



March 2, 2015

Barry King, Chair
Town of Jericho Development Review Board
P.O. Box 39
Jericho, VT 05465

RE: Jericho Market Traffic Review

Dear Mr. King,

As requested, we have reviewed the Traffic Impact Study prepared for the Jericho Market, prepared by Trudell Consulting Engineers and dated January 22, 2015.

In reviewing traffic impact studies (TIA) such as this, we examine the raw data used and its source, the methodologies and procedures used to determine existing traffic congestion and safety conditions plus the project's potential impact on those conditions, and the conclusions reached from those analyses. In Vermont, traffic impact studies should conform to the Vermont Agency of Transportation's (VTrans) Traffic Impact Guidelines dated October 2008. We have also examined the proposed site plans for this Project (Sheets C2-01 and C2-02) to assess the proposed access and circulation patterns for both vehicles and pedestrians, together with the proposed parking patterns.

The following outlines the comments and concerns resulting from our review:

1. Sections I - IV: The generation estimates shown in Table 1, peak hour distribution of project-generated traffic shown in Figure 1, and the data and methodology used to calculate existing and future traffic volumes all appear to be reasonable and appropriate for the proposed use. In Section IV.D., it would be helpful to provide a copy of the actual counts that were performed on December 16, 2014. The appendices also do not include any calculations showing how those counts were adjusted to the previously estimated DHV's.
2. Section V.A. - Level of Service: We performed a check of the level of service calculations using *Highway Capacity Software* at the VT Route 15/Raceway Rd/Jericho Market intersection. Our results matched the results shown in the Tables 3 and 5. The level of service results for the VT Route 15/Dickinson St intersection shown in Tables 4 and 6 are of little significance as traffic does not presently exit Dickinson St onto Route 15.
3. Section V.B. - Auxiliary Turn Lanes: We concur that the Harmelink model used by VTrans shows that the warrant for installing a southbound left-turn lane on VT Route 15 is satisfied. VTrans, in their

February 15th Letter of Intent, has required that such a left-turn lane be installed on Route 15; apparently overriding the Applicant's proposal to delay the installation of this left-turn lane and perform post-construction monitoring of the intersection, as outlined in Section VIII.C.

We point out, however, that the Harmelink model was originally developed to address safety concerns created by left-turn conflicts on high-speed (40+ mph) roadways. With a speed limit of 35 mph in a developed village setting, we are of the opinion that the use of the Harmelink model is inappropriate for this section of Route 15. We are not aware of any alternative established guidelines for installing left-turn lanes on highways in low-speed village settings. It is also our opinion that installing a left-turn lane on Route 15 at this location could promote higher speeds and create greater safety concerns for pedestrians crossing a wider roadway.

Should it be determined to install a southbound left-turn lane on Route 15 at this intersection, there is also the issue how to treat northbound left-turns from Route 15 onto Raceway Rd; the existing volume of which is greater than the future volume of southbound left-turns into the Jericho Market.

4. Section VIII.A - Access Management Improvements: The above-referenced VTrans Letter of Intent raises a critical question. With only one access being allowed from Route 15 for all future development on the Villeneuve property, will Jericho Market's access, as currently proposed, adequately serve the entire property? Of all possible locations along the Villeneuve property's Route 15 frontage, the best location for such an access may well be directly opposite Raceway Road. However, this site's internal layout, as currently proposed, creates concerns related to the functionality of this access if it is to also serve other future development on the Villeneuve property. Our primary concern relates to providing high-turnover on-street perpendicular parking along a roadway that ultimately might become a primary access route to other development. Additionally, the proposed site plans should show VTrans' required 30 ft access easement and future location of the driveway to Lot 2 immediately north.

We also note that a WB-62 design vehicle (commonly used for deliveries) will require the full 30 ft width of the access roadway to enter from Route 15, and will be unable to travel around the southeast corner of the proposed building to the proposed loading zone without encroaching into the adjacent parking spaces. We recommend that a full truck turning analysis showing the paths of delivery vehicles entering and exiting the site plus traveling to and from the loading zone be provided. Another option would be to restrict deliveries to only off-peak hours.

This Project will also increase future traffic on Dickinson St. We recommend that consideration be given to converting Dickinson St to provide two-way traffic flow between Route 15 and the Market's proposed access. In any event, this section of Dickinson St should be improved (paved) to a point past the Market's proposed access, and a sidewalk provided the full length of this property's frontage along its north side. This sidewalk connection will ultimately link existing paved sidewalks along both Route 15 and River Rd, while also providing improved pedestrian access to the proposed Jericho Market. To accomplish the latter, however, will require extending the proposed on-site

Barry King
March 2, 2015
Page 3

sidewalk along the west side of the Market south to intersect with the new sidewalk along Dickinson St.

5. **Parking:** Based on the Town's Land Use and Development Regulations, 64 parking spaces are required for a 17,700 sf general retail use (3.6 spaces per 1,000 sf). The Project proposes 69 parking spaces plus one loading space. Obviously, the most heavily used spaces will be those closest to the Market's main entrance at the northwest corner. Of those, the first two spaces on the west side are problematic due to the potential for vehicles backing out of those spaces interfering with traffic entering from Route 15. We recommend that those two spaces be deleted.

We thank you for this opportunity to be of assistance. Should you have any questions or if additional information is desired, please feel free to contact me.

Sincerely,



Roger Dickinson, P.E., PTOE

State of Vermont
Policy, Planning & Intermodal Development Division
Policy, Planning and Research Bureau
Development Review & Permitting Services Section
One National Life Drive
Montpelier, VT 05633-5001
vtrans.vermont.gov

[phone] 802-828-2653
[fax] 802-828-2456
[ttd] 800-253-0191

Agency of Transportation

! LETTER OF INTENT !
THIS IS NOT A PERMIT

February 11, 2015

Villejo Ventures, LLC
David Villeneuve
PO Box 360
Underhill, VT 05489

Subject: Jericho, VT15, L.S. 183+20 LT & RT

Dear David:

Your highway permit application to modify an existing access; install an 18" culvert; and bore under VT15 for waterline connection, at the above-referenced location, has been reviewed and found to meet the requirements for work within the highway right-of-way.

Title 19 VSA § 1111 requires that we ensure compliance with all local ordinances and regulations relating to highways. **Your highway permit application will be processed after you provide us with copies of your Act 250 and/or local approvals, including all conditions.** In cases where local zoning does not exist, a letter from the legislative body of the municipality will be acceptable.

The following special conditions will need to be satisfied prior to the permit being issued:

1. The previously approved Letter of Intent, #32147, dated September 10, 2007 for the Village Mill Restaurant and Grill site (see attached) is voided. This Permit will not be issued until a 30-foot access easement across the Jericho Market lot allowing access from the Village Mill Restaurant and Grill site is recorded in the Town of Jericho Land Records. The proposed Jericho Market access onto Vermont Route 15 will be the only direct connection to the State highway system after redevelopment of the earlier Villeneuve three (3) lot subdivision.
2. A left turn lane on Vermont Route 15 into the proposed Jericho Market access shall be designed, submitted and approved by VTrans prior to this Permit being issued. All costs to design and construct the left turn lane are the responsibility of Villejo Ventures, LLC.
3. A pedestrian crosswalk on Vermont Route 15 at the proposed Jericho Market access shall be designed, submitted and approved by VTrans prior to this Permit being issued. A sidewalk connection from Vermont Route 15 to the building entrance needs to be provided.
4. No work on the turn lane shall begin until a surety in the form of a bond or irrevocable letter of credit is provided to the Agency. The surety shall be an amount equal to the estimated construction costs and

shall remain in effect for 18 months after the Agency's final inspection of the work. A copy of this letter of credit or security bond shall be provided to the Development Review & Permitting Services Section and the District Transportation Administrator prior to the project preconstruction meeting.

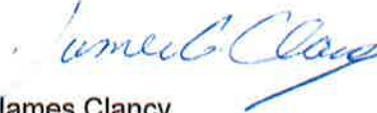
5. An inspection agreement between the Vermont Agency of Transportation and the owner/applicant, which covers periodic inspection of the work by an Agency representative, must be executed prior to the start of construction.

This commitment is valid for two years from the date of this letter. Should your other permits require a longer time period, please contact us relative to an extension of time.

This Letter of Intent addresses only access to, work within, and drainage affecting the State highway. It does not address other possible transportation issues, such as access to town highways, use of private roads, and use of railroad crossings. If relevant to the proposed development, such issues must be addressed separately.

If you have any further questions about this matter, please call me at (802) 828-2486.

Sincerely,



James Clancy
Permit Supervisor

Reviewed by: Craig S. Keller Date: 2/11/2015
Craig S. Keller, P.E., Chief of Permitting Services

Attachments

cc: Town of Jericho
District Environmental Coordinator #4
Chittenden County Regional Planning Commission
Trudell Consulting Engineers, Inc.

Villejo Ventures, LLC
Jericho, VT15, L.S. 183+20 LT & RT
February 11, 2015
Page 1 of 7

SPECIAL CONDITIONS

This permit is granted subject to the restrictions and conditions on the back of the permit, with particular attention given to the Special Conditions listed below. This permit pertains only to the authority exercised by the Vermont Agency of Transportation (Agency) under Vermont Statutes Annotated, Title 19, Section 1111, and does not relieve the Permit Holder from the requirements of otherwise applicable statutes, rules, regulations or ordinances (e.g., Act 250, zoning, etc.). The Permit Holder shall observe and comply with all Federal and State laws and local bylaws, ordinances, and regulations in any manner affecting the conduct of the work and the action or operation of those engaged in the work, including all orders or decrees as exist at present and those which may be enacted later by bodies or tribunals having jurisdiction or authority over the work, and the Permit Holder shall defend, indemnify, and save harmless the State and all its officers, agents, and employees against any claim or liability arising from or based on the violation of any such law, bylaws, ordinances, regulations, order, or decree, whether by the Permit Holder in person, by an employee of the Permit Holder, by a person or entity hired by the Permit Holder, or by a Subcontractor or supplier.

The Permit Holder shall accomplish all work under this permit in accordance with detail "C" and detail "A" and the profile and notes of standard drawing B-71 and D-20 respectively, copies attached, and the attached plan dated, received January 22, 2015.

After the applicant's contractor has been selected, the contractor is required to sign the permit application as the co-applicant. A copy of the signed permit shall be returned to the Development Review & Permitting Services Section prior to the preconstruction meeting.

The following special conditions will need to be satisfied prior to the permit being issued:

- 1. The previously approved Letter of Intent, #32147, dated September 10, 2007 for the Village Mill Restaurant and Grill site (see attached) is voided. This Permit will not be issued until a 30-foot access easement across the Jericho Market lot allowing access from the Village Mill Restaurant and Grill site is recorded in the Town of Jericho Land Records. The proposed Jericho Market access onto Vermont Route 15 will be the only direct connection to the State highway system after redevelopment of the earlier Villeneuve three (3) lot subdivision.**
- 2. A left turn lane on Vermont Route 15 into the proposed Jericho Market access shall be designed, submitted and approved by VTrans prior to this Permit being issued. All costs to design and construct the left turn lane are the responsibility of Villejo Ventures, LLC.**

3. A pedestrian crosswalk on Vermont Route 15 at the proposed Jericho Market access shall be designed, submitted and approved by VTrans prior to this Permit being issued. A sidewalk connection from Vermont Route 15 to the building entrance needs to be provided.
4. No work on the turn lane shall begin until a surety in the form of a bond or irrevocable letter of credit is provided to the Agency. The surety shall be an amount equal to the estimated construction costs and shall remain in effect for 18 months after the Agency's final inspection of the work. A copy of this letter of credit or security bond shall be provided to the Development Review & Permitting Services Section and the District Transportation Administrator prior to the project preconstruction meeting.
5. An inspection agreement between the Vermont Agency of Transportation and the owner/applicant, which covers periodic inspection of the work by an Agency representative, must be executed prior to the start of construction.

A preconstruction meeting to discuss work to be completed must be held prior to the Permit Holder's employees or contractor beginning work. The Permit Holder is required to notify the District Transportation Administrator five (5) working days in advance of such meeting.

Please note that the Vermont Agency of Transportation is not a member of Dig Safe. The Permit Holder shall also contact Steve Guyette at his office phone (802) 655-1580 or cell phone (802) 343-2188. Mr. Guyette will need to locate and mark all existing buried utility facilities owned by the Agency near the location of the proposed work.

Roadway shoulder areas must be maintained free of unnecessary obstructions, including parked vehicles, at all times while work is being performed under this permit.

All grading within the State Highway right-of-way associated with the proposed construction shall be subject to inspection and approval by the District Transportation Administrator or his or her staff. The Permit Holder shall be responsible for ensuring that all grading work in or on the State Highway right-of-way complies with applicable statutes, rules, regulations or ordinances.

In areas to be grass covered, the Permit Holder shall restore turf by preparing the area and applying the necessary topsoil, limestone, fertilizer, seed, and mulch all to the satisfaction of the District Transportation Administrator. The Permit Holder shall be responsible for ensuring that all turf restoration work in or on the State Highway right-of-way is in compliance with applicable statutes, rules, regulations or ordinances.

Villejo Ventures, LLC
Jericho, VT15, L.S. 183+20 LT & RT
February 11, 2015
Page 3 of 7

This permit does not become effective until the Permit Holder records, in the office of the appropriate municipal clerk, the "Notice of Permit Action". Requested is the Book and Page for the three lot subdivision.

The access must be constructed in such a manner as to prevent water from flowing onto the State Highway. If the access is not constructed satisfactorily, the District Transportation Administrator can order reconstruction of the access at the Permit Holder's expense.

This access will serve as the only access to this property and to any future subdivisions of this property unless approved otherwise by the Agency. The Permit Holder is required to allow a connection and to grant an associated right to pass between the access and adjoining properties (in the future) that will result in a combination of accesses to serve more than one property or lot. By issuance of this permit, the Agency revokes all previous permits for access to this property.

A new "Vermont Agency of Transportation approved" culvert shall be placed under the access. The size shall be 18" inches in diameter. The culvert shall be placed so that existing normal drainage flow is undisturbed and ponding is not created. The Permit Holder may have to excavate the roadside drainage ditch to accommodate the required culvert. Culvert location shall be staked, reviewed and approved by the District Transportation Administrator prior to installation. There shall be no headwalls allowed within the State Highway right-of-way on the ends of drive culverts.

In the event traffic from this project increases to the point where traffic signals, additional lanes for turning or any other modifications are necessary, the Permit Holder shall bear the expense of such improvements or facilities. The Agency may require the Permit Holder to update or provide a traffic study to determine if additional modifications are necessary.

The Permit Holder is responsible for access maintenance (beyond the edge of paved shoulder). "Access maintenance" will include, but not be limited to, the surface of the access, the replacement and maintenance of the culvert, as necessary, the trimming of vegetation, and the removal of snow banks to provide corner sight distance.

In conformance with Vermont Statutes Annotated, Title 19, Section 1111(f), the Agency may eliminate this access in the future where development has burdened the highway system to such an extent that a frontage road or other access improvements (which may serve more than one property or lot) must be constructed to alleviate this burden. The Permit Holder shall bear the expense of the frontage road or other access improvements. The Agency shall determine the need of a frontage road or other improvements based upon and justified by standard Agency procedures.

Villejo Ventures, LLC
Jericho, VT15, L.S. 183+20 LT & RT
February 11, 2015
Page 4 of 7

The Permit Holder shall pave the access (drive) from the edge of paved shoulder to the State Highway right-of-way.

In the event of the Permit Holder's failure to complete all the work, approved under this permit, by the "work completion date," the Agency, in addition to any other enforcement powers that may be provided for by law, may suspend this permit until compliance is obtained. If there is continued use or activity after suspension, the Agency may physically close the driveway or access point if, in the Agency's opinion, safety of highways users is or may be affected.

Should any portion of the utility facility installed within the highway right-of-way require relocation due to future highway improvements, all expenses will be borne by the Owner, its successors or assigns, and all necessary adjustments shall be completed in a timely manner.

The highway crossing shall be installed by jacking or boring in accordance with the attached standard D-20.

The Permit Holder must backfill all open trenches or pits at the end of each day. With permission from the District Transportation Administrator, trenches or pits may be left open for short periods of time if properly protected. In no case shall trenches or pits be left open over a weekend. The Permit Holder shall be responsible for ensuring that all trench or pit work in or on the State Highway right-of-way is in compliance with applicable statutes, rules, regulations or ordinances.

The Permit Holder shall install an underground utility warning tape or tracer wire system to detect, locate and identify the approved underground utility facility. As part of the final inspection the District Transportation Administrator may require a conductivity test prior to acceptance of the work. Additionally, if the utility warning system becomes unreliable or inoperable in the future the Agency may require that the Permit Holder repair or install a replacement system.

The Permit Holder shall promptly and unconditionally pay for full repair and restoration of any and all damages to existing underground utility facilities (meaning any underground pipe, conduit, wire or cable, including appurtenances) that have been brought about by the execution of the permitted work. The Permit Holder also is required to pay for any costs to repair the highway following and resulting from any repairs to existing utilities occurring as a result of the work covered by this permit. Except with the specific, written permission of the Engineer, the Permit Holder or his or her contractor shall expose all underground facilities to verify their location and depth, at each location where the authorized boring or drilling work crosses a facility; and at reasonable intervals when closely paralleling a facility. Whenever possible, existing facilities should be crossed at a perpendicular angle. The Permit Holder shall be responsible for obtaining the modification

Villejo Ventures, LLC
Jericho, VT15, L.S. 183+20 LT & RT
February 11, 2015
Page 5 of 7

of this permit, if necessary, for any additional survey work before initiating boring or drilling operations under the permit. The Agency will treat the Permit Holder's failure to fully, promptly, and conscientiously comply with all of conditions of this paragraph, including but not limited to the obligation to pay for repairs, as grounds for the Agency to refuse to grant any further requests by the Permit Holder for any other permits for subsurface work unless the Permit Holder furnishes irrevocable financial security, in a type and an amount deemed sufficient by the Agency in its sole discretion, prior to such future subsurface work.

The Permit Holder shall verify the appropriate safety measures needed, prior to construction, so proper devices and/or personnel are available when and as needed. Traffic control devices, shall be in conformance with the MUTCD (Manual on Uniform Traffic Control Devices), Agency standards and any additional traffic control deemed necessary by the District Transportation Administrator. The Permit Holder's failure to utilize proper measures shall be considered sufficient grounds for the District Transportation Administrator to order cessation of the work immediately.

The Permit Holder will perform construction in such a way as to minimize conflicts with normal highway traffic. When two-way traffic cannot be maintained, the Permit Holder shall provide a sign package that conforms to the MUTCD (Manual on Uniform Traffic Control Devices) or Agency standards, as well as trained Flaggers. The District Transportation Administrator may require a similar sign package with trained Flaggers whenever it is deemed necessary for the protection of the traveling public. In addition, the District Transportation Administrator may require the presence of Uniform Traffic Officers (UTOs); moreover, the presence of UTOs shall not excuse the Permit Holder from its obligation to provide the sign package and Flaggers.

The Permit Holder shall ensure that all workers exposed to the risks of moving highway traffic and/or construction equipment wear high-visibility safety apparel meeting the requirements of ISEA (International Safety Equipment Association) "American National Standards for High-Visibility Safety Apparel," and labeled as ANSI (American National Standards Institute) 107-2004, or latest revisions, for Performance Class 2 or 3 requirements. A competent person - one designated by the Permit Holder's Contractor to be responsible for worker safety within the activity area of the State highway right-of-way - shall select the appropriate class of garment. The Engineer may suspend this permit until compliance is obtained.

Independence; Liability: The Permit Holder will act in an independent capacity and not as officers or employees of the State.

The Permit Holder shall defend the State and its officers and employees against all claims or suits arising in whole or in part from any act or omission of the Permit Holder or of any agent of the Permit Holder. The State shall notify the Permit Holder in the event of any such claim or suit, and the Permit Holder shall immediately retain counsel and

Villejo Ventures, LLC
Jericho, VT15, L.S. 183+20 LT & RT
February 11, 2015
Page 6 of 7

otherwise provide a complete defense against the entire claim or suit.

After a final judgment or settlement, the Permit Holder may request recoupment of specific defense costs and may file suit in the Washington Superior Court requesting recoupment. The Permit Holder shall be entitled to recoup costs only upon a showing that such costs were entirely unrelated to the defense of any claim arising from an act or omission of the Permit Holder.

The Permit Holder shall indemnify the State and its officers and employees in the event that the State, its officers or employees become legally obligated to pay any damages or losses arising from any act or omission of the Permit Holder.

Insurance: Before beginning any work under this Permit the Permit Holder must provide certificates of insurance to show that the following minimum coverages are in effect. It is the responsibility of the Permit Holder to maintain current certificates of insurance on file with the State for the duration of work under the Permit. No warranty is made that the coverages and limits listed herein are adequate to cover and protect the interests of the Permit Holder for the Permit Holder's operations. These are solely minimums that have been established to protect the interests of the State.

Workers Compensation: With respect to all operations performed under the Permit, the Permit Holder shall carry workers compensation insurance in accordance with the laws of the State of Vermont.

General Liability and Property Damage: With respect to all operations performed under the Permit, the Permit Holder shall carry general liability insurance having all major divisions of coverage including, but not limited to:

Premises - Operations
Products and Completed Operations
Personal Injury Liability
Contractual Liability

The policy shall be on an occurrence form and limits shall not be less than:

\$2,000,000 Per Occurrence
\$2,000,000 General Aggregate
\$2,000,000 Products/Completed Operations Aggregate
\$ 50,000 Fire/Legal Liability

Permit Holder shall name the State of Vermont and its officers and employees as additional insureds for liability arising out of this Permit.

Villejo Ventures, LLC
Jericho, VT15, L.S. 183+20 LT & RT
February 11, 2015
Page 7 of 7

Automotive Liability: The Permit Holder shall carry automotive liability insurance covering all motor vehicles, including hired and non-owned coverage, used in connection with the Permit. Limits of coverage shall not be less than: \$1,000,000 combined single limit.

Permit Holder shall name the State of Vermont and its officers and employees as additional insureds for liability arising out of this Permit.