

MEMO

To: NECS Specific Plan File
From: Emily Heymann, Planner
Date: October 6, 2021
Re: NECS Specific Plan- Closing Memo to File



On October 5, 2021, the Planning Commission held a hearing on Town Plan and Bylaw Amendments for the NECS Specific Plan and voted to deny the NECS Specific Plan.

Excerpt from [October 5, 2021 Planning Commission minutes](#):

Shayla Livingston made a motion on Option #1 [approve]. Meghan Cope seconded. The motion failed with a vote 2 in favor (Meghan, Shalya), 3 opposed (Ron, Jill, Alex), and Chapin abstaining. Chapin abstained because he wasn't present during the discussion on Option #1 (he attended Selectboard from approx. 7:22 to 7:45 pm). Alex Daley said he voted no on Option #1 because it seemed clear that it was "dead in the water" and pointless to waste Selectboard's time on something the applicant would not move forward with.

Alex Daley made a motion on Option #4 [deny]. Ron Bomer seconded. The motion carried with a vote 5 in favor and one opposed (Chapin). Chapin noted he voted opposed at the very beginning of the Specific Plan process, citing concerns of an industrial expansion near residential.

What's next? The applicant could submit a new Specific Plan application with a revised substantial benefit. This would require the applicant to further research the viability of the sidewalk, crosswalk, and pedestrian signals in consultation with the Town Manager/Selectboard, Dept of Public Works, and Vermont Agency of Transportation (VTrans). The Planning Commission made it clear that the infrastructure substantial benefit would need to include something more than the bus pull-off, concrete pad for bus shelter, and bicycle lockers. The sidewalk alone, cash or escrowed funds for sidewalk, is not viable because its permitting and construction hinges on the crosswalks and signal upgrades at the intersection (see Appendix E).

Staff Comment: VTrans said they would not allow a sidewalk to be constructed to intersection without the related crosswalks and signalization upgrades. The intersection has crosswalks on two of the four sides. A The upgrade is more than striping. Adding two crosswalks to SE corner would require running electrical and conduit to the SE corner. It would also require an easement from the abutting property on street corner (5124 Williston Road), and potentially permanent or temporary construction easements from 5649 and 5182 Williston Road.

In summary, the Planning Commission felt like voting yes would be "saying no by saying yes" because of all the steps and unknowns associated with the sidewalk substantial benefit and the intersection. The Planning Commission agreed that a bus pull-off, bike storage lockers, and a sidewalk from property line to South Brownell intersection was a sufficient substantial benefit. The Planning Commission wanted to ensure that the substantial benefit would be constructed in the same time frame as the NECS expansion. They were concerned that the expansion would be moving forward, but the sidewalk held up due to the scoping, engineering, cost, and permitting that would be required of the applicant.