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May 13, 2011

# DRAFT

Peter Asch d/b/a  
Asch Enterprises 34 LLC  
2 Tigan Street  
Winooski, VT 05454

**RE: SITE PLAN AMENDMENT  
APPROVAL #2021-12  
34 RIVER ROAD, ESSEX VT**

Dear Mr. Asch:

The Town of Essex Community Development Department received your application on March 17, 2021, and deemed it complete on April 12, 2021, for the addition of chiller pads located on the northwest corner of the building located at 34 River Road. In addition, the wastewater facility located at 36 River Road will be shared with the production operations occurring at 34 River Road to facilitate the expansion of its manufacturing operations.

Pursuant to Article V, Section 5.1(D)(1)(c) of the *Town of Essex Official Subdivision Regulations*, staff determined that the application did not involve substantial changes and prepared a draft decision for review by the Planning Commission as a minor amendment. The Commission considered and approved the proposed amendment under its consent agenda on May 13, 2021.

Pursuant to state statute, a “Notice of Hearing” was provided to the applicant’s engineer for posting on the property. The abutting property owners, landowner and landowner’s engineer were mailed a copy of this draft approval prior to the hearing.

The Commission approved the amendment, subject to the below findings and conditions.

## **BACKGROUND**

On March 22, 1979, the Planning Commission granted approval of an IBM research and testing lab building. On July 20, 1994, a minor site plan amendment for new loading docks was approved for a warehouse and distribution facility. On May 12, 2011, the Planning Commission

46 approved a minor site plan amendment for several external renovations. The current proposal  
47 does not change the square footage of the facility or the circulation, parking or access.  
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49 **PROPOSAL:**

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51 The applicant's engineer, David Slade, described the proposal as follows:  
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53 *Twincraft intends to produce liquid soap, lotions, and other similar personal care products at*  
54 *this facility. The process will consist of blending, mixing, bottle filling, and packaging.*  
55 *Construction will consist of the addition of interior partitions, architectural finishes, process*  
56 *equipment (mix kettles, filling lines, etc.), and mechanical and electrical support equipment.*  
57 *Outdoor modifications are limited to the addition of new air cooled chillers, to be placed on*  
58 *two new concrete pads, (~267 sq ft combined). The chiller pads are located approximately 150*  
59 *feet from the nearest property line, which is to the north of the building. (See attached Site*  
60 *Plan) Detailed plans and specifications for these renovations are under development and will*  
61 *be submitted for Div. of Fire Safety and Essex Construction Permits by the end of this month.*  
62 *There are currently 215 parking spaces on the site including 6 handicap spaces. Using Essex's*  
63 *zoning requirement of 2 spaces for every 3 employees would allow for up to 322 employees*  
64 *before additional parking would be required. Twincraft has completed staffing projections for*  
65 *the next five years. Using these projections, the total building occupancy would not exceed the*  
66 *allowable employees in the foreseeable future.*

67 *The current facility is permitted for 4,000 GPD of wastewater according to a recent*  
68 *conversation with Aaron Martin. There is no expected increase in wastewater generation*  
69 *associated with these operations. It should be noted however that for the foreseeable future,*  
70 *any wastewater generated during the mixing/cleaning process will be collected and*  
71 *transported to the wastewater treatment facility at Twincraft's adjacent 36 River Road*  
72 *Facility. The currently permitted wastewater flow from 36 River Road is not expected to be*  
73 *exceeded as a result of the 34 River Road load.*

74 *There is no anticipated impact to traffic, or storm water associated with this project. There will*  
75 *be no new signs or exterior lighting installed as part of this project. There will be no*  
76 *appreciable increase in noise associated with this project. The project is located in an area*  
77 *currently zoned as industrial.*

78 *All project elements are being designed and detailed by a team of design professionals*  
79 *including an Architect, Structural Engineer, Process Engineer, Mechanical & Plumbing*  
80 *Engineer, Electrical Engineer, and Construction Manager.*

81 *All work will be designed and constructed in full compliance with the VT Fire and Building*  
82 *Safety Code including all adopted codes. Construction permits will be secured from the*  
83 *Division of Fire Safety and the Town of Essex prior to construction.*  
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85 **FINDINGS OF FACT**

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87 1. The applicant/landowner is Peter Asch d/b/a Asch Enterprises 34 LLC. The parcel is  
88 identified as 2:/064/003/004, known as 34 River Road, Essex Junction, Chittenden County  
89 and State of Vermont. The parcel is located in the Industrial (I1) Zoning District. Peter  
90 Asch operates a business named 'Twincraft' and is currently operating at 36 River Road.

- 91  
92 2. The proposal under review before the Planning Commission is for the addition of two  
93 exterior concrete pads to accommodate chillers for the expansion of Twincraft; and the  
94 transport of wastewater generated during the mixing/cleaning process to the facility located  
95 at 36 River Road. The current proposal does not change the square footage of the facility or  
96 the circulation, parking or access.  
97  
98 3. The following site plan was submitted on behalf of this application, along with floor plans  
99 to be used with the fit-up application:  
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101 • *Site Plan*, dated 02/25/21, prepared by D. Slade, date-stamped received by the  
102 Community Development Department on March 17, 2021;  
103 • Plan Sheet No. G-01 “Twincraft Essex Jct., VT 34 River Road Production  
104 Expansion General Arrangement Overall Plan” as prepared by Slade Engineering,  
105 dated 02/03/21;  
106 • Plan Sheet No. G-02 “Twincraft Essex Jct., VT 34 River Road Production  
107 Expansion General Arrangement First Floor Partial Plan” as prepared by Slade  
108 Engineering, dated 02/03/21;  
109 • Plan Sheet No. G-03 “Twincraft Essex Jct., VT 34 River Road Production  
110 Expansion General Arrangement Mezzanine Partial Plan” as prepared by Slade  
111 Engineering, dated 02/03/21;  
112 • Plan Sheet No. G-04 “Twincraft Essex Jct., VT 34 River Road Production  
113 Expansion General General Construction Details and Schedules” as prepared by  
114 Slade Engineering, dated 02/03/21;  
115 • Plan Sheet No. G-05 “Twincraft Essex Jct., VT 34 River Road Production  
116 Expansion General Construction Details and Notes” as prepared by Slade  
117 Engineering, dated 02/03/21; and  
118 • Plan Sheet No. G-06 “Twincraft Essex Jct., VT 34 River Road Production  
119 Expansion General Construction Reflected Ceiling Plan” as prepared by Slade  
120 Engineering, dated 02/03/21.  
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122 4. The Police Chief and Parks and Recreation had no concern/comments with this application.  
123  
124 5. The Fire Chief requested that the applicant meet all requirements of the State Fire Marshall.  
125  
126 6. In a Memo dated 4/12/2021, last revised 4/28/2021, Public Works provided the following  
127 comments:

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129 *The Public Works office has reviewed the proposed conditional use application for the*  
130 *existing building located at 34 River Road and offers the following comments. **The***  
131 *applicant has submitted a response to the previous review memo from this office. All new*  
132 *comment are provided in red font below.*

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**Traffic**

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1. *The applicant has not provided any information or calculations regarding the proposed traffic to be generated by the employees to and from the 46,500 SF proposed warehouse / manufacturing space. This project will have some impact to the AM and PM Peak Hour traffic due to the addition of employees at the facility located 34 River Road from what currently exists. These impacts may or may not have an influence on existing traffic flows onto VT Route 117, River Road.*  
*Comment Addressed*

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2. *With the access drive to the current facility on VT Route 117, (River Road), the Town will defer approval to the State of Vermont Agency of Transportation for conditions and/or upgrades to the intersection that may be required due to the traffic impacts of any proposed change of use for 34 River Road. A written response should be provided from VTRANS to the developer, approving the additional traffic impacts. This documentation shall be provided to Public Works and the Planning Commission.* *Comment Addressed*

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**Water and Sewer**

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1. *This office has verified that this building is allocated 20 E.U. 's, (4,000 GPD), and has purchased capacity within both the water and sanitary sewer systems in this amount. Based on the Town of Essex Sewer Use Ordinance, the applicant has sufficient allocation for up to 266 employees, based on 15 GPD per employee. The applicant does discuss within the project description that Twincraft has completed a five-year staffing projection study. If the study does project the number of employees to exceed 266, the applicant will be required to purchase additional water and sewer allocation.* *The applicant has acknowledged this comment.*

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2. *The applicants engineer has not provided any information or documentation on the proposed number of employees, manufacturing process water usage, wastewater generation, or what the quality of the proposed waste stream for analyzing potential system impacts. Due to the nature of the proposed manufacturing process, the potential for high strength wastewater is a concern. The applicant has proposed to collect all process waste onsite and transport to 36 River Road to process in the pre-treatment system for that building. Staff would be open to this but additional information will be required for review prior to approval*

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- a. *How will the process waste be transported from 34 to 36 River Road?*  
*Comment addressed*

- 177                    *b. What will the standard operating procedure be for transporting and*  
178                    *decanting into the sewer service for 36 River Road? **Comment Addressed***  
179                    *c. Will the process waste be stored on site at either location for any length of*  
180                    *time? **Comment Addressed***  
181                    *d. Sewer Spill Plan shall be submitted to Public Works for review and*  
182                    *approval. **Comment Addressed***  
183                    *e. A method of metering wastewater flows from the manufacturing process at*  
184                    *34River Road shall be installed and maintained by the applicant for*  
185                    *wastewater billing. **The applicant will continue to work with Public Works***  
186                    ***on monitoring the waste quantity and quality that is generated by***  
187                    ***Twincraft. No further comment is required.***  
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189                    *3. As stated previously, the applicant shall sample and test the wastewater discharge*  
190                    *in accordance with the Town of Essex Sewer Use Ordinance. Public Works will*  
191                    *require that the waste at both 34 and 36 River Road will require monthly samples*  
192                    *and tests of the process waste stream on a monthly basis. Monthly reports shall be*  
193                    *submitted to the Town for review. A list of the required tests are provided below.*  
194                    ***The applicant will begin testing and monitoring waste quality moving forward,***  
195                    ***concentrating on the items listed below.***  
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197                    *a. Temperature*  
198                    *b. pH*  
199                    *c. Total Suspended Solids, (TSS)*  
200                    *d. Biochemical Oxygen Demand, (BOD)*  
201                    *e. Fats, Oils, Grease, (FOG)*  
202                    *f. Copper*  
203                    *g. Zinc*  
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205                    *4. The applicant must identify compounds on the product list provided to Public*  
206                    *Works that contain Zinc and Copper. These two elements are of concern to the*  
207                    *Vermont Agency of Natural Resource and to the Essex Junction Waste Water*  
208                    *Treatment facility for developing permit compliance requirements. This*  
209                    *developing regulatory language in the permit will require quantifying copper and*  
210                    *its potential to move through the facility to the Winooski River. In addition to the*  
211                    *waste stream sampling outlined above, grab samples of the wastewater from both*  
212                    *building service pump stations shall be taken on a monthly basis, and tested for*  
213                    *both Copper and Zinc. **The applicant will begin testing and monitoring waste***  
214                    ***quality as directed by Public Works moving forward.***  
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216                    **Stormwater**

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218                    *1. Public Works is of the opinion that there is no significant impact due to the*  
219                    *proposed changes at 36 River Road. No further comment is necessary.*  
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222 **CONDITIONS**

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- 224 1. All conditions from previous approvals shall remain in effect except as modified herein.
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- 226 2. The project shall be completed in accordance with the following plans:
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- 228 • Plan Sheet No. 1, “Site Plan, Proposed storage Silos and Chiller Units, Land of The
  - 229 Miller Realty Group, LLP, 34 River Road, Essex VT,” prepared by Lamoureux &
  - 230 Dickinson Consulting Engineers, Inc, dated 03/10/11;
  - 231 • Plan Sheet No. ASK-04, “Proposed New Work Plan, Essex Molding Facility, 34 River
  - 232 Road, Essex VT”, prepared by Joseph Architects, LLC, dated 11/15/10; and
  - 233 • Plan Sheet No. ASK-05, “Proposed Exterior Elevations, Essex Molding Facility, 34
  - 234 River Road, Essex VT”, prepared by Joseph Architects, LLC, dated 11/15/10.
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- 236 3. Town and State construction/fit-up permits and Certificate of Occupancy inspections,
- 237 including associated fees, shall be obtained from both entities.
- 238
- 239 4. Per Finding 6 above, the applicant shall adhere to all Public Works requirements.
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- 241 5. Prior to the issuance of a Certificate of Occupancy, the applicant shall provide updated
- 242 emergency contact information to the Fire Department and Essex Dispatch Center associated
- 243 with the Supra Lock Box, including after-hour contact information.
- 244
- 245 6. By acceptance of the conditions of this approval without appeal, the applicant confirms and
- 246 agrees for itself and all assigns and successors in interest that the conditions of this approval
- 247 shall run with the land and the land uses herein permitted and will be binding upon and
- 248 enforceable against
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Peter Asch d/b/a  
Asch Enterprises 34 LLC  
34 River Road  
PC Approval 2021-12  
May 13, 2021

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

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270 **TOWN OF ESSEX PLANNING COMMISSION:**

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273 \_\_\_\_\_  
Dustin R. Bruso, Chair

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Joshua Knox, Vice-Chair

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John Mangan, Clerk

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David P. Raphael

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Tom Furland

\_\_\_\_\_   
Johnathan Schumacher

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282 \_\_\_\_\_  
Ned Daly

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284 cc: David Slade, Slade Engineering via email [david@sladevt.com](mailto:david@sladevt.com)

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286 g:\commdev\pc\approval\River Road 34 consent May 2021