



February 19, 2026

Glenn and Ronalyn Cummings
65 Lakewood Court
Colchester, VT 05446

CERTIFIED MAIL

Re: **SITE PLAN - DRB #2026-05**
22 CORPORATE DRIVE, ESSEX, VT

Dear Mr. & Mrs. Cummings:

At its meeting held on February 5, 2026, the Development Review Board (DRB) voted to approve your Site Plan for 22 Corporate Drive, Essex, Vermont. The approval is granted with the following Findings and Conditions:

FINDINGS:

1. Proposal

This application was reviewed and approved on October 13, 2022. Minor updates have been made to the plans to meet the changes made to Public Works Specification since this was last approved.

The applicant proposes a single 16,100-square-foot warehouse or storage building and 22 parking spaces at 22 Corporate Drive (Parcel ID 2-072-003-019), a vacant 2.38-acre lot in the Resource-Preservation District – Industrial (RPD-I) zoning district. The building would accommodate up to 10 employees, generating 3 AM and 4 PM peak hour vehicle trips, and would utilize up to 150 gallons per day of municipal water and sewer capacity; stormwater from this site would be routed to the shared pond at 13 Corporate Drive. As previously approved, the applicant is seeking a waiver to clear the 50’ buffer and plant with a streetscape consistent with other parcels along Corporate Drive.

2. Article V, Section 5.6 of the Zoning Regulations: Site Plan Review

As a commercial use, the project requires site plan review pursuant to Section 5.6 of the Town of Essex Zoning Regulations. The purpose of site plan review is to ensure compliance with the Town Plan, the Zoning Regulations, and conditions of previous approvals, if any. Site plan review standards specifically include preservation of natural and scenic features, layout of development, access, internal circulation, parking, landscaping, lighting, and utilities and fire protection.

TOWN MANAGER	PARKS AND RECREATION	COMMUNITY DEVELOPMENT	PUBLIC WORKS	ASSESSOR	FINANCE	TOWN CLERK	LIBRARY	FIRE	POLICE
878-1341	878-1342	878-1343	878-1344	878-1345	878-1359	879-0413	879-0313	878-5308	878-8331

The applicant has submitted the following plans:

- Plan Sheet #1, “100-Scale Overall Plan, Saxon Hill Industrial Park – Lot #22 Corporate Drive, Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 08/30/2022; revised 11/22/2022;
- Plan Sheet #2, “Site Plan, Saxon Hill Industrial Park – Lot #22, Corporate Drive, Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 08/30/2022; revised 11/22/2022;
- Plan Sheet #3, “Lighting Plan, Saxon Hill Industrial Park – Lot #22, Corporate Drive, Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 08/30/2022; revised 11/22/2022;
- Plan Sheet #4, “Erosion Prevention & Sediment Control Plan & Specifications, Saxon Hill Industrial Park – Lot #22, Corporate Drive, Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 08/30/2022; revised 11/22/2022 and 12/03/2025;
- Plan Sheet #5, “Roadway & Stormwater Details, Saxon Hill Industrial Park – Lot #22, Corporate Drive, Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 08/30/2022; revised 12/03/2025;
- Plan Sheet #6, “Water & Sewer Details, Saxon Hill Industrial Park – Lot #22, Corporate Drive, Essex, VT,” prepared by O’Leary-Burke Civil Associates, PLC, dated 08/30/2022 revised 12/03/2025;

(A) ZR Section 5.6(A), General Requirements

1. Conformance with the *Essex Town Plan*

The project complies with the following goals and objectives of the *2024 Essex Town Plan*:

General Policy 2: *Economic growth shall be diversified, with development occurring in and around the Essex Town Center, the Susie Wilson Road Corridor, and the Saxon Hill/RPD-I district.*

Goal 1f: *Economic development is carried out in the Saxon Hill Industrial Park with consideration and respect for the natural surroundings.*

Specific Policy 2(S).1: *Assure that new industrial and commercial development occurs within existing industrial and commercial zoning districts.*

2. Dimensional limitations and provisions of the *Zoning Regulations*

This project is located in the RPD-I district and must conform to the standards listed in Table 2.14 of the *Zoning Regulations*.

(a) Table 2.14, Resource Preservation-Industrial District (RPD-I) Standards

i. Purpose

The project reflects the purpose of the RPD-I in that the development activity

is located within the 40% industrial area designation and will be carried out in harmony with the natural surroundings. Furthermore, natural attributes (i.e., forest cover and trails) will be protected for public enjoyment.

ii. Permitted and Conditional Uses

Warehouses are permitted uses in the RPD-I district. No conditional uses are proposed.

iii. District Dimensional Requirements

The proposed project generally conforms to Table 2.14(D), Dimensional Requirements of the RPD-I district, as noted below:

Dimensional Requirements	Required	Proposed
Minimum Lot Area – Nonresidential	40,000 sf	103,673 sf
Minimum Lot Frontage	200 ft.	143 ft.
Minimum Front Setback (from ROW)	50 ft.	67 ft.
Minimum Side Setback	25 ft.	28 ft.
Minimum Rear Setback	25 ft.	210 ft.
Minimum Buffer/Residential Districts	200 ft.	210 ft.
Maximum Lot Coverage – All	60%	31.9%
Maximum Height	45 ft.	<45 ft.

The lot was approved as part of the Phase II Corporate Drive subdivision approval, dated 11/08/2007, prior to passage of minimum frontage requirements for the RPD-I district (effective 11/03/2014). Furthermore, the lot is located on the outside of a cul-de-sac and, if approved today, would be eligible for a frontage reduction per ZR Section 3.1(C)(2).

iv. District Development Standards

The plans show the retention of the 200-foot buffer along the rear of the property as required under this section. The applicant has requested a waiver to clear within the 50-foot buffer and replace it with four new street trees; this is reviewed along with the landscaping plan in Finding I(F).

3. Protection of public health, safety, and welfare

The proposed project will not impact public health, safety, or welfare.

4. Outstanding violations

The property does not have any outstanding zoning violations.

(B) ZR Section 5.6 (B), Natural and Scenic Features

The *Zoning Regulations* state that “site layout and design, to the extent feasible, shall incorporate and protect significant natural features as identified on the Significant Features, Scenic Resources and Water Resources Maps contained in the Town Plan of record or through site investigation.”

The proposal does not impact any of the site's natural resources, including existing topography and steep slopes, surface waters and wetlands, open space or scenic features, or the ability to generate renewable energy.

Essex Parks and Recreation reviewed the plans and offered the following comments in an email dated 12/16/2025:

No comments from Parks & Recreation.

(C) ZR Section 5.6 (C), Access

Pedestrian and vehicular access to the site, including road intersections, shall meet all applicable design standards, including the Town's Public Works Specifications and related access requirements under Section 3.1.

The plan proposes access via a new curb cut and 20-foot-wide driveway off Corporate Drive.

In a memo dated 01/23/2026, Public Works provided the following comments:

Transportation:

- 1. The applicant has provided a traffic study which is acceptable. The traffic impacts of the proposed project are minor, amounting to an additional 4 VTE to the existing PM Peak Hour traffic to the Allen Martin Corridor. The study results indicate that there is essentially no change in Level of Service (LOS) at the intersection of Corporate Drive and Allen Martin Drive. There are minor impacts to the intersection of VTRT15 and Allen Martin Drive but it does indicate that the traffic from the proposed development will add to the intersection delays.*
- 2. The previously assessed trip-end impact fee will be used to offset future upgrade costs to the Allen Martin Drive / VT RT 15 intersection and Allen Martin Drive.*
- 3. The traffic data provided is based on a Warehouse category of use. An update to this study will be required if the proposed use changes in the future as each individual suite comes in for a permit.*

(D) ZR Section 5.6(D), Site Circulation

The DRB shall consider and may impose conditions as necessary to ensure the adequacy of on-site vehicular and pedestrian circulation.

- (1) Particular attention shall be given to safety, including:
 - (a) Aisle widths to accommodate emergency vehicles;

- (b) Traffic and pedestrian movement patterns; and
- (c) The location of paring areas and loading docks to prevent conflicts with traffic entering and existing onto a public street.

The Applicant's proposed design satisfies ZR 5.6(D)(1) requirements.

- (3) The DRB may require pedestrian walkways to facilitate pedestrian movements.

There is no provision for pedestrian access to the building; at minimum, a 5-foot-wide paved path shall be added that extends from the sidewalk along the south side of Corporate Drive to the first (northeasterly) entrance to the building. All sidewalks and crosswalks shall be constructed to ADA standards.

- (4) In all districts, the DRB may require provision for pedestrian trails/paths and walkways along waterways or other natural features to connect with similar present or anticipated trails/paths on adjacent properties for use by residents or occupants of the development.
- (5) The DRB may require dedicated easements for future access roads, lanes, non-motorized paths or trails for use by residents or occupants of the development.

(E) ZR Section 5.6(E), Parking

Parking must be provided in accordance with Section 3.9 of the *Zoning Regulations*, which states that for the proposed warehouse use there must be at least:

- 1 parking space per 400 gross sq. ft. of floor space, or
- 2 parking spaces per 3 employees

The applicant is proposing a 16,100 square foot building and 10 employees maximum, requiring either 41 or 7 parking spaces. The plans show 22 spaces, 2 of which would be accessible by ADA standards. In accordance with ZR Table 3.4, at least one of the accessible spaces would need to be van-accessible. The plans indicate that both of these spaces will be van-accessible.

Staff feel that 22 parking spaces is a reasonable amount considering this proposal exceeds the minimum requirement based on employees.

- (2) Bicycle parking spaces/racks shall be provided in accordance with Section 3.9(H)(2) of these Regulations, which states:

Businesses, public buildings, and multi-unit dwellings may be required, at the discretion of the DRB, to provide facilities for bicycle parking. Uses which may be required to provide bicycle parking include but are not limited to shopping centers, restaurants, grocery stores, recreation facilities, motels, government offices,

schools, hospitals and clinics, multi-unit dwellings, and mass transit terminals.

The proposed plans show a bike rack on the Northwestern corner of the parking area.

(F) ZR Section 5.6(F), Landscaping and Screening

The DRB can require landscaping to achieve the objectives of the *Zoning Regulations* and the Town Plan. The landscaping objectives in the RPD-I just relate to the preservation of forest cover, including routing utilities along driveways where possible and replacing any disturbed buffer areas with trees of the same species and at the same density.

The applicant is requesting a waiver from the 50-foot buffer requirement. In the narrative the applicant states:

As part of a previous site plan approval, a waiver to clear the 50 ft buffer along Corporate Drive was granted. This was done to allow for a streetscape consistent with the current build-out of Corporate Drive Phase 2. As shown, 4 street trees are proposed within the front yard setback similar to the adjacent lots. A building permit (#2022-71) was obtained in 2022 for the clearing of this lot which has been completed.

The purpose of the 50' buffer is stated in ZR Table 2.14(9) as to provide visual screening between industrial development and adjacent streets and residential areas, as well as to maintain trails and the natural environment to the greatest extent possible.

While the previous approval included a waiver for the 50 ft buffer, and the applicant has currently cleared that buffer, the Zoning Regulations state in Table 5.1 (E)(2):

“Where the placement of utility lines or other construction has removed existing vegetation in required set-back areas or buffer areas, trees of the same species shall be planted at densities that approximate that of the existing vegetation to the extent possible.”

The DRB should determine if the Applicant’s waiver request to clear the 50' buffer should be granted. If the DRB determines that a waiver from the regulations should indeed be granted, then the DRB should provide a reason for granting the waiver.

(G) ZR Section 5.6(G), Lighting

The *Zoning Regulations* call for an exterior lighting plan that provides “site lighting and lighting levels that are appropriate for the anticipated activities on the site and the property’s surrounding context, and that maximize the efficiency of site lighting and energy demand, while minimizing up-light glare, and unnecessary spillover light or light diffusion onto adjacent properties.”

The lighting plan meets the standards of ZR Section 5.6(G) and provides sufficient lighting for the anticipated activities while blending with the surrounding context and maximizing efficiency.

(H) ZR Section 5.6(H), Utilities and Services

1. Water Supply and Sewage Disposal

In a memo dated 01/23/2026, Public Works offered the following comments:

1. *The applicant's engineer has based the water and sewer calculations for the proposed buildings off a total of 10 employees for the site. Table 10.12.380 of the Town's Water Use Ordinance lists occupied warehouses as having a domestic water and sewer demand of 15 GPD per employee. Staff calculated the water and sewer usage for the proposed warehouse as follows:*

$$10 \text{ employees} \times 15 \text{ GPD} = \underline{\mathbf{150 \text{ GPD}}}$$

The total number of employees to be onsite at any time shall be no more than 10.

2. *The applicant has proposed a single 16,100 SF building. The fees below are based off one building. In addition, if the fee schedule changes, then the fee charged shall be the fee in effect at the time of submittal for a building permit.*
 - a. *Water: 150 GPD x \$5.90/gallon + \$1000 = \$ 1,885.00*
 - b. *Sewer: 150 GPD x \$10.60/gallon + \$1000 = \$ 2,590.00*
 - c. *Total = \$ 4,475.00*
3. *The applicant's engineer shall schedule a date and time in the spring for a hydrant flow test on the existing fire hydrant located in front of the proposed building lot to confirm that there is adequate domestic water pressure for the proposed building, and sufficient fire flows available. Public Works recommends that fire demand calculations be submitted as a condition of final approval of the project. It appears that the fire demand will be satisfied but approval cannot be given without the fire flow documentation.*
4. *The applicants engineer shall provide peak domestic water demand calculations, based on the number of fixture units proposed for each building, for properly sizing the water meter. This shall be made a condition of final approval. The Town of Essex will not size the meter based on line size in the building or pressure. If the applicant intends to bill individual suites within the building at any time in the future, each additional water meter in addition to the building meter will be purchased from the Town of Essex at the cost of the meter at the time of request.*
5. *As permits are issued for individual suites, if there is a significant increase in water and sewer needs, additional allocation shall be addressed prior to issuance of the building permit. This shall be made a condition of final approval.*

6. *The water and sewer service infrastructure proposed will need to be modified to reflect the following comments. Public Works staff will work with the applicant's engineer to ensure compliance with the Town's specifications and details provided within the Town of Essex Standard Specifications for Construction. This comment must be made a condition of approval.*
 - a. *The proposed 6" water service appears to cross the storm sewer. The applicant's engineer shall provide documented verification that the line separation between the water, storm and sewer meets or exceeds the requirements of Detail A-34, Water and Sewer Crossing.*
 - b. *All water service infrastructure after the service valve located at the R.O.W. of Corporate Drive will remain private and will be the responsibility of the applicant.*

2. Stormwater Management

In a memo dated 01/23/2026, Public Works offered the following comments:

1. *The total proposed lot coverage is 0.76 acres. Lot 22 is the last lot to connect to the stormwater pond. The Phase II stormwater pond has a treatment capacity that can serve up to 9.50 acres of impervious runoff and with the development of this lot, the pond has met its maximum design capacity. This lot shall not exceed 0.76 acres for which it was permitted. In the future, any additional impervious proposed from the existing lots (Lots 12-20 and Lot 22) that connect to the stormwater pond will not be permitted to use to the stormwater pond for treatment. Any proposed additional impervious will require its own stormwater management plan.*
2. *In 2025, the Town took over stormwater permit 4181-9050.1 for Corporate Drive that includes Lot 22. The Town signed a stormwater agreement with the property owners of each of the lots for the inspection, maintenance, and cost sharing of the stormwater infrastructure.*
3. *The applicant shall follow the Low-Risk Site Handbook for Erosion Prevention and Sediment Control during construction.*
4. *All storm water infrastructure shall be installed in accordance with the specifications and details provided within the Town of Essex Standard Specifications for Construction.*
5. *A copy of the Stormwater General Construction permit shall be submitted to Public Works prior to commencement of construction.*

3. Utilities

Corporate Drive has existing overhead power lines, as well as water and sewer stub connections. Natural gas will be tapped along the existing line running under Corporate Drive. All utility service lines to the site will be installed underground.

(I) ZR Section 5.6(I), Fire Protection

Site circulation will accommodate access by emergency vehicles. The nearest hydrant is located along the frontage of Lot 22, approximately 80 feet from the proposed building. In response to an e-mail from the Fire Chief dated September 7, 2022, the applicant's engineer noted that the building will include a sprinkler system and fire walls between any individual units; the sprinkler room likely would be located within the unit closest to Corporate Drive; and that the applicant would coordinate with the Fire Department to install key boxes and label all utilities.

In an email dated 12/12/2025, the Fire Department offered the following comments:

The Fire Department would only add to our previous comments that all units shall have a keybox (Supra Box) installed for ease of access during an emergency. The Fire Department Connection shall be a 5" Storz connection, and I believe this would now invoke our impact fees for the project.

4. Additional Findings by the Development Review Board

- A 50-foot buffer waiver had been approved and previous work had been done. The DRB will continue to honor that waiver.

CONDITIONS

1. All construction shall be in conformance with the plans listed above as may be amended herein.
2. Prior to the issuance of a zoning permit, the plans shall be revised as follows:
 - a. A 24-foot-wide driveway will be created with a 4-foot delineated pedestrian lane clearly visible.
3. An electronic copy of the plans as may have been revised shall be submitted to the E911 coordinator in .PDF file format. Another copy shall be submitted in geodatabase or shapefile in Vermont State Plane Meters, NAD83 (NSRS or most current); alternatively, coordinated CAD data – Vermont State Plane Coordinates, US Survey Feet, Grid Zone 4400, NAD 83 (2011) epoch 2010.0, NAVD 88 (geoid12b); alternatively, paper showing three (3) values of State Plane Coordinates.
4. Prior to the issuance of a zoning permit, the applicant shall pay any traffic fees per PM peak trip end as previously assessed by Public Works.
5. Prior to the issuance of a zoning permit, the applicant shall pay water fees (\$1,885.00) and sewer fees (\$2,590.00) totaling \$4,475.00, or the fees in place at the time of submittal.

6. Prior to the issuance of a zoning permit, the applicant's engineer shall conduct a hydrant flow test on the existing fire hydrant located in front of the proposed building lot to confirm that there is adequate domestic water pressure for the proposed building, and sufficient fire flows available. Fire demand calculations shall be submitted to Public Works.
7. The applicants engineer shall provide peak domestic water demand calculations, based on the number of fixture units proposed for each building, for properly sizing the water meter. The Town of Essex will not size the meter based on line size in the building or pressure. If the applicant intends to bill individual suites within the building at any time in the future, each additional water meter in addition to the building meter will be purchased from the Town of Essex at the cost of the meter at the time of request.
8. As permits are issued for individual suites, if there is a significant increase in water and sewer needs, additional allocation shall be addressed prior to issuance of the building permit.
9. The water and sewer service infrastructure proposed will need to be modified to reflect the following comments. Public Works staff will work with the applicant's engineer to ensure compliance with the Town's specifications and details provided within the *Town of Essex Standard Specifications for Construction*.
 - a. The proposed 6" water service appears to cross the storm sewer. The applicant's engineer shall provide documented verification that the line separation between the water, storm and sewer meets or exceeds the requirements of Detail A-34, Water and Sewer Crossing.
 - b. All water service infrastructure after the service valve located at the R.O.W. of Corporate Drive will remain private and will be the responsibility of the applicant.
10. This lot shall not exceed 0.76 acres for which it was permitted. In the future, any additional impervious surfaces proposed from the existing lots (Lots 12-20 and Lot 22) that connect to the stormwater pond will not be permitted to use to the stormwater pond for treatment. Any proposed additional impervious surfaces will require its own stormwater management plan.
11. The applicant shall follow the Low-Risk Site Handbook for Erosion Prevention and Sediment Control during construction.
12. All storm water infrastructure shall be installed in accordance with the specifications and details provided within the *Town of Essex Standard Specifications for Construction*.
13. A copy of the Stormwater General Construction permit shall be submitted to Public Works prior to commencement of construction.

14. All utility lines shall be installed underground.
15. Prior to the issuance of a zoning permit, the applicant shall obtain all applicable state and federal approvals and permits and shall submit copies to the Community Development Department for review. These shall include the State of Vermont Stormwater Operating and General Construction permits.
16. All units shall have a keybox (Supra Box) installed for ease of access during an emergency.
17. The Fire Department Connection shall be a 5" Storz connection.
18. Town of Essex Fire Impact Fees shall apply and shall be paid at the time of submittal of the zoning permit.
19. Prior to the issuance of a Certificate of Occupancy for each building, the E911 address shall be affixed to the building in contrasting colors to be easily visible from the roadway.
20. Prior to the issuance of a Certificate of Occupancy and for the life of the project thereafter, the Applicant shall maintain emergency contact information for the site directly with both the Fire Department and the Police Department.
21. A Landscaping Plan should be re-submitted to staff which will include approved trees and layered screening. There shall be no structures built within the 50 ft. buffer area, and no clearing except as necessary for the driveway and utilities. Any dead or diseased plantings shall be replaced as soon as seasonally possible.
22. All pavement shall be maintained in a state of good repair for the life of the project; any line striping shall be maintained so as to be adequately visible at all times.
23. At the discretion of the Zoning Administrator, as-built plans shall be submitted to the Community Development Department prior to the issuance of a certificate of occupancy.
24. No occupancy of the structure shall occur until a certificate of occupancy inspection and sign off is issued by the Zoning Administrator.
25. Any change in use shall require an application for a zoning permit or site plan review, as determined by the Zoning Administrator.
26. All conditions from previous approvals shall remain in effect except as modified by this approval.
27. By accepting the conditions of this approval without appeal, the applicant confirms and agrees for itself 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 applicant and all assigns and successors in interest.

Glenn and Ronalyn Commings
Site Plan – DRB 2026-05
22 Corporate Drive, Essex, VT
February 19, 2026

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

TOWN OF ESSEX DEVELOPMENT REVIEW BOARD:

By: 
Ian Carroll, Chair

Cc: Bryan Currier, via email
Lois Whitmore, 178 Old Stage Road, Essex, VT 05452

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