



## PROJECT HISTORY

This is the first time the DRB is reviewing the request. The permit record is sparse because the building was constructed c. 1973 and has little to no change. AP 24-0190 was approved on June 24, 2024 to administratively permit the change-of-use and allow for internal renovations to begin (activities that do not require DRB approval).

Separate from zoning authority, a protective covenant exists within the deed prohibits 'construction of improvements' and 'storage of volatile materials' within 35 feet of the property boundaries. This private protective covenant is more restrictive than the WDB setbacks per WDB 23.

## ADVISORY BOARDS

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

<input type="checkbox"/>	<b>CONSERVATION COMMISSION (WCC)</b>	N/A	N/A
	NAME	TRANSMITTAL DATE	CONDITION
<input type="checkbox"/>	<b>HISTORIC AND DESIGN ADVISORY COMMITTEE (HDAC)</b>	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"/>	<b>PUBLIC WORKS</b>	June 27, 2024	N/A – No Comment
	DEPARTMENT	MEMO DATE	CONDITION
<input type="checkbox"/>	<b>FIRE</b>	July 2, 2024	Included, with limitations
	DEPARTMENT	MEMO DATE	CONDITION
<input type="checkbox"/>	<b>POLICE</b>	N/A	N/A
	DEPARTMENT	MEMO DATE	CONDITION

## PUBLIC COMMENT

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

NAMES: N/A

**PROJECT ELEMENTS**

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

**Industrial Zoning District West**

**Specific**

WDB 36		DECISION	
Security Systems Services	561620	Yes	NAICS 5616 is allowed
PROPOSED USE	NAICS CODE	ALLOWED	NOTES
TBD	Unknown	Maybe	Future use in leased space must comply with 36.A
PROPOSED USE	NAICS CODE	ALLOWED	NOTES

**Dimensional Standards**

Complies as proposed. The applicant is regrading the loading and parking area (more than 1,000 SF of site work thus necessitating a discretionary permit) and reconfiguring overhead doors on the building. The applicant is refreshing the building façade, however this is not a design review district. No dimensional changes (footprint or height) are proposed to the building. No new paved surface is created.

**Outdoor Sales and Storage**

Final plans must identify outdoor storage areas in side and/or rear yards in compliance with WDB 36.7. No outdoor sales or storages areas are identified on the site plan, but common for multi-tenant industrial uses. Identifying outdoor storage now avoids a future discretionary permit should the existing or future tenants need it.

**Access, Connectivity, Traffic Studies**

**Standard**

WDB 13	DECISION
Complies, no changes proposed. The property has a single curb cut onto Avenue C, a town road.	

**Off-Street Parking and Loading**

**Specific**

WDB 14	DECISION
<b>Vehicular Parking</b>	
Complies as proposed. No new parking is proposed. 20 parking spaces exist.	
<b>Bicycle Parking and End-of-Trip Facilities</b>	
Final plans must identify short- and long-term bicycle storage. Short-term bicycle storage must be shown on final plans and comply with WDB 14.8. (i.e. 2 inverted-u racks mounted on a concrete pad). Long-term bicycle storage for employees can be demarcated on floor plan within each tenant space. An end-of-trip facility is identified on the floor plan and complies.	

**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	10,800 SF	1.00/1000SF as a starting point	11	*Based on total required spaces for the site as follows: 1-25 = 1 26-50 = 2 51+ = see WDB 14.3	5% of vehicular; min 4	75% of required spaces	*Based on total required long-term bicycle spaces for the site as follows: 1-3 = 1 4-17 = 2 18-30 = 4 30+ = 6
<b>Total Required: all uses</b>			<b>11</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>1</b>

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)
<b>Total proposed by Applicant</b>			<b>20</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Compliance?</b>			<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>Yes</b>

**On-Site Infrastructure** **Standard**  
 WDB 15 DECISION  
 Complies as proposed. No changes to utilities are proposed.

**Maintenance** **Specific**  
 WDB 16 DECISION  
 Final plans must identify solid waste containers and snow storage in compliance with WDB 16.6 and 16.7.

**Compatibility, Potential Hazards and Nuisances** **Specific**  
 WDB 18 DECISION  
 Per WDB 18.5 (and noted in the Fire Department Comment Memo), a hazardous materials management plan must be submitted and reviewed by the Fire Department if the existing or future uses have them.

**Landscaping** **Standard**  
 WDB 23 DECISION  
 Complies as proposed. The applicant is modifying decorative landscaping along the front of building. Planning staff does not recommend a landscape buffer along the southern property line, as no development or changes are proposed in that area. Landscaping to the west/back is sufficient, and to the north the existing pavement extends to the property line.

Required Landscaped Buffers per WDB 23.A						
Proposed Land Use	Adjoining Land Use		Type I	Type II	Type III	Type IV
			Existing Vegetation <sup>1</sup>	Dense Plantings <sup>2</sup>	Informal Plantings <sup>3</sup>	Formal Plantings <sup>3</sup>
<b>Heavy commercial/ industrial</b>	North	Heavy commercial/ industrial	50'	13'	9'	23'
	South	Heavy commercial/ industrial	50'	13'	9'	23'
	West	Heavy commercial/ industrial	50'	13'	9'	23'
	East	Public way	<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** **Standard**  
 WDB 26 DECISION  
 No changes proposed. Existing white pine meets the street tree requirement.

□ **Outdoor Lighting**

**Standard**

WDB 24

DECISION

Complies as proposed. Lighting plan must provide total lumen output as expressed in lumens per acre. Light timing notations must also be provided in compliance with WDB 24.5.4, including any security lighting.

**Project Compliance with WDB 24, Outdoor Lighting**

Applicable Lighting Zone: Other	As Required by WDB 24	As Proposed by the Applicant
<b>24.2.4 Prohibited Lighting Types</b>	Uplighting (except one flag per parcel), Laser and Search Lights, Moving lights, and Mercury Vapor lights are prohibited.	<b>None proposed</b>
<b>24.4 Fully-Shielded Light Fixtures</b>	All fixtures must be shielded except “low lumen lighting” (less than 1200 lumens/lamp as provided below:	<b>Complies as proposed</b>
<b>Maximum Total Unshielded Lumen Output per WDB 24.A</b>	Other: 10,000 lumens/acre	<b>Complies as proposed</b> ____ lumens/acre
<b>Maximum Total Lumen Output (shielded and unshielded fixtures) per WDB 24.A</b>	Other: 200,000 lumens/acre	<b>Unknown, see notes</b> ____ lumens/acre
<b>Maximum Total Lumen Output (shielded and unshielded fixtures) per WDB 24.A</b>	Other: 5,000 lumens/unit; up to 200,000 lumens/acre	<b>Unknown, see notes</b> ____ lumens/acre
<b>Parking Lot Illumination Level per WDB 24.B</b>	Other: 1.2 footcandles	<b>Complies as proposed</b> 0.89 footcandles
<b>Maximum Uniformity Ratio per WDB 24.B</b>	Other: 20:1	<b>Complies as proposed</b> 20:1
<b>Maximum Illumination of any Point per WDB 24.B</b>	Other: 5.2 footcandles	<b>Complies as proposed</b> 3.9 footcandles
<b>Light Timing</b>	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.	Final plans must specify light timing schedule.
<b>Luminaire Orientation</b>	Per WDB 24.6: 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.	<b>Complies as proposed</b>
<b>Security Lighting and Security Plan</b>	Security lighting can be brighter in spots than the parking lot limitations in WDB 24.B, and is instead governed by the average illumination requirements of WDB 24.C	<b>None proposed</b>
<b>Maximum Average Illumination for security lighting (horizontal at grade) per WDB 24.C</b>	Other: 1.5 footcandles	N/A footcandles
<b>Maximum Average Illumination for security lighting (vertical, 5’ above grade) per WDB 24.C</b>	Other: 1.5 footcandles	N/A footcandles

**Signs and Public Art**

**Specific**

WDB 25

DECISION

The applicant is establishing a second tenant space and has no plans for signage. Final plans shall include a Master Sign Plan in compliance with WDB 25 to accommodate future optional signage. Planning staff recommends this because establishing signage in the future would be a separate discretionary permit application.

**Impact Fees**

**Standard**

WDB 43-45

DECISION

Impact fees are assessed at Administrative Permit and not required for this site.

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## DECISION AND MOTION

### FINDINGS OF FACT

1. The applicant proposes to maintain industrial/heavy commercial uses. WDB Chapter 36 lists NAICS Code 561620 as an allowed use in the Industrial West Zoning District.
2. The applicant proposes to convert an existing single-tenant commercial building to a multi-tenant commercial building.
3. No approved site plan is on file, therefore no existing outdoor sales or storage areas are permitted.
4. The applicant proposes more than 1,000 SF of site work. No new impervious surface is created.

### 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 can meet the development standards of WDB Chapter 36 for the Industrial West Zoning District as well as all other applicable sections of the WDB if the proposed development meets the conditions of approval listed below.

### 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 Fire Department Memo dated July 2, 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 shall identify outdoor sales and/or storage areas in compliance with WDB 36.7.**
- 22. Final Plans shall include a Master Sign Plan per WDB 25 to accommodate future signage for the new tenant space.**
- 23. Final Plans shall include snow storage areas and solid waste containers in compliance with WDB 16.**
- 24. Final Plans shall include bicycle storage (short- and long-term) in compliance with WDB 14.8.**
- 25. Any future uses that include hazardous materials must comply with WDB 18.5.**

#### **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 24-21 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 24-21 Royal Group

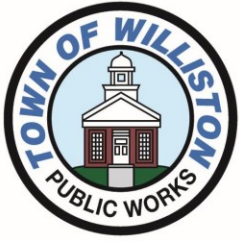
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The Fire Department has completed review of the above referenced project and at this time offers the following:

- |                       |  |
|-----------------------|--|
| ACCESS                | Key Safe/Lock Box access required (@KNOX)  |
| DISTANCE REQUIREMENTS | Refuse/recycling containers need to be at least 30 feet from adjacent structures or in sprinklered area  |
| SIGNAGE               | Building and mailbox marking per Town Ordinance<br><br>Gas connections marked with signage<br><br>Truss roof and/or floor (If applicable)<br><br>All electrical, mechanical, elevator and sprinkler rooms shall be marked on the outside of the door<br><br>All electrical panels and mechanical systems shall clearly identify which parts of the building each controls.<br><br>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

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**Public Works**  
(802) 878-1239

## MEMORANDUM

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To: Planning & Zoning  
From: Christine Dougherty, PW Assistant Director  
CC: Bruce K. Hoar, Public Works Director  
Date: 06/27/2024  
RE: DP 24-21

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.

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

DPW has no comments on the plans as presented.

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.