

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
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AJ LaRosa
Caitlin Halpert
Geoff Hand
Sean McKenzie
Brad Rabinowitz
Leo Sprinzen
Miles Waite
Marina Campbell, (Alternate)
Evan Gould, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, July 16, 2024, 5:00 PM MINUTES

Hybrid & In Person (at 645 Pine Street) Meeting

Board Members Present: AJ LaRosa, Caitlin Halpert, Geoff Hand, Sean McKenzie, Brad Rabinowitz, Leo Sprinzen, and Miles Waite

Board Members Absent: Marina Campbell and Evan Gould

Staff Members Present: Scott Gustin, Mary O'Neil, Garret King, and Joseph Cava

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Public Hearing**

1. ZP-24-243; 165 Shelburne Street (RC, Ward 5) Champlain Housing Trust, Inc. / Donal Dugan

Proposed change of use from hotel to 30 bed warming shelter with associated site improvements.

(Project Manager, Scott Gustin)

Amy Demetrowitz, Paul Dragon, and Sharon Bushor: Sworn in

Geoff Hand recused.

Miles Waite: I would like to note that I have worked on Champlain Housing Trust projects previously, but not this one. My participation should not be an issue.

AJ LaRosa: Can you tell us about this project?

Amy Demetrowitz: Champlain Housing Trust owns the property and operates it as a motel for homeless guests. The proposed change would convert the ground floor into a warming shelter with accessibility at the rear of the property.

AJ LaRosa: What are the standards for warming shelters versus traditional lodging?

Paul Dragon: The operation is not year round and would only operate from December 1st to March 31st with congregant space. Long term lodging would operate year round.

Brad Rabinowitz: Can you tell us about the space?

Paul Dragon: We know there are tremendous challenges around homelessness in Burlington. The renovations to the existing facility would accommodate up to 42 year rounds guests on the upper floors with up to 30 warming shelter guests on the first floor.

Sean McKenzie: Do you foresee any changes in noise levels from this parcel's previous use as a hotel?

Paul Dragon: There are mature trees planted on the rear façade and fencing proposed to help block noise.

Amy Demetrowitz: The occupancy is not changing from the previous hotel use.

Paul Dragon: Some of the improvements that have been made are specific to removing street foot traffic with case managers on site and on call.

AJ LaRosa: There was some missing information outlined in the staff report. Can you clarify this?

Scott Gustin: Yes, city staff will need a concrete estimate for staffing, revised lighting information, and estimated traffic.

Paul Dragon: I will get that information to you.

AJ LaRosa: So the only change is from a hotel to long term housing on the upper floors and short term warming shelter on the first floor?

Amy Demetrowitz: Yes, the infrastructure will remain the same, with system upgrades including electrical and a shift in the clientele served.

Paul Dragon: There will be no new changes in existing staffing than what is already offered on site.

Miles Waite: Looking at the site plan, it looks like you are removing asphalt?

Paul Dragon: Yes, we are creating more grass areas.

Caitlin Halpert: So was lighting not included in the previous redevelopment applications for this parcel?

Scott Gustin: The proposed change includes new lighting not previously proposed.

Brad Rabinowitz: I am surprised that 24 V.S.A. §4413 applies. Wouldn't that pertain to municipal emergency shelters?

Scott Gustin: There were intentional changes in the legislative language to enable easier approval and establishment of emergency shelters.

AJ LaRosa: Are there any additional questions or comments from the board? Hearing none, are there any questions or comments from the public?

Sharon Bushor: Why is the timeline of December 1st to March 31st set so rigidly? As a previous City Counselor, I advocated for earlier timelines. I am frustrated with the use of temporary shelters versus permanent shelters and I wonder why we are not considering more long-term solutions.

Paul Dragon: The dates are based on the average set by the state. There are also funding constraints to keep the facility open year round. Resources are in short supply and we have stretched ourselves to the limit to provide different types of occupancy. It is frustrating to work with the limited resources available at our disposal.

AJ LaRosa: I appreciate your explanation. Are the time limits set by state statute?

Paul Dragon: No, this is the standard set by the Department for Children and Families under the Economic Services Division.

AJ LaRosa: Are there any additional questions or comments? Hearing none, we will close the hearing on this item and deliberate later on.

2. ZP-24-150; 953 North Avenue (RC, Ward 4) Harry Barton III / Mary Cannizzaro-Barton
Proposed home occupation for dog grooming and related driveway alteration. (Project Manager, Garret King)

Skip Barton, owner, present, Joann Barton, Stephen Smith, Pamela Smith, and Jen Dahlen: Sworn in

AJ LaRosa: Can you tell us about this project? We received comments from Megan Moir in the Water Division. Are you bathing the animals in addition to grooming?

Joann Barton: Yes, we have a grey water tank connected with the trailer to accommodate the services offered.

Miles Waite: Are you creating a new fixed water line?

Skip Barton: No, the trailer is set up in our driveway while the business is established. It will be an informal system using hoses for water.

AJ LaRosa: Can you please give us more detail about the business and what could be expected for daily operations?

Joann Barton: It will be a max of four to five animals a day. Clients will drop off their pets and timing will vary depending on the size of the animal. We will operate from 8:00 AM to 5:00 PM. We will walk the dogs in the backyard if needed for bathroom breaks, but they will primarily be on the inside of the trailer with one on one service.

AJ LaRosa: Do you foresee this being a mobile offering?

Skip Barton: Eventually the proposal will be to travel around the city to larger developments like Cambrian Rise.

Caitlin Halpert: Is there any signage proposed?

Joann Barton: No, the trailer will be painted, but no reference to the business.

Brad Rabinowitz: To clarify, is this an existing driveway?

Garret King: Correct, but they are altering the driveway to accommodate the trailer.

Brad Rabinowitz: Why are there no setbacks?

Garret King: A trailer is not a permanent structure or property feature.

Caitlin Halpert: Can you expand on the permanence?

Garret King: It is up to your discretion on the enforcement of this venture.

Geoff Hand: Would this qualify as an accessory structure?

Scott Gustin: Use of a trailer for a home occupation is not contemplated in the Comprehensive Development Ordinance (CDO). It is a grey area that the board will need to deliberate on.

Caitlin Halpert: Why is this not a kennel?

Garret King: There is no overnight animal boarding.

Geoff Hand: A home occupation is traditionally located in a property's primary residence. Is there a reason why this proposal could not be in the existing house?

Joann Barton: We already have three animals in the house, and the existing space would not accommodate a grooming business.

Brad Rabinowitz: Can you clarify the dimensions?

Joann Barton: Yes, the trailer is eight feet by twenty feet near a seven-foot-tall fence.

Miles Waite: Will you get a wastewater certification for this project?

AJ LaRosa: This is a standard permit condition.

Skip Barton: We do have a rough calculation for the amount of water used based on the type of dog.

AJ LaRosa: Are there any additional questions or comments from the board? Hearing none, are there any questions or comments from the public?

Stephen Smith: They are right on the corner of our property which already receives a lot of traffic from additional construction vehicles on the property. The wheels have also been taken off the trailer and its sitting on blocks.

Pamela Smith: There is an awning that advertises the business, so there will be signage. Our yard is being used as a turnaround.

AJ LaRosa: When was the trailer skirted?

Stephen Smith: About a week ago.

AJ LaRosa: We are evaluating the dimensions and angles. Typically you do not tell a restaurant to move to a different location. The project as proposed is a home occupation.

Pamela Smith: People are using our private driveway and we have a no trespass order.

Geoff Hand: We are not here to resolve a neighborhood dispute.

Caitlin Halpert: I do not see the signage, can you clarify?

Pamela Smith: It is the awning on the trailer.

Jen Dahlen: My question is concerning the impact on traffic. This intersection is really dangerous because it is off North Avenue, where there is a bus stop and three streets that intersect at this point.

Skip Barton: In regard to traffic, there will only be a maximum of five vehicles here throughout the day.

Joann Barton: We took the wheels off in respect to the character of the neighborhood to make it appear like a more permanent structure.

Geoff Hand: Does the trailer tongue overhang the sidewalk?

Joann Barton: No, not anymore. We removed the tongue so it would not overhang.

Brad Rabinowitz: Can you expand on the setback?

Garret King: The trailer can sit in a driveway without setback limitations.

Sean McKenzie: Is there wording in the CDO describing a trailer.

Mary O'Neil: Yes, a trailer is a vehicle standing on wheels without an independent mode of power.

Leo Sprinzen: How long would you like to have the trailer here?

Joann Barton: Until late summer or early fall.

AJ LaRosa: Hearing no additional questions or comments, we will close the hearing on this item and deliberate later on.

V. Certificate of Appropriateness

- 1. ZP-24-263; 1074 Pine Street (RL, Ward 5) South Meadow Apartments, LP / Liviya Kovacevic**
Proposed construction of a gravel wetland to treat stormwater runoff. (Project Manager, Mary O'Neil)

AJ LaRosa: I have worked with this client, but I have not worked on this project, so I do not see it as a conflict.

Geoff Hand: I have worked with this client and I will recuse myself.

AJ LaRosa: Are there any questions or comments from the board? Hearing none, are there any questions or comments from the public? This item was recommended for consent approval. Are there any issues with treating this as consent? Hearing none, would someone like to make a motion?

AJ LaRosa: Motioned to approve and adopt staff recommendations, Brad Rabinowitz 2nd. Vote 6-0. Motion carried.

VI. Other Business

- 1. Annual Organizational Meeting**

Brad Rabinowitz: Motioned to appoint AJ LaRosa as Chair of the Development Review Board, Caitlin Halpert 2nd. Vote 7-0. Motion carried.

AJ LaRosa: Motioned to appoint Caitlin Halpert as Vice Chair of the Development Review Board, Brad Rabinowitz 2nd. Vote 7-0. Motion carried.

AJ LaRosa: Motioned to appoint Brad Rabinowitz as representative to the Long Range Planning Committee, Miles Waite 2nd. Vote 7-0. Motion carried.

The Board left the position for Planning Commission Ordinance Committee vacant.

VII. Adjournment

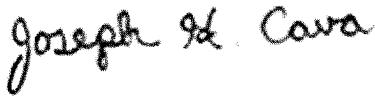
Hearing closed at 6:20 PM.



Alexander J. LaRosa, Chair of Development Review Board

8-6-24

Date



8-6-24

Joseph H. Cava, Permitting & Inspections Permit Technician

Date

Plans may be viewed upon request by contacting the Department of Permitting & Inspections between the hours of 8:00 a.m. and 4:30 p.m. Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Zoning office is considered public and cannot be kept confidential. This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/dpi/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

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