Burlington Design Advisory Board
645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/DPI/DAB
Phone: (802) 865-7188

Ron Wanamaker
Emily Morse
Richard Martin
Gabriel Stadecker
Jay White
Joel Baird, Alt
Kathleen Ryan, Alt

Design Advisory Board

Tuesday, September 24, 2024, 3:00 PM

Remote and In Person (at 645 Pine Street) Meeting

Please click the link below to join the webinar:

Zoom: https://us02web.zoom.us/j/87155655137?pwd=ZEdGaGhxeFpRNDJQcFJrNWkvb1Vudz09

Webinar ID: 871 5565 5137
Passcode: 796731

Telephone: US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

1. Agenda

1.1.

Session I – 3:00 PM – 3:30 PM

ZP-24-336; 89 North Prospect Street (RL, Ward 1) United Mining and Salvage Company / Anna Jacobs (Marc Jacobs)
Proposed demolition and removal of existing wrap around porch to reconstruct in the similar style and same footprint. (Project Manager, Garret King)

1.2.

Session II – 3:30 PM – 4:00 PM

Other Business
Continue discussion of slate standards.

1.3.

Session III – 4:00 PM – 4:30 PM

Other Business
Discussion of chimney standards.

2. Adjournment

3. Minutes

Subject **3.1. Minutes of September 24 meeting**

Meeting	September 24, 2024 - DAB Agenda - Tuesday, September 24, 2024, 3:00 PM, Design Advisory Board
Category	3. Minutes
Department	Permitting & Inspections
Type	
Recommended Action	

4. Informational and Non-Discrimination Statements

4.1.

Non-Discrimination

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements to participate are encouraged to contact the Department of Permitting & Inspections at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188

Department of Permitting and Inspections
Zoning Division
645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/pz
Phone: (802) 865-7188
Fax: (802) 865-7195

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Permitting Technician
Steve Cormier, Code Compliance Officer
Ted Boylan, DPI Administrator

MEMORANDUM

To: Design Advisory Board
From: Garret King
Re: 89 North Prospect Street
Date: September 24, 2024

File: ZP-24-336
Location: 89 North Prospect Street
Zone: RM **Ward**: 1
Date application accepted: Aug 2nd, Complete Aug 5th, 2024
Applicant/ Owner: Anna Jacobs/ United Mining and Salvage COMP
Request: Proposed demolition and removal of existing wrap around porch to reconstruct in the similar style and same footprint.

Overview:
The applicant is looking to remove and reconstruct the wrap around porch with the same materials and, where needed, as similar materials as possible. As the existing porch materials are original, and the property is included in the Vermont Historic Sites & Structure survey, the historic preservation standards of Sec. 5.4.8 apply. The applicant intends to reuse the existing features, but some of the posts, spandrels, newels, and balusters may not be reuseable. So the applicant is requesting changes to some of these items. The roof will change from the current asphalt shinges back to a slate roof.

<u>Article 5: Citywide General Regulations</u>
Part 4, Special Use Regulations
Sec. 5.4.8 Historic Buildings and Sites

(a) Applicability
These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.

89 North Prospect Street is listed on the *Historic Sites & Structure Survey* and therefore is subject to the historic building guidelines.

(b) Standards and Guidelines:
The following development standards, following the Secretary of the Interior's Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles

created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

The property is currently a residential property with multiple rental units and will remain so.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

The applicant intends to rebuild the porch as it currently exists today, with the same dimensions and most of the same materials. The applicant intends to reuse the existing features but some of the posts, spandrels, newels, and balusters may not be reuseable. So the applicant is requesting the ability to change the design of some items.

Alternate spandrels are proposed that will remain as a 9” turned wood spandrel but will have a different turning pattern. Alternate posts will remain as turned wood posts but will have a different turned pattern. The lattice panels on the porch will remain wood with a proposed change to frame the panels between posts. The railing newels will be changed to a 4” post with a turned top, and will remain wood. The balusters are existing square wood and will increase in height to meet building safty code. Note that the city has suggested porch railing change options and this is not one of them. The one material change will be the roof that will change from the current asphalt shinges back to a slate roof.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Chages in design of the features are intended to be similar to the existing porch. Changes to the posts, spandrels, newels, and balusters will only be undertaken as necessary. The roof will change from the current asphalt shinges back to a slate roof. The original slate color and type is not recorded, a dark slate is proposed.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

Changes to the design of some porch features are proposed. Overall, the porch will retain the same size and dimensions. A return to a slate roof is also proposed.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Materials and features of the porch will remain. The applicant intends to reuse the existing features but some of the posts, spandrels, newels, and balusters may not be reuseable. So the applicant is requesting the ability to change the design of these items. The roof will change from the current asphalt shinges back to a slate roof. The original slate color and type is not recorded, a dark slate is proposed.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.

With the rebuild of the porch the size and dimensions of the porch will remain the same. The applicant is retaining many of the features and elements of the existing porch.But, same changes are proposed. Alternate spandrels are proposed that will remain as a 9" turned wood spandrel but will have a different turning pattern. Alternate posts will remain as turned wood posts but will have a different turned pattern. The lattice panels on the porch will remain wood with a proposed change to frame the panels between posts. The railing newels will be changed to a 4" post with a turned top, and will remain wood. The balusters are existing square wood and will increase in height to meet building safty code. Note that the city has suggested porch railing change options and this is not one of them. The one material change will be the roof that will change from the current asphalt shinges back to a slate roof.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

No chemical or physical treatments are proposed with this project.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

If any archeological resources are discovered they will be required to be reported and preserved.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

No new additions to the property are proposed with this project. The project will rebuild the porch with the same material, size, and dimensions. The applicant intends to reuse the existing features, but some of the posts, spandrels, newels, and balusters may not be reuseable so the applicant is proposing changes to similar designs. Alternate spandrels are proposed that will remain as a 9" turned wood spandrel but will have a different turning pattern. Alternate posts will remain as turned wood posts but will have a different turned pattern. The lattice panels on the porch will remain wood with a proposed change to frame the panels between posts. The

railing newels will be changed to a 4” post with a turned top, and will remain wood. The balusters are existing square wood and will increase in height to meet building safty code. Note that the city has suggested porch railing change options and this is not one of them. The one material change will be the roof that will change from the current asphalt shinges back to a slate roof.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

No new additions are are proposed with this project.

RECOMMENDED MOTION:

89 N Prospect St Porch Rebuild

Accent Spandrels

Hoping to reuse all of these. If they
are not usable, alternate has been sourced

Alternate

9" Traditional

9" overall height includes
your choice of Accent Spindles:
1-1/2" x 7-1/2" Cedar Spindle (4190)
1-5/8" x 7-1/2" Hemlock Spindle
(4191)
1-3/8" x 7-1/2" Redwood Spindle
(4192)
Spindles vary slightly from previous
9-1/4" Traditional Spandrel.

Plain Square Balusters

Will be replacing these to bring
railing height up to current code

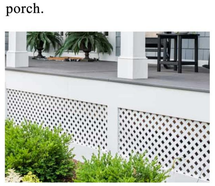
Alternate

KDAT Yellow Pine 36" x 1.5"

Lattice Panels

Will be replaced with new cedar lattice
panels. Either diagonol or vertical

Would like to frame the panels out between
posts so it looks more purposeful and
in line with the historical details of the
porch.



Posts

Hoping to reuse all of these. If they
are not usable, alternate has been sourced

Alternate

Decking

Am planning to use wood decking, but am also considering
alernatives

Roof

New asphalt roof, to look the same as
existing roof.

Stair Railings

I would like to match the style of the
handrail and spindles on the stairs to
the rest of the porch

New Newels

4" Newels

4" Plain

89 N Prospect St. Porch | Alternatives/Replacements

The below items correspond with the image submitted. Anything not proposed in this document will be replaced in kind.

Plain Square Balusters | 36”

KDAT stands for Kiln Dried After Treatment and that's a big deal!

Regular Pressure Treated Lumber
Everyone knows pressure treated wood lasts much, much longer than untreated wood because it is highly resistant to rot and insect damage. However, regular pressure treated wood tends to shrink, warp, cup, and crack. That's because liquid forced into the lumber under pressure causes internal stress when the wood shrinks as it dries naturally after treatment.

YellaWood® KDAT Pressure Treated Southern Yellow Pine
YellaWood® begins with boards selected for appearance (only a few small knots) and rated for high strength. Then kiln drying after micronized copper treatment (Lifetime Limited Warranty) greatly reduces the normal problems pressure treating introduces. Because the kiln offers a controlled environment, the wood dries slowly and evenly, minimizing the natural tendency of freshly treated lumber to shrink, cup, warp, and crack. A high quality, stable board that's much less likely to have problems is the result. And because excess moisture has been removed in the kiln, you're free to install, paint, and stain or seal without waiting.

The Many Advantages
YellaWood® KDAT's many advantages make it a top choice for homeowners who prefer natural wood for their outdoor projects:

- Lifetime Limited Warranty
- Pressure treated against rot, fungal decay, and termites
- Dried to original moisture content
- Minimized tendency to shrink, cup and warp
- Light, natural color for easy staining, painting or sealing
- Ready to paint, stain or seal immediately
- Weighs less than freshly treated lumber
- More strength and stiffness
- Increased holding power
- Easier to handle, cut and install

1-in x 48-in x 8-ft Natural Western Cedar Wood Lattice **or** **½-in x 48-in x 8-ft Natural Western Cedar Wood Traditional Lattice**

6” Victorian Cedar Porch Posts

Decking

Planning to use wood but would also like to get approval for Azek or Aeratis

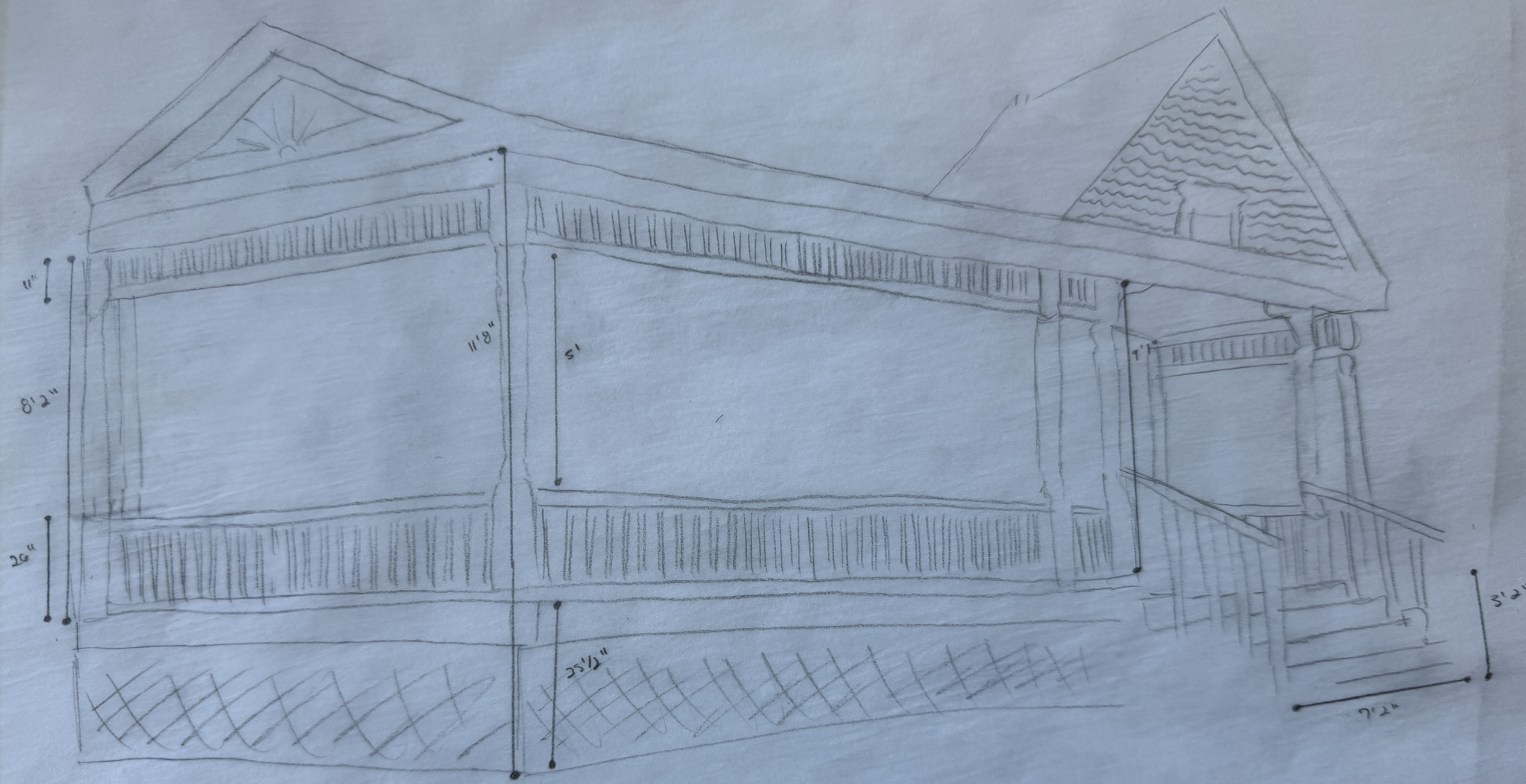
4” Plain Newels in Cedar

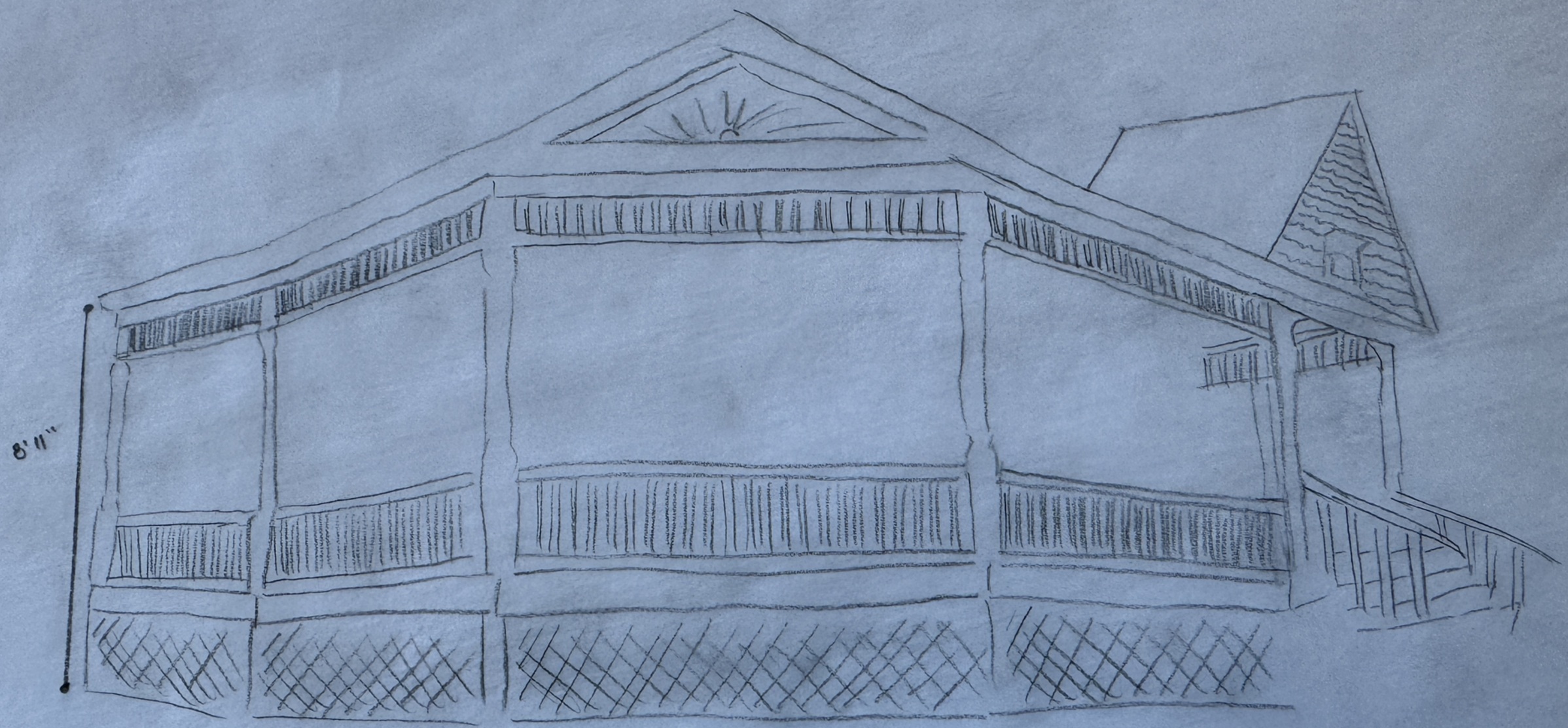
Western Red Cedar has a smooth surface and a very few small, tight knots. Please do not confuse our premium Cedar with the rough, knotty Cedar available at most lumber yards and home centers. Western Red Cedar holds paint well and is very weather resistant.

Accent Spindles

9” in Western Red Cedar

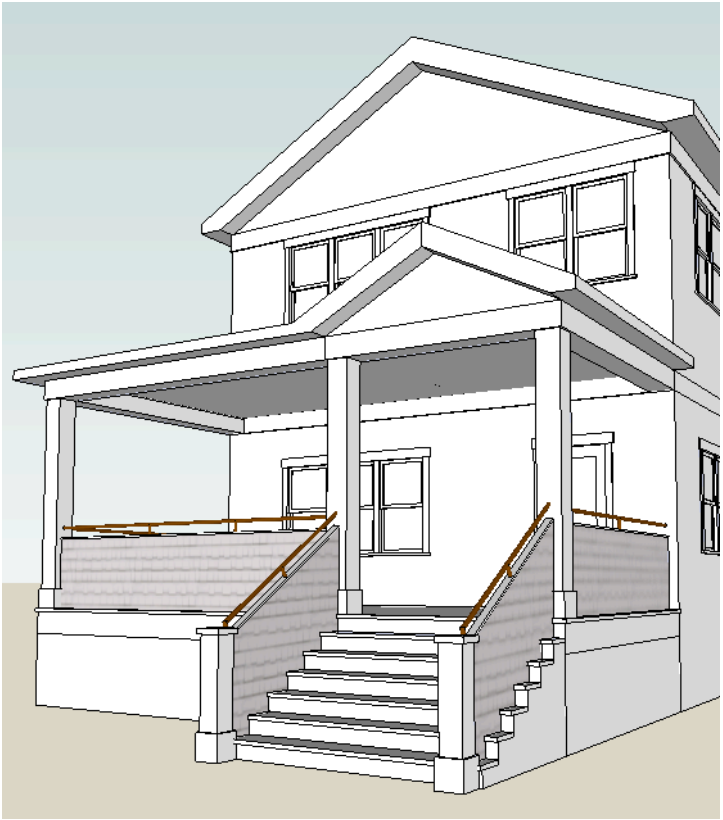
As always, our Western Red Cedar has a smooth surface and a very few small, tight knots. Please do not confuse our premium Cedar with the rough, knotty Cedar available at most lumber yards and home centers. Western Red Cedar holds paint well and is very weather resistant.

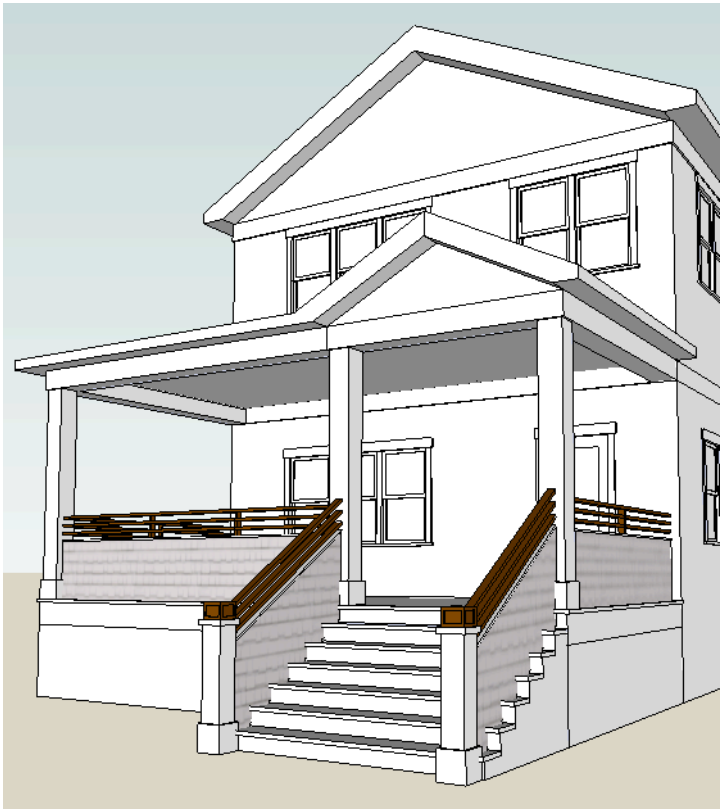

11"
8'2"
26"
11'8"
5'
25½"
9'
3'2"
7'2"

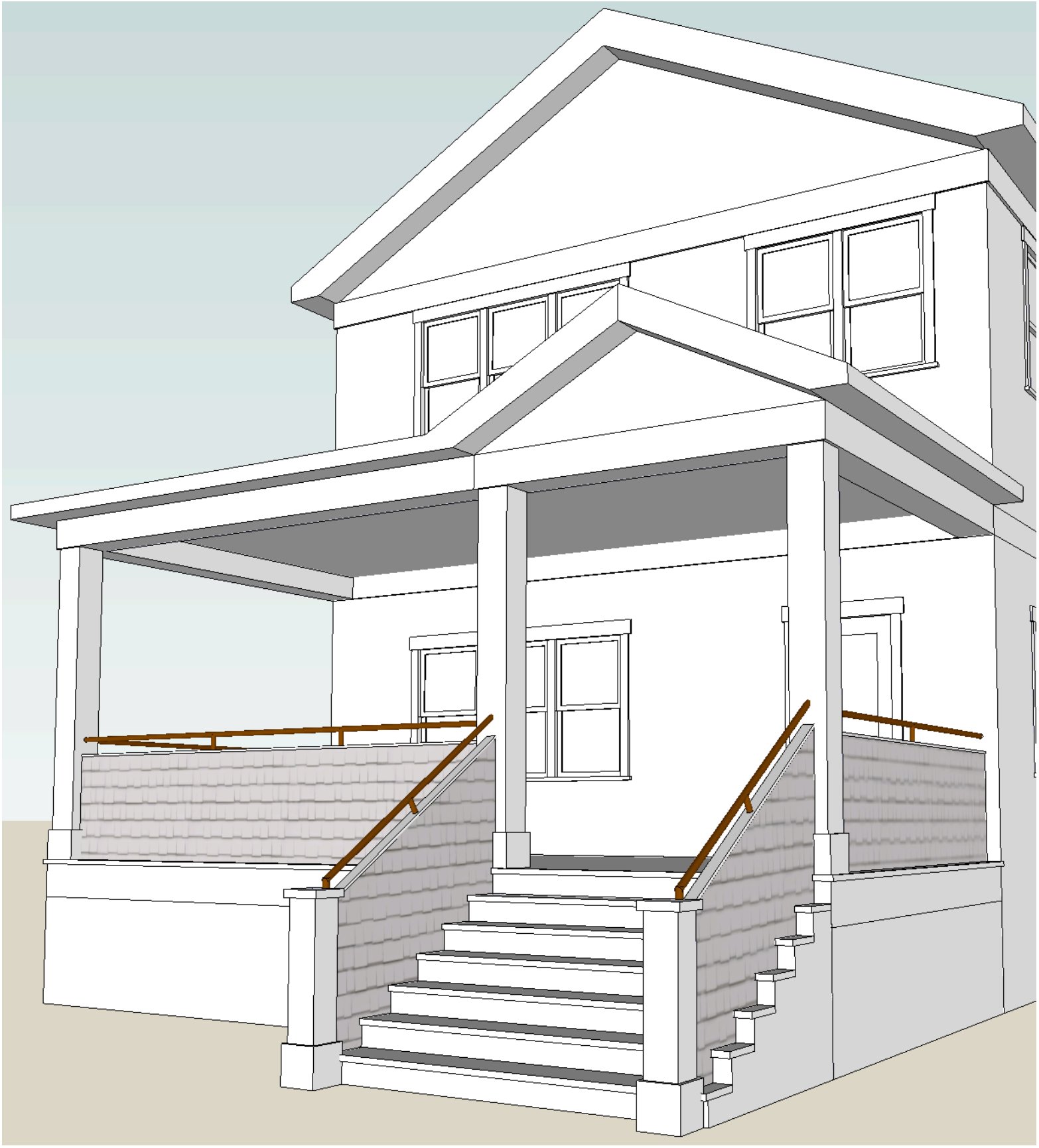

8'11"

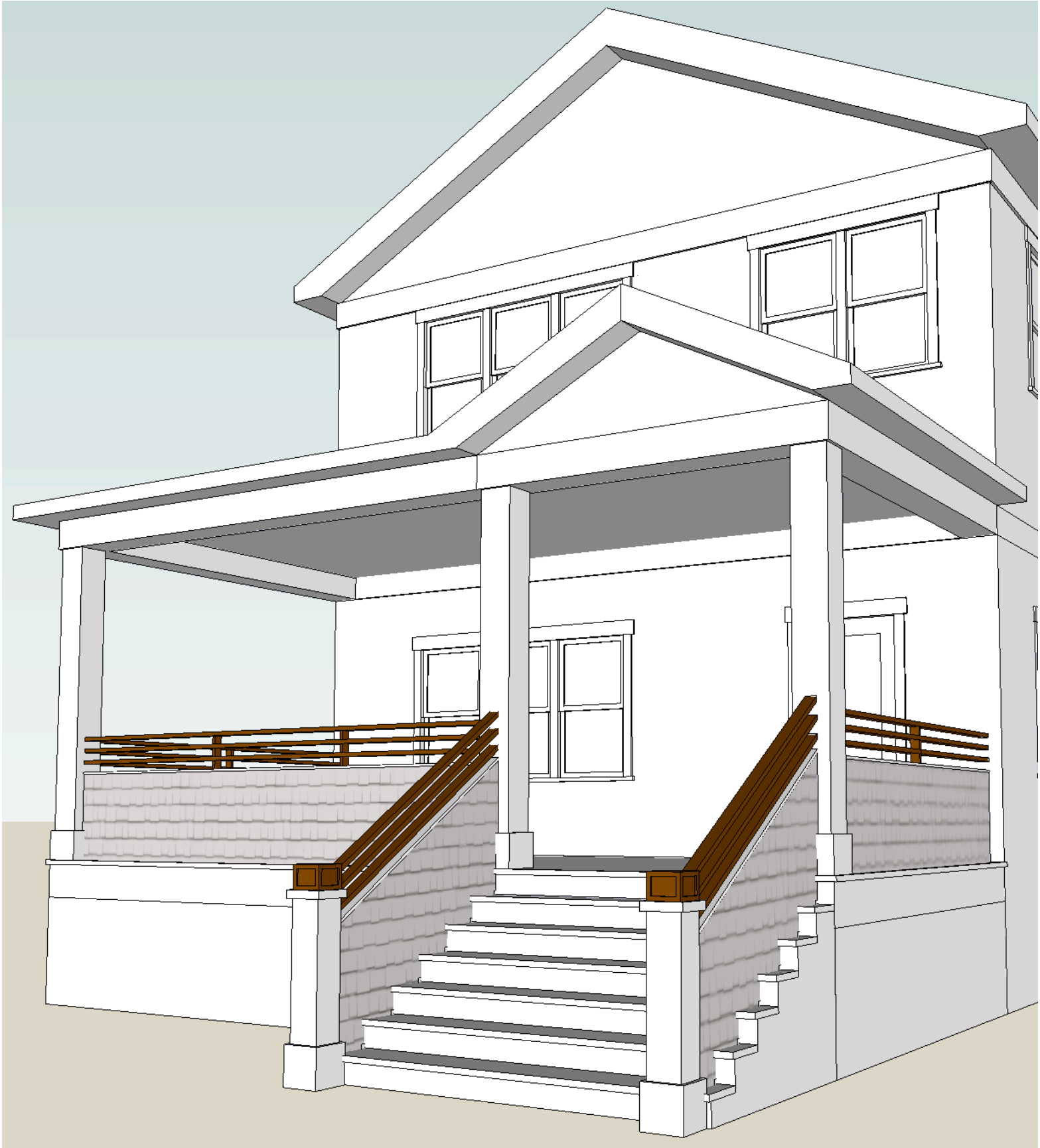
DANGER

BILJAX
BILJAX
Yellow









Requests for slate roof removal

Burlington has formally adopted standards for review of slate removal since 1995. With the adoption of the Comprehensive Development Ordinance, Section 5.4.8 (b) articulates the intent to retain historic materials, when possible, to retain the historic integrity of listed or eligible historic properties. The Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

For historic building materials, it is always best to **repair first**; then **replace only what is physically required** (matching historic materials), and only then to consider wholesale replacement, either with the same material or something new.

An application to remove a slate roof on a listed historic resource requires **an assessment by a qualified slater**; one who works regularly installing, repairing, replacing, or completing maintenance on slate roofs and demonstrating a level of experience in his craft.
Not every roofer meets this standard.

The slater's report should include the following, and be **provided on a letterhead** of the slater's business:

- A **description** of the slate roof, identifying the type, color, estimated age and any imbrication patterns evident.
- An **assessment of the roof's condition**, both qualitatively, and quantitatively (how much, and in what condition, i.e. 40% broken, cracked, or in poor condition, 15% of fasteners failed, etc.)
- Any notable failures or observations, i.e. water penetration, failed valleys, metal incompatibility, and general roof assembly.
- **Photographs** to illustrate the assessment
- **Professional opinion** as to the condition of the roof, and the life expectancy of the existing material.
- References for previous slate work are encouraged.
- Slater's contact information
- Where a case for economic hardship is claimed, the requirements of Section 5.4.8 (d) 1. C. shall be required.

Should the qualified slater make an assessment that a slate roof has, for reasons defined in the assessment, reached the end of its serviceable life, the City reserves the option for a second opinion to corroborate the opinion provided.

Examples of prior slate roof reports are available.
A list of known slaters is available. The City makes no explicit recommendation for any contractor.

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Chimney policy (for listed or eligible properties)

The seminal decision relative to the treatment of chimneys on listed (or eligible) historic properties was **ZP-06-413CA; 63-69 Lakeside Avenue**. A property owner had removed three chimneys on a National Register listed structure within the Lakeside Historic District. The DRB denied the application for chimney removal (working under a previous zoning ordinance) finding the application non-compliant with Design Review Criteria; specifically *Relate Development to its Environment* (6.1.10 a; *Integrate special features with the design* (6.1.10 g, and *Protect Burlington's heritage* (6.1.10 i.)) The DRB required that the removed chimneys be reconstructed.

Since that decision, the *Comprehensive Development Ordinance* was adopted (January 2008) which included specific standards for the treatment of Historic Buildings and Sites: **Section 5.4.8**. Essential adopting the Secretary of the Interior's Standards, the *Standards and Guidelines* have provided the regulatory framework for review of alterations to historic properties.
Of the related standards of Section 5.4.8, the following will be considered when a request for chimney removal are made:

Section 5.4.8 (b)

1. *A property will be used as it was historically or be given a new use that requires* ***minimal change to its distinctive materials, features****, spaces, and spatial relationships.*
2. *The historic character of a property will be retained and preserved.* ***The removal of distinctive materials or alteration of features, spaces, and spatial relationships*** *that characterize a property will be avoided.*
3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*
4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*
5. ***Distinctive materials, features,*** *finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
6. ***Deteriorated historic features will be repaired rather than replaced.*** *Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*
7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*
8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*
9. ***New additions, exterior alterations, or related new construction will not destroy historic materials, features****, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the*

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historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Following the decision of the Development Review Board, applicants have regularly been advised of the regulatory provisions, the decision precedent, and have been provided the following options when requesting chimney removal:

1. If the chimney is non-historic, i.e. Not listed on the register narrative, constructed of materials associated with more recent construction (i.e. cinderblock), or attached to a modern addition; staff may determine if the chimney is non-historic and may be removed.
2. If the chimney is included within the historic narrative, is original to the structure and/or any contributing addition; contributes to the character and historic integrity of the property, it shall be repaired/retained. The operability of the chimney may be noted but will not contribute to the assessment of the chimney's contribution to the visual characteristics and historic merit of the property.
3. If the chimney is historic yet structurally unstable, there is evidence of material failure, or interior alterations demand its removal, the applicant may choose to remove the chimney (noting its visual characteristics, location, material finishes and dimensions) and reconstruct the chimney above the roofline to retain the visual characteristics of the historic chimney.
4. If the chimney presents an immediate risk to human health and safety, the building official shall be consulted for an order for its immediate removal.

Any administrative decision is subject to appeal to the DRB.

59-61 Central Avenue
Reconstructed chimneys

342 Pearl Street
Repair/repointing 5 chimneys

1999 North Avenue
Chimney removal possible

Staff has been consistent in implementing these practices, providing many examples of each solution in Burlington.

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Department of Permitting and Inspections
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Telephone: (802) 865-7188

Ron Wanamaker, Chair
Emily Morse, Vice Chair
Ricky Martin
Gabriel Stadecker
Jay White
Kathleen Ryan, Alternate
Joel Baird, Alternate

DESIGN ADVISORY BOARD
Tuesday September 24, 2024

Minutes

Present: Gabe Stadecker, Ron Wanamaker, Ricky Martin (3:40pm), and Joel Baird (alternate.)
Absent: Jay White, Kathleen Ryan (alternate)
Staff present: Garret King, Scott Gustin

Guests: Sharon Bushor (remote)

Agenda

Session I – 3:00 PM – 3:30 PM

Other Business
Continued discussion of slate standards.
After discussion, Board made recommendations for additional revision; to be returned to them for final discussion.

Session II – 3:30 PM – 4:00 PM

Other Business
Discussion of chimney standards.
After discussion, Board made recommendations for revision; to be returned to them for final discussion.

Session III – 4:00 PM – 4:30 PM

ZP-24-336; 89 North Prospect Street (RL, Ward 1) United Mining and Salvage Company / Anna Jacobs (Marc Jacobs)
Proposed demolition and removal of existing wrap around porch to reconstruct in the similar style and same footprint. (Project Manager, Garret King)

No applicant present. Deferred.

Adjournment 3:55 PM.

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