

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, August 6, 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, Miles Waite, and Evan Gould

Board Members Absent: Marina Campbell

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

Staff Members Absent: Garret King

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

1. **ZAP-24-5; 151 Ledge Road (RL, Ward 6) J. Kathleen Tracy**

Appeal of administrative denial, ZP-24-176, to replace existing wooden clapboard siding with vinyl siding. (Project Manager, Mary O'Neil)
Jo Kathleen Tracy, owner, present

Caitlin Halpert: Since this is an appeal, we will hear the facts of the case from city staff, then open it up to the appellant to speak. Can you tell us about this appeal and the basis of the application's denial?

Mary O'Neil: The proposal came in on 5/3/24 for the proposed removal of the existing wooden clapboard siding to replace with vinyl siding. This is a historically surveyed property, and the existing proposal is in violation of Sections 5.4.8 Historic Buildings and Sites, 6.2.2 Review Standards (d) Protection of Important Cultural Resources, and 6.3.2 Review Standards (b) Protection of Important Architectural Resources, so the application was subsequently denied on 6/25/24. The appeal was received and processed on 7/3/24, so the appeal was timely.

Caitlin Halpert: Are there any questions or comments from the board?

Geoff Hand: Can you expand on how the board has treated projects like this previously?

Mary O'Neil: Vinyl is not an acceptable substitute material on historically listed structures.

Caitlin Halpert: What about the use of fiber cement board siding like Hardie Board siding?

Mary O'Neil: Through litigation, alternative materials like fiber cement board siding on historic structures is allowable.

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Leo Sprinzen: Can you expand on the various additions that have been constructed?

Mary O'Neil: The primary structure retains its historic merit, while the existing additions differentiate between what was built later on.

Caitlin Halpert: Are there any additional questions or comments from staff? Hearing none, we will now hear from the appellant.

Jo Kathleen Tracy: There should not have been room for debate, and I am curious why this property was ever considered for eligibility. I was never given any disclosures on the rules or regulations by my closing agent on the de facto status of this property. I find it odd, and I never would have bought this property if I thought I would run into this issue. I moved up here for a job a few years ago and I am trying to protect my investment. I love this house, but I am concerned and struggling with the difficulty of this process. I went back to those representing the sale of this property to inquire about my protections as a private property owner for my investment.

Geoff Hand: Did you consider fiber cement board siding?

Jo Kathleen Tracy: No, I am not familiar with this product, which is why I chose vinyl because it has a longer life than wooden clapboard siding.

Evan Gould: Did you consider doing vinyl on the newer additions and retaining the older wooden clapboard siding on the original portion?

Jo Kathleen Tracy: No, I thought it would look janky, and did not entertain this.

Brad Rabinowitz: I understand your frustration.

Caitlin Halpert: To clarify, you are saying that Section 5.4.8 Historic Buildings and Sites that protects historic properties, is an argument against the retention of existing siding because of all the additions and alterations?

Jo Kathleen Tracy: Yes.

AJ LaRosa: How are these historic surveys available?

Mary O'Neil: These are available on the city website and have been there for some time.

Caitlin Halpert: Do you have another location where the surveys are available?

Mary O'Neil: Newly registered properties like the Five Sisters neighborhood are being updated regularly. These properties are nominated for the historic registry through the Secretary of the Interior standards, which is a Federal program.

Sean McKenzie: When was the last time the house was painted?

Jo Kathleen Tracy: Five to six years ago. I am too old for this, and if my appeal is denied, then I will need to seek additional council regarding this matter. This need for extensive repairs is an irresponsible burden on private homeowners. We are experiencing a housing crisis in Burlington. This is a ridiculous position to put me in when I go to sell and have to disclose the historic nature of this property.

AJ LaRosa: I am sorry for the stress that this has caused you, but there are alternative materials like fiber cement board siding that is not vinyl siding. I do not believe additional testimony will change this board's position on the proposal for vinyl siding.

Caitlin Halpert: Is there anyone from the public that wishes to speak on this application? Hearing none, we will close the hearing on this item and deliberate later on.

V. Certificate of Appropriateness

- 1. ZP-24-256; 311 North Avenue (RCO-RG, Ward 7) City of Burlington / Farrell Properties**
Proposed installation of recreation path, fencing, and associated stormwater improvements. (Project Manager, Scott Gustin)
Michael Buscher and Dan Cahill: Sworn in

Geoff Hand: I am recused on this.

Scott Gustin: Before the start of this meeting, I received lot coverage information that accounts for the steep slopes. It amounts to just over 7% lot coverage and is below the 10% limit. The Conservation Board unanimously approved this project at their 8/5/24 meeting.

AJ LaRosa: Can you tell us about this project?

Michael Buscher: This path will lead down from North Avenue behind the Cambrian Rise development to the bike path and waterfront. This site will be fully walkable following the completion of the path.

AJ LaRosa: What is located to the south of this connection point at the spur?

Michael Buscher: There is an existing path, which will be connected with the proposed path. The proposed path will also create better alignment to access the existing path. There was in depth research done with VJ Comai, the City Arborist, to create a solution driven by the Parks and Recreation Department.

Brad Rabinowitz: I see details for fencing, is this proposed as part of this application?

Michael Buscher: The fencing is already existing above steeply graded slopes.

Evan Gould: Will the connection improve the existing grading?

Michael Buscher: Yes.

AJ LaRosa: Are there any questions or comments from the public?

Scott Gustin: Our Land Steward, Dan Cahill, is here in person. There are also City Parks and Recreation Department staff on ZOOM, but I am not seeing any hands raised.

Miles Waite: I see a critical root zone outlined in the project plans. Can you expand on how this project will impact this?

Michael Buscher: This is part of the tree protection plan that outlines existing critical root zones of mature plantings. Cuttings will be done selectively to preserve the root structure.

Dan Cahill: This is a good public service and I appreciate the level of detail to protect existing plant species and ecosystems. The red oaks are particularly significant.

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

2. **ZP-24-276; 206-208 Dale Road (RL, Ward 4) Wild Dale, LLC / Matt Brouillard**
Proposed construction of a new duplex on existing vacant lot created under ZP-24-159. (Project Manager, Mary O'Neil)
Matt Brouillard, owner, present, Sharon Bushor: Sworn in

AJ LaRosa: Can you tell us about this project?

Matt Brouillard: This application is part of a newly created lot on a dead-end road. We went before the Design Advisory Board (DAB) and they recommended some changes.

AJ LaRosa: What were some of these changes?

Matt Brouillard: Window sizes and roof overhangs.

Evan Gould: Can you expand on bike parking?

Matt Brouillard: Bicycle parking is in the garage.

Brad Rabinowitz: I note mature trees and plantings that are existing. Will these remain?

Matt Brouillard: Some of the plantings will be removed, but most will remain.

Miles Waite: Is there a fence separating this parcel from the Parks and Recreation Department parcel?

Matt Brouillard: Yes, I hope to improve the existing fence.

AJ LaRosa: Why are we seeing this proposal before the Development Review Board (DRB)?

Mary O'Neil: The proposed home is subject to design review on a vacant lot, which requires DRB review.

AJ LaRosa: I thought we did not review this type of new development.

Evan Gould: It is part of the design review overlay.

Geoff Hand: Going back to bike parking, will the garage be able to accommodate a vehicle and the three minimum bicycle parking spaces required under the Comprehensive Development Ordinance (CDO)?

Scott Gustin: The proposed garage parking spaces are nine feet wide by twenty feet in depth with an alcove.

Geoff Hand: If the design addresses this, then is it a concern?

Mary O'Neil: I have no concern.

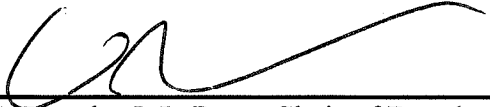
AJ LaRosa: Are there any additional questions or comments from the board? Hearing none, is there anyone from the public that wishes to speak on this application?

Sharon Bushor: Under state legislation, I support the construction of duplexes. I see a vulnerability though in the amount of mature tree removal. This should be addressed in the Neighborhood Code Part II. I also have a concern with the amount of natural light created through the placement of windows. The window placement in this plan is odd.

AJ LaRosa: Hearing no additional questions or comments, we will close the hearing on this item and enter into deliberative session.

VI. Adjournment

Hearing closed at 6:20 PM.

	8-20-24
Alexander J. LaRosa, Chair of Development Review Board	Date
	8-20-24
Joseph H. Cava, Permitting & Inspections Permit Technician	Date

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