

WILLISTON DEVELOPMENT REVIEW BOARD STAFF REPORT

DP 24-15

Discretionary Permit

99 Engineers Drive Addition

PERMIT NUMBER

REVIEW PHASE

PROJECT NAME

99 Engineers Drive

07:105:091:020

Pidgeon Farm Properties

PROPERTY ADDRESS

PARCEL ID NUMBER

PROPERTY OWNER

July 9, 2024

Engineers Construction (Ken Pidgeon)

Krebs & Lansing (Jesse Carswell)

HEARING DATE

APPLICANT

REPRESENTATIVE

BRIEF SUMMARY OF REQUEST

This is a request for discretionary permit review to develop a 2,300SF addition to a 7,080SF building which has been in use as a repair garage. Part of the existing building is occupied by White’s Truck & Auto Repair. The vacant space and addition would be occupied by ECI for vehicle maintenance including a pressurized vehicle wash system.

The existing building is old (1970 per lister’s card) and like most of its neighbors on Engineers Drive is non-conforming with the Williston Development Bylaws in several areas.



1.3 Acres

Industrial

Industrial

Private Road

PROPERTY SIZE

CURRENT USE

PROPOSED USE

ACCESS

Industrial West

No

No

N/A

ZONING DISTRICT

DESIGN REVIEW

CONSERVATION REVIEW

ADVISORY BOARDS

APPLICABLE BYLAW CHAPTERS:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> 2. Nonconforming Lots, Uses, and Structures | <input checked="" type="checkbox"/> 16. Maintenance | <input checked="" type="checkbox"/> 24. Outdoor Lighting |
| <input type="checkbox"/> 4. Permit Exemptions | <input type="checkbox"/> 17. Non-Residential Accessory Uses and Structures | <input checked="" type="checkbox"/> 25. Signs and Public Art |
| <input type="checkbox"/> 10. Boundary Adjustments | <input type="checkbox"/> 18. Compatibility, Potential Hazards, and Nuisances | <input checked="" type="checkbox"/> 26. Street Trees |
| <input type="checkbox"/> 11. Growth Management | <input type="checkbox"/> 19. Density, Transfer of Development Rights | <input type="checkbox"/> 27. Conservation Areas |
| <input type="checkbox"/> 12. Subdivisions and Final Plans | <input type="checkbox"/> 20. Residential Improvements | <input type="checkbox"/> 28. Special Flood Hazard Areas |
| <input checked="" type="checkbox"/> 13. Access, Connectivity, Traffic Studies | <input type="checkbox"/> 21. Telecommunication Facilities | <input checked="" type="checkbox"/> 29. Watershed Health |
| <input checked="" type="checkbox"/> 14. Off-Street Parking and Loading | <input type="checkbox"/> 22. Design Review | <input checked="" type="checkbox"/> 31-42. Zoning District |
| <input checked="" type="checkbox"/> 15. On-Site Infrastructure | <input checked="" type="checkbox"/> 23. Landscaping | <input checked="" type="checkbox"/> 43-45. Impact Fees |

Chapters 1, 3, 5-9, 30, 46 and Appendices are not usually discussed in DRB staff reports.

RECOMMENDED ACTION

Take Testimony & Close

Tonight

Approve

HEARING¹

DELIBERATE²

DECISION³

Procedural notes: ¹When continuing, the DRB must specify reason or request additional information and announce a date certain. ²The DRB cannot deliberate or decide until a hearing has been closed. ³The DRB has 45 days to issue a decision after closing a hearing.

Staff recommends approval of the application with conditions as drafted.

PROJECT HISTORY

This is the first time the DRB has reviewed this request. The only relevant project history is the pre-app for this application:

February 27, 2024 DP 24-15 Pre-App Pre-app for building addition.

DATE OF APPROVAL PERMIT NUMBER DESCRIPTION

ADVISORY BOARDS

Checked boxes indicate that a finding, conclusion, or condition must be drafted by the DRB

<input type="checkbox"/>	CONSERVATION COMMISSION (WCC)	N/A	N/A
	NAME	TRANSMITTAL DATE	CONDITION
<input type="checkbox"/>	HISTORIC AND DESIGN ADVISORY COMMITTEE (HDAC)	N/A	N/A
	TRANSMITTAL DATE	TRANSMITTAL DATE	CONDITION

INTERDEPARTMENTAL REVIEW

Checked boxes indicate that a finding, conclusion, or condition must be drafted by the DRB

<input type="checkbox"/>	PUBLIC WORKS	June 26, 2024	N/A
	DEPARTMENT	MEMO DATE	CONDITION
<input type="checkbox"/>	FIRE	June 26, 2024	Included, with limitations
	DEPARTMENT	MEMO DATE	CONDITION
<input type="checkbox"/>	POLICE	N/A	N/A
	DEPARTMENT	MEMO DATE	CONDITION

The DRB can adopt comments as conditions but only to the extent that they can be enforced by the statutory authority of zoning per VSA Chapter 24. The Fire Department Review Standards are selectboard Policy. FD comments that are not contained in the Williston Development Bylaws, or other duly adopted ordinance of the Town, cannot be enforced by the DRB.

PUBLIC COMMENT

No comment letters were received at the time of mail out (July 3, 2024).

PROJECT ELEMENTS

Checked boxes indicate that a finding, conclusion, or condition must be drafted by the DRB.

Pre-Application Recommendations

DRB RECOMMENDATION	APPLICANT RESPONSE
a. WDB 36.3.3: The front yard setback from Engineers Drive for this parcel is 23ft	Complies.
b. WDB 2: The existing non-conforming fence and 2 parking spaces in the front yard can be retained and altered provided they do not increase the extent or nature of the non-conformity.	Complies.
c. WDB 36, 23 and 2: The outdoor storage areas should be defined on the site plan at discretionary permit. The applicant SHOULD relocate the outdoor storage out of the 9' buffer to the northern property line. Landscape buffer SHOULD NOT be provided on the northern property line.	Complies. See chapter 29 discussion regarding outdoor storage adjacent to a Class II wetland.

□ **Pre-Application Recommendations**

d. WDB 14: Provide car parking, short term bike parking, long term bike parking and end of trip facility details. Confirm EoT is sufficient to serve 98 and 99 Engineers Drive if properties share.	Car and bike parking comply as proposed. EoT complies for 99 Engineers Drive.
e. WDB 15: A sidewalk IS NOT required along Engineers Drive.	N/A
f. WDB 15: Overhead power IS NOT required to be placed underground.	N/A
g. WDB 16: Snow storage should meet the water quality requirements. Confirm how the solid waste store is screened from public view.	Compliance anticipated. Applicant relocated snow storage but must demonstrate compliance with WDB 16.6.3.1. Solid waste storage complies.
h. WDB 26: Additional street trees SHOULD NOT be provided along Engineers Way. The ash street tree should be removed and replaced with a different species.	Compliance anticipated. No additional street trees proposed. Ash tree shall be removed and replaced with a new street tree.
i. WDB 29: The plan submitted with the discretionary permit application should show all wetlands and buffers on the property as delineated by a professional wetland scientist. Development should not encroach on the watershed buffers except where the applicant has a right to maintain outdoor storage use of that land as an existing non-conformity under WDB 29.9.9.2. The extent of the watershed protection buffers and/or non-conforming outdoor storage areas should be marked per WDB 29.9.7	Compliance anticipated. See Chapter 29 discussion regarding proposed outdoor storage in the Class II wetland and its associated buffer.

□ **Industrial Zoning District West**

Standard

WDB 36

DECISION

Vehicle repair 8111 Yes

PROPOSED USE NAICS CODE ALLOWED NOTES

Dimensional Standards

Complies as proposed. The proposed addition is below the 36ft maximum building height, and the lot frontage is greater than the minimum 40ft.

A front yard setback of 35ft from the right-of-way is required for private roads. WDB 36.3.3.3 allows the DRB to provide a setback exemption where the average existing setback on all properties within 300ft is used to determine the reduced setback. The exemption states that the setback must be deep enough to allow for the construction of a sidewalk. No sidewalk is required nor proposed; however, the 23ft setback meets this requirement. The table below sets out the average setback exemption calculation:

Property	Average distance from building to Engineers Drive
99 Engineers Drive	24'
98 Engineers Drive	40'
63 Engineers Drive	12.5'
54 Engineers Drive	30.5'
4560 Williston Road	24'
4580 Williston Road	9'
Average setback to Engineers Drive	23'

The proposed addition complies with the average setback of 23ft. The expanded driveway for the addition complies as it crosses the setback at an angle of 90 degrees.

The two parking spaces in the north-west corner of the lot are an existing nonconformity in the front yard setback. The parking will be retained, striped, and one will be made ADA compliant. Per WDB 2.6.3, the alterations to the parking are allowed as they do not increase the degree of non-conformity.

Outdoor Sales and Storage

Front and side setbacks:

Complies. At pre-application, the DRB discussed the existing outdoor storage within the front and side setbacks on the property. The DRB recommended that the applicant relocate outdoor storage outside the 23' front and 9' side setbacks. The applicant has proposed outdoor storage areas that comply with these setbacks.

Rear setback:

Compliance anticipated. Outdoor storage is proposed within the Class II wetland in the northeast corner of the parcel. The proposed outdoor storage in the watershed protection buffer is an existing non-conformity that pre-dates the current version of the bylaw—see Chapter 29 discussion.

Vested Rights, Nonconforming Lots, Uses, Structures N/A

WDB 2

DECISION

There are a number of non-conformities on the parcel, as follows:

- Outdoor storage in setback along north property line
- Outdoor storage areas in the wetland and associated buffer along the east property line
- Parking in front setback
- No bike parking or end of trip facility
- No sidewalk to Engineers Drive
- Overhead utilities
- Not enough street trees along Engineers Drive

The DRB has the power to correct non-conformities where they are reasonably proportionate to the scale of the development. These non-conformities are referenced throughout this report.

BYLAW EXCERPT:

EXHIBITS:

***2.8 Correction of Nonconformities.** The DRB may require that nonconformities be corrected as a condition of approval of a discretionary permit for additional development on the same lot or on adjacent lots in the same ownership. This power is limited to requiring work that is reasonably proportional to the scale of the proposed development.*

Access, Connectivity, Traffic Studies Standard

WDB 13

DECISION

Complies. The parcel takes direct access to Engineers Drive, a local road, which is acceptable. The driveways comply with the requirements of WDB 13.2.3 on alignment, grade, sight distance and clearance.

The 6 parking spaces that will be retained on Engineers Drive to serve the development do not back onto a public road in compliance with WDB 13.2.1.3.

The parcel has a long curb cut to Engineers Drive that serves the two existing garage bays and will be retained to serve the two new garage bays. Per WDB 13.2.2 these accesses are acceptable as they are necessary to serve the existing and proposed uses of the property.

□ **Off-Street Parking and Loading** Standard

WDB 14

Vehicular Parking

Complies as proposed. WDB Table 14.A establishes the maximum number of off-street parking spaces with a minimum requirement for 80% of the maximum. Table 14.A states that industrial uses are very diverse with the requirement set by the DRB / Administrator using 1 per 1,000SF as a starting point.

The 8 spaces proposed meet the requirement. Six of these are located on Engineers Drive which is under the ownership of the applicant and can therefore serve the development.

Bicycle Parking and End-of-Trip Facilities

Complies. The applicant is proposing 4 outdoor short term bike storage spaces and 3 indoor long term bike storage spaces which meets the minimum requirement for industrial uses.

Vehicle and Bicycle Parking Analysis per WDB 14.A							
Use	Amount in SF, students, rooms, seats, or dwelling units	Rate of Off-Street Vehicle Spaces	Required Vehicular Parking Spaces	Required ADA Accessible Spaces	Outdoor Bicycle Spaces	Long Term Bicycle Spaces	End of Trip Facilities (showers)
Industrial	9,380	1.00/1000SF as a starting point	8	1	4	3	1
Total Required: all uses			8	1	4	3	1
Total proposed by Applicant			8	1	4	3	1
Compliance?			Complies	Complies	Complies	Complies	Complies

□ **On-Site Infrastructure** Standard

WDB 15

DECISION

Sidewalks:

Complies. During pre-application, the DRB did not recommend a sidewalk along Engineers Drive. WDB 15.2.4.2 allows the DRB to waive the requirement for a sidewalk for industrial development. No sidewalk is proposed nor required.

Private Utilities:

Complies. 99 Engineers Drive has existing, above ground utilities. During pre-application review, the DRB waived the requirement for underground utilities as this requirement was not proportionate to the scale of development proposed.



Maintenance

Specific – See Condition 21

WDB 16

DECISION

Snow Storage:

Compliance anticipated. The applicant has proposed snow storage in the southwest corner of the property. WDB 16.6.3.1 states snow storage must drain to an approved stormwater system, flow over 100’ of heavily vegetated land, or infiltrate through at least four (4) feet of unconsolidated, Type A or Type B soil before reaching the water table. The site does not have an existing stormwater system or any heavily vegetated areas. The location where snow storage is proposed is mapped as Munson and Raynham silt loam (Type C/D soil). **Final Plans must demonstrate compliance with WDB 16.6.3.1. Staff recommends the applicant demonstrate the proposed snow storage areas have Type A or Type B soils on Final Plans OR excavate the location and fill it with soil that will meet the requirements. See Condition 21**

Solid Waste:

Complies. The site plan shows a dumpster pad that will be screened with a 6’ fence. The applicant has relocated the enclosure outside of the mapped wetland buffer.

BYLAW EXCERPT:

EXHIBITS:

16.6.3.1 Impact on Water Quality. Areas proposed for snow storage must drain to an approved stormwater system. The DRB may permit an exception to this standard only where the applicant clearly demonstrates that melt water from a proposed snow storage area that is not served by an approved stormwater system will receive adequate treatment before entering a watercourse or reaching the water table. For the purposes of this sub-section, adequate treatment shall mean that melt water must flow across at least 100 feet of heavily vegetated land or infiltrate through at least four (4) feet of unconsolidated, Type A or Type B (highly to moderately permeable) soil before reaching the water table.

Landscaping

Standard

WDB 23

DECISION

Complies. The DRB has considerable discretion in determining landscaping buffers. At pre-application, the DRB recommended that a landscape buffer should not be provided on the northern property line.

The subject parcel is buffered to the east and south by land owned by the applicant. It has been DRB precedent not to require landscape buffering between properties in the same ownership.

The adjoining parcel to the north is an industrial use. No landscape buffer is proposed nor required by the DRB.

Required Landscaped Buffers per WDB 23.A

Proposed Land Use	Adjoining Land Use		Type I	Type II	Type III	Type IV
			Existing Vegetation ¹	Dense Plantings ²	Informal Plantings ³	Formal Plantings ³
Heavy commercial/ industrial	North	Heavy commercial/ industrial	50'	13'	9'	23'
	South	Applicant owned land				
	East	Applicant owned land				
	West	Private Road	<i>Typical Street Tree Section per WDB 26.</i>			

(1) Minimum 50 feet width for Type I is based on typical tree height and reflects the protection of habitat values and low maintenance needs of remnant woodland or forest.
 (2) Type II buffer heights are based on the width of a hedge plus an 8-foot planting strip. Type II is permitted only where space limitations preclude use of the other types.
 (3) Type III and IV buffer heights are based on the maximum building height, or fractions thereof.
 (4) All outdoor storage and work areas are to be treated as heavy commercial/industrial.

☒ **Street Trees**

WDB 26

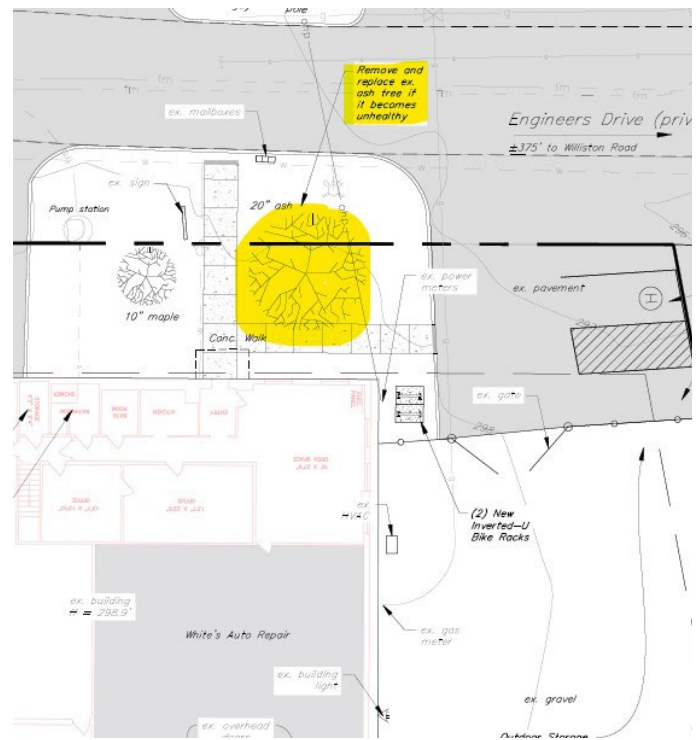
Compliance anticipated. WDB 26.11.2 requires street trees along the existing road frontage of redevelopment projects. The site has 2 existing trees along the existing 270' of frontage where 6 trees would normally be required. One of the existing trees is an ash tree.

The DRB recommended that additional street trees should not be provided along Engineers Drive but recommended that the existing ash tree should be removed and replaced with a different species due to the threat of the Emerald Ash Borer. The applicant has not proposed additional street trees and has stated that "the existing ash tree will be removed and replaced if it becomes unhealthy due to the Emerald Ash Borer."

The applicant shall replace the existing ash tree with a new street tree. Final plans shall include detail demonstrating compliance with WDB 26.4. See Condition 22.

Specific – See Condition 22

DECISION



☒ **Watershed Health**

WDB 29

Specific – See Condition 23

DECISION

WDB 29.4 Runoff and Erosion Control Plans

Complies. Proposed development in which the cumulative land disturbance including all clearing, grading, and excavation is less than ¼ (one-quarter) acre and all land that will be disturbed is outside the watershed protection buffers are exempt from the runoff and erosion control standards in WDB 29.3 – 29.6.

WDB 29.8 Wetlands Protection

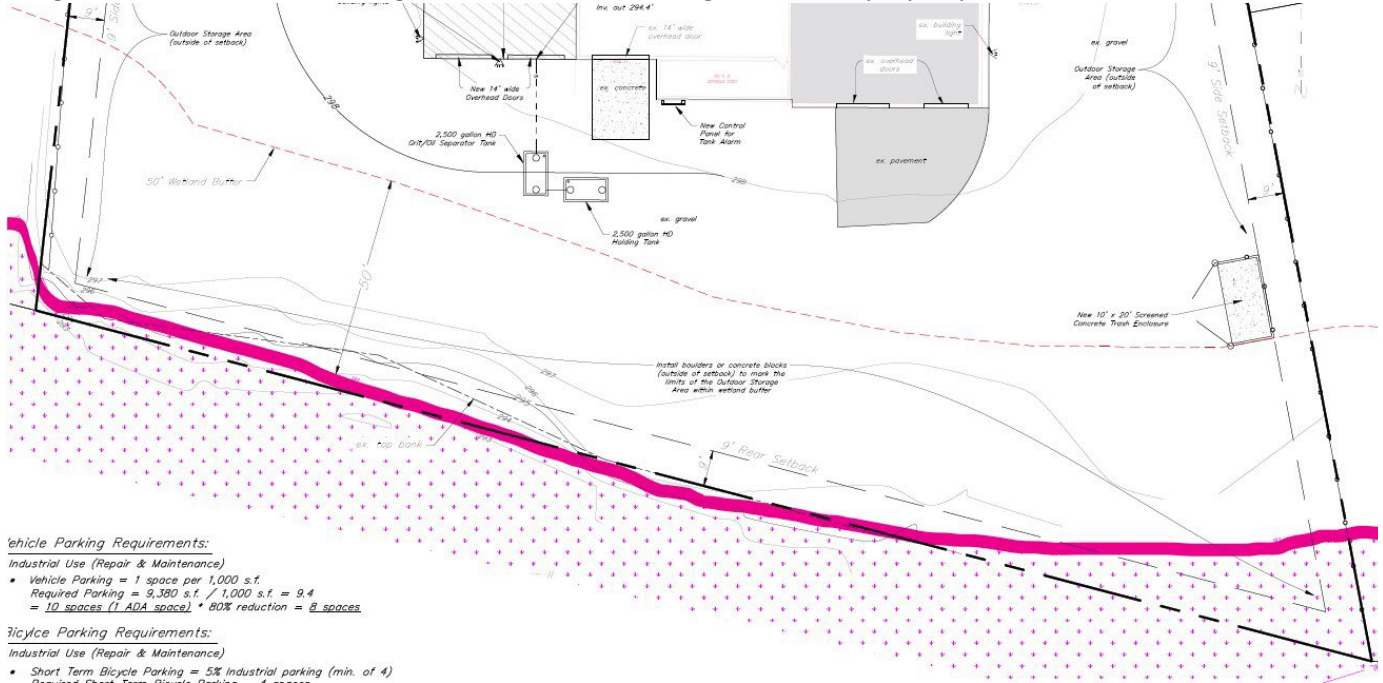
Compliance anticipated. The applicant must comply with wetland protections and delineate the edge of the Class II wetland to ensure the existing outdoor storage does not encroach upon it.

The applicant has submitted a site plan which delineates a Class II wetland and its associated 50' watershed protection buffer along the extent of the eastern property line. The parcel has historically had outdoor storage within the watershed protection buffer and possibly within the mapped wetland.

WDB 29.8.2 states that Class II wetlands are protected by state law and Williston's bylaw. Continued outdoor storage within the Class II wetland is not permitted.

WDB 29.9.9.2 allows nonconformities located in watershed protection buffers to be maintained, repaired, replaced and enlarged provided that the degree of nonconformity is not increased. WDB 29.9.7 requires that watershed protection buffers are marked on Final Plans and on the ground. The applicant has proposed outdoor storage within the 50' watershed protection buffer and has moved the proposed dumpster enclosure and snow storage out of the buffer. **Outdoor storage in the watershed buffer may continue, however the edge of the Class II wetland must be marked with boulders or concrete blocks on the ground and on final plans. See Condition 23.**

Image below: Pink line shows edge of Class II wetland along the eastern property line.



Outdoor Lighting

Standard

WDB 24

DECISION

Complies. The applicant has submitted a lighting plan that complies with the WDB Chapter 24 requirements for lighting levels, locations, mounting height, uniformity ratios, shielding, orientation, and total output. The applicant has indicated that the lights will be motion activated and will turn off 5 minutes after the last motion is detected. Compliance is analyzed in the table below.

Project Compliance with WDB 24, <i>Outdoor Lighting</i>		
Applicable Lighting Zone: Other	As Required by WDB 24	As Proposed by the Applicant
24.2.4 Prohibited Lighting Types	Uplighting (except one flag per parcel), Laser and Search Lights, Moving lights, and Mercury Vapor lights are prohibited.	None proposed
24.4 Fully-Shielded Light Fixtures	All fixtures must be shielded except "low lumen lighting" (less than 1200 lumens/lamp as provided below:	Complies as proposed
Maximum Total Unshielded Lumen Output per WDB 24.A	Other: 10,000 lumens/acre	None proposed
Maximum Total Lumen Output (shielded and unshielded fixtures) per WDB 24.A	Other: 200,000 lumens/acre	Complies as proposed 13,297 lumens/acre
Maximum Uniformity Ratio per WDB 24.B	Other: 20:1	Complies as proposed 10:1
Maximum Illumination of any Point per WDB 24.B	Other: 5.2 footcandles	Complies as proposed 4.9 footcandles
Light Timing	Per WDB 24.5.4, all outdoor lighting including sign lighting must be turned off 30 minutes after the close of business and may be turned on 30 minutes prior to the opening of the business.	Applicant has indicated that lights will be motion activated. The lights will turn off 5 minutes after motion was last detected.
Luminaire Orientation	Per WDB 24.6: <ol style="list-style-type: none"> 1. Light cannot be directed above horizontal plane. 2. Flood lights may be aimed no more than 45 degrees above horizontal. 3. No light may be directed beyond the parcel boundaries of the site. 	Complies as proposed
Security Lighting and Security Plan	Not Applicable	None proposed

Signs and Public Art Standard
WDB 25 DECISION
 No new signs are proposed. Future and replacement signs can be approved administratively.

Impact Fees Standard
WDB 43-45 DECISION
 Impact fees may be assessed at the time of administrative permit. The applicant has indicated that the addition will not result in any additional vehicle trips because they are relocating part of their existing operations on Engineers Drive.

DECISION AND MOTION

FINDINGS OF FACT

1. The applicant proposes to develop the property for Vehicle Repair. WDB Chapter 36 lists NAICS Code 8111 as an allowed use in the Industrial West Zoning District.
2. The application proposes a 2,300 square foot building addition for vehicle repair and a pressurized vehicle wash system with associated site improvements at 99 Engineers Drive.
3. The following non-conformities have existed at 99 Engineers Drive since at least June 2009: outdoor storage in setback along north property line, outdoor storage areas in the wetland and associated buffer along the east property line, parking in front setback, no bike parking or end of trip facility, no sidewalk to Engineers Drive, overhead utilities, not enough street trees along Engineers Drive.

CONCLUSIONS OF LAW

1. The use(s) proposed as part of this discretionary permit are allowable uses in the Industrial West Zoning District.
2. The proposed development is correcting existing non-conformities proportionate to the proposed development to reach greater compliance with the development standards of WDB Chapter 36 for the Industrial West Zoning District and all other applicable sections of the WDB if the proposed development meets the conditions of approval listed below.
3. The front yard setback for 99 Engineers Drive is 23 feet, which complies with the average setback exemption granted under WDB 36.3.3.3.

CONDITIONS OF APPROVAL

1. The applicant shall file final plans for approval and signature by the DRB or Administrator as delegated within one year from the date of the notice of determination of the decision of the DRB, or this approval shall be considered null and void as required by WDB 6.9.1. Final plans must address all of these conditions of approval and must include all items required by the Final Plans Checklist.
2. Final plans shall be in conformance with all of the WDB requirements and standards, and conditions of approval as required by the DRB. The final plans shall also address all comments and requirements identified in the following items:
 - a. Williston Public Works Memo dated June 26, 2024 and a written response to the department outlining the changes that were made in response to their comments.
 - b. Williston Fire Department Memo dated June 26, 2024 and a written response to the department outlining the changes that were made in response to their comments.
3. Any other required legal documents, such as easement agreements, shared parking agreements, offers of dedication of land, or warrantee deeds shall be submitted to the town staff and shall be subject to the approval of the town's attorney prior to the signing of final plans.
4. The applicants shall enter into a development agreement with the town guaranteeing any required public or private improvements. The applicant shall post any required letters of credit or escrow amounts to guarantee

the completion of these improvements in accordance with town standards and the conditions of approval prior to the approval of final plans for the proposed development, as specified by WDB 7.1.

5. All development approved by this decision shall conform to the final plans unless authorized by the DRB as described in WDB 6.10.
6. Any exterior lighting shall utilize full cut off fixtures and shall be in compliance with the lighting level requirements of WDB Chapter 24.
7. Any landscaping, including street trees, shall be in compliance with the standards of WDB Chapters 23 and 26, and the Williston Public Works Standard Specifications, and these landscaping details shall be included in the landscaping plan submitted as part of final plans.
8. Any required vehicular and bicycle parking shall be provided as required by WDB Chapter 14 and indicated on the site plan approved by the DRB. A parking table describing the number of parking spaces, including both vehicular and bicycle parking, and the calculation of how the proposed parking meets the requirements of WDB Chapter 14 shall be included on the site plan submitted for Final Plans.
9. Following the signing of final plans, the applicants shall first obtain an administrative permit(s) prior to starting any work proposed as part of this project.
10. In accordance with WDB 6.7.4, discretionary permits approved for non-residential development shall have one year from the date the final plans are signed to obtain administrative permits in accordance with the provisions of WDB Chapter 5, or the discretionary permit approval shall expire.
11. Prior to obtaining any administrative permits associated with this development proposal, the applicant shall provide full payment of any required impact fees as specified under WDB Chapter 45.
12. Prior to obtaining any administrative permits for this development proposal, the applicant shall obtain any necessary sewer allocation for the proposed development and shall provide documentation of allocation with their permit application.
13. The applicant shall obtain any and all required permits and authorizations as required by either the State of Vermont or the U.S. Army Corps of Engineers prior to commencing any work in association with this project as specified by WDB 1.3.1, and shall provide documentation of any applicable state or federal permits.
14. Any signage proposed for this proposed development, including prospective future tenant(s), shall be in conformance with the size, location, and lighting requirements of an approved master sign plan as required by WDB Chapter 25. The master sign plan shall include a table indicating the size, location and sign type of all proposed signage as approved by the DRB.
15. Any mechanical equipment and utility connections including but not limited to HVAC, water, gas, antennae, and electrical meters and connections shall be fully screened from public view, unless otherwise authorized by the DRB, as required by WDB 18.12.
16. There shall be no mowing or application of lawn chemicals including fertilizers, herbicides and pesticides, or storage of materials within any watershed protection buffers as specified under WDB 29.9.5.
17. Any public improvements required by the approval of this proposed development (including, but not limited to roads, sidewalks, water & sewer connections) must be built in accordance with the Town's specifications as specified by WDB 7.1.3.

18. This approval incorporates by reference all application forms and checklists, the plans and drawings presented by the applicant, and all verbal representations made by the applicant at the Development Review Board meetings and hearings regarding the subject application to the extent that they are not in conflict with other conditions or regulations WDB 1.3.4.
19. No occupancy or use of any proposed buildings shall take place until a certificate of compliance has been issued signifying that all conditions of any required permits from the Town have been satisfied. Verification that the Williston Fire and Public Works Departments' requirements have been satisfied shall also be required prior to the issuance of a certificate of compliance.
20. This decision runs with the land and is binding on any future owners, heirs, or assigns of the subject property.
21. **Final Plans must demonstrate compliance with WDB 16.6.3.1 for snow storage.**
22. **The applicant shall replace the existing ash tree on Engineers Drive with a new street tree. Final plans shall include detail demonstrating compliance with WDB 26.**
23. **The applicant shall delineate the Class II wetland using boulders or concrete blocks on the ground and on final plans.**

MOTION

As authorized by WDB 6.6.3, I _____, move that the Williston Development Review Board, having reviewed the application submitted and all accompanying materials, including the recommendations of the town's staff and the advisory boards required to comment on this application by the Williston Development Bylaw, and having heard and duly considered the testimony presented at the public hearing of July 9, 2024, accept the Findings of Fact and Conclusions of Law for DP 24-15 and approve this Discretionary Permit subject to the Conditions of Approval above.

This approval authorizes the applicant to file final plans, obtain approval of these plans from staff, and then seek an Administrative Permit for the proposed development, which must proceed in strict conformance with the plans on which this approval is based.

MEMO

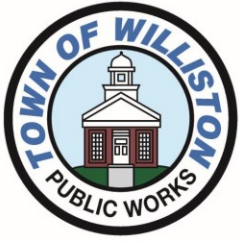
To: DRB Staff
From: Lt. Ryan Prouty
Date: June 26, 2024
Re: DP 24-15

The Fire Department has completed review of the above referenced project and at this time offers the following:

ACCESS	Key Safe/Lock Box access required (@KNOX) on building
DISTANCE REQUIREMENTS	Refuse/recycling containers need to be at least 30 feet from adjacent structures or in sprinklered area Equipment refueling/storage area must be in compliance with NFPA
SIGNAGE	Building and mailbox marking per Town Ordinance Gas and Sprinkler connections marked with signage Truss roof and/or floor (If applicable) All electrical, mechanical, elevator and sprinkler rooms shall be marked on the outside of the door All electrical panels and mechanical systems shall clearly identify which parts of the building each controls. NFPA 704 Identification Plaque if hazardous materials on site, with the location to be determined by the Williston Fire Department
HAZARDOUS MATERIALS	Per the Williston Unified Development Bylaw (WDB) 18.5:Applicant will disclose any hazardous materials and include a management plan for review by the Williston Fire Department

I encourage the applicant to access this Standard so that these needs can be addressed. I also encourage the applicant to meet with the Fire Department to ensure that all requirements within the Standard are met.

Thank you for including the Fire Department in the review process.



Town of Williston
7900 Williston Road
Williston, VT 05495

1763

Public Works
(802) 878-1239

MEMORANDUM

To: Planning & Zoning
From: Christine Dougherty, PW Assistant Director
CC: Bruce K. Hoar, Public Works Director
Date: 06/26/2024
RE: DP 24-15

Public works was provided with a copy of the Pre-application and has the following questions and/or comments which should be addressed by the applicant when submitting plans for review as part of the Discretionary Permit application process.

The applicant has not proposed any new public infrastructure, changes to existing public infrastructure, or work within the public Right-of-Way.

The proposed project includes a vehicle wash bay. The applicant has requested additional water allocations for the wash bay. DPW's acceptance of the plans is separate from the request and approval/denial for additional water allocation.

The applicant must obtain the signature of DPW staff on the Final plans Checklist showing that the final plans address the above comments prior to submitting final plans to the Planning and Zoning staff for review and approval.