

# 166 and 180 West Lakeshore Drive: Preliminary Plat Application

## Staff Notes

Project: Planned Unit  
Development (Major)

Application Number: PP-25-09

Address: 166 and 180 West  
Lakeshore Drive,  
Colchester VT



Account: #65-019002-0000000  
#65-020002-0000000

Applicant: Hazelett Strip-Casting Corporation

Consultant: Krebs & Lansing Consulting Engineers & Greenfield Growth LLC

Landowner: Hazelett Strip-Casting Corporation

Application Type: ☐ Sketch Plan Date: 11/13/2024  
☒ Preliminary Plat Date: 4/9/2025

...

7/23/2025

☐ Final Plat (with Site Plan, Conditional Use) Date:

### *Staff Recommendation*

The applicant has updated the application to address items raised in the April, May, and June Staff Notes. Directors of both DPW and the Fire Dept. have reviewed the updated plans. Updates since the prior meeting generally include: Inclusion of the requested path/stormwater easement area, removal of the manager's suite, and provision of a shared parking analysis inclusive of the existing manufacturing, office, and marina uses. There are technical items requested in the Staff Notes, but at this time it appears that sufficient information has been provided for the Board to conduct the hearing. If the Board agrees that sufficient information has been provided, the hearing should be closed such that a decision can be issued as part of the deliberative session.

TO: Development Review Board  
FROM: Zach Maia, Development Manager  
RE: Staff Notes for the July 23, 2025 Meeting  
DATE: July 18, 2025

- a) **PP-25-09 HAZELETT STRIP CASTING CORP.:** (Continued from April 9, 2025; May 28, 2025; and June 11, 2025) Preliminary Plat Application for a major Planned Unit Development to construct a 20-room Inn (Use 1.550) with associated Restaurant (Use 8.110) and Event Facility (6.150) uses. Existing Marina and recreational uses to remain. Proposed project includes the 1) dissolution of the boundary line between 166 and 180 West Lakeshore Drive, and 2) construction of 7 buildings served by pedestrian ways, modified circulation, municipal sewer and water, and off-site parking. Subject properties are located in the Lakeshore One and Shoreland Districts. Subject properties are located at 166 and 180 West Lakeshore Drive, Account #65-019002-0000000 and #65-020002-0000000.
- 

This project consists of a Preliminary Plat Application for a major Planned Unit Development to construct a 20-room Inn (Use 1.550) with associated Restaurant (Use 8.110) and Event Facility (6.150) uses. Existing Marina and recreational uses to remain. Proposed project includes the 1) dissolution of the boundary line between 166 and 180 West Lakeshore Drive, and 2) construction of 7 buildings served by pedestrian ways, modified circulation, municipal sewer and water, and off-site parking. Subject properties are located in the Lakeshore One and Shoreland Districts. Subject properties are located at 166 and 180 West Lakeshore Drive, Account #65-019002-0000000 and #65-020002-0000000.

The hearing for this application was opened on April 9, 2025. A continuance was requested, and granted, to the May 28, 2025 meeting. At the May 28, 2025 meeting, a continuance was requested, and granted, to the June 11, 2025 meeting. At the June 11, 2025 meeting, a continuance was requested, and granted, to the July 23, 2025 meeting.

The subject property at 180 West Lakeshore Drive previously included a motel and office in close proximity to both West Lakeshore Drive and Lake Champlain. The structures were demolished in September of 2017. The property at 166 West Lakeshore Drive includes a dock and parking area with lake access. The property at 135 West Lakeshore Drive includes an industrial manufacturing building with additional supporting infrastructure. Subject properties are located in the Lakeshore One, Two, and Shoreland Districts. While parking and an accessory building will be provided at 135 West Lakeshore Drive to support the properties at 166 and 180 West Lakeshore Drive, no change of use is proposed at 135 West Lakeshore Drive.

The subject properties are bound on the north by Lake Champlain, on the west by a marina with boat storage and numerous single-unit dwellings fronting along Shore Acres Drive, on the south by a large vacant parcel containing wetlands and forested areas, and on the east by a large property with radio broadcasting structures, lands including the Colchester High School and Town-owned Bayside Park, a single-unit dwelling on West Lakeshore Drive, a 102-site campground, and an Inn.

The proposed project consists of seven (7) buildings. The buildings will be built into the existing slope and will appear as 2-stories at the road. The main building will include a 40-seat Restaurant on the lower level, an event facility on the ground floor, and an accessory fitness/spa area on the upper level. Cottages 1, 2, and 4 will have the same layout, which will consist of 2 studio units on the lower level, 2 studio units on the ground floor, and 1 2-bedroom suite on the upper level. Cottage 3 will have an alternate layout consisting of a 1-bedroom unit and 1 studio unit on the lower level, 1 2-bedroom suite on the ground floor, and 1 2-bedroom suite on the upper level. Since the April 9, 2025 meeting, the applicant added Cottage 5 to the proposal. Cottage 5 will include a 3-story, 2-bedroom suite. The total project will result in 20 rooms for the Inn use. The bathhouse appears to be an accessory structure to support the existing recreational use of the property.

## **Article 2: General Provisions**

§ 2.08 Multiple Structures: Multiple (principal) structures on a lot shall be subject to the requirements of Planned Unit Development in Article Nine. The applicant is proposing six (6) principal structures, and is undergoing Planned Unit Development review.

§ 2.09 Accessory Buildings, Accessory Structures, and Accessory Uses: The proposed project includes the construction of a bath house. The bath house is depicted on the plans and would appear to meet the definition of an Accessory Building. The square footage of the first (ground) floor of the accessory building shall be included in the computation of lot coverage. At the June 11, 2025 hearing, S. Homsted clarified that the entire accessory bath house structure was included in the calculation of lot coverage. The minimum setback of an accessory building to other buildings or property lines is 10 ft, and this setback appears to have been met. The accessory building does not appear to exceed 50% of the size of any principal building. Detached accessory structures shall not exceed 25 ft in height, and the structure appears to measure 10 ft per Sheet A9. The accessory building is not located in the front yard.

§ 2.17 Building Code and Building Safety Ordinance: The project will be expected to comply with the applicable provisions in Chapter 4 of the Colchester Code of Ordinances. The pool provided as part of Cottage 5 shall comply with Sec 4-22 through Sec 4-29 of Chapter 4.

§ 2.18 Signs: At the April 9, 2025 hearing, it was noted that the Main Building includes an “H” design that appears to meet the definition of “Sign” in Article 12 (see Page 26 of the Staff Notes): “...shall include any letter...used or placed as an announcement or declaration to identify, advertise or promote the interest of any person when the same is placed where it may be viewed by the general public from outside the structure on which the sign is placed.” Wall signs shall comply with the standards of §2.18-J. Sign Permits are issued by the Administrative Officer per §11.03-C. **While there is no request to review a wall sign at this time, Staff recommends removal of the sign from the plans so as to have the discussion at a future time.**

**Article 4: Zoning District Standards**

§ 4.05 Lakeshore One District (LS1): The purpose of the LS1 District is, “To regulate the use and development of lakefront property primarily for recreation, tourism and entertainment purposes in a manner that:

- (1) Protects and enhances water quality;
- (2) Mitigates flood hazards;
- (3) Preserves and expands public access;
- (4) Maintains and improves views of the lake from public vantage points;
- (5) Maintains and improves views of the shoreline from the lake;
- (6) Is oriented primarily to boater, pedestrian and bicycle traffic and secondarily to vehicular traffic;
- (7) Promotes “greening” of shorelines, lot frontages and parking areas;
- (8) Limits the amount of impervious surface and associated stormwater runoff; and
- (9) Reduces the quantity and improves the quality of stormwater flowing into surface waters.”

The proposed project includes development located in this District. The proposed uses: Inn (Use 1.550) with associated Restaurant (Use 8.110) and Event Facility (6.150) are all subject to Conditional Use review in the LS1 District. A Conditional Use application shall be submitted with the Final Plat application.

§ 4.05-E Area, Density, and Dimensional Requirements: In the Lakeshore One District, all requirements of this §4.05 and Table A-2 shall apply. The applicant has depicted the minimum 15 ft front and 15 ft side yard setbacks of the LS1 District, and the buildings appear to be sited in order to conform to these setbacks. Per Additional Consideration (11) on Table A-2, “In the application of this table for primary building height max in the LS1 and LS2 district, use...1.550... shall be considered [a] commercial use.” For commercial buildings, the maximum height of buildings within the LS1 District is 40 ft to the ridge or 35 ft flat. The applicant has provided elevations of each building with calculations of average grade and proposed height. Based on the numbers provided, the maximum height from average pre-construction grade ranges between 29.6 ft and 39.2 ft in height (40 ft maximum for ridge roof). Per §2.06-D, Rooftop apparatus such as chimneys shall be included in the height measurement. Since the April 9, 2025 hearing, the applicant clarified the height for the Main Building (Sheet A-4), which includes the measurement of height inclusive of rooftop apparatus.

Per §4.05-E(1), a structure encroaching into setbacks, including all applicable overlay districts may be rebuilt in the same footprint within ten years of demolition provided that the demolition is duly permitted. The property previously included a motel and office building with accessory structures. These structures were demolished through a permit process, and a Certificate of Occupancy was issued on September 25, 2017. Per §4.05-E(2), lot coverage may be increased over 40% as listed in Table A-2 in accordance with subsection 4.05F herein. If a project is deemed to comply with subsection 4.06-F lot coverage maximums do not apply. As part of the updated submittal, the applicant updated Plan Sheet C-1.0 to include lot coverage calculations. Lot coverage is proposed to increase from 22.3% at 166 & 180 West Lakeshore Drive to 30.4% (maximum 40%). Front yard coverage is proposed to decrease from 46.8% to 46.7%. Per Table A-

2, Additional Consideration (1): “In all districts, total front yard coverage shall not exceed 30%.” It should be noted that the pre-existing front yard coverage appears to be a non-conforming structure and the property owner has certain rights to maintain such structures in accordance with §2.12 and §4.05-E(1). **Once demolished, the applicant will need to construct the paved areas within the front setback within ten years of demolition in order to retain rights to the existing front yard coverage percentage.**

§ 4.05-F Green Infrastructure Requirements: The proposed project includes the construction or replacement of a principal building, as well as increasing the amount of impervious surface on a lot by 1,000 square feet or more over a 5-year period, and will be expected to utilize the Vermont League of Cities and Towns Green Infrastructure Simplified Sizing Tool for Small Projects to demonstrate that 90% of annual storm events, or the first inch of rainfall from impervious surfaces, are adequately treated on the site and do not overwhelm off-site drainage areas or otherwise cause erosion. The applicant has provided a 10-page narrative, along with supporting calculations, that outline the proposed stormwater mitigation measures. The applicant has noted that 1.26 acres of impervious surface will require treatment, and this will be under the jurisdiction of the State of Vermont. Sites that require a State Stormwater Permit will be deemed to have complied with §4.05-F(1) upon issuance. At the April 9, 2025 hearing, S. Homsted explained that the applicant will be treating the impervious surfaces at 135 West Lakeshore Drive through the State Stormwater permit process, and will utilize best-practices to treat stormwater on the properties at 166 and 180 West Lakeshore Drive. **It appears that the stormwater system will be slightly altered in order to accommodate the requested 26 ft easement area. The applicant shall update the plans for consistency with the design on Plan Sheet C-2.0 for the final plat submittal.**

§ 4.05-G Building Placement and Design Standards: Applicants shall submit a site plan and elevation drawings for new or expanded principal buildings to demonstrate that:

- (1) To the maximum extent feasible, buildings are designed to fit into the natural terrain and to minimize any change in grade on the site.
  - The applicant provided Plan Sheet L1.3 which depicts cross-sections of the buildings along the existing slope, and depicts cuts and fills. It appears that the buildings are designed to fit within the existing terrain, and some cut and filling appears to be required, but it appears that the general slope is maintained. At the April 9, 2025 hearing, J. Owens explained that the proposed re-grading is necessary to construct the buildings, but aims to fit buildings into the slope and minimize backfilling.
- (2) Buildings are located near the street with at least one entrance readily accessible and connected visually as well as by sidewalk.
  - The applicant is proposing five principal buildings to support the proposed uses, and the elevations beginning on Plan Sheet A1 depict the buildings with at least one entrance readily accessible. The Site Plan on Sheets L1.1 and C-2.0 depicts a central crosswalk across West Lakeshore Drive and an internal sidewalk providing circulation to each building’s main entrance. The buildings

appear to be in close proximity to West Lakeshore Drive, while complying with the minimum setback of the LS1 District.

- (3) Open space is oriented to the lake to the maximum extent feasible.
  - The applicant has provided Plan Sheets L1.1 and C-2.0, which depict most impervious surfaces located between West Lakeshore Drive and the principal buildings, while most development is outside of the minimum 100 ft setback from the mean water mark.
- (4) Proposed land development is located and designed to provide views of the lake from the street.
  - The applicant has provided an elevation from West Lakeshore Drive on Sheet A1, which depicts the Lake being visible between buildings. The buildings appear to have been designed within the maximum height allowances for commercial buildings in the LS1 District. At the April 9, 2025 hearing, J. Gasek explained the design of the buildings and how the spacing between them will be open to allow for views of the Lake. The applicants explained that landscaping within these areas will not be planted to obstruct this view.
- (5) The street-facing and lake-facing facades of buildings are comparable in design and appearance, exterior materials and finishes, and amenities.
  - The applicant has provided architectural plans on Sheets A1 through A7, which provide details on the design of each proposed building. The applicant has proposed building materials consistent on both sides, with a mixture of wood, metal, and glass materials. At the April 9, 2025 hearing, J. Gasek explained the architectural design of the buildings, and the focus on providing views of the Lake for guests, while providing for privacy at the street level.
- (6) Exterior wall surfaces facing a public roadway or parking area, or otherwise publicly visible, employ windows that offer views into the building interior to the maximum extent feasible given the intended function of the interior space.
  - The applicant has provided windows on the street-side of the structures, but these windows do not appear to provide views into the building interior. At the April 9, 2025 hearing, J. Gasek explained how the windows will facilitate the guest-room use. The applicant has provided for views into the main building, which include uses that are more public-facing.
- (7) All sides of a structure shall receive design consideration. The front, sides, and rear of buildings shall be attractively designed and articulated to eliminate large spans of blank exterior wall.
  - The applicant has provided architectural plans on Sheets A1 through A7, which provide details on the design of each proposed building. The buildings appear to include a mix of materials and do not include large spans of blank exterior wall.
- (8) The mass of large buildings is broken up by incorporating visible changes in wall plane and roof form. Traditional roofline types such as gabled, hipped, and gambrel are strongly encouraged. Type, shape, pitch and direction of roofs should be considered in the design. Flat roofs are discouraged.

- The applicant has provided architectural plans on Sheets A1 through A7, which show the architectural design of each building. The applicant has included changes in materials on the vertical façade, and has included awnings to break up the façade. A non-traditional roof has been provided.
- (9) The building facade includes elements such as porches, awnings, windows, outdoor seating, landscaping and/or similar features that will add visual interest and contribute to creating a pedestrian-oriented environment.
  - The applicant has provided awnings and windows on the street side of the buildings, decks, windows and outdoor seating on the lake side of the buildings and has provided extensive landscaping throughout the site.
- (10) The building incorporates architectural features and details including but not limited to cornices, columns, corner trim, porticos, display window, awnings, dormers, or porches shall be considered in every building design. Traditional features and details associated with Vermont’s architectural heritage are strongly encouraged.
  - At the April 9, 2025 hearing, J. Gasek provided an overview of the building design elements and goals of the project. It was explained that the buildings incorporate porches and awnings and include windows to allow for views of the Lake. The applicant has included a design that utilizes columns and overhangs to create a unified treatment of each building based on the proposed use.
- (11) The building incorporates different exterior textures, colors and materials that add visual interest. The use of traditional building materials such as granite, brick, fieldstone, wooden clapboard, wooden shingles, etc. is strongly encouraged. Alternatively, contemporary materials that simulate traditional materials, and that have the same visual effect, may be utilized. The use of colors traditionally associated with the building style is encouraged.
  - The applicant has provided a color elevation Sheet on Sheet A1, which identifies a mixture of wood, wood-like materials, and metal siding, with stone veneer at the foundation level. It appears that the design leans on grey, brown, and an accent of brown.
- (12) All new vehicle use and parking areas are located to the side of principal buildings. Applicants are strongly encouraged to relocate or remove pre-existing parking areas located between the building and the street to the maximum extent feasible.
  - The subject property was previously developed with parking directly between the motel and West Lakeshore Drive. The applicant is proposing to remove most of the existing parking lot and instead allow for temporary loading in front of the cottages and main building. Two garage spaces will be located within Cottage 5. An off-site parking area is proposed across the street at 135 West Lakeshore Drive.
- (13) Any new vehicle or service entrances are located to the side of principal buildings and will be screened as viewed from the lake and the street.
  - A garage entrance is proposed with Cottage 5. The overhead doors will be placed parallel to West Lakeshore Drive, on the side of the building, and will be screened from the Lake. The street façade is depicted on Sheet A8, which

includes person doors and siding material to blend the façade with the other buildings. Landscaping is depicted between the building and the street.

- (14) Any new trash storage, building equipment, utilities or similar service functions are located to the side of principal buildings and will be screened as viewed from the lake and the street.
  - The applicant has not depicted any trash facilities on the site, and previously noted that “trash will be stored internally and/or immediately transferred offsite.” The applicant shall clarify if trash will be stored at 180 West Lakeshore Drive. It appears that a trash enclosure is provided within the reconfigured lakeside access area, and this will be expected to comply with §10.06. The applicant has depicted the new utilities on Sheet C-2.0. The utilities will be underground, and the new transformer will be screened by five eastern red cedars and a mix of basswood, gray birch, and white cedars.
- (15) All new or expanded storage areas and structures that will not be fully enclosed will be located outside required setbacks. Applicants are strongly encouraged to relocate or remove pre-existing storage areas located between the building and the street to the maximum extent feasible.
  - No storage areas are proposed at this time.
- (16) All new or expanded outdoor storage areas will be screened as viewed from the lake and the street with a combination of fencing and landscaping. Boat storage areas should prioritize screening of the base or cradles of boats realizing that the size of boat precludes options for full screening.
  - No storage areas are proposed at this time.
- (17) All new or expanded storage structures that are not fully enclosed and have any open sides that face the street or lake will be screened from view with a combination of fencing and landscaping.
  - No storage areas are proposed at this time.

#### **Article 6: Other District Standards**

§ 6.03 Floodplain District (FP): The purpose of the Floodplain District is, “In accordance with the purposes of 10 V.S.A. Chapter 32 and 24 V.S.A. §4424 to minimize adverse impacts of development upon the sensitive natural areas adjacent to Colchester's various watercourse and waterbodies. It is the purpose of this District to promote the public health, safety and general welfare, to prevent increases in flooding caused by the development of lands in areas of special flood hazard, and to minimize losses due to floods. Only open space uses not involving structures and impervious surfaces are intended for these areas.” The Floodplain District is generally located below the 102 ft elevation on the subject property. No new development appears to be located below the 102 ft elevation on the subject property. A cursory review of the FEMA Flood Map Service Center (Panels 50007C0136D & 50007C0137D dated 7/18/2011) confirms the general location of the Floodplain District.

#### **Article 7: Overlay District Standards**

§ 7.03 Shoreland District (SD): The purpose of the SD District is to, “to preserve the natural growth and cover of the shorelines, to preserve water quality, to prevent pollution, to regulate



development and appearance of the shorelines, to prevent erosion, to prevent nuisance, and to preserve the property rights of the shoreline property owners. The boundaries of the Shoreland District shall include all lands within 250 feet from the mean watermark of Colchester Pond, and Lake Champlain. This district overlays all other districts along the shoreline.” The properties are located in close proximity to Lake Champlain and will be expected to comply with the standards in this section.

§ 7.03-C Permitted Uses: The applicant is proposing to construct new buildings within the Shoreland District, with some encroachment into the 100 ft setback from the mean water mark of Lake Champlain, which is delineated on the plans. This is permissible under §7.03-C(4) and complies with the setback established under §7.03-E(1). The applicant has revised the plans since the Sketch Plan submittal to remove the network of retaining walls and instead provided a path, which will be reviewed under §7.03-C(8), and a large re-planting plan that will be reviewed under §7.03-F(2).

§ 7.03-D Conditional Uses: Enlargement of structures that increases the degree of encroachment within the 100 feet from the mean water mark shall be subject to Conditional Use Review. Such portion of the structure encroaching shall not exceed 10% of the building as measured from the exterior face of exterior walls excluding appurtenances such as decks, porches, overhangs, and stairs in existence at the time of application within a 10-year period. The applicant outlined on Sheet L1.0 a pre-existing encroachment of 740.5 sf, of which 92.6 sf is in the previously existing buildings, and 649.9 sf is in appurtenances. The pre-existing encroachment is clarified on Sheet X-1.0, and is calculated based on the footprint of the previously existing pool and shed. The allowance under this section states that “such portion of the structure encroaching shall not exceed 10% of the building...” Under Article 12, a building is defined as “a structure designed to be used as a place of occupancy, storage or shelter.” Since the April 9, 2025 hearing, the applicant revised the site layout and updated Plan Sheet L1.0 to reduce building encroachment to 99.12 sf (Cottage 1). This appears to be within the allowable 92.6 + 9.26 (10%) increase through Conditional Use. The applicant is proposing to utilize the remaining encroachment of appurtenances for similar appurtenances on Cottages 1, 2, 3, 5 and the Main Building, which is detailed on the Encroachment Summary Table on Sheet L1.0. **Prior to Final Plat Submittal, the applicant shall correct the Encroachment Summary Table on Sheet L1.0 to carry over the 27.76 sf encroachment from Cottage 5 to the Total Encroachment column.**

As additional encroachment is requested, Staff recommends that the applicant submit for Conditional Use review at the time of Final Plat submittal, which will include both the proposed encroachment and the proposed uses.

§ 7.03-F(2) Tree Removal: Existing natural shoreline vegetation should be incorporated into the project when reasonably possible. Native plants and wildlife habitat should be considered and preserved to the greatest extent possible. No more than 25% of existing trees, both native and non-native invasive species, one-inch caliper or greater shall be removed along the shoreline for a distance of 100 ft from the mean water mark within a ten-year period. The Development Review Board may permit more than 25% removal of existing trees of one-inch caliper or greater

in conjunction with a 1:1 replanting plan if it is determined that the removal of the trees will not have adverse impact on shoreline stability and the character of the area. Removal of more than 25% of existing trees one inch caliper or greater shall require a survey of existing conditions including the size, location, condition and type of vegetation specifically indicating non-native invasive species versus native species. Phasing of tree removal is encouraged, including for non-native invasives, to allow for replanted trees to become established and assist with bank stability. Tree removal and replanting plans must take into account bank stability, stormwater runoff, and erosion control. The replanting plan shall be prepared by a licensed Landscape Architect, Arborist, or Environmental Ecologist and shall have at least a one-to-one replacement ratio for all trees over one inch caliper with native trees. A Landscape Improvement Agreement will be required to provide surety for the proposed plantings.

The Narrative provided by the applicant states that the slope will be “rebuilt” and that a survey of the existing trees with greater than 1” caliper has been conducted. Plan Sheet L1.1 states that 124 trees 1” caliper or greater exist within the 100 ft setback from the mean water mark, and 54 (43%) are to be removed as part of this project. As such, a 1:1 replanting plan is required. At the April 9, 2025 hearing, J. Owens explained that the proposed plantings will improve slope stability. The applicant is proposing to plant 49 trees 1” caliper or greater, and 321 woody shrubs. Since the April 9, 2025 hearing, the applicant has updated the landscaping schedule to include a column denoting origin, and it appears that a majority of native species are proposed, with regional species included as well. It appears that this plan was proposed by a licensed landscape architect.

§ 7.03-F(6) and (7) Stairs and Paths: Stairs shall be no more than 48 inches in width with associated platforms being no more than 48 inches in width and 48 inches in length. All stairs shall have a handrail on at least one side. Flexibility will be exercised with regard to the rise and run of stairs permitted under this section to accommodate pedestrian access yet minimize visibility from the lake and preservation of natural features. Paths shall not exceed 48” in width. All stairs and paths shall minimally disturb existing contours on the site and where possible follow existing contour lines. Stairs and paths shall make use of the natural vegetation and topography to blend with the shoreline. All stairs and paths shall be screened from the water body through the use of landscaping. The applicant has proposed a 48” path and 48” wide steps with a handrail within the 100 ft setback. The proposed location appears to minimize topographical changes.

#### **Article 9: Subdivision Regulations**

§ 9.04 Application, Review and Approval Procedure: The proposed project includes the development of two lots with six (6) principal buildings that will require review under §9.07 Planned Unit Developments. The proposal is for a multi-use commercial facility, which falls under the definition of “major subdivision” and will require preliminary plat and final plat hearing. A technical review committee meeting was conducted on May 10, 2024. As a major subdivision under §9.04E, a preliminary plat submittal shall be submitted within one (1) year of the hearing date for the sketch plan application (November 13, 2024) pursuant to §9.04-H. The Preliminary Plat application was submitted on March 6, 2025, which complies with this section. Staff recommended that the applicant submit a Site Plan application for the associated parking at 135 West Lakeshore Drive with the preliminary plat application, and this application has been

submitted and is under review. In accordance with §9.04-H, the applicant shall submit a final plat application within one year after approval of the preliminary plat application or the preliminary plat application shall become null and void.

§ 9.05-A Required Improvement List: The following are required improvements:

- Monuments;
- lot markers;
- landscaping;
- Water supply infrastructure as specified in Chapter Eight of the Colchester Code of Ordinance and / or the Chapter Fourteen of the Colchester Code of Ordinances (Public Works Standards) and / or septic and / or sewage infrastructure as specified in Chapter Eight of the Colchester Code of Ordinance and / or Chapter Fourteen of the Colchester Code of Ordinances and / or Chapter 10 of the Colchester Code of Ordinance;
- Roadways and associated improvements, such as but not limited to signage, as specified in Chapter Fourteen of the Colchester Code of Ordinances;
- Street trees as specified in Chapter Fourteen of the Colchester Code of Ordinances;
- Sidewalks and paths as specified in Chapter Fourteen of the Colchester Code of Ordinances;
- Street lighting as specified in Chapter Fourteen of the Colchester Code of Ordinances;
- Stormwater infrastructure as specified in Chapter Fourteen of the Colchester Code of Ordinances;
- Fire hydrants as specified in Chapter Fourteen of the Colchester Code of Ordinances;
- Other capital improvements as required by the Board.

The proposed project is for a major commercial Planned Unit Development. No public improvements appear to be required as part of the proposed project, but the proposed work in proximity to and within the West Lakeshore Drive ROW will be expected to comply with the standards in Chapter 14 of the Colchester Code of Ordinances. Monuments, lot markers, and water and wastewater infrastructure will be required as part of this proposal.

It should be noted that the applicant provided a Boundary Survey on Sheet B-1. The Boundary Survey shall be updated to include the land at 135 West Lakeshore Drive and denote the existing easement area that terminates 1 ft past the existing sidewalk. The Boundary Survey shall also include the requested easement area as discussed under §9.05-Q.

§ 9.05-B Suitability of Land: The subject properties are in close proximity to Lake Champlain. The existing lots are shallow in depth and there is limited developable area on the properties. The subject property does not appear to include any Significant Natural Communities or Rare, Threatened or Endangered Species per the State Natural Resource Atlas. There do not appear to be any wetlands or surface waters on the subject property. Development within the Shoreland District will be expected to comply with the standards outlined in §7.03. Slopes do not appear to exceed 1:1 or 45 degrees, as modified.

§ 9.05-C Lot Layout: The proposed project includes the merging of the lots at 166 and 180 West Lakeshore Drive. No changes are proposed to the lot at 135 West Lakeshore Drive. The applicant has depicted the minimum 15 ft front and side yard setbacks of the LS1 District on the plan sheets, and it appears that the proposed new development can be sited to comply with these setbacks. The applicant has also included the 100 ft setback from the 95.5 ft elevation of Lake Champlain. The plans have been revised since Sketch Plan and the initial Preliminary Plat submittal to relocate buildings to minimize encroachments, which is discussed under §7.03.

§ 9.05-D Building Envelopes: The Development Review Board may require the designation of building envelopes that limit the location of buildings, structures and parking areas to one or more portions of a subdivided lot. The applicant has proposed a general building envelope on the subject properties inclusive of the LS1 District setbacks and the 100 ft setback from the 95.5 ft elevation of Lake Champlain. There do not appear to be wetlands, buffers, or streams on the subject properties that would warrant additional setbacks under §7.04.

§ 9.05-E Monuments and Lot Corner Markers: Permanent right-of-way monuments shall be set at all street intersections, and at all angles and curves or other critical points in street lines as will enable a land surveyor to correctly stake out any lot in the subdivision. Each monument shall be a precast concrete post four inches by four inches (4" x 4") at the top by forty-eight inches (48") long. The top shall have a center mark which shall be the point of reference. The monuments shall be set in place after all other street improvements are completed. Lot corner markers shall be set at corners and angle points of all lots, plots, or parcels, and located in the ground to finished grade.

§ 9.05-F Energy Conservation: The project is for a redevelopment project on properties located in close proximity to West Lakeshore Drive, and the proposed structures will be sited close to the road, minimizing the amount and length of new driveways. Prior to issuance of a Certificate of Occupancy, a certificate shall be required to be recorded in the Colchester Land Records certifying compliance with the Residential or Commercial Building Energy Standards, whichever is applicable.

§ 9.05-G Water Supply: The Board will be tasked with determining whether or not “adequate potable water exists on or off site to serve the proposed subdivision.” In their narrative, the applicant stated that the project is located within the Colchester Fire District No. 2 service area, and that the fire district has previously indicated that there is adequate water capacity to serve the project. The applicant, in their narrative, stated that CFD No.2 previously indicated that the District could serve the proposed use. As part of the subsequent submittal, the applicant has obtained an updated ability-to-serve letter from Jeff Bessette of Colchester Fire District No. 2, indicating an ability-to-serve the 4,340 gpd allocation.

§ 9.05-H Sewage Disposal: The subject property is located within the area to be served by the Malletts Bay sewer project. The subject property previously obtained WW-C-0671 to construct an off-site wastewater system at 135 West Lakeshore Drive to serve a 3,000 sf, 166-seat

restaurant serving 2 meals per day at 180 West Lakeshore Drive. The design flow for this system was 4,482 gpd. The applicant is proposing to utilize 4,462 gpd to serve the proposed uses.

Per the memo from the Department of Public Works titled, “PP-25-09 Hazelett Strip Casting Corp, DRB Review” dated July 16, 2025:

1. I have confirmed 180 West Lakeshore Drive, Parcel #65-019002-0000000 has 4,482 Gallon per day allocation assigned to it.
2. According to the policy statement I issued to the Planning and Zoning Director, Cathynn Larose on July 15, 2024. This project would fall within the policy statement category of:
  - a. Redevelopment within Assigned Allocation: Any property owner of a site that has been assigned wastewater allocation within the Malletts Bay Sewer Service Area(MBSSA) who is seeking approval of Development prior to the System being constructed and operational to provide wastewater service to that specific property, where the proposed project would be fully supported by the amount of wastewater allocation their property has been assigned, shall be reviewed for wastewater-related purposes in the following manner:
    - i. If possible, prior to submitting a request for Development approval, the property owner should be directed to contact the Public Works Director to determine if a sewer service connection has been designed for their property. If yes, design information shall be provided to the applicant.
    - ii. The application shall not be deemed complete by Planning & Zoning until either documentation that the proposed development is compatible with the Town-designed service connection for the site, or detailed design information regarding upgrades needed to the Town-designed sewer connection to accommodate the proposed development, has been provided. This information shall be provided to the Public Works Director for review, comment and approval. The Town, at its sole discretion, may require a Third Party Review of this information, which would be paid for by the property owner per Chapter Six and a Half of the Colchester Code of Ordinances. No permit shall be issued until the Public Works Director recommends approval to Planning & Zoning.

The Department of Public Works Memo prepared in July 2024 was intended to inform property owners how best to coordinate transitioning from an existing private sewer treatment systems with a specified sewer allocation, to the proposed municipal sewer system.

In this case, the property:

- a. Has a sewer allocation assigned to the property,
- b. Does Not have an existing private sewer system to decommission,
- c. Does not have an existing private sewer system to discreetly establish a timely appropriate sewer connection aligned with the Town’s Contract 1B West Lakeshore Sewer Service project schedule.

Therefore:

- a. the Town can only provide to the property owner, a sewer service connection stub to the Right of Way limits.
- b. The cost to design and construct a sewer service connection is left to the property owner.
- c. The referenced sewer service connection can only be made active at a future date that aligns with the Town's ability to receive, convey and treat the properties wastewater.

Given the above constraints, I do not recommend that the Town grant building permit approval until:

- a. the Malletts Bay sewer is operational and able to receive flows from the new development at 166 and 180 West Lakeshore Drive, and until the Town is done connecting all existing and permitted buildings in the Malletts Bay Sewer Service Area on West Lakeshore Drive, which is not anticipated until at the earliest until 2027; and
  - b. the Town's Department of Public Works has deemed the proposed sewer service connection and on site equipment is compatible with the existing municipal sewer system; and
  - c. Any required third-party review of the sewer connection and associated on site equipment is completed and paid for by the property owner.
3. The Department of Public Works provides only a cursory review any wastewater and water designs. The Town has reverted its authority to administer the Wastewater Rules back to the State of Vermont. A Wastewater and Potable Water Supply Permit may be required for this project. If so, a copy of the permit approval is required prior to the issuance of any building permit. The State of Vermont is the Authority Having Jurisdiction over wastewater permitting in the Town of Colchester.
  4. Occupancy of any structure shall not be granted until a wastewater installation certification letter is received, or the project is deemed exempt from this requirement by the authority having jurisdiction. Prior to the issuance of a certificate of occupancy, the Department of Public Works (DPW) shall be notified of any new connections to the sewer system. A copy of the wastewater installation certification letter shall be forwarded to DPW.

§ 9.05-I Site Preservation and Landscaping: The development shall have adequate landscaping, screening and setbacks in regard to adjacent properties in accordance with §10.04. The Narrative provided by the applicant states that the slope will be “rebuilt” and that a survey of the existing trees with greater than 1” caliper has been conducted. Plan Sheet L1.1 states that 124 trees 1” caliper or greater exist within the 100 ft setback from the mean water mark, and 54 (43%) are to be removed as part of this project. The applicant is proposing to plant 49 trees 1” caliper or greater, and 321 woody shrubs. More discussion is under §7.03.

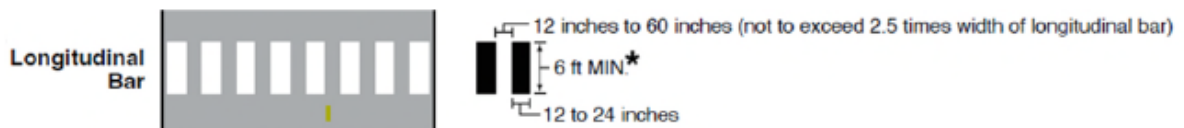
The proposed use appears to be consistent with the previous use of the property. The property is located in proximity to a similar Inn use to the east, and in proximity to a marina to the west. The commercial activities at 135 West Lakeshore Drive appear to be set back far from West Lakeshore Drive. It does not appear that additional screening between uses will be required,

although the applicant has identified additional plantings on the eastern property boundary. Per §10.04-F: “The Development Review Board shall require minimum planting costs for all site plans: three percent of the construction or improvement cost. In evaluating landscaping requirements, some credit may be granted for existing trees or for site improvements other than tree planting as long as the objectives of this section are not reduced. The landscaping budget shall be prepared by a landscape architect or professional landscape designer.” The applicant has provided a landscaping plan and budget provided by a professional landscape architect. The budget is \$273,056.68, which meets the 3% minimum on the projected \$8,000,000.00 project cost.

Prior to obtaining a building permit for the project, the applicant shall provide a suitable escrow, letter of credit, or similar form of surety to guarantee the performance and completion of all planting required pursuant to the Section for a period of no less than two years from the date of landscape installation. Prior to issuance of a certificate of occupancy, all landscaping shall be installed.

§ 9.05-J Streets: The proposed project includes the development of a new private driveway system to provide interior circulation at 166/180 West Lakeshore Drive and 135 West Lakeshore Drive. No public infrastructure is proposed; however, the project does include installation of a crosswalk to facilitate pedestrian connectivity between the parking area and the new buildings. Per the memo from the Department of Public Works titled, “PP-25-09 Hazelett Strip Casting Corp, DRB Review” dated July 17, 2025:

1. All new driveway entrances shall be constructed in conformance with Figure 3.10 of the DPW Specifications and Standards.
2. The proposed turnaround design shall conform to Figure 3.5 of the DPW Specifications and Standards.
3. Intersection sight distances equal to or greater than those shown on the Chart in Figure 3.9, shall be provided in both directions for all driveways entering on public roadways.
4. Detectable warning pads shall be included at all sidewalk crossings.
5. The most recent addition of the MUTCD does not include the diagonal shape pavement markings for crosswalks. The Town is planning to revise its DPW Specifications to align with the MUTCD, using the below markings as a new standard. Plans shall be revised to reflect this pavement marking on the plans and in the details:



§ 9.05-K Pedestrian Access: The applicant is proposing pedestrian connections internal to the property, to facilitate access between the off-site parking and the principal uses. See §9.05-J for physical standards related to crossings, §9.05-M for mid-block crossing discussion, and §9.05-Q for the discussion on the requested multi-use path easement.

§ 9.05-L Utilities: All utilities shall be underground. It appears that all utilities will be located underground.

§ 9.05-M Traffic: The development shall not cause unreasonable highway congestion or unsafe conditions with respect to use of the highways existing or proposed. Per the memo from the Department of Public Works titled, “PP-25-09 Hazelett Strip Casting Corp, DRB Review” dated March 26, 2025:

- (1) Stopping of traffic on adjacent public roadway shall not be permitted without necessary traffic control measures in accordance with MUTCD including approach signing and flagmen. Deliveries and hauling operations shall be coordinated not to occur during times of peak traffic volumes (7:30am -8:30am & 4:30pm – 5:30pm). This note shall be included on plans submitted with Site Plan Application.
- (2) In accordance with Section 1.4 of the DPW Specifications and Standards, “A complete traffic study will be required for all commercial and industrial developments and/or expansions and for any residential project with 10 or more living units. All projects regardless of type or size will require a sight distance and safety analysis.” The DPW Specifications and Standards Manual outlines the contents of the traffic study in Section 1.4. <https://www.colchestervt.gov/DocumentCenter/View/5508/Comb-Spec-111219>  
Applicant shall submit ITE Trip Generation calculations showing the existing and proposed traffic generation for this project. If the proposed trip generation is less than the existing trip generation, or substantially similar as determined by the Town, no further information would be required. If the number of trips has increased, more information may be required.

(NEW) In reviewing the Traffic Impact Analysis prepared by VHB revised and dated June 11, 2025. I have the following comments to consider.

- Page 2-Traffic Volume Data Traffic Consultant references 24 hours counts on Tuesday, April 29, 2025 for West Lakeshore Drive and the existing Hazelett Driveways and suggest the full traffic count data is provided in the appendix. I do not see the full count data in the appendix as indicated.
- (NEW) Page 2-Figure 1, Proposed Site Plan-Applicant has taken into consideration the feedback provided by the Department of Public Works and by Colchester Fire regarding the position and placement of eastern most lakeside driveway cut. The revised lakeside driveway configuration, seeks to position the easternmost driveway cut further east. Resulting in improved fire apparatus access and avoids the challenging circumstance of departing vehicles crossing two directions of vehicle traffic simultaneously to arrive at the receiving parking facility on the opposite side of the street. The consultants operational analysis substantiates efficient traffic operational performance under this revised configuration.
- (NEW) Public Works is supportive of the proposed mid-block crossing with an a Rectangular Rapid Flashing Beacon (RRFB) referenced on the on revised Civil Plan Set C-2.0. Public Works would request a traffic analysis warranting this change be included as a revision to the existing Traffic Study. In addition, a review of existing street lighting and identify any lighting improvements necessary to ensure proper pedestrian visibility during the evening hours.



- (NEW) Service Vehicle Access-Turning into the driveway from the roadway vehicles have to make a hard right turn. For larger class of vehicles such as service vehicles trash trucks, delivery vehicles. Applicant has provided turning templates that indicated the service vehicles as well as fire apparatus can access the property.

The applicant shall update the submittal with the Final Plat application to address Comments (1) and (2) above.

§ 9.05-N Storm Drainage & Erosion Control: The applicant has noted in the Preliminary Plat application that approximately 1.3 acres of land will be disturbed and that the project will be under the jurisdiction of the State of Vermont for both stormwater management and erosion control. Per the memo from the Department of Public Works titled, “PP-25-09 Hazelett Strip Casting Corp, DRB Review” dated July 16, 2025:

(1) The following thresholds apply for impervious surfaces:

- a. It was noted by the applicant that the proposed impervious surface at 166 and 180 West Lakeshore Drive (cottages and surrounding development) is 0.66 acres, with an additional 0.60 acres of new impervious at 135 West Lakeshore Drive (new parking lot), bringing the total proposed area of impervious to 1.26 acres.
- b. As such, the work proposed will create or redevelop ½ acre or more of impervious surfaces. Therefore a State Stormwater permit will likely be required.
- c. If the applicant is under the jurisdiction of an existing State Stormwater Permit, other thresholds may apply. A copy of the permit application documents, and a copy of the permit approval shall be provided to the Town prior to the issuance of a building permit.

(2) The following thresholds apply for land disturbance activities:

- a. Based on the area of proposed impervious, it can be inferred that the project will result in 1 acre or more of land disturbance.
- b. As such, a State Construction General Permit will likely be required. A copy of the permit application documents and a copy of the permit approval shall be provided to the Town for review prior to the issuance of a building permit.

(3) It was noted the proposed gravel wetland proposed at 135 West Lakeshore serves as stormwater treatment offset to stormwater impacts occurring on the opposite side of the street at 180 and 166 West Lakeshore.

Prior to the issuance of any certificate of occupancy, the applicant or their agent shall provide a written certification from a professionally licensed engineer, or a state certified erosion control technician, certifying compliance with the approved Construction General Permit. Prior to the issuance of a certificate of occupancy, the applicant or their agent shall provide a written certification from a professionally licensed engineer, certifying compliance with the approved stormwater permit.

§ 9.05-O Excavation & Grading: No new public infrastructure is proposed. Per the memo from the Department of Public Works titled, “PP-25-09 Hazelett Strip Casting Corp, DRB Review” dated July 16, 2025:

- (1) Excavations within or across public highways for purposes of installing or replacing utilities are generally prohibited. In all possible instances, such work shall be achieved through jacking and boring beneath the road surface, without disturbance to any paved portion of the roadway. If jacking and boring is not feasible, the applicant must present justification for excavation to the Director of Public Works for review and approval. This note shall be included on plans submitted with Site Plan Application.
- (2) The plans submitted with the Site Plan Application shall include the following note “The contractor shall notify “DIGSAFE” at 1-888-DIG-SAFE prior to any excavation. The Town of Colchester is not associated with Digsafe and shall be contacted separately prior to excavation.”

§ 9.05-P Outdoor Lighting: The applicant is proposing to construct outdoor lighting as part of this project. All outdoor lighting will be expected to comply with §10.02. No public improvements are proposed. Per §10.02-C(3), the subject properties are located in Lighting District #3. The applicant appears to be proposing parking lot lighting, walkway lighting, and canopy lighting.

Parking lot lighting shall comply with §10.02-D. The applicant is proposing sixteen (16) fixtures for parking lot lighting. The mounting height for the fixtures is 15 ft (maximum 15 ft). Average illumination appears to be 1.0 (maximum 1.0). Uniformity ratio appears to be 20:1 (maximum 20:1). The proposed parking lot fixtures appear to be downcast.

Walkway lighting shall comply with §10.02-H. The applicant is proposing twelve (12) fixtures for walkway lighting, along with one (1) wall-pack scone, primarily located on the path to the lake and aside the maintenance building. Average illumination appears to be 0.5 for both locations north and south of West Lakeshore Drive (maximum 0.5 fc). The walkway lighting down to the Lake appears to be limited to the 4 ft path and 3 ft on either side. The walkway lighting fixtures appear to be downcast and shielded.

Canopy lighting shall comply with §10.02-J as applicable. The applicant is proposing twenty-four (24) canopy-mounted fixtures, which are located at the entrances to each building. Average illumination appears to be 3.0 (maximum 3.0).

§ 9.05-Q Municipal Facilities & Recreation Areas: According to the Colchester, Vermont Official Map (2017), there is a planned separated path along West Lakeshore Drive. Per the DPW memo:

1. Acknowledging the existence of a scoping study entitled Malletts Bay Stormwater Management System & Transportation Scoping Study dated November 2017, on pages 92\* & 94. The Study had identified two improvements specific to the Right of Way along 135 West Lakeshore:
  - a. Construct a 10 foot Shared Use Path on the south side of West Lakeshore Drive

- b. Design and construct stormwater improvements on the south side of West Lakeshore. More specifically calling out the development of a Bioswale at 135 West Lakeshore.

The Town presently holds an easement over the greenbelt and sidewalk that ends 1 ft after the sidewalk. The Town will require an additional 13 ft of easement area beyond the existing easement area to support the development of a 15 foot bioswale, 10 ft Shared Use Path and a 1 foot buffer for maintenance purposes. An example of the alignment is attached. **The applicant shall provide the Town with an Irrevocable Offer of Dedication for the easement measuring 13 ft to accommodate the above improvements prior to recording the plat. Draft legal instruments shall be provided with the final plat application. The plat shall be updated to include the existing and proposed easements prior to final plat submittal.** All easement language shall be subject to review and approval by the Town's Attorney prior to recording the plat for the project.

The applicant has revised the plan set to indicate area measuring 26 ft from the edge of the road to accommodate the requested improvements. The applicant shall provide the requested information with the final plat application.

§ 9.05-R Governmental Services: The subject property is located in close proximity to an existing hydrant located within the ROW near 135 West Lakeshore Drive. The proposed access will be expected to comply with the requirements of Chapter 7 of the Colchester Code of Ordinances. The proposal is to serve the new development with a private driveway, which would be considered a Type III Private Driveway under Chapter 7. Since the April 9, 2025 hearing, the applicant revised the circulation plan to include a 19 – 20 ft in width, with mountable curbs. The circulation lane appears to provide for emergency entrance/exit per Plan Sheet C-2.2. The driveway entrance has been relocated such that a turnaround will not be required. **The Fire Chief has reviewed the modifications and approved of the revised layout; however, it appears that upon closer inspection that the proposed awnings appear to protrude into the circulation lane (inclusive of the mountable curbs) and must be removed in order to comply with Chapter 7 of the Colchester Code of Ordinances. The applicant will be expected to revise the plan set to comply with this requirement with the final plat submittal.**

Each building on the property will be expected to comply with Sec 4-30 of the Colchester Code of Ordinances as applicable: Emergency Access Boxes shall be required for new structures and existing structures except Accessory structures; and Residential structures containing three (3) or less units, unless otherwise required in Section 7-10 and 7-11 in Chapter 7 of the Colchester Code of Ordinances.

- (a) Knox Company box specified by the Colchester Fire Chief or his or her designee and shall be installed at a location specified by the Fire Chief or designee.
- (b) If there is a gated perimeter fence on the property, the access box shall be located immediately adjacent to the exterior of the gate. The property owner shall be responsible for ensuring that the keys are updated whenever locks are changed. Keys must be provided for all rooms and areas of a facility. Each box shall contain the following keys:
  - (1) Perimeter gate access key (where applicable).

- (2) Fire alarm panel access key (where applicable).
- (3) Structure alarm key (where applicable).
- (4) One (1) master key for each floor of the structure.
- (5) Structure sprinkler shutoff key (where applicable).
- (6) Elevator key (where applicable).
- (7) Keys to exterior controls for automatic overhead doors.
- (8) Additional keys as determined necessary by the Fire Chief.

§ 9.05-S Aesthetics: The development shall not have an undue adverse effect on the scenic or natural beauty of the area and aesthetics. The proposed project will be highly visible from Lake Champlain. The applicant has provided lake-facing photos to show how the project will be viewed from this area. It appears that the new buildings will be located approximately 100 ft from the mean water mark of Lake Champlain. The new buildings appear to be scaled to fit into the dimensional standards of the LS1 District, and will be built into the slope. While highly visible from the Lake, the proposed buildings appear to be in character with the surrounding development pattern.

§ 9.05-T Town Plan: In the 2019 Colchester Town Plan, the project is located within the Inner Bay Neighborhood and Village Mixed-Use Future Land Use Area, which states “The West Lakeshore Drive neighborhood area will remain a focal point for tourism and recreation with opportunities for infill development as designated on the future land use map. Commercial uses in this area serve recreational activities, local residents and regional commuters...Services and recreational access for residents and tourists should be improved. The Hazelett Company should remain as an employment center in this area and expand as needed. Small businesses are important to maintaining the economic vibrancy of this neighborhood area. Development must be balanced with environmental impacts. Views and access to the Bay should be preserved and enhanced. Green infrastructure requirements for redevelopment and new development will help to improve or maintain water quality. With existing on-site septic, this goal for infiltration may prove difficult given some of the smaller lot sizes; however, the planned sewer service area will help create more space for infiltration.” The proposal to redevelop a site previously occupied by a motel and office with an Inn with accessory restaurant and event facility uses appears to be in conformance with the goals of the municipal plan for the Inner Bay neighborhood.

§ 9.05-U Owners Association: The applicant is not proposing an association as part of this application, and as there are no individual residential units, it does not appear that one will be required.

§ 9.07-C General Standards: The project, a Planned Unit Development (PUD), includes a mixture of commercial uses. The PUD meets the minimum overall size of 1.5 acres at 2.0 acres. There are no underlying density requirements under review as the uses are commercial. There is no buffer requirement for the LS1 and LS2 Districts.

§ 9.07-D(1) Specific Standards: The applicant may request waivers of PUD Buffer, Lot Coverage, Public Road Frontage, Lot Size, or Internal Setbacks as part of a PUD. Under this application, the

applicant is not requesting waivers or reductions for PUD Buffer (not applicable), Lot Coverage (not requested), Public Road Frontage (not applicable), internal setbacks (conforms at this time), or lot sizes (no changes at this time).

§ 9.07-D(2) PUD Buffer Requirements: As the project is located within the LS1 and LS2 Districts, a planned unit development buffer is not required.

§ 9.07-D(3) Lot Size and Dimensional Requirements: No modifications to lot sizes or internal setbacks are requested at this time.

§ 9.07-D(4) Open Space: The project is located in the LS1 and LS2 Districts, but the property size of 2 acres is under the 3-acre threshold to require a set-aside open space.

§ 9.07-D(5) Recreation Areas: The proposal is not residential and recreational amenities are not required as part of the PUD.

§ 9.07-D(6) Varied Types of Dwellings: Identical replication of structures, textures and color are strongly discouraged in PRD/PUDs as well as the proposed building should blend with the existing character of the area. While dwelling units are not proposed, the applicant is proposing multiple structures that will be expected to comply with the building design standards of the LS1 District. Identical replication of these structures is discouraged. It appears that the design is consistent between buildings.

#### **Article 10: Development Standards**

The following review items are provided ahead of formal review of a Site Plan Application.

§ 10.01 Off Street Parking, Loading, and Circulation: Parking will be formally reviewed at time of a Site Plan Application. Parking must comply with the standards of §10.01 as the application includes new structures and new uses. Parking appears to be provided primarily off site and will be reviewed under §10.01-F. Per §10.01-B(6), insofar as practical, pedestrian and bicycle circulation shall be separated from motor vehicle circulation. Safe and convenient pedestrian circulation, including appropriate sidewalks, shall be provided on the site and its approaches. The pedestrian circulation plan shall be designed to minimize conflicts with vehicular traffic. It appears that pedestrian circulation is critical to facilitate access to the uses from the proposed parking area.

§10.01-C Layout Requirements for Parking Spaces, Aisles, and Circulation: The proposed new parking area will be expected to comply with these standards. The proposal is to construct 73 parking spaces. 67 parking spaces will be located off-site at 135 West Lakeshore Drive, 2 parking spaces will be located within the garage at Cottage 5, and 4 parking spaces will be located on the existing/re-designed marina area for a total of 73 parking spaces. The proposed parking spaces do not comply with the size requirements established in Appendix B of the Colchester Development Regulations (See Figure VII - 9 ft x 20 ft for 90-degree layouts). **The parking space sizes shall be revised to comply.**

67 parking spaces are proposed at 135 West Lakeshore Drive, which would require at least 7 major deciduous shade trees 3" caliper or greater per §10.01-C(1)(a). The applicant is providing a mixture of birch, maple, and honeylocust trees for a total of 14 trees 3" caliper or greater, which complies. Parking islands are proposed and appear to facilitate stormwater treatment on-site in accordance with §10.01-C(1)(b). The Board should carefully consider the facilitation of pedestrian access to the adjoining property when issuing a decision under this criterion. Per §10.01-C(4), it appears that the parking area is located outside of the front setback. All parking areas appear to comply with the minimum 5 ft side yard setback under §10.01-C(6).

§ 10.01-D Determination of Parking and Loading Spaces: The applicant shall provide sufficient off-street parking in accordance with Section O. The following table is provided by Staff to summarize the parking requirements for the involved uses:

Use	Parking Requirement (§10.01-O)	Applicable Parking Calculation Factor	Parking Spaces Required
Restaurant, Standard	22 spaces per 1,000 GFA	2,000 GFA	44
Spa (Personal Service)	2 spaces per treatment station or 4 spaces per 1,000 GFA (whichever is greater)	1 treatment station*	2
Meeting Space (Community Center)	0.33 spaces per maximum permitted occupancy	60 occupants	20
Inn (Bed & Breakfast)	1.5 spaces per guest bedroom plus 2 spaces	20 rooms	32
Total			98

It should be noted that the Inn and Meeting Space do not directly correspond to the listed uses in Table 10-2, and in accordance with §10.01-D(3)(d), "the requirements shall be the same as for the most similar use listed, as determined by the Administrative Officer." It appears that the most similar uses have been selected by the applicant, especially since the Meeting Space appears to support the hospitality use, and results in the same per-occupancy parking requirement as a banquet room in a hotel.

The applicant has provided 2 spaces for the "Spa" use, but Staff notes that the requirement is "2 spaces per treatment station or 4 spaces per 1,000 SF GFA whichever is greater." The applicant explained that the spa use is accessory to the Inn use for guests of the Inn only. Staff recommends that the 2-space provision appears to meet the requirement.

The amount of parking provided (73 spaces) is insufficient to meet the requirements of this section. The applicant has provided supplemental information indicating that 216 spaces exist on the property, and only 192 are required to serve the existing Industrial use. The

remaining 24 parking spaces would serve the new use, which would bring the parking spaces serving the new use to a total of 98 spaces. Staff has reviewed historic site plans and satellite imagery, and it appears that only 176 parking spaces formally exist at 135 West Lakeshore Drive, but there appear to be usage of areas for parking that likely bring the number up to 216 parking spaces. **With the final plat application, the applicant shall depict the location of all parking spaces at 135 West Lakeshore Drive.**

§ 10.01-E Shared Parking on Two or More Lots: The Development Review Board may approve a plan for a single adjacent facility serving two or more lots pursuant to the requirements of this section. Per §10.01-E(3), the following shall be met:

- a) The applicant(s) provides an acceptable overall design and an accurate site plan for all properties affected by the shared parking proposal. Such design and plan shall be approved by the Development Review Board. The owner or owners of the property where the off-site parking will be provided are co-applicants to the site plan application. The lots shall be adjacent. However, at its discretion, the Development Review Board may consider a shared parking plan where the parking serves a Planned Unit Development, college, or hospital use.
  - The proposed parking facility is adjacent to the subject properties, and is owned by the same entity. A Site Plan application has been submitted for the shared parking facility.
- b) The applicant shall record appropriate legal documents to ensure that the off-site parking spaces shall be available for use by the user or users for which the off-site parking spaces are being sought. Such legal documents shall be acceptable to the Town Attorney in form and content. The Town of Colchester shall be a party to the legal document.
  - The applicant will be expected to provide these legal documents with the Final Plat application. Despite being owned in common, legal protections will be required.
- c) Such legal documents shall assure the continued existence of the parking lot or facility to serve said structures or land uses as long as they may exist. Such agreement shall also guarantee that upon termination of such joint use, each subsequent use of the premises will provide off-street parking for its own use in accordance with the requirements of this section and Section O.
  - See above.
- d) The required number of parking spaces is to be provided and spaces that are paved must be striped and must be shown on an approved plan. The number of required parking spaces may be reduced provided that a reserved parking plan is approved as per Section H.
  - Parking area shall be paved and striped. No reserve parking plan has been provided or appears to be required at this time.
- e) In no event shall parking and loading spaces for a non-residential use be located in any residential district.
  - The proposed parking is for a non-residential use located in the LS1 District, and the parking is located in the mixed-use LS2 District.

§ 10.01-F Shared Parking on a Single Lot: Where the Development Review Board determines that a proposed development consisting of two or more uses located on a single parcel will generate different hourly, daily and/or seasonal parking demand due to the varied hours of operation of each use and frequencies of customer and employee occupancy of available parking spaces, the Development Review Board may approve a site plan utilizing shared parking. The applicant shall provide the parking space count and justification analysis. Approved shared parking requires the present construction of a lesser number of spaces, provided that:

- (1) The applicant shall provide the Development Review Board with a shared parking plan which shall be based upon the following:
  - (a) A complete and accurate description of the proposed uses, floor areas devoted to such uses, the number of seats or rooms assigned to each use, and the days and hours of operation of each use for each day of the week and for any seasonal variations in operations.
    - The applicant has provided a Shared Parking Calculation Sheet that incorporates all uses on the property. The applicant has included the uses under review, as well as the Manufacturing, Office, and (pre-existing, non-conforming) Marina uses.
  - (b) A complete and accurate description of the number of employees and their respective shifts.
    - **The applicant has not provided this information, which will be required with the final plat and site plan submittals.**
  - (c) A complete and accurate description of the projected total peak hour or daily period of occupancy by patrons for each proposed use during weekdays, Saturday, Sunday and any seasonal variations in peak hour or period of occupancy.
    - The applicant has provided two tables on the Shared Parking Calculations document: Recommended Time-of-Day Factors for Weekdays, and Recommended Time-of-Day Factors for Weekends. The tables assign usage factors for each included use on an hourly basis from 6am to 12am. The general summary is that the Inn is busiest in the mornings and evenings; the spa is busiest in the late mornings, the meeting space is most utilized in the evenings; the manufacturing and office space is most utilized during mid-day weekdays; the marina is busiest on the weekends; and the restaurant is busiest in the evenings, and is busier on weekends compared to weekdays. All data was derived from the ITE Parking Generation Manual, 5<sup>th</sup> Edition.
- (2) In all cases, at least two-thirds (2/3s) of the number of required parking spaces shall be provided. A reserved parking plan shall be required. The Administrative Officer may order the property owner to construct the reserved parking spaces if need arises as per Section H.
  - The property owner is proposing to use 289 existing parking spaces, which is less than the required 339. This meets the minimum 2/3 requirement. A



reserve parking plan has not been provided. A reserve parking plan shall be provided for the remaining 50 parking spaces. The applicant will be expected to comply with the requirements of §10.01-N.

(3) The approval of such shared parking shall be automatically terminated upon the termination of the operation of any of the involved uses.

➤ The applicant is advised of this condition.

§ 10.01-I Accessible Parking Spaces: Parking spaces for handicapped persons shall be provided for all non-residential uses. The size, number, and location of spaces shall comply with the ADA Accessibility Guidelines. Handicap accessible spaces are required to be eight feet (8'0") wide, with an adjacent access aisle five feet (5'0") wide. One in every six (6) accessible spaces must have an access aisle eight feet (8'0") wide and must be signed "van accessible". As 67 spaces are provided at 135 West Lakeshore Drive, 3 accessible spaces are required and 4 have been provided. **It is not clear that the provided accessible spaces meet the dimensional requirements established in this section, and clarification shall be provided with the final plat application.**

§10.01-K Bicycle Parking or Storage Facility: A bicycle parking or storage facility shall be provided for properties with twenty (20) or greater parking spaces. One bicycle parking space should be provided for each twenty (20) car spaces required by these regulations. Bike racks shall be clearly visible to employees and visitors; where practicable and safe, they should be located in proximity to the main entrance of the building. With 73 spaces, 3 bicycle parking spaces are required, and 3 have been provided. The bicycle parking has been provided with the off-site parking area, as depicted on the plans and addressed by the applicant at the April 9, 2025 hearing.

§10.01-H Reserved Parking: The applicant will be expected to comply with this section as part of the request to utilize Shared Parking under §10.01-E. When this subsection is utilized, the site plan shall contain a statement, signed by the applicant in such a form as shall be approved by the Town Attorney, consenting to the provisions contained herein. In addition, the property owner shall be required to submit a covenant, for filing in the Town Clerk's office, in such a form as shall be approved by the Town Attorney indicating consent to the provisions of this subsection.

§ 10.06 Trash Containers: All commercial, industrial, and multi-unit dwelling unit trash containers shall be centrally located on a concrete pad and enclosed with an opaque screen that is the minimum height of the containers. The location of the trash containers shall not be in a visually prominent area and shall generally be behind a building and not visible from the right-of-way. Trash containers shall be located so as to not interfere with circulation on the site. Where feasible the trash container screening shall also include a latching gate. The applicant is proposing to replace a trash enclosure near the Lake. The applicant shall provide more detail with the final plat and site plan application in order to determine compliance.

§ 10.07 Numbering Systems: All properties shall comply with the Colchester Street Naming and Street Addressing Regulations within the Colchester Code of Ordinance and amended from time to time. Multi-unit dwellings and commercial or industrial suites shall contain appropriate directional signs, as defined in the Colchester Sign Ordinance, and numbering systems at major entrances. All directional signage, street name signs, and unit numbers shall be installed prior to issuance of a Certificate of Occupancy.

**Article 12: Definitions:**

The following definitions apply to the proposed uses and staff notes:

**EVENT FACILITY**: A facility that primarily functions to host business or social gatherings that typically consists of one or more multi-purpose meeting rooms, kitchen facilities and/or recreational facilities that are available for use by various private groups for conferences, meetings, parties, weddings, receptions, reunions and similar group functions.

- The proposed project includes a main building (Sheet A4) that includes three seminar rooms on the ground floor, as well as a board room and kitchenette on the upper level. The applicant has requested approval for an event facility along with the other uses on the property.

**INN**: An establishment containing at least 6 rooms, but no more than 20 (twenty) rooms for living or sleeping accommodations primarily for transient occupancy for compensation available to the general public. No more than 40% of the rooms may contain typical apartment type furnishings such as a kitchen, bath, living space and separate bedroom. Units must be available on a daily, weekly and monthly basis and shall not be rented to the same occupant for more than thirty (30) days in any three hundred sixty-five (365) day period. An inn shall offer services typical to the use, including at least 12 hours per day of on-site registration and similar hosting services, as well as housekeeping. Inns shall provide for at least one indoor common area available to all guests and of sufficient size, attraction, and usability, such as a dining area, lounge, game room or library. Permitted accessory (and clearly incidental) uses include restaurants or other public dining facility, bars or lounges, meeting rooms, pools, and recreational facilities customary to such use.

- The proposed project includes a 20-room Inn. The applicant has included 5 cottage buildings (Sheets A6, A7, and A8). Cottage buildings 1, 2, and 4 will have a two-bedroom suite on the upper level, 2 studio units on the ground floor, and 2 studio units on lower level. Cottage 3 will have 2 2-bedroom suites, 1 studio unit, and a 1-bedroom unit (with kitchen). Cottage 5 will be a standalone 2-bedroom unit. The total number of rooms will be 20. In reviewing the floorplans, the 1-bedroom unit in Cottage 3 is the only unit with a kitchen, although a kitchen is labeled in Cottage 5 (10% of rooms vs. maximum 40%). The main building includes a reception desk on the ground floor, and the applicant shall confirm that at least 12 hours of on-site registration will be available. A restaurant will be available to the guests, as well as a massage area and fitness room.

**RESTAURANT, STANDARD:** An establishment offering the sale of foods or beverages for consumption within the restaurant building and whose operation is characterized by service by a restaurant employee at the same table or counter at which food or beverage is to be consumed. Standard restaurants shall have no substantial carry-out, no substantial delivery service, and no drive-up service. This establishment may sell alcohol by the drink for consumption on premise until 11PM (see Bar).

- The project includes a 40-seat restaurant. The applicant has explained that this restaurant will be open to the public as well as available to guests. The applicant will be expected to comply with the definition.

**SIGN:** shall mean and include every sign, billboard, bulletin-board, freestanding sign, wall sign, window sign, roof sign, illuminated sign and projecting sign, and shall include any letter, word, number, model, mural decoration, banner, flag, pennant, clock, thermometer, insignia, light or combination of lights or other visual display, used or placed as an announcement or declaration to identify, advertise or promote the interest of any person when the same is placed where it may be viewed by the general public from outside the structure on which the sign is placed.

- See §2.18.

## **PP-25-09 Hazelett Strip Casting Corp**

### **DRB Review 7.16.25**

Department of Public Works offers the following comments for consideration:

#### **CHAPTER 10 – SEWERS**

1. I have confirmed 180 West Lakeshore Drive, Parcel #65-019002-0000000 has 4,482 Gallon per day allocation assigned to it.
2. According to the policy statement I issued to the Planning and Zoning Director, CathyAnn Larose on July 15, 2024. This project would fall within the policy statement category of:  
*Redevelopment within Assigned Allocation:* Any property owner of a site that has been assigned wastewater allocation within the Malletts Bay Sewer Service Area(MBSSA) who is seeking approval of Development prior to the System being constructed and operational to provide wastewater service to that specific property, where the proposed project would be fully supported by the amount of wastewater allocation their property has been assigned, shall be reviewed for wastewater-related purposes in the following manner:
  - If possible, prior to submitting a request for Development approval, the property owner should be directed to contact the Public Works Director to determine if a sewer service connection has been designed for their property. If yes, design information shall be provided to the applicant.
  - The application shall not be deemed complete by Planning & Zoning until either documentation that the proposed development is compatible with the Town-designed service connection for the site, or detailed design information regarding upgrades needed to the Town-designed sewer connection to accommodate the proposed development, has been provided. This information shall be provided to the Public Works Director for review, comment and approval. The Town, at its sole discretion, may require a Third Party Review of this information, which would be paid for by the property owner per Chapter Six and a Half of the Colchester Code of Ordinances. No permit shall be issued until the Public Works Director recommends approval to Planning & Zoning.

The Department of Public Works Memo prepared in July 2024 was intended to inform property owners how best to coordinate transitioning from an existing private sewer treatment systems with a specified sewer allocation, to the proposed municipal sewer system.

In this case, the property:

- a. Has a sewer allocation assigned to the property,
- b. Does Not have an existing private sewer system to decommission,
- c. Does not have an existing private sewer system to discreetly establish a timely appropriate sewer connection aligned with the Town's Contract 1B West Lakeshore Sewer Service project schedule.

Therefore:

- a. the Town can only provide to the property owner, a sewer service connection stub to the Right of Way limits.
- b. The cost to design and construct a sewer service connection is left to the property owner.
- c. The referenced sewer service connection can only be made active at a future date that aligns with the Town's ability to receive, convey and treat the properties wastewater.

Given the above constraints, I do not recommend that the Town grant building permit approval until:

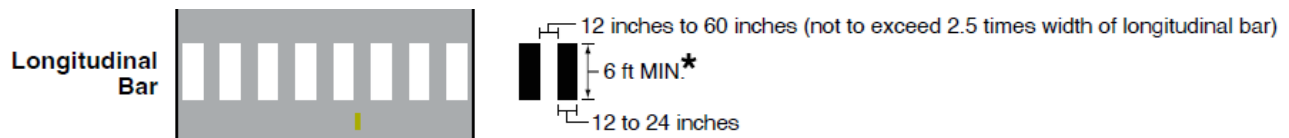
- a. the Malletts Bay sewer is operational and able to receive flows from the new development at 166 and 180 West Lakeshore Drive, and until the Town is done connecting all existing and permitted buildings in the Malletts Bay Sewer Service Area on West Lakeshore Drive, which is not anticipated until at the earliest until 2027; and
  - b. the Town's Department of Public Works has deemed the proposed sewer service connection and on site equipment is compatible with the existing municipal sewer system; and
  - c. Any required third-party review of the sewer connection and associated on site equipment is completed and paid for by the property owner.
3. The Department of Public Works provides only a cursory review any wastewater and water designs. The Town has reverted its authority to administer the Wastewater Rules back to the State of Vermont. A Wastewater and Potable Water Supply Permit may be required for this project. If so, a copy of the permit approval is required prior to the issuance of any building permit. The State of Vermont is the Authority Having Jurisdiction over wastewater permitting in the Town of Colchester.
  4. Occupancy of any structure shall not be granted until a wastewater installation certification letter is received, or the project is deemed exempt from this requirement by the authority having jurisdiction. Prior to the issuance of a certificate of occupancy, the Department of Public Works (DPW) shall be notified of any new connections to the sewer system. A copy of the wastewater installation certification letter shall be forwarded to DPW.

## **CHAPTER 14 – CONSTRUCTION STANDARDS APPLICABLE TO LAND DEVELOPMENT**

1. Excavations within or across public highways for purposes of installing or replacing utilities are generally prohibited. In all possible instances, such work shall be achieved through jacking and boring beneath the road surface, without disturbance to any paved portion of the roadway. If jacking and boring is not feasible, the applicant must present justification for excavation to the Director of Public Works for review and approval. This note shall be included on plans submitted with Site Plan Application.
2. Stopping of traffic on adjacent public roadway shall not be permitted without necessary traffic control measures in accordance with MUTCD including approach signing and

flagmen. Deliveries and hauling operations shall be coordinated not to occur during times of peak traffic volumes (7:30am -8:30am & 4:30pm – 5:30pm). This note shall be included on plans submitted with Site Plan Application.

3. The plans submitted with the Site Plan Application shall include the following note “The contractor shall notify “DIGSAFE” at 1-888-DIG-SAFE prior to any excavation. The Town of Colchester is not associated with Digsafe and shall be contacted separately prior to excavation.”
4. All new driveway entrances shall be constructed in conformance with Figure 3.10 of the DPW Specifications and Standards.
5. The proposed turnaround design shall conform to Figure 3.5 of the DPW Specifications and Standards.
6. Intersection sight distances equal to or greater than those shown on the Chart in Figure 3.9, shall be provided in both directions for all driveways entering on public roadways.
7. Detectable warning pads shall be included at all sidewalk crossings.
8. The most recent addition of the MUTCD does not include the diagonal shape pavement markings for crosswalks. The Town is planning to revise its DPW Specifications to align with the MUTCD, using the below markings as a new standard. Plans shall be revised to reflect this pavement marking on the plans and in the details.



9. In accordance with Section 1.4 of the DPW Specifications and Standards, “A complete traffic study will be required for all commercial and industrial developments and/or expansions and for any residential project with 10 or more living units. All projects regardless of type or size will require a sight distance and safety analysis.” The DPW Specifications and Standards Manual outlines the contents of the traffic study in Section 1.4. <https://www.colchestervt.gov/DocumentCenter/View/5508/Comb-Spec-111219> Applicant shall submit ITE Trip Generation calculations showing the existing and proposed traffic generation for this project. If the proposed trip generation is less than the existing trip generation, or substantially similar as determined by the Town, no further information would be required. If the number of trips has increased, more information may be required.

(NEW) In reviewing the Traffic Impact Analysis prepared by VHB revised and dated June 11, 2025. I have the following comments to consider.

- **Page 2-Traffic Volume Data** Traffic Consultant references 24 hours counts on Tuesday, April 29, 2025 for West Lakeshore Drive and the existing Hazelett Driveways and suggest the full traffic count data is provided in the appendix. I do not see the full count data in the appendix as indicated.
- **(NEW)Page 2-Figure 1, Proposed Site Plan**-Applicant has taken into consideration the feedback provided by the Department of Public Works and by Colchester Fire regarding the position and placement of eastern most lakeside driveway cut. The revised lakeside driveway configuration, seeks to position the easternmost driveway cut further east. Resulting in improved fire apparatus

access and avoids the challenging circumstance of departing vehicles crossing two directions of vehicle traffic simultaneously to arrive at the receiving parking facility on the opposite side of the street. The consultants operational analysis substantiates efficient traffic operational performance under this revised configuration.

- **(NEW)Public Works is supportive of the proposed mid-block crossing** with an a Rectangular Rapid Flashing Beacon (RRFB) referenced on the on revised Civil Plan Set C-2.0. Public Works would request a traffic analysis warranting this change be included as a revision to the existing Traffic Study. In addition, a review of existing street lighting and identify any lighting improvements necessary to ensure proper pedestrian visibility during the evening hours.
  - **(NEW)Service Vehicle Access**-Turning into the driveway from the roadway vehicles have to make a hard right turn. For larger class of vehicles such as service vehicles trash trucks, delivery vehicles. Applicant has provided turning templates that indicated the service vehicles as well as fire apparatus can access the property. .
10. **(NEW)** Acknowledging the existence of a scoping study entitled Malletts Bay Stormwater Management System & Transportation Scoping Study dated November 2017, on pages 92\* & 94. The Study had identified two improvements specific to the Right of Way along 135 West Lakeshore:
- Construct a 10 foot Shared Use Path on the south side of West Lakeshore Drive
  - Design and construct stormwater improvements on the south side of West Lakeshore. More specifically calling out the development of a Bioswale at 135 West Lakeshore.

The Town presently holds an easement over the greenbelt and sidewalk that ends 1 ft after the sidewalk. The Town will require an additional 13 ft of easement area beyond the existing easement area to support the development of a 15 foot bioswale, 10 ft Shared Use Path and a 1 foot buffer for maintenance purposes. An example of the alignment is attached.

The applicant shall provide the Town with an Irrevocable Offer of Dedication for the easement measuring 13 ft to accommodate the above improvements prior to recording the plat. Draft legal instruments shall be provided with the final plat application. The plat shall be updated to include the existing and proposed easements prior to final plat submittal. All easement language shall be subject to review and approval by the Town's Attorney prior to recording the plat for the project.

## Chapter 18 - STORMWATER

1. The following thresholds apply for impervious surfaces:

- a. It was noted by the applicant that the proposed impervious surface at 166 and 180 West Lakeshore Drive (cottages and surrounding development) is 0.66 acres, with an additional 0.60 acres of new impervious at 135 West Lakeshore Drive (new parking lot), bringing the total proposed area of impervious to 1.26 acres.
  - b. As such, the work proposed will create or redevelop  $\frac{1}{2}$  acre or more of impervious surfaces. Therefore a State Stormwater permit will likely be required.
  - c. If the applicant is under the jurisdiction of an existing State Stormwater Permit, other thresholds may apply. A copy of the permit application documents, and a copy of the permit approval shall be provided to the Town prior to the issuance of a building permit.
2. The following thresholds apply for land disturbance activities:
  - a. Based on the area of proposed impervious, it can be inferred that the project will result in 1 acre or more of land disturbance.
  - b. As such, a State Construction General Permit will likely be required. A copy of the permit application documents and a copy of the permit approval shall be provided to the Town for review prior to the issuance of a building permit.
3. It was noted the proposed gravel wetland proposed at 135 West Lakeshore serves as stormwater treatment offset to stormwater impacts occurring on the opposite side of the street at 180 and 166 West Lakeshore.

Please notify the Department of Public Works if you have questions or require additional details.