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9 May 27, 2021

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12 Andy Cabrera  
13 Simpson Cabinetry, Inc.  
14 1640 Cochran Road  
15 Richmond, Vermont 05477

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17 Re: **15 CORPORATE DRIVE, ESSEX JUNCTION, VERMONT**  
18 **MINOR SITE PLAN AMENDMENT APPROVAL #PC:2021-15**

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20 Dear Mr. Cabrera:

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22 The Town of Essex Community Development Department received your application on April 29,  
23 2021, for a Minor Site Plan Amendment to add a 3,700 ± building addition, including other site  
24 improvements located at 15 Corporate Drive in the Resource Preservation District - Industrial  
25 (RPD-I) Zoning District.

26

27 Pursuant to Article V, Section 5.5(A) of the *Town of Essex Official Zoning Regulations*, staff  
28 determined that the application was complete and did not involve substantial changes to the  
29 approved project. Staff prepared a draft decision for review by the Planning Commission as a  
30 minor amendment. The Planning Commission considered and approved the proposed amendment  
31 under its consent agenda on May 27, 2021, with Findings and Conditions noted below.

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## 33 FINDINGS

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- 35 1. The landowner (hereinafter applicant) is Andy Cabrera, d/b/a Simpson Cabinetry Inc. The  
36 property is located at 15 Corporate Drive, in the Resource Preservation-Industrial (RPD-I)  
37 District, in the Town of Essex, State of Vermont, Chittenden County. The property is  
38 identified on the Tax Maps as: 2:/072/003/015.
- 39
- 40 2. A ‘Notice of Hearing’ was provided to the applicant for posting on the site. The abutting  
41 property owners and landowner were mailed a copy of this draft approval prior to the  
42 hearing.
- 43

44 3. The Planning Commission finds that the applicant has demonstrated compliance with the  
45 minor site plan review standards contained in Article V, Section 5.6., of the *Town of Essex*  
46 *Official Zoning Regulations*.

47  
48 4. The applicant submitted the following revised plans as drawn by O’Leary-Burke Civil  
49 Associates, PLC, dated 2/2/15, last revised 3/25/21:

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- 51 • Plan Sheet #1, “Simpson Cabinetry Inc., 100-Scale Overall Plan, Saxon Hill  
52 Industrial Park – Lot #15, Corporate Drive, Essex, VT”;
- 53 • Plan Sheet #2, “Simpson Cabinetry Inc., Site Plan, Saxon Hill Industrial Park – Lot  
54 #15, Corporate Drive, Essex, VT”;
- 55 • Plan Sheet #3, “Simpson Cabinetry Inc., Lighting Plan, Saxon Hill Industrial Park –  
56 Lot #15, Corporate Drive, Essex, VT”;
- 57 • Plan Sheet #4, “Simpson Cabinetry Inc., Road + Stormwater Details, Saxon Hill  
58 Industrial Park – Lot #15, Corporate Drive, Essex, VT”;
- 59 • Plan Sheet #5, “Simpson Cabinetry Inc., Water + Sewer Details, Saxon Hill Industrial  
60 Park – Lot #15, Corporate Drive, Essex, VT”; and
- 61 • Plan Sheet #6, “Simpson Cabinetry Inc., Erosion Prevention and Sediment Control  
62 Plan + Specifications, Saxon Hill Industrial Park – Lot #15, Corporate Drive, Essex,  
63 VT”;
- 64

65 5. The proposal includes a ±3,700 building addition; expanded paved parking area; relocation  
66 of existing outdoor storage containers; a covered storage area for personal use, and a floor  
67 drain. The use remains the same. The building addition does not propose any additional  
68 employees for the business.

69  
70 6. The applicant provided the following information regarding site plan criteria:

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72 **5.6 (A) General Requirements:**

73 *The project is in conformance with the Town Plan. The project meets all dimensional*  
74 *limitations and will not adversely affect the public health, safety, and welfare.*

75  
76 **5.6 (B) Natural & Scenic Features:**

77 *Neither the Significant Features Map nor the Water Resources Map show any features on*  
78 *the property. The site is generally flat and mostly wooded. The 200’ buffer area will*  
79 *remain forested. The property does not contain any surface waters, wetlands or streams.*

80  
81 **Topography:**

82 *The site is previously developed. Existing native soils are relatively flat (0-5 % slopes)*  
83 *with no steep slopes. The project does not propose significant changes to grading. Please*  
84 *see site plan for existing LIDAR contours and proposed grading.*

85  
86 **Surface Water & Wetlands:**

87 *There are no surface waters or wetlands on or anywhere near the site.*  
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89           **Renewable Energy:**  
90           *The project does not currently propose to use alternative/renewable energy. Conduit for*  
91           *a future vehicle charging station in the parking lot is existing.*

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93           **Aesthetics & Visual Impacts**  
94           *N/A. The proposal is an addition to a currently developed site.*

95  
96           **5.6 (C) Access:**  
97           *The site will maintain its existing, adequate access driveway off Corporate Drive.*  
98           *Corporate Drive is accessed by Allen Martin Drive. Pedestrian access to the site is*  
99           *achieved by the multi-use path which runs along Corporate Drive and by the trails*  
100           *existing in the 200' buffer on all lots on Corporate Drive.*

101  
102           **Traffic**  
103           *The applicant does not propose additional employees as part of this amendment and,*  
104           *hence, an increase to project-generated trip ends is not anticipated.*

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106           **5.6 (D) Site Circulation:**  
107           *Site circulation is existing and adequate.*

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109           **5.6 (E) Parking:**  
110           *Thirty-two (32) 9' by 18' parking spaces are included on the site plan.*  
111           *(Staff note: 32 spaces meet the requirement)*

112  
113           **5.6 (F) Landscaping & Screening:**  
114           *The project contains five (5) existing northern red oak street trees. No additional*  
115           *landscaping is proposed.*

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117           **5.6 (G) Lighting:**  
118           *The lighting plan consists of four (4) building-mounted LEDs. The existing building has*  
119           *3. One will be relocated plus 1 new one. The uniformity ratio is 4.36, meeting the Town*  
120           *standard, and can also be found on Sheet 3.*

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122           **5.6 (H) Utilities and Services:**  
123           **Water & Sewage Disposal**  
124           *The building has existing municipal water and sewer connections. Existing approved*  
125           *water and sewer demand is 300 gpd and is not proposed to be changed. A floor drain is*  
126           *proposed as part of the expansion and will require a WW amendment.*

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128           **Stormwater**  
129           *Stormwater created by the project is collected by perimeter swales on-site and routed via*  
130           *a catch basin and yard drain to the existing stormwater pond located on Lot 13. The*  
131           *existing stormwater pond has been designed and permitted to treat the stormwater runoff*  
132           *from the future development of Corporate Drive Phase II.*

133

134           ***Utilities***

135           *All municipal utilities are existing.*

137           ***Fire Protection***

138           *The existing sprinkler system will remain.*

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140       7. The Police Chief and Recreation Director have no comments on this application.

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142       8. In an email dated 5/13/21, the Fire Chief stated,

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144           *The current building has a sprinkler-system and we would want this addition also*  
145           *connected to that same system (this would avoid having two FD connection points, or*  
146           *worse, having a portion of the building that isn't covered by the sprinklers). This would*  
147           *then require the applicant to have a plan that is approved by the State FM.*

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149           *The Fire Department agrees with the Applicants request to add additional paved surface*  
150           *to provide access and parking to the proposed addition.*

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152       9. In a Memorandum dated 5/6/21, Public Works Department stated:

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154           ***Transportation:***

155           *The applicant has stated that there will be no increase in the number of employees*  
156           *working onsite, thus no increase in VTE to and from the business. Public Works is of the*  
157           *opinion that any increase in delivery traffic to and from the site due to the increase in*  
158           *warehouse surface area will require an updated study.*

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160           ***Water and Sewer:***

161           *As mentioned above, the applicant does not intend to increase the number of employees*  
162           *beyond the 20 currently approved. There is no need for addition water and sewer*  
163           *allocation for the building expansion as proposed. Public Works will monitor the water*  
164           *usage at this location and verify that this project will not increase usage. If there is an*  
165           *increase, the applicant will be required to purchase additional water and sewer*  
166           *allocation to cover the increased usage.*

167  
168           ***Storm water:***

169           *The total approved lot coverage is currently 0.52 acres. The applicant's proposed site*  
170           *plan amendment would increase the site's impervious coverage to 0.85 acres. The*  
171           *applicant has provided a full accounting of the Phase II stormwater pond which has a*  
172           *treatment capacity that can serve up to 9.50 acres of impervious run-off. This project*  
173           *would increase the total imperious area treated by the Phase II stormwater pond to 8.74*  
174           *acres.*

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176           *Please note, this leaves approximately 0.76 acres of impervious treatment capacity*  
177           *remaining for all remaining unconstructed lots and any future site plan amendments for*  
178           *existing developed lots.*

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*The applicant shall follow the Low-Risk Site Handbook for Erosion Prevention and Sediment Control during construction.*

**CONDITIONS:**

1. The applicant shall not increase the number of employees from 20 until approval has been granted by the Public Works Department. Public Works shall determine if an updated traffic study or if additional purchase of water and sewer allocation is required.
2. The applicant shall follow rules located in the ‘Low-Risk Site Handbook for Erosion Prevention and Sediment Control.
3. The applicant shall connect the approved addition to the existing sprinkler system to avoid having two FD connection points.
4. The applicant shall amend and/or secure any state permits that may be required as a result of this approval.
5. The addition of covered storage shall only be used for personal use.
6. All conditions from previous approvals shall remain in effect except as modified herein.
7. By acceptance of the conditions of this approval without appeal, the applicant confirms and agrees for themselves and all assigns and successors in interest that the conditions of this approval shall run with the land and the land uses herein permitted and, will be binding upon and enforceable against the applicants and all assigns and successors in interest.

It is the conclusion of the Essex Planning Commission that the project described in the application referred to above, if completed and maintained in conformance with the foregoing findings of fact and conditions, will not cause a detriment to the health, safety and welfare of the inhabitants of the Town of Essex and will conform with the *Town of Essex Official Zoning Regulations* adopted pursuant to 24 V.S.A Chapter 117.

As construction proceeds, it is understood that modifications to the plans may be necessary. The applicant must discuss changes affecting the approval granted herein with the ZAO before construction to decide whether additional Town review is required, including approval by the Planning Commission and/or Zoning Board of Adjustment. At his/her expense, the applicant/landowner may be required to correct any construction, improvement, site work, etc. not in conformance with this, or subsequent, approvals prior to issuance of a CO.

Andy Cabrera  
15 Corporate Drive  
PC Approval 2021-15  
May 27, 2021

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

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226 TOWN OF ESSEX PLANNING COMMISSION

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229 \_\_\_\_\_  
Dustin R. Brusco, 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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Johnathan Schumacher

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Ned Daly

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Tom Furland

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260 cc: Shawn Cunningham, O’Leary-Burke Civil Associated, PLC, via email

261 [scunningham@olearyburke.com](mailto:scunningham@olearyburke.com)

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