly identifies this route as being the primary one if it is constructed.*
 - c. *In our opinion, if the scope and density of the project has to change to enable the standards for Town dead end roads to be met, than the project design needs to be changed to meet the standards.*

Response: Understood, we have redesigned the project to no longer show a connection to Juniper Ridge Road. Instead two 30-ft wide public streets have been proposed which loop throughout the project, these roads would serve the project only instead of serving as a second access to the adjacent Fairview Farms and Countryside developments.

4. *The Town Public Works staff cannot provide a review of traffic impacts within the Village nor can it review the traffic impacts that are not defined at this time if the project cannot access the Village street system via Juniper Ridge Road. If the project is to be redone as resubmitted for only that level of development.*

Response: As a result of the not showing a connection to Fairview Farms the total number of proposed units has decreased by one (1). The current proposal is for one (1) existing single family home, seventeen (17) new single family home lots, and fourteen (14) new carriage homes.

The Traffic Impact Study has been revised to no longer include traffic from the adjacent Fairview Farms and Countryside Developments and for the reduction in units.

5. *Public Works strongly recommends the developer be required to construct a 10 foot wide multi-purpose path along the length of the property on VT15.*

Response: Your recommendation is noted, our concern is that VT 15 is under jurisdiction Vermont Agency of Transportation and construction of a 10 foot wide multi-purpose path would ultimately need their review and approval. No sections of 10 foot wide multi-purpose path currently exist along this section of VT RT 15 so building a section along this project would not connect the project to any other existing infrastructure. Our opinion is that the design of a pedestrian path along VT RT 15 should be done as part of a larger plan involving all of the properties along VT RT 15 and not piecemeal.

As an alternative we have offered a 10-wide easement to allow for the future planning and construction of a pedestrian path and have proposed an internal 8-foot wide pedestrian path throughout the project which connects to an existing 8-foot wide pedestrian path along Juniper Ridge Road.

6. *The application at this time must be considered incomplete and not reviewable based upon the information provided.*

Response: We have revised our design to in response to your comments, please find one full size and one reduced sets of plans. Also attached is an updated Traffic Impact Study which examines the impacts of the only the proposed project on the existing Turnberry Ridge/VT RT 15 intersection.

Sewer:

1. *The sewer appears to be designed as a municipal system connecting to the Village of Essex Junction by gravity infrastructure. This existing lot is outside the approved Tow of Essex Sewer Core Area and therefore has no Town sewer allocation with the Village of Essex Junction regarding sewer capacity. The Village's position regarding the allocation, was provided via a letter dated April 19, 2014, a copy of which is attached. However the letter is silent as to Village ownership, operation, and maintenance of the sewer lines and to a specific allocation of flow relative to the applicant's request.*

Response: The new sewer system has been proposed as a private system to be owner and maintained by the Brookside Village homeowners association. An existing sewer manhole which gravity feeds to the existing sewer system serving Juniper Ridge Road was previously installed to allow for future development of this parcel.

2. *The submitted project narrative indicates that the sewer system will be privately owned and maintained by the homeowner's association. While*

this may be possible, the sewer usage will have to be accurately measured and provided to the Village, since the cost for providing transmission through the Village lines and the cost for treatment of the flow at the Village wastewater plant will be based on the flow measurement. It is not only the cost to clean and maintain lines within the project boundary that may be internal to an association but external costs that must be based on measured usage.

Response: As requested a water meter will be installed to allow for monitoring of the projects water and sewer usage. Data from the water meter will allow the Village of Essex Junction to accurately assess the usage so that they can charge the homeowners association for the costs of transmission and treatment.

3. *The Town's position is that it cannot be responsible for ownership, operation or maintenance of new municipal sewer lines that are outside the Town sewer core. Public Works is of the opinion that the Village of Essex Junction has the review authority of the sanitary sewer infrastructure designed for this project.*

Response: Understood, all wastewater allocation will be from the Village of Essex Junction. As part of our state permit we will be required to submit a letter from the Village stating their ability to serve the project. All new sewerlines and services, within the Town, will be owned and maintained by the Brookside Village homeowners association.

Water:

1. *Town Public Works has reviewed the municipal water infrastructure as submitted by the applicants engineer and has the following comments.*
 - a. *There is no direct connection between the Town of Essex existing water system and this project. Any municipal waterline extension directly from the Village of Essex Junction system would require, at the minimum, the following:*
 - 1) *Approval from the Village to support the specific flow and capacity for the project from the Village system.*
 - 2) *Approval from the Village to utilize the existing waterline from Juniper Ridge.*
 - 3) *Approval from the Village for all new municipal water infrastructure located within the Village to make the connection.*
 - 4) *A new meter vault between the Village system and the proposed system within the Town to meter all water crossing from the Village to the Town. The meter vault is required between CWD communities to accurately reflect the water use between the two communities. It shall be designed and constructed to meet Champlain Water District standards, see attached. There are no exceptions to the requirement and it applies whether or not the water system is private or public.*

Response: No new water infrastructure within the Village is needed to serve this project. An 8" ductile iron water main was extended from Juniper Ridge Road to serve the Kolvoord parcel in 2004.

As requested a new meter vault designed to standards from the Champlain Water District has been proposed to accurately meter usage between the Town and Village, see SH 3 '30-Scale Site Plan B' and SH 7 'Water & Stormwater – Details and Specifications'. A 30'x40' easement, to the Town of Essex, centered on the water meter vault has been proposed to allow for access and maintenance.

- b. For the water system to be private, it is our opinion that it will require a certified water operator per State requirements. In addition, there is the issue of usage measurement and billing for water use.*

Response: In response to your comment that water system should be a component of the Town municipal system we have revised our plans to show the water mains as town owned. All mains are located within the proposed public rights-of-way with the exception of the portion which crosses lot 12 and connects to the Village System. A 20-foot wide water main easement from Lot 12 to the Town of Essex has been proposed to allow access, see SH 3 '30-Scale Site Plan B'.

- c. In the opinion of Public Works staff, the water system must be municipally owned and operated to protect the public health and guarantee that usage measurements will be taken, that there is always a certified operator and there will be funds and staff to provide the services needed to protect the public health. Public Works staff is of the opinion that the water system needs to be a component of the Town municipal system and any project approval should require this as a condition of approval.*

Response: Understood, all new watermains will be offered to the Town, the plans have been revised accordingly.

- d. All hydrants must be located on the same side as the water main. There is no need to design an extra 110 LF of 6-inch hydrant service lines that the Town may have to take over and maintain.*

Response: As requested we have revised the plans so that all hydrants are located on the same side as the water main, see SH 2 '30-Scale Site Plan A' and SH 3 '30-Scale Site Plan B'.

- e. The Town understands that the project area has a substantial amount of silt and clay. These types of soils lend themselves to increased corrosion. The applicants engineer has selected ductile iron pipe as the proposed material for the water main. If the Town is to take over this water infrastructure, all mains shall be C900 PVC. Extra caution should be taken with the installation of any*

metal fittings, glands, and service saddles. Stainless steel shall be required.

Response: As requested we have revised the plans to require that all watermains be C900 PVC waterline, see SH 5 'Roadway and Utility Profiles - State Street' and SH 6 'Roadway and Utility Profiles - Yarmouth Road'.

f. The applicant shall provide two valves on the two 8-inch that connect the water main loop on Yarmouth Road, (sta. 16+75 and 20+80). One off of the branch and once on the southern side of the Tee. No exception.

Response: As requested we have added valves at both waterline connections between State Street and Yarmouth Road, see SH 3 '30-Scale Site Plan B'.

In addition to the application materials previously submitted on March 2, 2015 attached please find an updated Traffic Impact Study, four (4) full size, and five (5) reduced sets of revised plans. If you have any questions or need additional information, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Bertsch', written in a cursive style.

Brian J. Bertsch, P.E.
Project Manager

Memorandum

To: Dana Hanley, Community Development Director
Sharon Kelley, Zoning Administrator
Greg Duggan, Town Planner

From: Aaron K. Martin, P.E., Utilities Director / Town Engineer
Dennis Lutz, P.E., Public Works Director

Date: April 8, 2015

Subject: Brookfield Village, 15 Upper Main Street
Preliminary Plan Review

The review of this project indicates that there are a number of significant conflicts with regard to the review authority of the Town of Essex Public Works Department. Below is a list of issues that require further information from the applicants engineer and input from the Village of Essex Junction.

Transportation:

1. The Traffic Evaluation submitted for this project analyzes the impacts on existing roads and intersections within the Village of Essex Junction and to VT15 in the Town. Of the three intersections analyzed, only one (VT RT 15 and Sycamore Lane) is in the Town of Essex and that access is onto a State highway with VTRANS jurisdiction. The other two, (Sycamore Lane/Juniper Ridge and Fairview Drive/VT RT 15), are located within the Village of Essex Junction. Both require the review and input by the Village of Essex Junction.
2. In the absence of an approval from the Village of Essex Junction to allow public road access onto Juniper Ridge Road, the assumption must be made that such an access will not be allowed. However, this is an unknown until the Village provides a response on the acceptability of connecting Sycamore Ave to Juniper Ridge Road. No action should be taken on the proposed project until the status of this potential interconnect is determined.
3. If the Village allows the connection, then we believe that there are significant traffic implications due to the use of Sycamore Road as an alternative route to VT15. Due to the location of the Sycamore Ave access to VT15 well north of the current access for most of the Countryside residents at Fairview Drive, Sycamore Road will act as the major primary route for all traffic heading north out of or south into Countryside from VT15. This greatly impacts on the "functional characteristic" of Sycamore Drive.
 - a. With a non-connected roadway into the Village meeting all Town requirements for a dead end road, the development traffic is self-contained and the only traffic on Sycamore is the traffic that is directly associated with going to or from the residential units. This would be a classic case of a road which functions with its primary purpose being only access. Speed would be lower, traffic would be substantially less than for a through road and the road would

function to protect the area as a self-contained "neighborhood." It would be significantly more user friendly to residents who live there.

- b. Alternatively, with the connection to Juniper Ridge, the road tries to act as both an "access road" and a "through connector". The curb cuts are close together, on-street parking becomes a problem, and speeding becomes an issue for residents. Overall, the through nature of the road affects the quality of life in the development. In some locations, this does not present a significant problem. On this project it does because of the sole existing access to a large number of Village residents in Countryside who will use this road instead of Fairview Drive. All the major grocery stores serving the area lie to the north off VT15. A map of the Village streets clearly identifies this route as being the primary one if it is constructed.
 - c. In our opinion, if the scope and density of the project has to change to enable the standards for Town dead-end roads to be met, then the project design needs to be changed to meet the standards.
4. The Town Public Works staff cannot provide a review of traffic impacts within the Village nor can it review the traffic impacts that are not defined at this time if the project cannot access the Village street system via Juniper Ridge Road. If the project is reduced in scope for submission as a dead-end road, then the traffic study will have to be redone as resubmitted for only that level of development.
 5. Public Works strongly recommends the developer be required to construct a 10 foot wide multi-purpose path along the length of the property on VT15.
 6. The application at this time must be considered incomplete and not reviewable based upon the information provided.

Sewer:

1. The sewer appears to be designed as a municipal system connecting to the Village of Essex Junction by gravity infrastructure. This existing lot is outside the approved Town of Essex Sewer Core Area and therefore has no Town sewer allocation within the Town. Public Works is aware that the applicant has an agreement with the Village of Essex Junction regarding sewer capacity. This Village's position regarding the allocation, was provided via a letter dated April 19, 2014, a copy of which is attached. However the letter is silent as to Village ownership, operation and maintenance of the sewer lines and to a specific allocation of flow relative to the applicant's request.
2. The submitted project narrative indicates that the sewer system will be privately owned and maintained by the homeowner's association. While this may be possible, the sewer usage will have to be accurately measured and provided to the Village, since the cost for providing transmission through the Village lines and the cost for treatment of the flow at the Village wastewater plant will be based on the flow measurement. It is not only the cost to clean and maintain lines within the project boundary that may be internal to an association but external costs that must be based on measured usage.
3. The Town's position is that it cannot be responsible for ownership, operation or maintenance of new municipal sewer lines that are outside the Town sewer core. Public Works is of the opinion that the Village of Essex Junction has the review authority of the sanitary sewer infrastructure designed for this project.

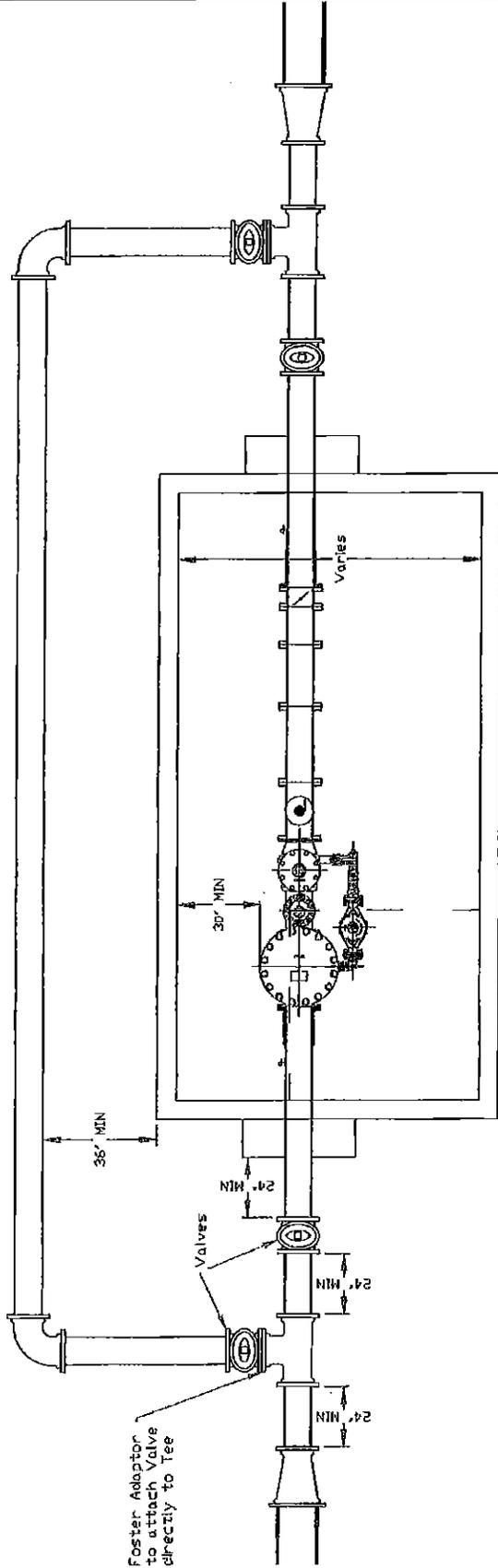
Water:

1. Town Public Works has reviewed the municipal water infrastructure as submitted by the applicants engineer and has the following comments.

- a. There is no direct connection between the Town of Essex existing water system and this project. Any municipal waterline extension directly from the Village of Essex Junction system would require, at the minimum, the following:
 - 1) Approval from the Village to support the specific flow and capacity for the project from the Village system.
 - 2) Approval from the Village to utilize the existing waterline from Juniper Ridge.
 - 3) Approval from the Village for all new municipal water infrastructure located within the Village to make the connection
 - 4) A new meter vault between the Village system and the proposed system within the Town to meter all water crossing from the Village to the Town. The meter vault is required between CWD communities to accurately reflect the water use between the two communities. It shall be designed and constructed to meet Champlain Water District standards, see attached. There are no exceptions to this requirement and it applies whether or not the water system is private or public.
- b. For the water system to be private, it is our opinion that it will require a certified water operator per State requirements. In addition, there is the issue of usage measurement and billing for water use.
- c. In the opinion of Public Works staff, the water system must be municipally owned and operated to protect the public health and guarantee that usage measurements will be taken, that there is always a certified operator and there will be funds and staff to provide the services needed to protect the public health. Public Works staff is of the opinion that the water system needs to be a component of the Town municipal system and any project approval should require this as a condition of approval.
- d. All hydrants must be located on the same side as the water main. There is no need to design an extra 110 LF of 6-Inch hydrant service lines that the Town may have to take over and maintain.
- e. The Town understands that the project area as a substantial amount of silt and clay. These types of soils lend themselves to increased corrosion. The applicants engineer has selected ductile iron pipe as the proposed material for the water main. If the Town is to take over this water infrastructure, all mains shall be C900 PVC. Extra caution should be taken with the installation of any metal fittings, glands, and service saddles. Stainless steel shall be required.
- f. The applicant shall provide two valves on the two 8-Inch tees that connect the water main loop on Yarmouth Road, (Sta. 16+75 and 20+80). One off of the branch and one on the southern side of the Tee. No Exception.

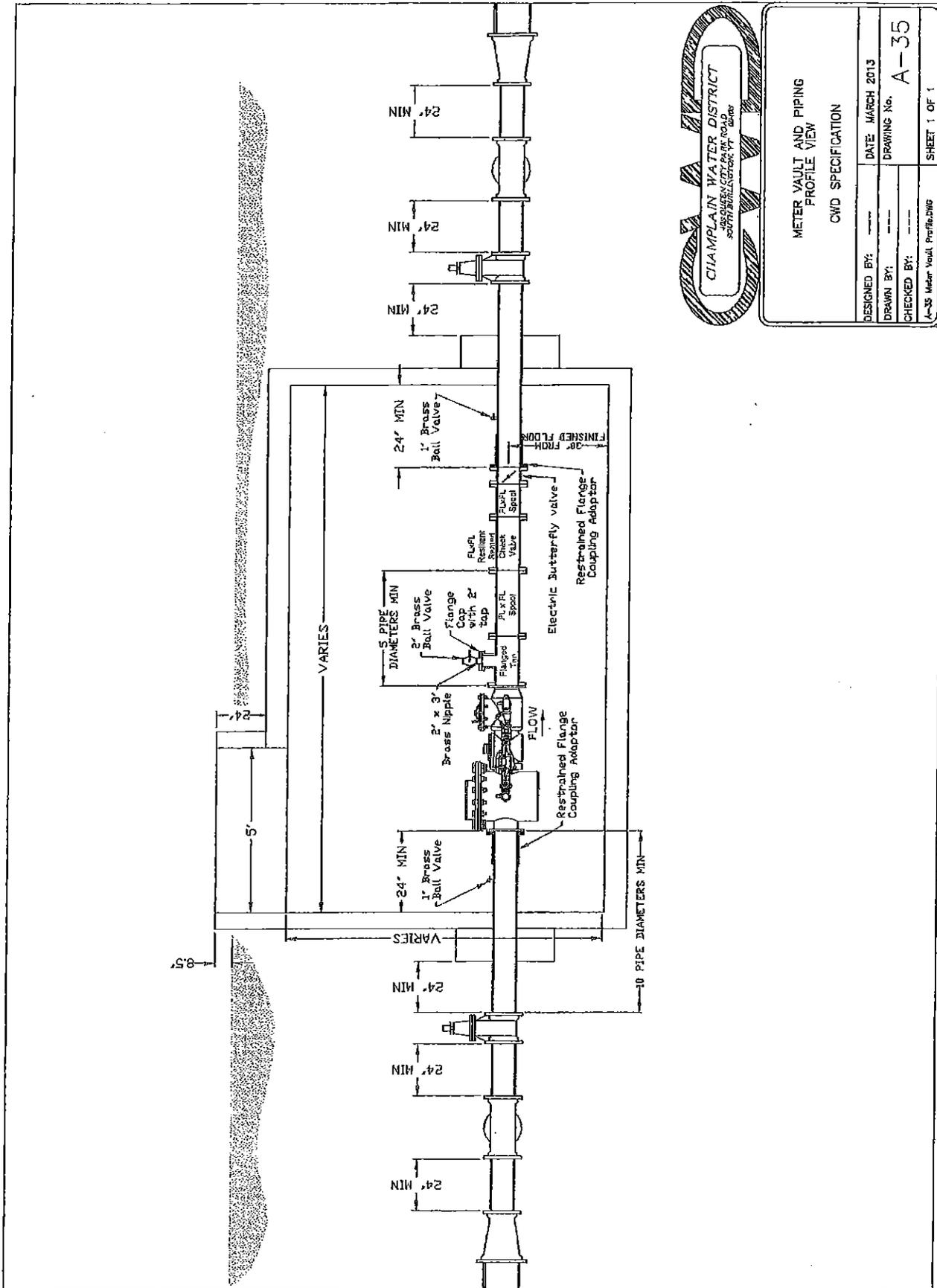
Recommendation:

It is the opinion of the Town of Essex Public Works that the applicant has not supplied adequate information regarding the proposed design of the new infrastructure to provide an accurate and thorough review nor written concurrence/non-concurrence by the Village on specific issues relating to the portions of the infrastructure that impact directly on the Village and the project. The submittal is incomplete.



CHAMPLAIN WATER DISTRICT
 505 BURLINGTON ROAD
 BURLINGTON, VT 05403

METER VAULT AND PIPING PLAN VIEW		DATE: MARCH 2013
CWD SPECIFICATION		DRAWING No. A-34
DESIGNED BY: ---	CHECKED BY: ---	SHEET 1 OF 1
1-A-34 Meter Vault Plan.DWG		



METER VAULT AND PIPING PROFILE VIEW	
CWD SPECIFICATION	
DESIGNED BY: _____	DATE: MARCH 2013
DRAWN BY: _____	DRAWING No. A-35
CHECKED BY: _____	
A-35 Meter Vault Profile.DWG SHEET 1 OF 1	



LAW OFFICES OF
DAVID A BARRA, PLC

April 19, 2014

Paul O'Leary Jr., P.E.
O'Leary-Burke Civil Associates, PLC
1 Corporate Drive, Suite #1
Essex Junction, VT 05452

Re: *Kolvoord Property, 15 & 21 Upper Main Street, Essex Junction, VT*

Dear Mr. O'Leary:

I have reviewed your letter to Village Manager Patrick Scheidel dated April 14, 2014 and the documents referred to therein.

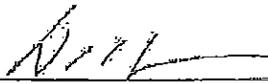
The approval you rely on was subject to satisfaction of any Town requirements in effect at the time of actual development. Therefore, the letter you seek must be conditioned on the proposal's meeting any and all Town requirements.

Further, in order to provide the connection and related services, an intermunicipal agreement must be in place to provide its legal basis.

With these two caveats, the Village can acknowledge that it will allow these parcels to connect to the Village water and sanitary sewer systems.

Very truly yours,

LAW OFFICES OF DAVID A. BARRA, PLC

By: 

David A. Barra
Attorney

Cc: Pat Scheidel

Macintosh HD:Users:dabarra:Dropbox:Law Firm:LAW:37:16:044:correspondence:2014-04-17 to O'Leary.docx

26 Railroad Ave
PO Box 123
Essex Junction, VT 05452-0123

PHONE (802) 879-8102
FAX (802) 879-0408
E-MAIL dbarra@barralaw.com



TOWN OF ESSEX
VERMONT

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452

July 2, 1991

Mr. William Dugan
Village Manager
Village of Essex Junction
2 Lincoln Street
Essex Jct., VT 05452

Dear Bill:

Please consider this letter as a formal request made to you on behalf of Philip Kolvoord. This request is for Village sewer capacity for a 14 acre parcel owned by Mr. Kolvoord which is located in the Town. Further, this request is being made to you only because of the fact that the property to be served by the sewer when construction occurs is contiguous with the Village boundary and that this capacity represents a substitution for capacity in the Village boundaries already allotted to Mr. Kolvoord.

It is the Town's intention that this sewer capacity request not exceed 6,000 gallons per day. This sewer capacity is based upon a rate of 200 gallons per day per allowable residential unit given current Town regulations.

This letter is not intended to circumvent any Town requirements at the time of actual development. I have attached a copy of Mr. Kolvoord's letter for your review.

If you have any further questions, please call me.

Sincerely yours,

Patrick C. Scheidel
Town Manager

PCS/sel

encl.

TOWN
MANAGER
878-344

COMMUNITY
SERVICES
878-344

COMMUNITY
DEVELOPMENT
878-344

PUBLIC
WORKS
878-344

ASSESSOR
878-344

TOWN CLERK
FINANCE
878-0416

LIBRARY
878-344

POLICE
878-637

Gregory Duggan

From: Robin Pierce <robin@essexjunction.org>
Sent: Wednesday, May 06, 2015 12:43 PM
To: Gregory Duggan; Dana Hanley; Sharon Kelley
Subject: FW: Multi-use Path Kolvoord Parcel

MAY -6 2015

FYI.

From: Robin Pierce
Sent: Wednesday, May 06, 2015 12:42 PM
To: 'Brad Dousevicz'
Cc: Terry Hass; Brian Bertsch
Subject: RE: Multi-use Path Kolvoord Parcel

Hi Brad,

You have a ROW from the proposed development to Juniper Ridge Road which you can use to get from the proposed development to the Road at anytime: You own it. There is a curb cut in place on Juniper Ridge in anticipation of a road intersecting with Juniper Ridge Road. A multiuse path would be a downgrade from the, planned for, road connection.

I would expect that first responders would require an emergency entrance/exit point at the location where your ROW meets the development parcel. Therefore any multiuse path should be planned with the future emergency access in mind.

As you own the ROW and have the right to access Juniper Ridge Road from the subject property at any time I see no need for a Village approval of your planned multiuse path. The new path should connect to the existing Village pedestrian and cyclist facilities at the terminus of your ROW. Please be aware that there are standards for the construction of multiuse or bicycle paths constructed in the Village. The Village LDC Section 909 Pedestrian and Bikeway Standards, 3. states that:-

3. (a) Bicycle paths shall be ten (10) feet wide. (b) Bicycle paths shall be surfaced with bituminous paving which meets the specifications for such material in Appendix A.

Village Staff should be notified when the path is being built so they can inspect and approve the construction. The path shall be maintained to Village Staff satisfaction by the owners of the current site, and/or the home owners of the development parcel if development moves forward. Planting some indigenous trees along the path that will not impede emergency vehicles would be preferred. I would suggest the Vermont State Tree, sugar maple. If you wish to plant red maple, red oak or other species please advise. I would remind you that Norway Maples are not an approved species within the Village.

Thank you,

Robin.

From: Brad Dousevicz [<mailto:dousevicz@gmail.com>]
Sent: Wednesday, May 06, 2015 11:47 AM
To: Robin Pierce
Cc: Terry Hass; Brian Bertsch
Subject: Multi-use Path Kolvoord Parcel

Hi Robin-

The Town is requesting approval from the Village for the multi use path on the ROW between the Kolvoord site and Fairview Farms. As you know, we originally had a road planned but we have removed the road and will build just the path. Is this something you or the Village board need to officially approve?

Thanks
Brad

--
Brad Dousevicz
Dousevicz Real Estate
www.VTBuyer.com
www.Dousevicz.com
dousevicz@gmail.com
Cell- 802-238-9367
Office- 802-879-4477 ext 103

2013 Homebuilder of the Year Homebuilders and Remodelers Association of Vermont
2013 President Homebuilders and Remodelers Association of Vermont

DISCLOSURE CONCERNING REPRESENTATION: Real estate professionals in Vermont are required to disclose their agency status to persons with whom they communicate. Our firm represents both sellers through Listing Agreements and buyers through Buyer Broker Agreements. We also market properties on behalf of sellers through cooperation agreements with brokers who have listings with those sellers. We do not represent sellers and buyers in the same transaction. Unless our firm has a Listing Agreement or Buyer Broker Agreement with you, we do not have a broker/client relationship with you and we are not acting on your behalf as your agent. If you are a prospective buyer and we send you information concerning properties you may be interested in, we are doing so as the seller's agent or as a cooperating broker with agents who represent the seller. If you would like to enter into an exclusive right to represent buyer agreement with us, please contact me.

Jennifer L. Rock

From: Brad Larose
Sent: Monday, May 11, 2015 8:31 AM
To: Jennifer L. Rock
Cc: Gregory Duggan
Subject: RE: Staff review - 15 Upper Main Street - REVISED PLANS

Jen -

I know this has taken some time, but here it is. I chatted with Aaron last week about this and he thought that the lower speed limit should be extended further east some distance beyond the entrance. I think this does make sense, but maybe a transition zone from 30 to 35mph would be what the State would determine if there is a decision to make any adjustment. We all know that this portion of Route 15 is State highway, so it is not our decision. Aaron did say that he could contact the District 5 superintendent to assess.

Otherwise, I have no issues with the plans.

Thanks.

Chief Bradley J. LaRose
Essex Police Department
145 Maple Street
Essex Junction, Vermont 05452
blarose@essex.org
(802) 857-0093 direct

*2 mailed
to
P. O'Leary
B. Dassewicz
+
S. Kolvaard
5/12/15
#*

From: Jennifer L. Rock
Sent: Tuesday, April 28, 2015 10:30 AM
To: Charlie Cole; Brad Larose; Robert Lagrow
Cc: Gregory Duggan
Subject: Staff review - 15 Upper Main Street - REVISED PLANS

Attached are a new narrative & plans for 15 Upper Main Street. Please send your comments ASAP. Thanks!

Jennifer Rock
Town of Essex
Community Development
Secretary/Payroll Clerk
(802) 878-1343

Memorandum

*Emailed
to P. O'Leary,
Dawson + Kelwood
4/9/15
JK*

To: Dana Hanley, Community Development Director
Sharon Kelley, Zoning Administrator
Greg Duggan, Town Planner

From: Aaron K. Martin, P.E., Utilities Director / Town Engineer
Dennis Lutz, P.E., Public Works Director

Date: April 8, 2015

Subject: Brookfield Village, 15 Upper Main Street
Preliminary Plan Review

AKM

The review of this project indicates that there are a number of significant conflicts with regard to the review authority of the Town of Essex Public Works Department. Below is a list of issues that require further information from the applicants engineer and input from the Village of Essex Junction.

Transportation:

1. The Traffic Evaluation submitted for this project analyzes the impacts on existing roads and intersections within the Village of Essex Junction and to VT15 in the Town. Of the three intersections analyzed, only one (VT RT 15 and Sycamore Lane) is in the Town of Essex and that access is onto a State highway with VTRANS jurisdiction. The other two, (Sycamore Lane/Juniper Ridge and Fairview Drive/VT RT 15), are located within the Village of Essex Junction. Both require the review and input by the Village of Essex Junction.
2. In the absence of an approval from the Village of Essex Junction to allow public road access onto Juniper Ridge Road, the assumption must be made that such an access will not be allowed. However, this is an unknown until the Village provides a response on the acceptability of connecting Sycamore Ave to Juniper Ridge Road. No action should be taken on the proposed project until the status of this potential interconnect is determined.
3. If the Village allows the connection, then we believe that there are significant traffic implications due to the use of Sycamore Road as an alternative route to VT15. Due to the location of the Sycamore Ave access to VT15 well north of the current access for most of the Countryside residents at Fairview Drive, Sycamore Road will act as the major primary route for all traffic heading north out of or south into Countryside from VT15. This greatly impacts on the "functional characteristic" of Sycamore Drive.
 - a. With a non-connected roadway into the Village meeting all Town requirements for a dead end road, the development traffic is self-contained and the only traffic on Sycamore is the traffic that is directly associated with going to or from the residential units. This would be a classic case of a road which functions with its primary purpose being only access. Speed would be lower, traffic would be substantially less than for a through road and the road would

function to protect the area as a self-contained “neighborhood.” It would be significantly more user friendly to residents who live there.

- b. Alternatively, with the connection to Juniper Ridge, the road tries to act as both an ‘access road’ and a “through connector”. The curb cuts are close together, on-street parking becomes a problem, and speeding becomes an issue for residents. Overall, the through nature of the road affects the quality of life in the development. In some locations, this does not present a significant problem. On this project it does because of the sole existing access to a large number of Village residents in Countryside who will use this road instead of Fairview Drive. All the major grocery stores serving the area lie to the north off VT15. A map of the Village streets clearly identifies this route as being the primary one if it is constructed.
 - c. In our opinion, if the scope and density of the project has to change to enable the standards for Town dead-end roads to be met, then the project design needs to be changed to meet the standards.
4. The Town Public Works staff cannot provide a review of traffic impacts within the Village nor can it review the traffic impacts that are not defined at this time if the project cannot access the Village street system via Juniper Ridge Road. If the project is reduced in scope for submission as a dead-end road, then the traffic study will have to be redone as resubmitted for only that level of development.
 5. Public Works strongly recommends the developer be required to construct a 10 foot wide multi-purpose path along the length of the property on VT15.
 6. The application at this time must be considered incomplete and not reviewable based upon the information provided.

Sewer:

1. The sewer appears to be designed as a municipal system connecting to the Village of Essex Junction by gravity infrastructure. This existing lot is outside the approved Town of Essex Sewer Core Area and therefore has no Town sewer allocation within the Town. Public Works is aware that the applicant has an agreement with the Village of Essex Junction regarding sewer capacity. This Village’s position regarding the allocation, was provided via a letter dated April 19, 2014, a copy of which is attached. However the letter is silent as to Village ownership, operation and maintenance of the sewer lines and to a specific allocation of flow relative to the applicant’s request.
2. The submitted project narrative indicates that the sewer system will be privately owned and maintained by the homeowner’s association. While this may be possible, the sewer usage will have to be accurately measured and provided to the Village, since the cost for providing transmission through the Village lines and the cost for treatment of the flow at the Village wastewater plant will be based on the flow measurement. It is not only the cost to clean and maintain lines within the project boundary that may be internal to an association but external costs that must be based on measured usage.
3. The Town’s position is that it cannot be responsible for ownership, operation or maintenance of new municipal sewer lines that are outside the Town sewer core. Public Works is of the opinion that the Village of Essex Junction has the review authority of the sanitary sewer infrastructure designed for this project.

Water:

1. Town Public Works has reviewed the municipal water infrastructure as submitted by the applicants engineer and has the following comments.

- a. There is no direct connection between the Town of Essex existing water system and this project. Any municipal waterline extension directly from the Village of Essex Junction system would require, at the minimum, the following:
 - 1) Approval from the Village to support the specific flow and capacity for the project from the Village system.
 - 2) Approval from the Village to utilize the existing waterline from Juniper Ridge.
 - 3) Approval from the Village for all new municipal water infrastructure located within the Village to make the connection
 - 4) A new meter vault between the Village system and the proposed system within the Town to meter all water crossing from the Village to the Town. The meter vault is required between CWD communities to accurately reflect the water use between the two communities. It shall be designed and constructed to meet Champlain Water District standards, see attached. There are no exceptions to this requirement and it applies whether or not the water system is private or public.
- b. For the water system to be private, it is our opinion that it will require a certified water operator per State requirements. In addition, there is the issue of usage measurement and billing for water use.
- c. In the opinion of Public Works staff, the water system must be municipally owned and operated to protect the public health and guarantee that usage measurements will be taken, that there is always a certified operator and there will be funds and staff to provide the services needed to protect the public health. Public Works staff is of the opinion that the water system needs to be a component of the Town municipal system and any project approval should require this as a condition of approval.
- d. All hydrants must be located on the same side as the water main. There is no need to design an extra 110 LF of 6-Inch hydrant service lines that the Town may have to take over and maintain.
- e. The Town understands that the project area has a substantial amount of silt and clay. These types of soils lend themselves to increased corrosion. The applicants engineer has selected ductile iron pipe as the proposed material for the water main. If the Town is to take over this water infrastructure, all mains shall be C900 PVC. Extra caution should be taken with the installation of any metal fittings, glands, and service saddles. Stainless steel shall be required.
- f. The applicant shall provide two valves on the two 8-Inch tees that connect the water main loop on Yarmouth Road, (Sta. 16+75 and 20+80). One off of the branch and one on the southern side of the Tee. No Exception.

Recommendation:

It is the opinion of the Town of Essex Public Works that the applicant has not supplied adequate information regarding the proposed design of the new infrastructure to provide an accurate and thorough review nor written concurrence/non-concurrence by the Village on specific issues relating to the portions of the infrastructure that impact directly on the Village and the project. The submittal is incomplete.