

Burlington Development Review Board

Department of Permitting & Inspections

645 Pine Street

Burlington, VT 05401

www.burlingtonvt.gov/DPI/DRB

Telephone: (802) 865-7188

Fax: (802) 863-0466

AJ LaRosa

Caitlin Halpert

Geoff Hand

Sean McKenzie

Brad Rabinowitz

Leo Sprinzen

Miles Waite

Marina Campbell, (Alternate)

Evan Gould, (Alternate)



Development Review Board

Tuesday, October 15, 2024, 5:00 PM

645 Pine Street, Front Conference Room or Remote on Zoom:

Please click the link below to join the webinar:

Zoom: <https://us02web.zoom.us/j/83225696227?pwd=SGQ0bTdnS000Wkc3c2J4WWw1dzMxUT09>

Webinar ID: 832 2569 6227

Passcode: 969186

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

1. Agenda

2. Communications

3. Minutes

4. Public Hearing

4.1.

ZP-23-284; 266 College Street (FD5, Ward 8) Giri Burlington Property, LLC / Cleary Buckley

Proposed time extension request for the renovation of existing building. (Project Manager, Mary O'Neil)

4.2.

ZP-24-375; 32-34 Hickok Place (RM, Ward 3) Mary Vanburen Swasey / Francis Swasey / Lewis Creek Builders

Variance request for a Renewable Energy Resource Structure to allow removal of slate roof and replacement with asphalt shingle. (Project Manager, Mary O'Neil)

5. Master Plan

5.1.

ZPS-24-28; 125 Cambrian Way (NAC-CR, Ward 7) 125 Cambrian Way / Mike Brouillard

Proposed master sign plan including one freestanding sign and one wall mounted sign. (Project Manager, Garret King)

6. Other Business

6.1.

ZP-24-59; 44 Wright Avenue (RM, Ward 5) 44 Wright, LLC / Arthur Chukhman
Request to re-open ZP-24-59, 44 Wright Avenue. (Project Manager, Mary O'Neil)

6.2.

Neighborhood Code Part 2A

Presentation by City Planning. (Project Manager, Sarah Morgan)

7. Adjournment

8. Informational and Non-Discrimination Statements

8.1.

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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Department of Permitting and Inspections

Zoning Division

645 Pine Street

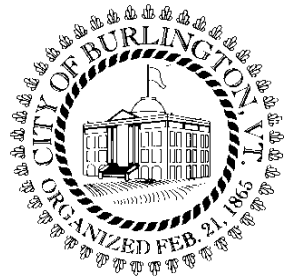
Burlington, VT 05401

<https://www.burlingtonvt.gov/DPI/Zoning-Permits>

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Steven Cormier, Zoning Compliance Officer
Joseph Cava, Planning Technician
Ted Boylan, Permit Administrator



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: October 15, 2024

RE: ZP-24-391; 266 College Street

Note: These are staff comments only. Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

File: ZP-24-391

Location: 266 College Street

Zone: FD5 Specific Height Area "E" Ward: 8E

Date application accepted: August 28, 2024

Applicant/ Owner: Cleary Buckley, Smith-Buckley Architects / 266 Greencastle LLC (Bruce Baker)

Request: Request for a time extension for ZP-23-284, 266 College Street.

Proposed renovation of existing building and partial demolition to construct a 6-story addition with 89 units of rental housing and two levels of parking below street grade.

Originally approved September 6, 2023.

Background:

- **Zoning Permit 23-284;** Proposed renovation of existing building and partial demolition to construct a 6-story addition with 89 units of rental housing and two levels of parking below street grade. September 2023.
- **Zoning Permit 20-0923CA;** amend permit 20-0037CA/MA to replace sliding entrance doors with revolving door recessed within structure. Two wood double hung windows in lower gable section will be removed to expose existing masonry openings on north and south of entry. May 2020. Permit relinquished. November 2022.
- **Zoning Permit 20-0737CA;** Amend condition #10 of ZP 20-0037CA/MA for revised construction hours of M-F 7:00 a.m. - 5:30 pm, Saturday 8:00 a.m. - 4:00 pm. No work on Sunday. May 2020.
- **Zoning Permit 20-0697CA;** add door on each/south Union Street side for delivery and waste removal access, move western edge of southwest portion of hotel 5' to the east. Hotel room count to reduce to 136. February 2020. Permit relinquished November 2022.
- **Zoning Permit ZP-20-0037CA/MA;** Major Impact/Conditional Use review for new hotel and below grade parking structure. Includes rooftop bar and restaurant. August 2019. Time extension issued January 2021.
- **ZP13-0737SN;** new parallel, metal signage for the YMCA. February 2013.

- **Zoning Permit 13-0737SN**; new parallel, metal signage for the YMCA. February 2013.
- **Zoning Permit 12-0684SN**; two new parallel signs for annual Giving campaign on College Street and South Union Street elevations. January 2012.
- **Zoning Permit 12-0129AW**; changing graphics on existing awning for the Y. August 2011.
- **Zoning Permit 11-0149SN**; install two parallel signs for Catamount Physical Therapy. One on College St. elevation and one on South Union Street elevation. August 2010. Permit relinquished November 2022.
- **NA12-0239NA**; Non-Applicability of Zoning Permit Requirements; temporary artwork. August 2011.
- **Zoning Permit 08-130CA**; installation of three wood windows at 2nd level into infilled brick openings. August 2007.
- **Zoning Permit 00-071**; Amend previously approved zp99-272 to allow relocation of the cogeneration system exhaust pipe to the west side of the existing YMCA as described in the application letter. Pipe will not project above roof line of structure. August 1999.
- **Zoning Permit 99-272**; installation of natural gas fired cogeneration roof top equipment for the existing YMCA. Proposal includes an underground tank, misc. piping and the installation of a door. December 1998.
- **Zoning Permit 98-075**; reopen existing window openings on the south and west elevations of the existing YMCA. New windows to match existing. August 1997.
- **Zoning Permit 91-352 / COA091-071**; installation of shed style awning over entry on College Street with repairs to stairs included. Handicapped access ramp constructed in existing doorway on South Union Street for YMCA. May 1991.
- **Zoning Permit 91-194**; wood sign. December 1990.
- **Zoning Permit 92-154**; construction of a storage shed in brick, to match the existing YWCA building for the storage of chemicals for the swimming pool. October 1991.
- **Zoning Permit 83-60**; construct a 100' x 40'? (Numbers obscured) addition to the existing building to accommodate a new swimming pool. July 1983.

Overview: ZP-23-284 was approved September 2023. A condition of approval requires that the redevelopment commence within one year of the date of decision. The applicant has applied within the one year period for a Time Extension. Section 3.2.9 (d) allows for an extension of time for a zoning permit issued in connection with a Conditional Use or variance, by the DRB after a public hearing.

Recommended motion: Consent approval of the requested Time Extension, per the following Findings and Conditions:

I. Findings

Article 3: Applications, Permits, and Project Reviews

Section 3.2.9 Zoning Permits

(d) Time Limits on Zoning Permits

*Notwithstanding (e) and (f), below, a zoning permit shall become invalid unless the work or action authorized commences within one (1) year after the date of final decision. All work or action authorized there under shall be completed, and a Final Zoning Certificate of Occupancy received, within three (3) years of the date of the decision **unless a written extension of time not to exceed one (1) year is granted in advance by the DRB after a public hearing.** Extensions of time may be granted only when the work or action authorized under the zoning permit remains compliant with the current zoning regulations.*

ZA-24-0, adopted after this permit, incorporated technical corrections to the Comprehensive Development Ordinance. The 266 College Street plan, approved September 6, 2023 remains compliant with current zoning regulations.

II. Conditions of Approval

1. All conditions of ZP-23-284 shall remain in effect.
2. This time extension, if granted, will extend the permit life one year. Work shall commence by September 6, 2025. All work shall be completed and a Certificate of Occupancy issued by September 6, 2027.

NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.

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Alexander J. LaRosa, Chair
Geoffrey Hand
Chase Blackstone Taylor
Caitlin Halpert
Sean McKenzie
Bradford L. Rabinowitz
Leo Sprinzen
Evan Gould, alternate
Vacant, (alternate)



Burlington Development Review Board
Findings of Fact
Deliberative Hearing Tuesday, September 5, 2023

Board Members Present: Alexander LaRosa, Chase Taylor, Bradford Rabinowitz, Caitlin Halpert, Leo Sprinzen, Geoff Hand, Sean McKenzie .

Absent: Evan Gould, alternate

Staff members present: Scott Gustin, Mary O'Neil, Garret King and Joseph Cava.

File: ZP-23-284

Location: 266 College Street

Zone: FD5 Specific Height Area "E" Ward: 8E

Parking District: Multi Modal Mixed Use

Date application accepted: June 13, 2023

1st DRB review: August 1, 2023

2nd DRB review: September 5, 2023

Applicant/ Owner: Cleary Buckley, Smith Buckley Architects / 266 Greencastle LLC

Request: Proposed renovation of existing building and partial demolition to construct a 6-story addition with 89 units of rental housing and two levels of parking below street grade.



Evidence Presented:

The Board examined the materials submitted in support of this request.

I. Findings

Background:

- **Zoning Permit 20-0923CA**; amend permit 20-0037CA/MA to replace sliding entrance doors with revolving door recessed within structure. Two wood double hung windows in lower gable section will be removed to expose existing masonry openings on north and south of entry. May 2020. Permit relinquished. November 2022.
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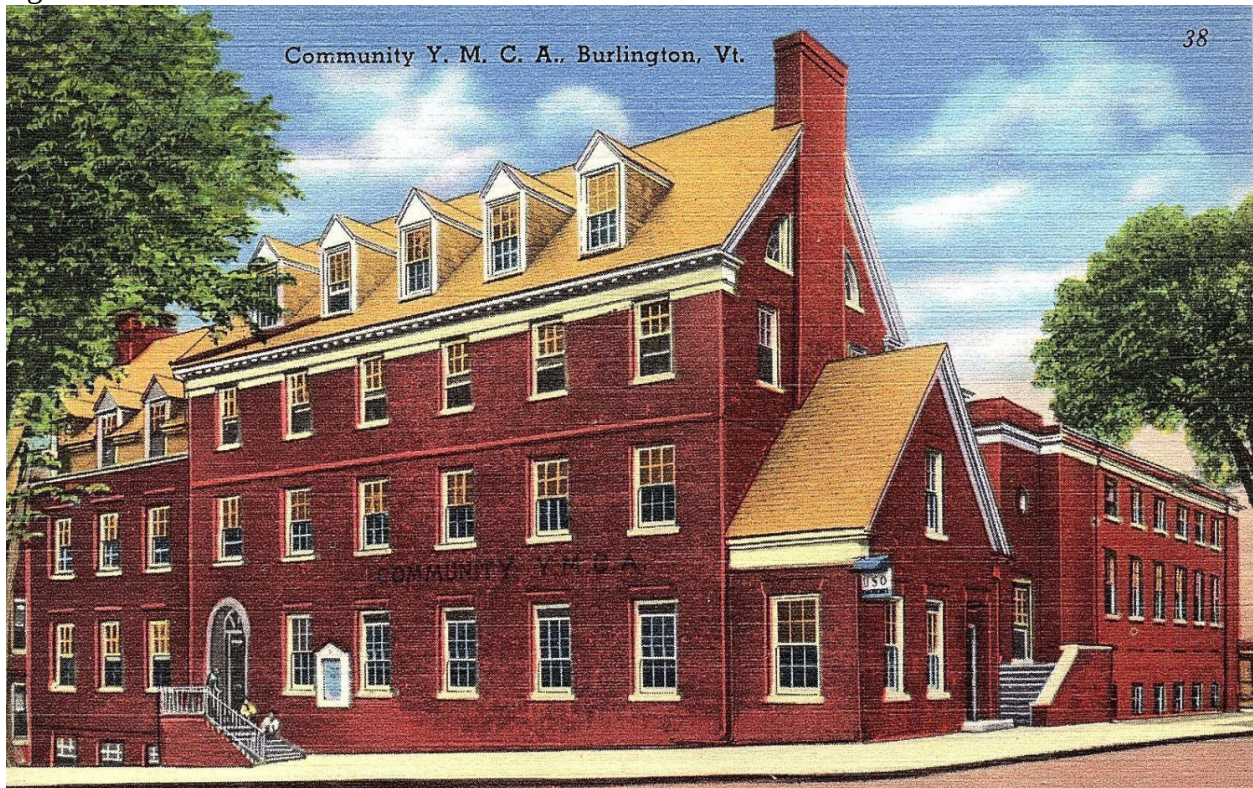
- **Zoning Permit 83-60**; construct a 100' x 40'? (Numbers obscured) addition to the existing building to accommodate a new swimming pool. July 1983.

Overview:

The YMCA on the corner of South Union Street and College Street was designed by Frank Lyman Austin and constructed in 1934 to replace the organization's first building on Church Street, which burned in 1928. It is listed on the National Register of Historic Places within the Main Street – College Street Historic District.

The development of a new YMCA a block east on College Street and the sale of this building made it available for redevelopment. Approval for redevelopment as a hotel occurred in 2020; however that project was abandoned and a potential new owner proposes redevelopment for residential use.

Project review is subject to the Historic Building standards of Section 5.4.8, and the Plan BTV Downtown Code regulations of Article 14.



The **Design Advisory Board** reviewed the application at their July 25, 2023 meeting and voted to recommend approval, with the following caveats:

- DAB supports the request to remove the northerly portion of the historic building complex to facilitate the redevelopment;
- DAB recommends approval of the requested additional height;
- DAB asks the application to consider changing the color palette on the west elevation, which is highly visible from the west.

Article 3: Applications, Permits and Project Reviews

Part 3: Impact Fees

Section 3.3.2 Applicability

Any new development or additions to existing buildings which result in new dwelling units or in new nonresidential buildings square footage are subject to impact fees as is any change of use which results in an added impact according to Sec. 3.3.4.

Impact fees will be due based on the net new building area. The applicant shall provide a final net new building area for staff to confirm the appropriate fees due.

Section 3.3.3 Exemptions and Waivers

(c) Inclusionary Housing Exemption:

Inclusionary housing units per Article 9: Part 1 shall be exempt from this Part.

Inclusionary housing square footage shall be exempt from Impact Fees. The Housing Trust Fund Manager shall provide final area calculations to determine this exemption. **Affirmative finding as conditioned.**

Sec. 3.3.8 Time and Place of Payment

Impact fees must be paid to the city's chief administrative officer/ city treasurer according to the following schedule:

- (a) New Buildings: Impact fees must be paid at least seven (7) days prior to occupancy of a new building or any portion thereof. **Affirmative finding as conditioned.***

Part 5, Conditional Use & Major Impact Review:

(b) Major Impact Review Standards

1. Not result in undue water, air, or noise pollution;

No significant air or noise pollution is anticipated as a result of this development. A state wastewater permit will be needed. A capacity letter from the Department of Public Works will be needed prior to obtaining the state wastewater permit. **Affirmative finding as conditioned.**

See Sec. 5.5.3 for stormwater management.

2. Have sufficient water available for its needs;

The development will be served by the city's water supply system. A capacity letter from the Water Division will be required to confirm availability and capacity. **Affirmative finding as conditioned.**

3. Not unreasonably burden the city's present or future water supply or distribution system;

Burlington's Water Resource Division provided comments at Technical Review; their recommendations and conditions shall be incorporated into any decision. **Affirmative finding as conditioned.**

4. Not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;

See Sec. 5.5.3.

5. *Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed;*

A copy of the 2019 traffic impact assessment has been provided; one that was shared and revised per comments submitted by the Department of Public Works. The assessment addresses standard items like trip generation, intersection capacity, and high crash locations.

The following is a table comparing the last permitted use, and the current proposal:

Table 1 Trip Generation

Peak Period	Proposed Use	Previously Permitted Use	Net Trips
Weekday AM			
Enter	12	40	-28
Exit	<u>26</u>	<u>28</u>	<u>-2</u>
Total	38	68	-30
Weekday PM			
Enter	27	44	-17
Exit	<u>17</u>	<u>43</u>	<u>-26</u>
Total	44	87	-43

As shown, the trip generation calculation results in a reduction of at least 30 trips during each peak hour when compared with the hotel previously proposed on the site. As a result, no additional traffic analysis will be conducted.

Affirmative finding as conditioned.

6. *Not cause an unreasonable burden on the city's ability to provide educational services;*

No concerns were received from Burlington School District at the June 2023 Technical Review relative to the 89 new residential units proposed. Any impacts are likely to be ameliorated with the payment of Impact Fees. **Affirmative finding as conditioned.**

7. *Not place an unreasonable burden on the city's ability to provide municipal services;*

The proposed commercial development will generate additional impacts on city services; however, those impacts are expected to be relatively modest. Impacts will be mitigated by payment of impact fees based on the net new building area. **Affirmative finding as conditioned.**

8. *Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;*

See Article 5 for historic buildings.

9. *Not have an undue adverse effect on the city's present or future growth patterns nor on the city's fiscal ability to accommodate such growth, nor on the city's investment in public services and facilities;*

The proposed development will bring additional residential units to the City. Within the downtown, the units will be located close to a variety of city attractions and services. Institutions are located nearby at

the top of the hill. The project will not adversely impact the city's present or future growth patterns. The increase in intensity of development on this site is not expected to have an undue adverse impact on the city's ability to accommodate growth. **Affirmative finding.**

10. Be in substantial conformance with the city's municipal development plan;
The proposed redevelopment substantially complies with the municipal development plan.

This redevelopment intensifies the degree of development on this property within the city's downtown. While doing so, it retains the historically significant building along College Street. Applicable standards will require that the present absence of stormwater management be replaced with comprehensive onsite stormwater management infrastructure that will significantly mitigate offsite discharge. (Distinctive City, Policies 1, 2, & 3).

The project will bring about additional development to the city's downtown, thereby strengthening the city's status as a regional growth center. Applicable energy efficiency standards will result in a much more energy efficient building than is presently the case (Dynamic City, Policies, 6 & 10).

The project's downtown location ensures access to a variety of transportation options, thereby lessening dependence on personal vehicle travel (Connected City, Policy 17). **Affirmative finding.**

11. Not have an undue adverse impact on the present or projected housing needs of the city in terms of amount, type, affordability and location;
The proposed commercial development will have a positive impact on the present or projected housing needs of the city. **Affirmative finding.**

12. Not have an undue adverse impact on the present or projected park and recreation needs of the city.
What impacts associated with residential use will be mitigated by payment of applicable impact fees.
Affirmative finding as conditioned.

(c) Conditions of Approval:

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:
This remains at the discretion of the Development Review Board.

1. Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.
The residential use is not likely to generate noise or glare substantial enough to require mitigation.
Affirmative finding.

2. Time limits for construction.
The standard 3-year timeframe for zoning permits will apply unless the applicant submits a specific phasing schedule and construction timeline with the zoning permit application. **Affirmative finding as conditioned.**

3. *Hours of operation and/or construction to reduce the impacts on surrounding properties.*
Hours of operation are not applicable to residential use. **Affirmative finding.**

Unless specifically requested in advance and approved by the DRB, days and hours of construction shall be limited to Monday – Friday from 7:30 AM – 5:30 PM. Saturday construction had previously been approved for 8:00 am – 4:00 pm. No construction activity on Sunday. **Affirmative finding as conditioned.**

4. *That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions;*

Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time. and,

5. *Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*
See the recommended conditions.

Article 5: Citywide General Regulations

Section 5.2.1 Existing Small Lots.

Not applicable.

Section 5.2.2 Required Frontage or Access

This is an existing developed lot, with frontage along South Union and College Streets. Vehicular access will be provided from College Street.

Affirmative finding.



Section 5.2.3 Lot Coverage Requirements

This is covered in the Form Code Checklists.

Section 5.2.4 Buildable Area Calculation

This is covered in the Form Code Checklists.

The corner lot appears to be just outside the Steep Slopes Overlay, although the westerly side of the parcel reflects a remnant of Burlington's Ravine.



Section 5.2.5 Setbacks

This is covered in the Form Code Checklists.

Section 5.2.6 Building Height Limits

This is covered in the Form Code Checklists.

As the lot is within Form Code 5, Special Height Area "E", discretionary height allowances may be afforded by the DRB. See Article 14, Section 14.6.4 (f), and DRB Relief 14.7.3 (b) below.

Section 5.2.7 Density and Intensity of Development Calculations

Not applicable in FD5.

Part 3: Non Conformities

A portion of the connected structure will be retained, and the north/central athletic facilities demolished. Any existing non-conformities as they relate to the historic structure may remain.

Affirmative finding.

Sec. 5.4.8 Historic Buildings and Sites

The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:

To preserve, maintain and enhance Burlington's historic character, scale, architectural integrity, and cultural resources;

To foster the preservation of Burlington's historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;

To promote a sense of community based on understanding the city's historic growth and development, and maintaining the city's sense of place by protecting its historic and cultural resources; and,

To promote the adaptive re-use of 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.

266 College Street is listed as a contributing resource on the National Register of Historic Places within the Main Street College Street Historic District.

(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 was constructed as a building for the Young Men's Christian Association (YMCA.) Additions included those for an additional pool (northerly most addition, 1983) and storage (1991.) The north pool addition is non-contributing.

The YMCA began as a welfare movement in London, but has branches all over the world. It is typically associated with use as a *hostel* for young men, which typically included recreational facilities.

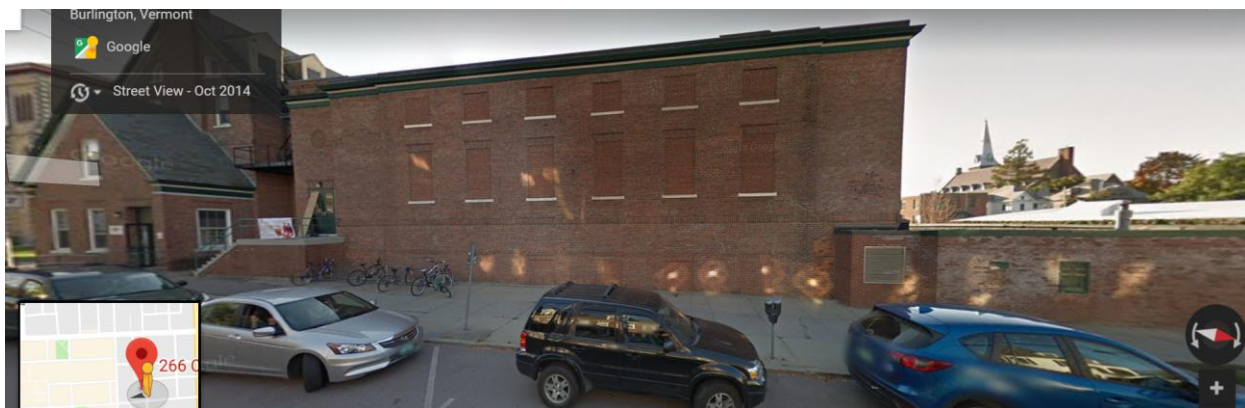
Although the new use is no longer proposed to be centered on fitness/recreational activities, the return to residential use is entirely consistent with the original use. **Affirmative finding.**

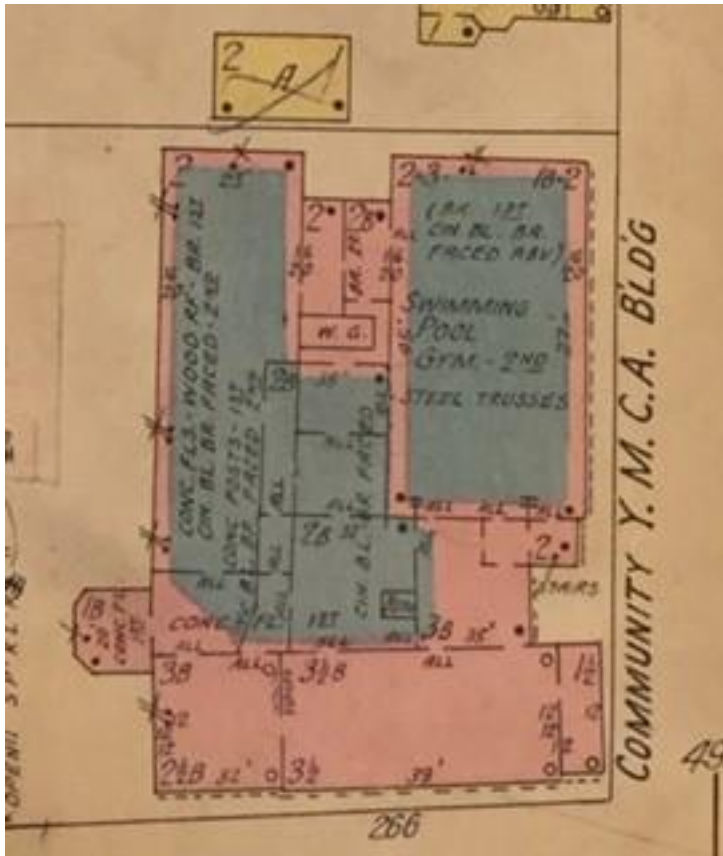
2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The most significant and distinctive mass of the building (immediate corner of College and South Union) is proposed to be retained and rehabilitated for the new use. The *northerly* most pool/gymnasium additions are proposed to be demolished to accommodate new construction. The National Register nomination identifies the central addition on the north among the spatial characteristics of the building (original to the construction of the YMCA) but does not discount its value. The 1942 Sanborn Map image confirms the central section is original to the building.

Both the central and northerly addition are proposed to be removed. This proposal, therefore, is a partial demolition of a historic structure and subject to review of the applicable standards under 5.4.8 (d).

Affirmative finding with DRB concurrence.





Google image, above.

1942 Sanborn Map image, left.

The building was originally constructed with the large pool/gymnasium which is apparent now as the 6 x 4 bay, blind window central addition.

Both the central addition and north (1984) pool addition are proposed to be removed for this project.

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.*

Clearly the prolonged vacancy of the building has had a deleterious effect on the building. The original structure at the south of the lot will be retained and rehabilitated, while the pool demolition will allow for redevelopment. The proposed building addition is clearly a product of its own time and obvious in its new design. The 1934 F.L. Austin building that presents to College Street (without northerly pool addition) will remain. **Affirmative finding.**

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



The northerly-most pool and storage additions have garnered no merit on their own part, and are non-historic. The central addition is original to the Austin design; its proposed demolition sparks requirements of Section 5.4.8 (d).

The sheltered entrance on the east façade will be retained and utilized as an entrance to the units within.

Affirmative finding.

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

From the VHB historic building submission:

Distinctive materials, features, finishes and construction techniques and examples of craftsmanship that characterize the south block of the building will be preserved. These include the following character-defining features, all of which express the building's Colonial Revival style: the recessed, arched College Street entrance and fanlight; the existing wood trim at the eaves; the south-facing dormers and the two northeast dormers; the quarter fanlights in the east gable which flank the exterior chimney; the slate roof; the exterior masonry walls; and the wood gabled sign box next to the College Street entrance, which was likely installed in the 1940s. The existing 6/6 wooden sash windows will be replaced with aluminum clad wood windows with insulated glass. These replacement windows will match the 6/6 light division of the existing sash windows and the frame profiles will match the existing windows as closely as possible.

Affirmative finding.

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.*

The application is not for replacement of deteriorated features, but in a significant addition, partial demolition and rehabilitation to accommodate 89 new residential units. **Affirmative finding.**

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.*

Other than the partial demolition, no physical treatments have been identified within the submission materials. **Affirmative finding.**

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

There are no known archaeological deposits on this site; however, the Y was built into the Burlington Ravine. Other than a brick sewer, there may be any kind of fill debris below the building site. Discovery of any resources during construction shall be reported to the Vermont Division for Historic Preservation for assessment, evaluation, and appropriate disposition. **Affirmative finding as conditioned.**

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.*

The new addition is precipitated by the demolition of the central (historic) pool/gym and the more modern northerly pool.

The proposed addition is connected by a small hyphen from the north side of the existing building. The addition rises a full six stories; taller than existing structures on the site. The project anticipates utilization of the significant grade change (former ravine) to provide new opportunities for parking and service area.

Appropriate vertical and horizontal façade articulation has been provided, per the Urban Design Checklist.

The sheathing alternates between fiber cement lap siding/panels, masonry, and EIFS (west elevation).



Revised building elevations for the west and north were provided for DRB review at the September 5, 2023 meeting, and included some panels intended to provide an opportunity for art. See above.

The westerly addition (attached to the College Street façade) is clearly modern in vocabulary and discernable as new construction. Visibility of the west façade is largely obscured by other buildings and the changing grade of the street. The diminished height of the addition immediate to the westerly edge of the original structure assists in easing the scale of the new building into the College Street streetscape.

Affirmative finding.

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.

While unlikely, it is conceivable that the new addition could be detached and removed from the corner historic structure without loss of integrity to the original. The pool addition, however, is less likely so.

Affirmative finding with DRB concurrence.

Section 5.4.8 (d) Demolition of Historic Buildings

The purpose of this subsection is:

- *To discourage the demolition of a historic building, and allow full consideration of alternatives to demolition, including rehabilitation, adaptive reuse, resale, or relocation;*
- *Provide a procedure and criteria regarding the consideration of a proposal for the demolition of a historic building; and,*
- *To ensure that the community is compensated for the permanent loss of a historic resource by a redevelopment of clear and substantial benefit to the community, region or state.*

1. *Application for Demolition.*

For demolition applications involving a historic building, the applicant shall submit the following materials in addition to the submission requirements specified in Art. 3:

- A. *A report from a licensed engineer or architect who is experienced in rehabilitation of historic structures regarding the soundness of the structure and its suitability for rehabilitation;*

The applicant is a licensed architect; submission materials generally outline the unsuitability of the rear (north) wings for rehabilitation. See VHB Memorandum.

B. A statement addressing compliance with each applicable review standard for demolition;

The submission documents include materials seeking to comply with the required review standards.

C. Where a case for economic hardship is claimed, an economic feasibility report prepared by an architect, developer, or appraiser, or other person experienced in the rehabilitation and adaptive reuse of historic structures that addresses:

- (i) the estimated market value of the property on which the structure lies, both before and after demolition or removal;*

This has not been provided. The applicant has noted “not applicable” on submission materials, as there is no claim to economic hardship. At present, the building complex is in very poor condition.

and,

- (ii) the feasibility of rehabilitation or reuse of the structure proposed for demolition or partial demolition;*

Rehabilitation of the central pool building is not proposed. It is curious that the Standards of Review of Demolition outline the existing lack of parking as a supporting argument for redevelopment, when Burlington no longer has minimum parking requirements. It is understood, however, that an indoor pool has very little potential for adaptive reuse.

D. A redevelopment plan for the site, and a statement of the effect of the proposed redevelopment on the architectural and historical qualities of other structures and the character of the neighborhood around the sites;

From the application:

This Project has been thoughtfully designed to be economically viable while having the least amount of impact on the historic importance of the site and the adjacent properties. The preservation of the iconic south block will lessen the impact on the historic character of the immediately surrounding neighborhood. This building has, and will continue to, define a prominent corner of the intersection of College Street and South Union Street, and its relationship to other important historic buildings, such as the College Street Congregational Church, will be preserved.

As addressed in Article 5.4.8[b] above, the new addition, although larger in scale, has been designed to minimize impacts and compliment the historic south block and other adjacent properties within the Main Street – College Street Historic District. For example, the color of the paneled cladding will be similar to the color of the brick on the south block, and yellow brick accent walls will reference the color of other buildings in the neighborhood such as the First Congregational Church. A sixth story step back on the east elevation of the new addition that faces the historic district will soften the scale of the addition, as will the neutral color of the cladding on the sixth story. Likewise, the step back and neutral color of the cladding on the south side of the addition and western portion of the addition will preserve the prominence of the south block by allowing this side of the addition to recede to the background. The placement of HVAC equipment inside will reduce the visual clutter of the addition.

The retention of a portion of the historic brick hyphen connecting the south block to the north gymnasium/pool additions will create an appropriate transition between the old and the new construction. It will allow the new addition to be set back from the historic south block, preserving the gabled form of the south block almost in its entirety.

and,

- E. *Elevations, drawings, plans, statements, and other materials which satisfy the submission requirements specified in Art. 3, for any replacement structure or structures to be erected or constructed pursuant to a development plan.*

The submission materials include elevations, drawings, plans, narratives, photographs and additional materials (Traffic Impact Study, Photometric, spec sheets, etc.) to satisfy requirements of Article 3. Additionally and per the requirements of the Comprehensive Development Ordinance, a series of Checklists have been provided for staff review. **Affirmative finding.**

2. *Standards for Review of Demolition.*

Demolition of a historic structure shall only be approved by the DRB pursuant to the provisions of Art. 3, Part 5 for Conditional Use Review and in accordance with the following standards:

- A. *The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure;*

The application does not assert structural instability, rather the inability to effectively rehabilitate the pool/gym additions for functional and accessible use. In addition, the long vacancy of the building has presented a negative condition for both the building and the neighborhood.

or,

- B. *The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practicably moved to another site within the district;*

See narrative provided by VHB dated July 3, 2023 for further discussion of the challenges of repurposing the entire building. It is inconceivable that the existing athletic additions could be relocated. It is even less likely that an appropriate and feasible use could be introduced even if they were.

or,

- C. *The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition.*

With attentive preservation and retention of the more elaborately designed corner portion of the structure, it is possible to imagine a greater community benefit with redevelopment of the aging athletic facilities. Housing is in high demand, and the proposed 89 new units, as well as rehabilitation of this sorely abandoned and derelict building will be most welcome.

And all of the following:

- D. The demolition and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties;*

The introduction of significant new massing has the potential to spatially affect neighboring properties within the historic district. The application assures that the retention and rehabilitation of the existing structure, as well as the thoughtful selection of sheathing materials and recessed massing along College Street will ameliorate the impact of the greater building volume within the historic district.

- E. All historically and architecturally important design, features, construction techniques, examples of craftsmanship and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians and others interested in Burlington's architectural history;*

A Historic Resource Documentation Package (HRDP) will be completed prior to the commencement of redevelopment. This device, developed by the Vermont Division for Historic Preservation is comparable to the documentation standards of the Historic American Building Survey (HABS) and will include all historically and architecturally important design, features, construction techniques, craftsmanship and materials of the historic building. This package will then be uploaded to the State of Vermont Online Resource Center for public availability.

and,

- F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s).*

- (i) Such a plan shall be compatible with the historical integrity and enhances the architectural character of the immediate area, neighborhood, and district;*

The compatibility of the plan within the context of the historic district and immediate neighborhood shall be determined by DAB and DRB review.

- (ii) Such plans must include an acceptable timetable and guarantees which may include performance bonds/letters of credit for demolition and completion of the project;*

There is significant alteration proposed within the public right-of-way. Advancement of this plan will require the prior written approval of the Department of Public Works, and may include licenses and/encroachment permits from City Council. Work within the ROW may also require performance bonds and guarantee of completion. The applicant is directed to secure these approvals and, if required, provide required bonds/performance letters prior to commencement of work.

and,

- (iii) *The time between demolition and commencement of new construction generally shall not exceed six (6) months.*

The project is anticipated to commence upon successful securement of all required permits and approvals.

Affirmative finding of Section 5.4.8, with DRB concurrence.

This requirement may be waived if the applicant agrees to deed restrict the property to provide for open space or recreational uses where such a restriction constitutes a greater benefit to the community than the property's redevelopment.

Not applicable.

3. **Deconstruction: Salvage and Reuse of Historic Building Materials.**

The applicant shall be encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant may be required to advertise the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.

The applicant agrees to sell or permit others to salvage or purchase any historic building materials that will be removed during demolition. **Affirmative finding.**

Section 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

The applicant has provided photometrics (exterior, and garage deck interiors) and fixture information. A mixture of downlighting, wall mounts, and poles are proposed. Light levels are acceptable, however there are pole fixtures placed within the public ROW. (Plan L- 5.0) These will need to receive approval of DPW, and included within an encroachment agreement with the Department of Public Works and approved by City Council. **Affirmative finding as conditioned.**

Section 5.5.2 (F) Specific Outdoor Lighting Standards

1. Parking Garage Lighting

Illuminance for the parking garage is demonstrated in the submitted photometric and fixture specification sheets. Generally, IESNA recommends parking floors to have an overall average illuminance of 5 fc with a 10:1 max/min horizontal uniformity ratio. Similarly, the entrance ramp should not exceed 50 fc as a transition from daylight to the interior of the facility. **Affirmative finding.**

Section 5.5.3 Stormwater and Erosion Control

A fully articulated stormwater management plan and construction site erosion prevention and sediment control plan are subject to review by the Stormwater Engineering group. Approval of both documents will be a condition of approval. **Affirmative finding as conditioned.**

Article 8: Parking

The application proposes roughly 75 parking space in two below grade parking decks.

With the adoption of ZA-22-07, there are no longer any minimum parking requirements.

Sec. 8.1.14 Stacked and Tandem Parking Restrictions

- (b) *Tandem Parking shall be allowed for all dwelling units (whether attached or detached). Each dwelling unit may have a pair of tandem parking spaces, however any pair of tandem parking spaces shall not serve more than one dwelling unit.*

There are a couple of Tandem Parking spaces proposed on one parking deck; they shall be reserved for one dwelling unit. **Affirmative finding as conditioned.**

Sec. 8.1.9 Maximum On-Site Parking Spaces

With a maximum parking limitation of 1 parking space per unit, the proposal does not exceed that allowance (89 units / 75 parking spaces.) **Affirmative finding.**

Section 8.1.16 Transportation Demand Management

(b) *Applicability:*

(1) *A Transportation Demand Management Program shall be required for all projects in any Parking District involving any one or more of the following:*

Table 8.1.16-1

Project Type	Applicable Projects
	• Creation of 10 or more dwelling units • A non-residential or Mixed Use development with a building footprint of eight thousand (8,000) sq.ft. or more; or the creation of fifteen thousand (15,000) sq.ft. or more of gross floor area
Applicable TDM Sections	All provisions of Sec. 8.1.16 (c)

(c) *A Transportation Demand Management (TDM) Program shall include the each of the following elements at a minimum:*

(1) **Outreach and Education:**

a. *Designation of a Transportation Coordinator who directly, or indirectly through membership in a Transportation Management Association, shall be responsible for each of the following:*

- 1. Prepare and always make available to all residents and employees informational and educational materials regarding available TDM strategies and opportunities for increased use and participation;*
- 2. Preparation and dissemination of an annual travel survey of all residents and employees; and,*
- 3. Record-keeping and reporting to City upon request of all TDM activities offered and rates of participation (including parking utilization if applicable)*

The ordinance requires creation of a Transportation Coordinator who will be responsible for providing residents with information on TDM strategies during an annual meeting as well as on request. In addition, the Transportation Coordinator is required to prepare and disseminate an annual travel survey of residents and employees and provide record keeping to the City.

The Project will be professionally managed by a Property Manager who will be an employee of the Owner whose role will include that of Transportation Coordinator which will include the fulfillment of monitoring and reporting requirements as well as other aspects of its transportation management plan. Over time the Property Manager will determine if CATMA membership is appropriate for them or if they wish to continue to self-manage the transportation data collection and reporting.

The ordinance requires offering a car share membership to all tenants for free for the first two years of occupancy, and at a minimum discount of 50% for every year afterward. In addition, the ordinance requires the provision of car share spaces on site at a rate of 1 space for every 20 residential units.

Affirmative finding as conditioned.

(2) TDM Strategies: In addition to compliance with the on-site Bicycle Parking requirements found in Article 8, Part 2, each TDM Program must incorporate TDM strategies to minimize the amount of parking demand associated with the project. At a minimum, a TDM Program shall select no less than two (2) of the following TDM strategies, which shall be selected and filed with the Administrative Officer on an annual basis:

- a. Maintain an ongoing and active membership in a Transportation Management Association (TMA);*
- b. Provide GMT Transit passes to all residents and employees at a minimum discount of 50%;*
- c. Provide a free car share membership to all residents and employees;*
- d. Provide a free bike share membership to all residents and employees;*
- e. If not already provided through a TMA membership, provide residents and employees with a shuttle service, guaranteed ride home program, or ride to a nearby transit center.*

The ordinance requires GMT transit passes be offered to all residents for free for the first year of occupancy and at a minimum discount of 50% for each year afterward. The Project will commit to offering GMT passes to all tenants and providing them to tenants that desire them. **For the first two years, the Project has committed that transit passes will be offered for free to all residents of the building** The Property Manager may have the option to collectively buy transit passes through its management company or otherwise (some residents may have passes through their employer) unless CATMA membership is opted for and in that case they will be provided for within the CATMA membership. The Project will investigate methods to ensure that the development continues to support transit passes.

Affirmative finding as conditioned.

(3) **Parking Management:** Where on-site or off-site parking is also made available:

a. Conduct parking utilization studies at least annually for a period of 7 years from receipt of a Certificate of Occupancy;

b. With the exception of permanently affordable housing units, the cost of parking shall be unbundled from all residential and nonresidential leases and deeds and made available at a market rate;

As shown on the graphic below, there are currently five CarShare Vermont vehicles located in the immediate area of the proposed Project. As such, it is likely that site residents would use these vehicles. **The Project has committed to providing up to four spaces for a CarShare vehicle on the site.**

In conformance with the ordinance, **the Project will offer car share membership to residents during the first year of building occupancy and will offer subsidized CarShare membership at the rate of 50% toward a second year of membership.**

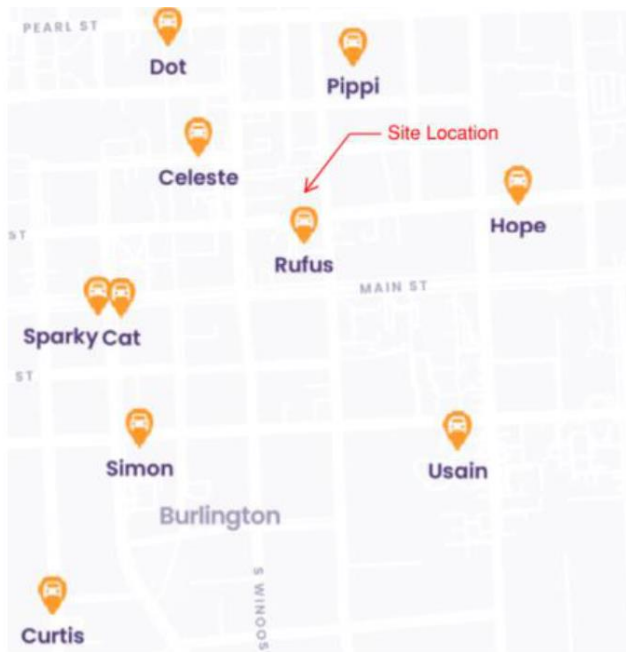


Figure 1. Car Share Locations in Proximity to the Project Site Location

Affirmative finding as conditioned.

c. Where parking spaces are made available to off-site users, parking spaces may be made available by a renewable lease, provided the term of any lease does not exceed one (1) year;

and,

d. Priority parking spaces: when on-site parking is provided, the following must be located in closest proximity to a primary building entrance and/or public street frontage:

1. ADA Accessible spaces;
2. Bicycles, scooters, and motorcycles spaces;
3. Car-share: where 1 space must be offered for projects with 20 or more residential units, subject to an agreement with a car-share provider; and,

4. *Carpool and/or Vanpool vehicles: where more than 20 spaces are available for non-residential uses. In such cases, 5 spaces or 5% of the parking spaces on site, whichever is less, must be reserved for carpool/vanpool use before 9:00 AM on weekdays.*

Per the Ordinance, Parking Utilization studies need to be conducted annually. **The Project has committed to collect this data either through the Transportation Coordinator and/or CATMA.**

In accordance with the Ordinance, the cost of parking shall be unbundled from residential and non-residential leases and made available at a market rate. Parking may be made available by a renewable lease, not longer than one year. **The project has committed to unbundle the purchase of parking from the rent or purchase price of the residential units.**

Priority parking spaces closest to the primary building entrance need to be provided for handicapped parking, bicycle, scooter and motorcycle spaces, and car share (as indicated above) for residential projects. **As outlined above, a priority parking space will be provided for car share as demand dictates (for a minimum of two years).**

Affirmative finding as conditioned.

(4) TDM Agreement: Each TDM Plan shall include a signed commitment to and acknowledgement of each of the following on a form provided by the Administrative Officer:

a. Commitment to ongoing implementation of the TDM requirements as set forth above;

b. Acknowledgement that the project has no claim to the ongoing availability of nearby on-street public parking, and that, as is the case with other on-street public parking, the City retains the right to charge for, restrict or remove such on-street parking at any time;

c. Acknowledgement that failure to maintain transportation demand management as required above is a violation of this ordinance, and understanding that, pursuant to Sec. 2.7.8 of this ordinance, no zoning permit or certificate of occupancy may be granted until any such violation has been remedied;

and,

d. Commitment to notify any subsequent owners and tenants in writing of their obligations under this section as part of any purchase and sale and/or lease agreements.

The applicant's response:

The Project is investigating the method of creating this ongoing commitment for the redevelopment of 266 College Street. The intent will be to include an ongoing commitment to ongoing implementation of the TDM requirements as set forth above; acknowledgement that the project has no claim to on street parking; acknowledgement that failure to maintain TDM as required is a violation of this ordinance and that no certification of occupancy be granted until any such violation has been remedied; and commitment to notify subsequent owners and tenants in writing of their obligations under this section as part of any purchase and sale and/or lease agreements. The Project will continue to work with the City to develop the appropriate method of this commitment in the event that the Developer would transition ownership of the building.

Review and Enforcement: The Administrative Officer shall be responsible for determining compliance with the TDM Program requirements as set forth above, and ongoing implementation shall be included as a condition of any discretionary or administrative permit required for development subject to the conditions of this Section.

Failure to maintain a TDM Program as required above shall be a violation of this ordinance, and pursuant to Sec. 2.7.8 of this ordinance no zoning permit or certificate of occupancy may be granted without a TDM Program in effect.

Guidelines regarding compliance with these TDM requirements shall be developed and provided to applicants by the Administrative Officer.

Affirmative finding as conditioned.

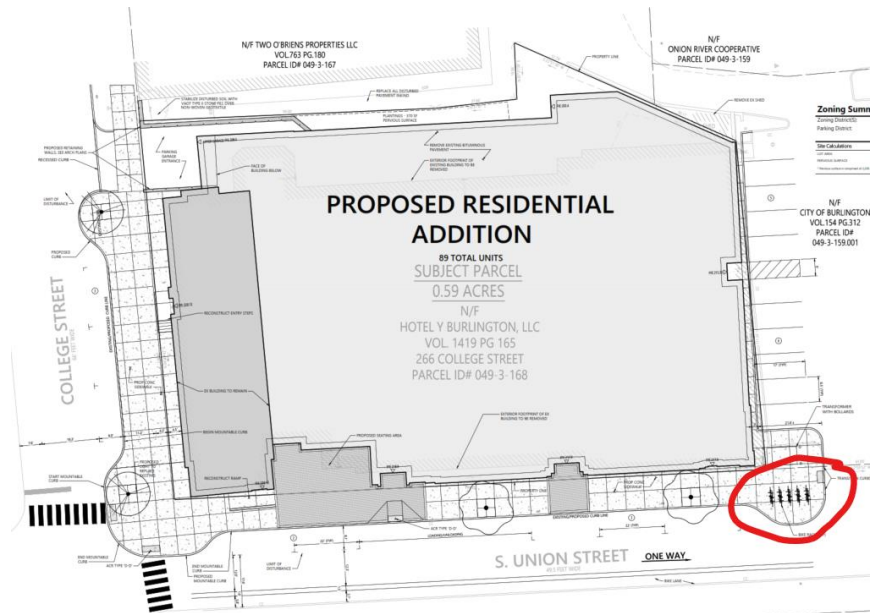
Part 2: Bicycle Parking

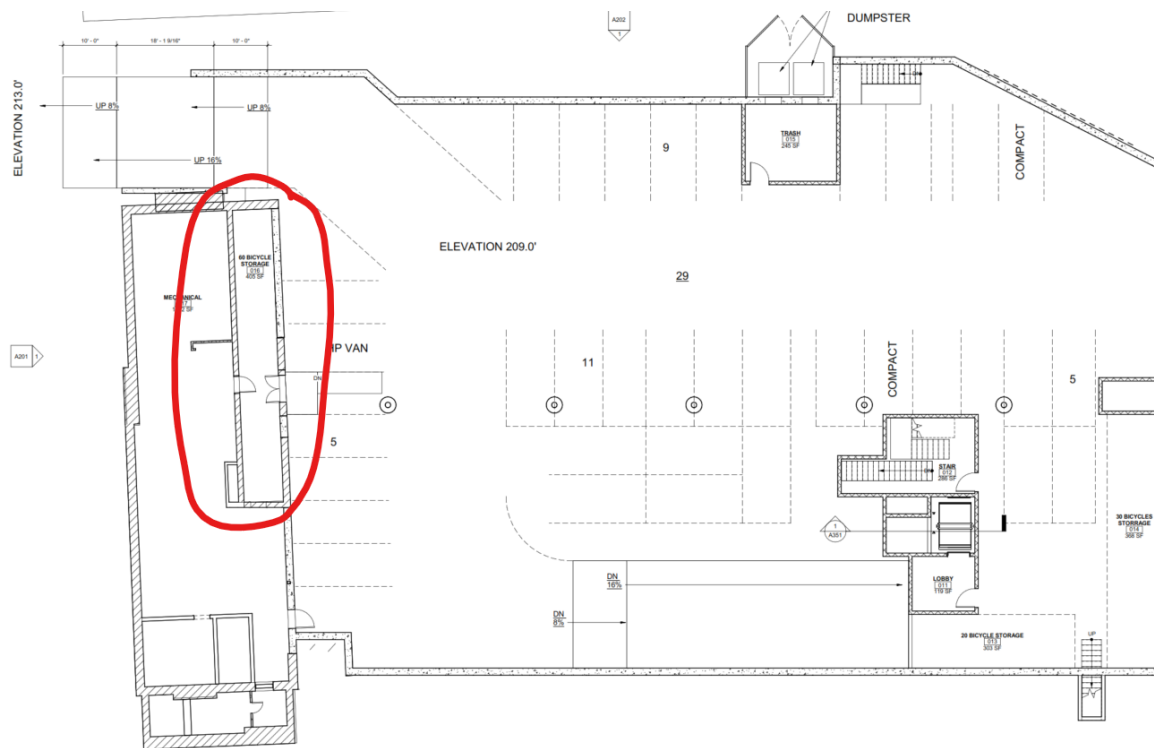
Table 8.2.4 – 1 Bicycle Parking Requirements

Residential / Household Living Requirement: Long Term 1 per 2 Bedrooms; Short Term 1/ per 10 units.

The applicant informs that there are 209 bedrooms proposed:
Long Term bike parking = **105 long term bike parking spaces.**
For 89 residential units, **9 short term bicycle parking spaces** are required.

Bike parking is illustrated on the site plan, within the ROW on the north/east side of the parcel. (This must be acceptable to DPW.) Long Term bike parking can be accommodated within the basement storage area. **Affirmative finding as conditioned.**





Inclusionary and Replacement Housing

Section 9.1.5 Applicability

- (a) *The creation of five (5) or more residential units through new construction and/or substantial rehabilitation of existing structures, including the development of housing units utilizing development provisions other than those specified in Section 9.1.5 (b).*

The creation of 89 new residential units spurs the requirement for Inclusionary Housing.

Section 9.1.7 Certificate of Inclusionary Housing Compliance

Notwithstanding any other provision of this ordinance, no certificate of occupancy for a project covered by this chapter shall be granted unless and until a Certificate of Inclusionary Housing Compliance has been issued by the Housing Trust Fund Manager.

Affirmative finding as conditioned.

Section 9.1.8 Inclusionary Units, Rental, and Sales

For covered projects in which units are offered for rent or sale, a base of fifteen percent (15%) of all the dwelling units in the project, graduated as specified in Table 9.1.8-1, shall be designated as inclusionary units.

15% of 89 = 13 units IZ.

Satisfaction of Article 9 / Inclusionary Requirements are subject to review and issuance of a Certificate of Inclusionary Housing Compliance by the Housing Trust Fund Manager.

Affirmative finding as conditioned.

Article 14: Plan BTV Downtown Code

Section 14.6.4 Building Height

(f) Design and Public Space Standards Required for Additional Building Height

i. Design Standards: The maximum building height and mass is permitted By Right by the underlying Form District, as may be modified by the chosen Building Type and Frontage Type. However, there are a number of ways that building shape, articulations, and choice of materials can be used to reduce the perceived height and mass of taller buildings, and ensure a high quality of design that complements the character of the Downtown and Waterfront area.

After consultation with the Design Advisory Board and a Public Hearing, the Development Review Board shall evaluate any proposal seeking additional Building height under each of the following additional design standards, and find affirmatively that:

- a. The proposed building presents a design that emphasizes slender, vertically-oriented proportions to assure a rich visually interesting experience as viewed within the context of the downtown skyline; reinforces opportunities for establishing points of reference for visual orientation; and provides visual interest and human scale at the pedestrian level through the use of a variety of scales, materials, fenestration, massing, or other architectural design techniques;*

The applicants are seeking a maximum height of 69' 7 ¾" above the average grade. This district allows 45' by right, with height up to 65'/6 stories within Special Height Area "E" with DRB review. There is also a provision (see below) allowing for up to 20% relief from standards. (20% of 65' building height is 13' additional height. 4' 7 ¾" are requested under Alternative Compliance/Relief for a total building height of 69' 7 ¾".)

Combined, these standards allow for consideration of the height requested if standards below met to the satisfaction of the DAB and DRB.

The building elevations illustrate a rhythm with fenestration in regular rows but creating a tempo with vertical movement of window placement. Building articulation guides the eye upward (accentuated with "columns" of materials, bays, balconies and color.) Human scale is addressed along the pedestrian level of South Union Street with a proposed Doorway Frontage type, accentuated with easily identifiable entrances, landscaping, a canopied patio area, and generous glazing.

- b. Step backs, horizontal and vertical variation, selection of materials, and/or other architectural design technics are used to reinforce the street wall, create transitions from buildings of a smaller mass and height, and reduce the perceived height and mass of upper stories from the street level;*

The plane of the new building varies along the street front, with the majority of the building plane along South Union Street immediately abutting the pedestrian way. Recesses appear at building entrances, the exterior seating area, and the garage entrance (College Street.) Building openings are regularly spaced in horizontal rows and vertical columns along all elevations (with fenestration pattern adjusted to each bay), yet banded in the uppermost floor. Pronounced cornice lines cap each building mass.

The southwesterly component of the addition is smaller in scale; deferential to the existing Austin building and set back from the street front (also to accommodate garage access.) The larger addition is firmly set behind the historic street front building from the College Street perspective. The larger massing is most evident on the east/South Union Street secondary frontage.

and,

- c. *Upper story proportions of the building are oriented and tapered and/or separated into separate masses in order to retain sky view between individual building elements from the public thoroughfare.*

Due to the rising grade of College Street and the relatively flat plane of South Union Street, it is unlikely that views from the public thoroughfare are possible between the building masses. The roof planes are, however, differentiated between the prominent South Union Street massing and the smaller College Street addition; articulated at differing elevations and varying the skyview between these building elements.

The DRB may condition approval of additional building height by reducing the By-Right building mass by no more than 10% of the total floor area of the new floors enabled by granting the additional building height. In no case shall the maximum By-Right building height be reduced.

Not applicable.

ii. *Active Public Space and Restrooms*

A minimum of 20 sf/1,000 sf of the gross floor area above 85 feet shall be dedicated to active and publicly accessible upper story rooftops and terraces, and/or street-level public restrooms as follows....

Not applicable. The building is not proposed to exceed 85'.

Affirmative finding with DRB concurrence.

Section 14.7.3 (b) Alternative Compliance Granted by the Development Review Board

- i. *DRB Alternative Compliance: Relief from any non-numerical standard by no more than 20% of such requirement or an additional 10% beyond any Administrative Relief permit above, may be granted by the Development Review Board after review and recommendation by the Design Advisory Board and a Public Hearing. Decisions by the DRB regarding any Alternative compliance granted shall be made in writing and upon affirmative findings that:*

- A. *The relief sought is necessary in order to accommodate unique site and/or Building circumstances or opportunities;*

The project is requesting relief from the 65' maximum height afforded by Special Height Area "E"; instead proposing 69' 7 ¾" above the average grade. The difference (4' 7 ¾") is less than the 20% maximum relief allowance, measuring- a 7% deviation. The applicant has offered that the significant changing grade of the site, situated well into Burlington's ravine, to present a unique challenge. Coupled with the topography, the existing building has 20 different vertical levels, which the plan seeks to remediate in the redevelopment.

- B. *The relief if granted is the minimum necessary to achieve the desired result;*

In trying to reconcile floors that do not align, the ravine, and the opportunity of below grade parking, the applicant feels the request for relief would be well exercised in this plan.

- C. *The property will otherwise be developed consistent with the purpose of this ordinance, the intent of the Form District, the intent and purpose of the section that the relief is being sought, and all other applicable standards;*

The application through the checklists meets compliance in all other matters of Plan BTV Downtown Code.

- D. *The relief if granted will not impose an undue adverse burden on existing or future development of adjacent properties;*

The close proximity of the proposed building to the northwest boundary line with an adjacent empty parcel (identified as 0 South Union Street) may have implications for any future development on the empty lot. Building code may influence or place limitations on the number of building openings, type of construction and sheathing materials; however no overall prohibition to redevelopment.

and

E. The relief, if granted will yield a result equal to or better than strict compliance with the standard being relieved.

This site is among the most challenging in the city. The intent of Plan BTV Downtown Code is to utilize physical form as the organizing principle in shaping new development. Burlington's unique characteristics, including significantly changing grades, sometimes tests parameters of dimensional standards like average building height. Consideration of relief in this area, as allowed by this section, will acknowledge the challenges of context while respecting the goals of the Plan. Approval of the requested additional height will also contribute to the creation of much needed housing in the downtown.

II. Minutes

The meeting minutes will be distributed separately upon review and approval by the Development Review Board.

III. Motion by A.J. LaRosa:

In the matter of ZP-23-284, 266 College Street, I move we **approve** the application with the revised north and west building elevations; and adopt Findings and Conditions noted herein.

IV. Conditions of Approval

Form Based Code Conditions of Approval:

1. At least 10% pervious area will be provided.
2. The Glazing Transparency and Reflectance levels shall comply with Section 14.4.13 (a).
3. Per Section 14.4.13 (e) iii, small exterior vents (less than 10-in x 10-in) associated with small scale heating/cooling equipment or residential appliances shall be permitted on the Façade of Buildings where residential occupancy occurs along the Façade. Every effort should be made to minimize and consolidate the number of these vents. They shall be located, organized, screened, and detailed to harmonize and compliment the overall design of the Façade.
4. Per Section 14.4.13 g. iv, The Balcony platforms shall be at least 3-inches thick, and where the underside of a Balcony is visible from a public way it shall be finished. Balconies may incorporate a Canopy or Awning but shall not be enclosed.
5. Per Section 14.4.13 (h) xii. Canopies projecting into the public right-of-way shall be cantilevered or supported from above, and columns or posts extending to the ground are prohibited. Canopies placed outside of the public right-of-way may be partially or fully free-standing.
6. Per Section 14.6.7 i. Accessible parking spaces shall be designated as reserved for the disabled by a sign showing the symbol of Accessibility. Painting of the paved area for the dedicated parking spaces alone shall not be sufficient as the sole means of identifying these spaces.

Other Conditions of Approval:

1. The applicant shall provide final area calculations for the purpose of calculating Impact Fees. The area providing Inclusionary Housing shall be exempt from Impact Fees. Confirmation of the area shall be provided in writing, and confirmed by the Housing Trust Fund Manager.
2. Impact Fees shall be paid to the Administrative Officer at least 7 days prior to occupancy of any part of the structure.
3. Days and hours of construction shall be limited to Monday – Friday from 7:30 AM – 5:30 PM. Saturday construction had previously been approved for 8:00 am – 4:00 pm. No construction activity on Sunday.
4. Redevelopment will require the written approval of the Department of Public Works, and may include licenses and/encroachment permits from City Council. Work within the ROW may also require performance bonds and guarantee of completion. The applicant is directed to secure these approvals and, if required, provide required bonds/performance letters prior to commencement of work.
5. Tandem Parking shall be allowed for all dwelling units (whether attached or detached). Each dwelling unit may have a pair of tandem parking spaces, however any pair of tandem parking spaces shall not serve more than one dwelling unit.
6. A letter of capacity for water and sewer service from the Department of Public Works Water Division will be required prior to release of the permit.
7. Comments and conditions provided by Water Resources at Technical Review shall be incorporated into this decision.
8. A State of Vermont wastewater permit will be required.
9. The standard 3-year timeframe for zoning permits will apply unless the applicant submits a specific phasing schedule and construction timeline with the zoning permit application.
10. No certificate of occupancy shall be granted unless and until a Certificate of Inclusionary Housing Compliance has been issued by the Housing Trust Fund Manager.
11. Discovery of any archaeological resources within the ravine during construction shall be reported to the Vermont Division for Historic Preservation for assessment, evaluation, and appropriate disposition.
12. A Historic Resource Documentation Package (HRDP) will be completed prior to the commencement of redevelopment. This will be provided to the City, and to the Vermont Division for Historic Preservation to be uploaded to the [State of Vermont Online Resource Center](#) for public dissemination.
13. Standard Permit Conditions 1-15.

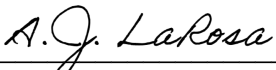
Second: Chase Taylor

Vote: 7-0

Vote: motion carries

Dated at Burlington, Vermont, this 6th day of September, 2023.

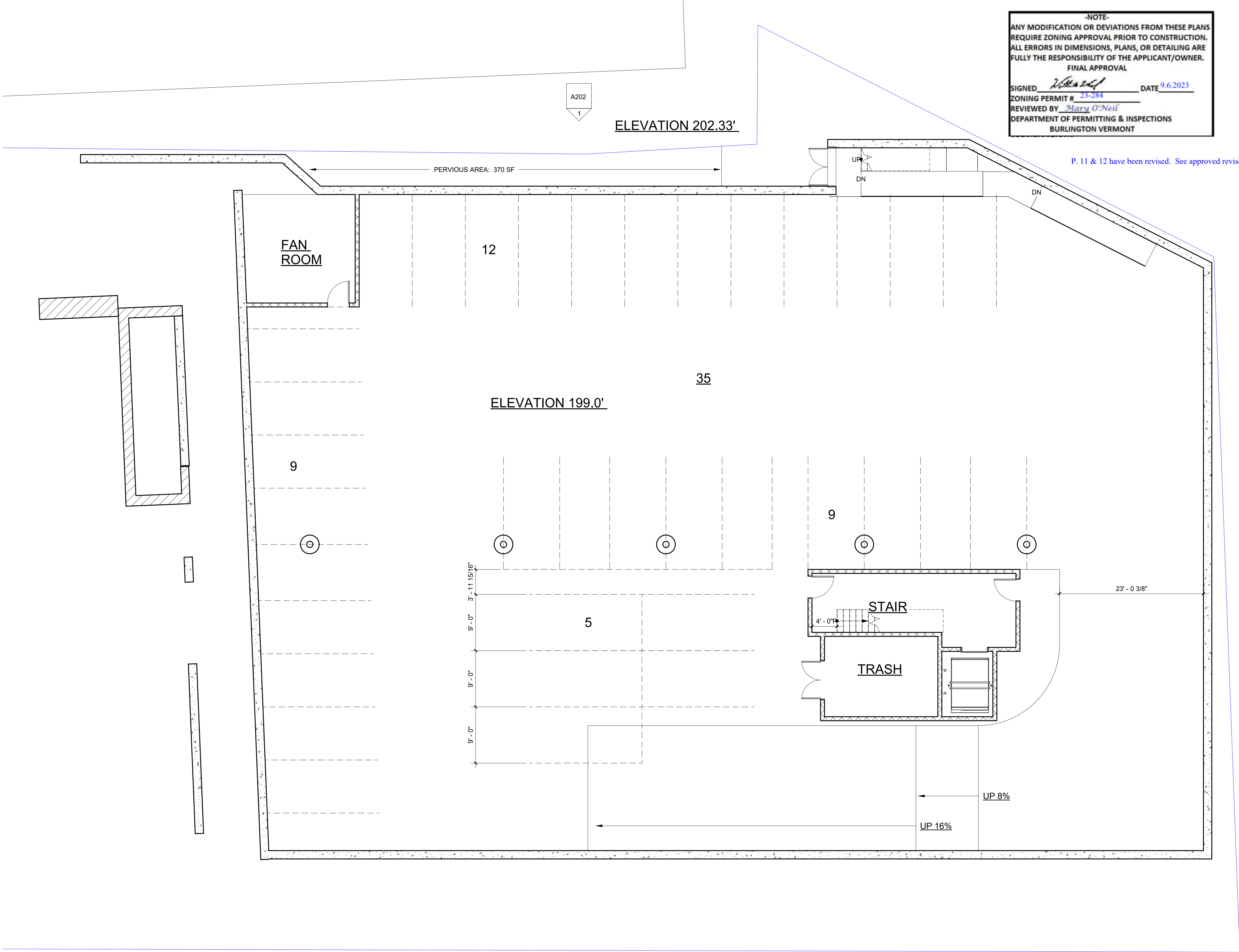
Respectfully Submitted,



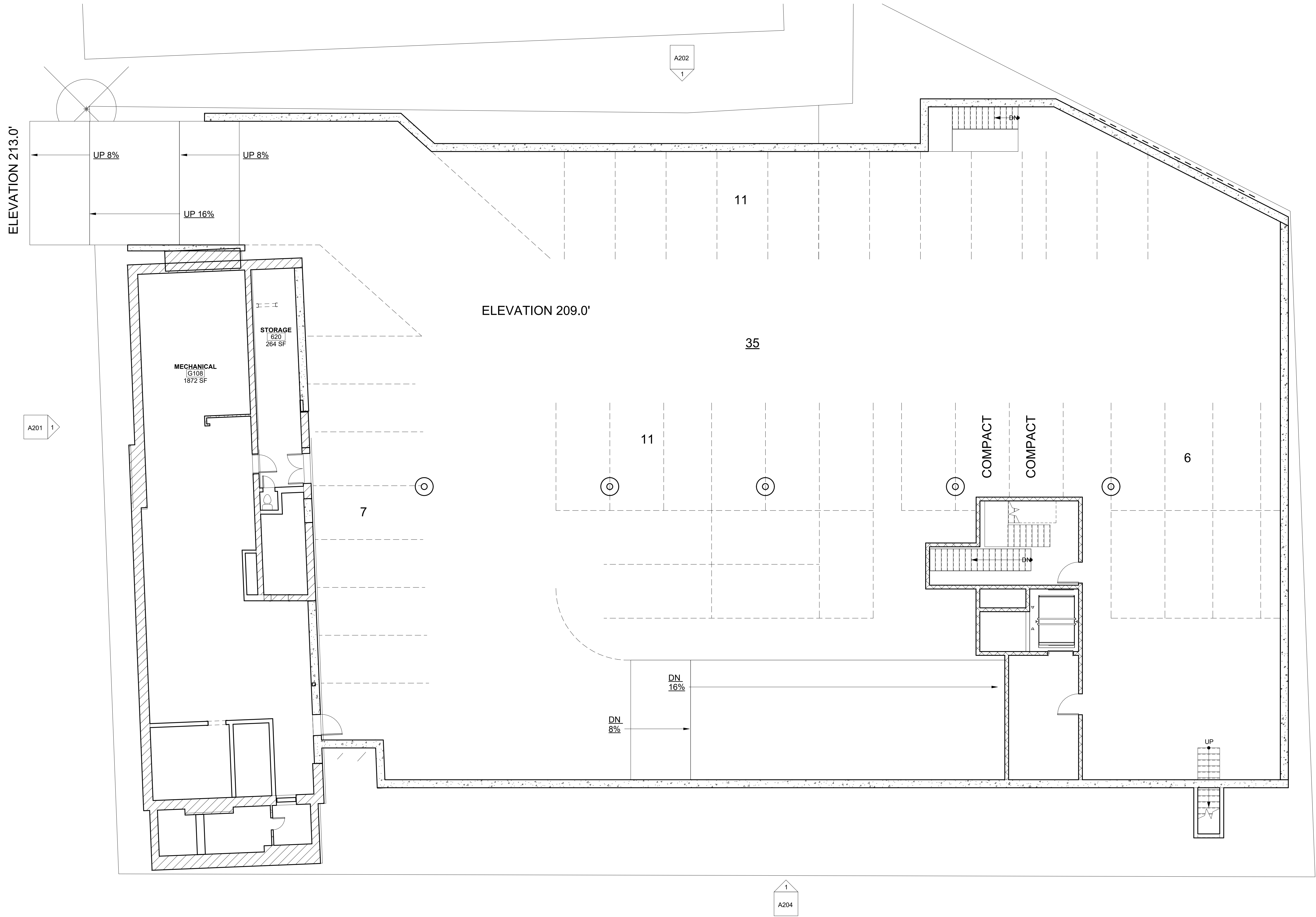
Alexander J. LaRosa, Development Review Board Chair

Please note that an interested person may appeal a decision of the Development Review Board to the Vermont Superior Court, Environmental Division. (Comprehensive Development Ordinance Article 12, Section 12.2.3 Appeals of Development Review Board Decisions: An interested person may appeal a decision of the Development Review Board to the Vermont Environmental Court within 30 days of the date of the written decision as follows:

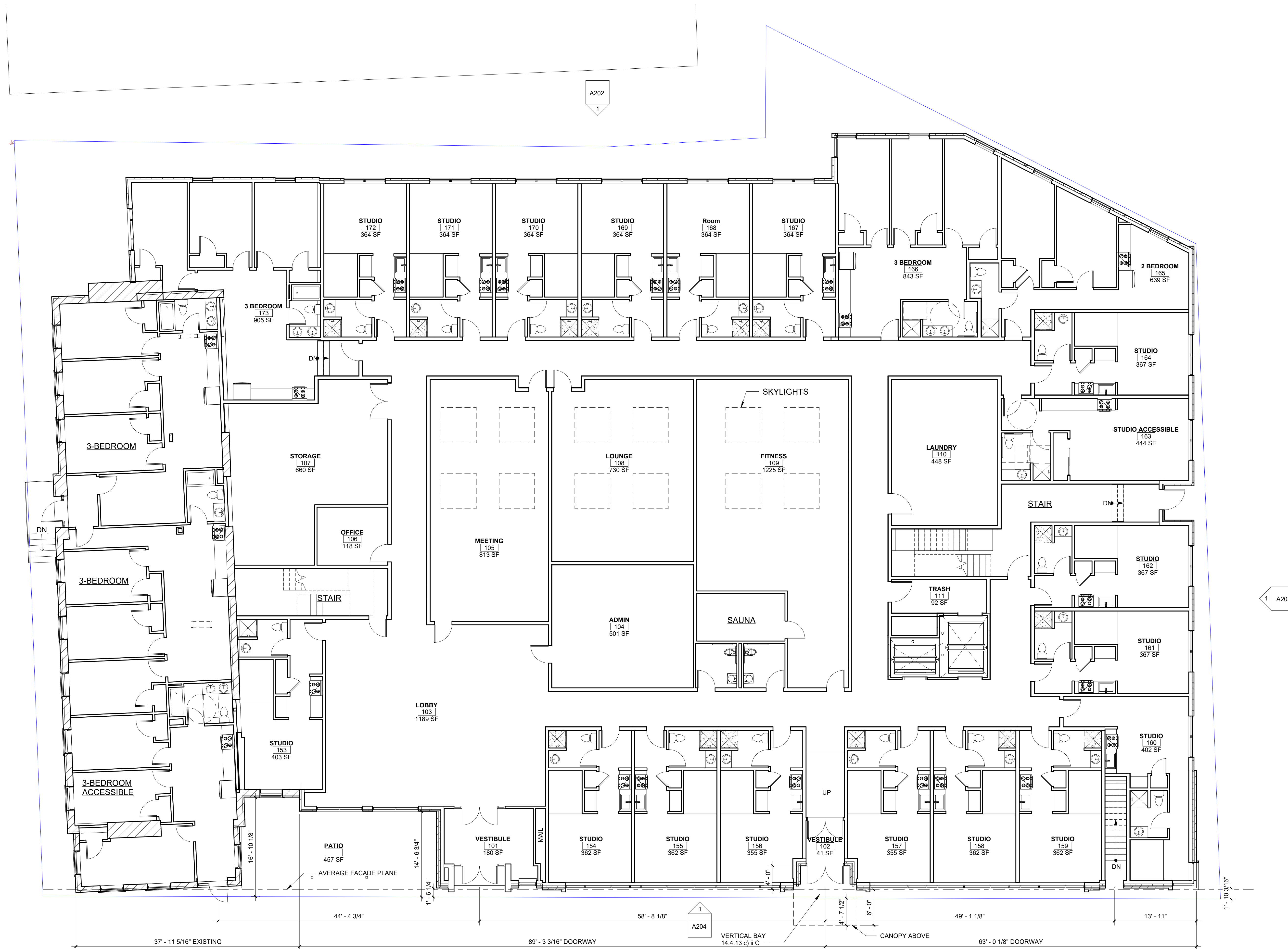
(a) Notice of Appeal: The appeal shall be taken in such a manner as the Supreme Court or the environmental court may by rule provide for appeals from state agencies governed by Sections 801 through 816 of Title 3, Vermont Statutes Annotated. Notice of the appeal shall be sent by mail to every interested person appearing and having been heard at the hearing before the DRB, and, if any one or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the court to intervene.)



1 GARAGE LEVEL 2
1/8" = 1'-0"



1 GARAGE LEVEL 1
1/8" = 1'-0"



CIVIL ENGINEER, & LANDSCAPE:
VHB
40 IDX Drive
Building 100
S. Burlington, VT 05403

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Apartments
266 College Street
Burlington, VT 05401

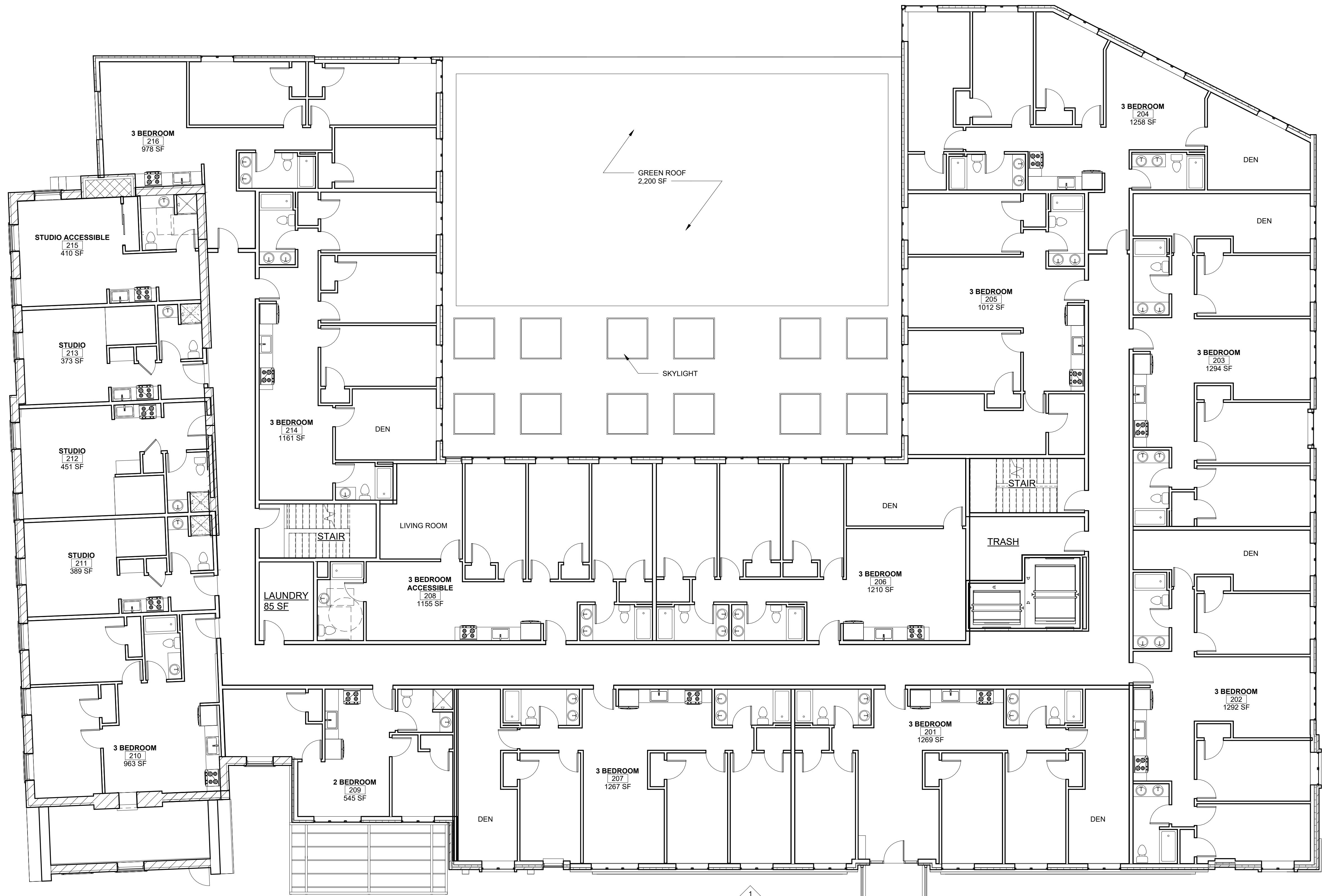
ISSUED:
06-13-2023

**ZONING PERMIT
DRAWINGS
NOT FOR
CONSTRUCTION**

LEVEL 1 PLAN

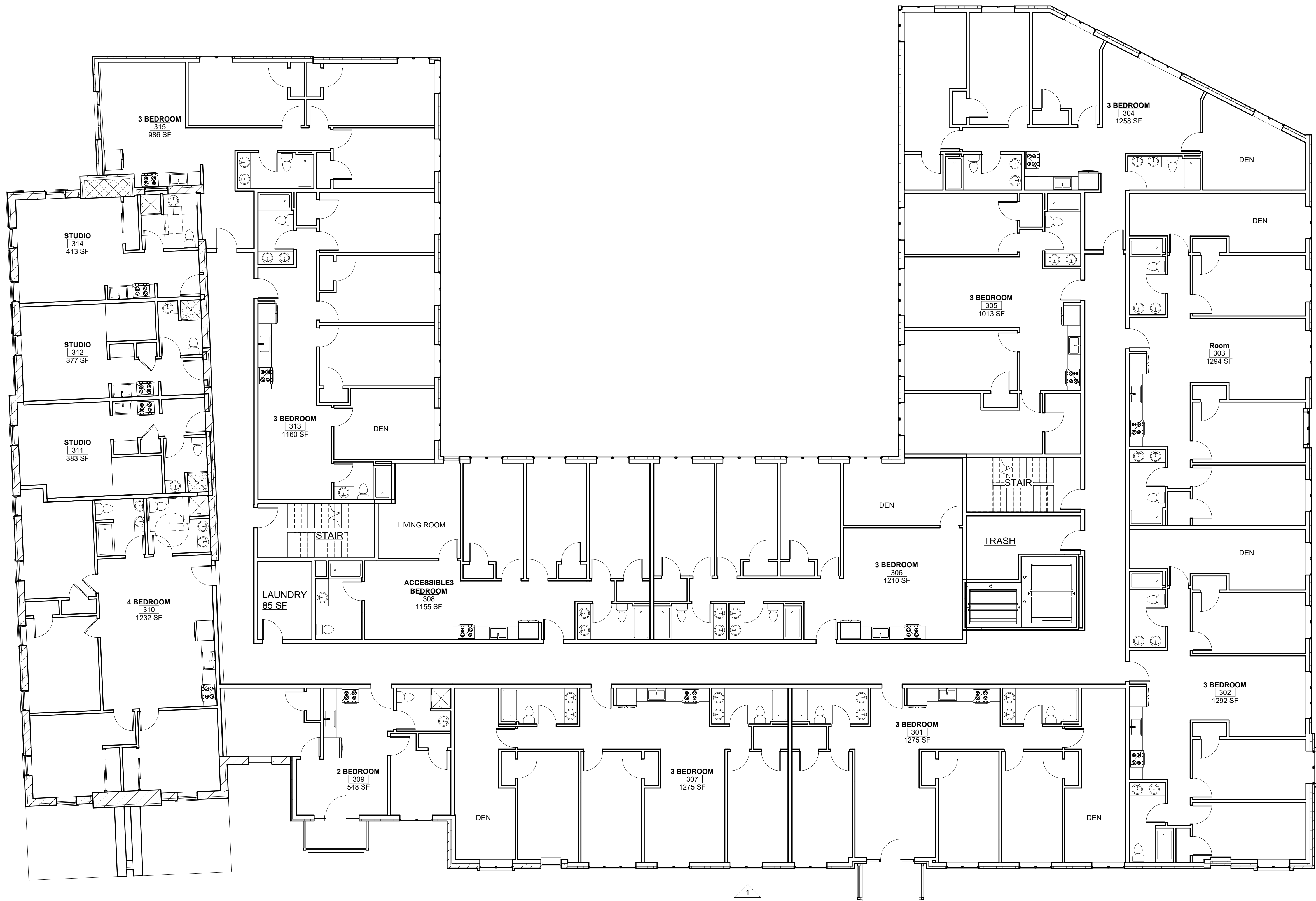
SCALE:
1/8" = 1'-0"

A102



1 LEVEL 2 PLAN
1/8" = 1'-0"

1 LEVEL 3 PLAN
1/8" = 1'-0"



Apartments
266 College Street
Burlington, VT 05401

ISSUED:
06-13-2023

ZONING PERMIT
DRAWINGS
NOT FOR
CONSTRUCTION

LEVEL 3 PLAN

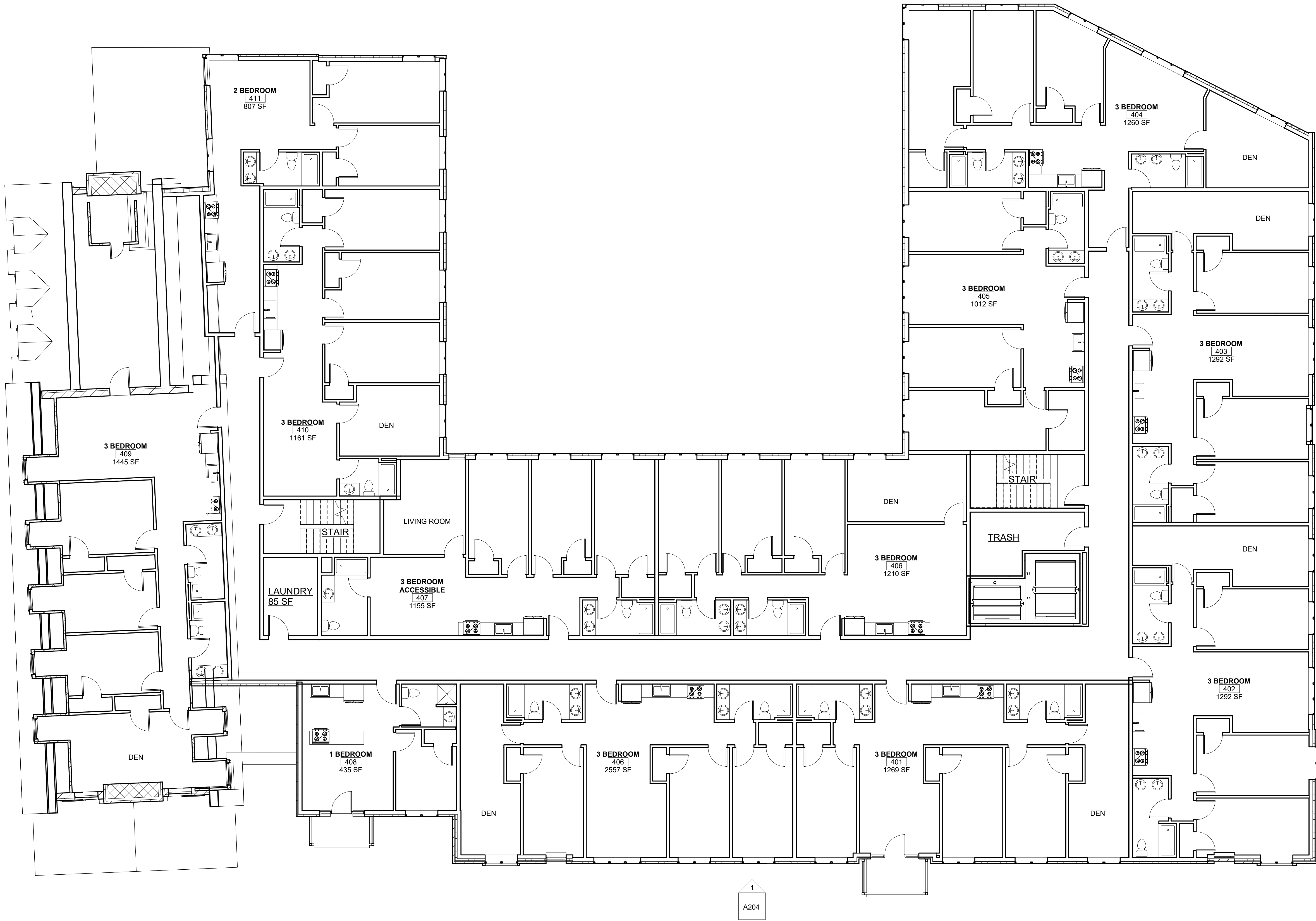
SCALE:
1/8" = 1'-0"

A104

CIVIL ENGINEER, &
LANDSCAPE:
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40 IDX Drive
Building 100
S. Burlington, VT 05403

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SBA
SMITH BUCKLEY ARCHITECTS
431 PINE ST STE 210 BURLINGTON VT 05401
P 802.540.0323 www.SBAVT.com



1 LEVEL 4 PLAN
1/8" = 1'-0"

CIVIL ENGINEER, & LANDSCAPE:
VHB
40 IDX Drive
Building 100
S. Burlington, VT 05403

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Burlington, VT 05401

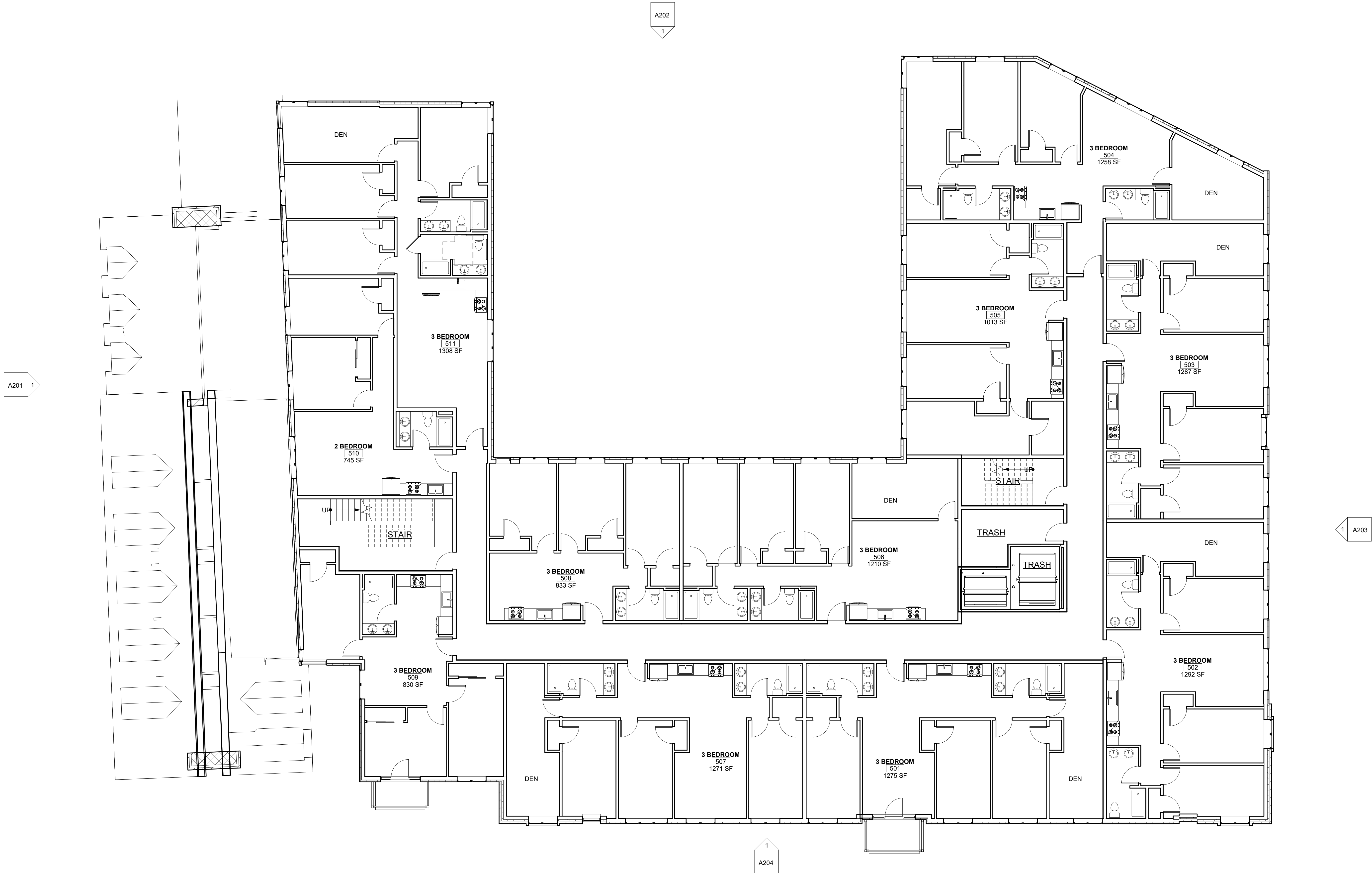
ISSUED:
06-13-2023

**ZONING PERMIT
DRAWINGS
NOT FOR
CONSTRUCTION**

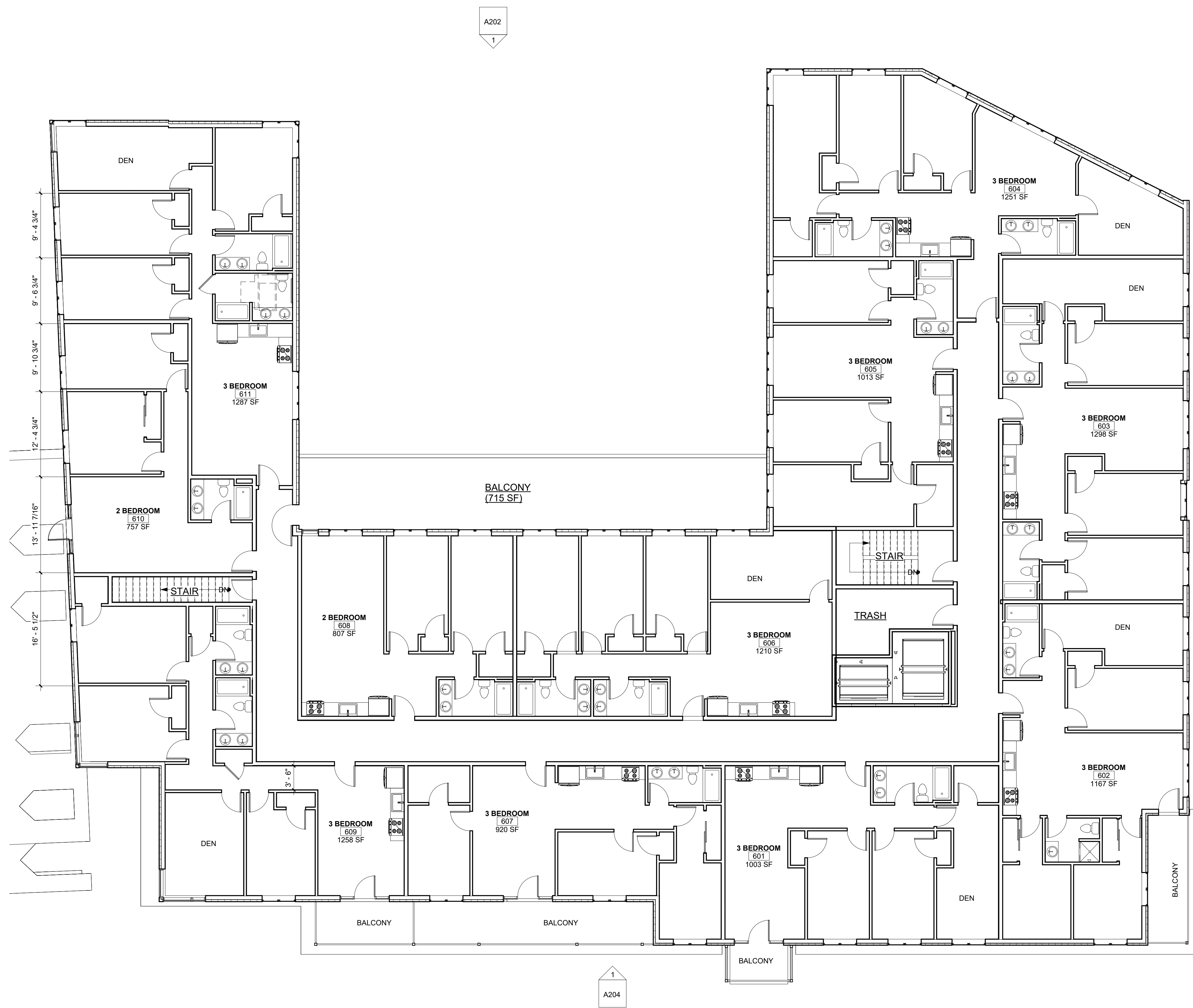
LEVEL 4 PLAN

SCALE:
1/8" = 1'-0"

A105



1 LEVEL 5 PLAN
1/8" = 1'-0"



1 LEVEL 6 PLAN
1/8" = 1'-0"

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LANDSCAPE:
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40 IDX Drive
Building 100
S. Burlington, VT 05403

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Burlington, VT 05401

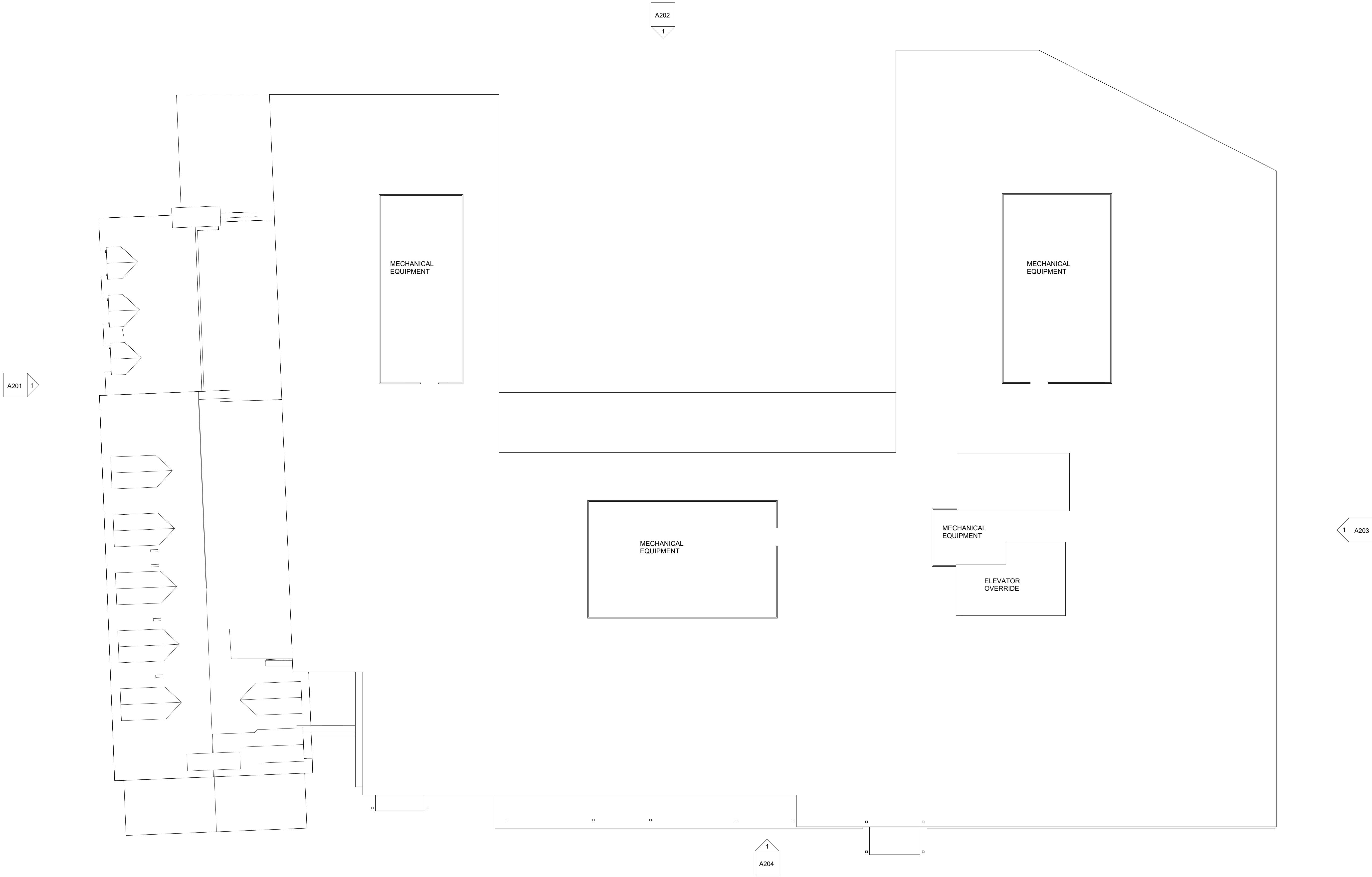
ISSUED:
06-13-2023

ZONING PERMIT
DRAWINGS
NOT FOR
CONSTRUCTION

LEVEL 6 PLAN

SCALE:
1/8" = 1'-0"

A107



1 ROOF PLAN
1/8" = 1'-0"

STRUCTURAL ENGINEER:
ENGINEERING VENTURES, PC
208 Flynn Ave.
Burlington, VT 05401

**MECHANICAL,
ELECTRICAL, & PLUMBING
ENGINEER:**
DUBOIS & KING
6 Green Tree Drive
S. Burlington, VT 05403

**CIVIL ENGINEER, &
LANDSCAPE:**
VHB
40 IDX Drive
Building 100
S. Burlington, VT 05403

INTERIOR DESIGN:
GETTYS ONE
55 West Wacker Drive
Chicago, IL 60601

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HOTEL Y
266 College Street
Burlington, VT 05401

ISSUED:
06-13-2023

**DESIGN
DEVELOPMENT NOT
FOR
CONSTRUCTION OR
PERMIT**

ROOF PLAN

SCALE:
1/8" = 1'-0"

A108



1 SOUTH ELEVATION
1/8" = 1'-0"

STRUCTURAL ENGINEER:
ENGINEERING VENTURES, PC
208 Flynn Ave.
Burlington, VT 05401

**MECHANICAL,
ELECTRICAL, & PLUMBING
ENGINEER:**
DUBOIS & KING
6 Green Tree Drive
S. Burlington, VT 05403

**CIVIL ENGINEER, &
LANDSCAPE:**
VHB
40 IDX Drive
Building 100
S. Burlington, VT 05403

INTERIOR DESIGN:
GETTYS ONE
55 West Wacker Drive
Chicago, IL 60601

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HOTEL Y
266 College Street
Burlington, VT 05401

ISSUED:
06-13-2023

**DESIGN
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CONSTRUCTION OR
PERMIT**

SOUTH ELEV.

SCALE:
1/8" = 1'-0"

A201

STRUCTURAL ENGINEER:
ENGINEERING VENTURES, PC
208 Flynn Ave.
Burlington, VT 05401

**MECHANICAL,
ELECTRICAL, & PLUMBING
ENGINEER:**
DUBOIS & KING
6 Green Tree Drive
S. Burlington, VT 05403

**CIVIL ENGINEER, &
LANDSCAPE:**
VHB
40 IDX Drive
Building 100
S. Burlington, VT 05403

INTERIOR DESIGN:
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Chicago, IL 60601

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HOTEL Y
266 College Street
Burlington, VT 05401

ISSUED:
06-13-2023

**DESIGN
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PERMIT**

WEST ELEV.

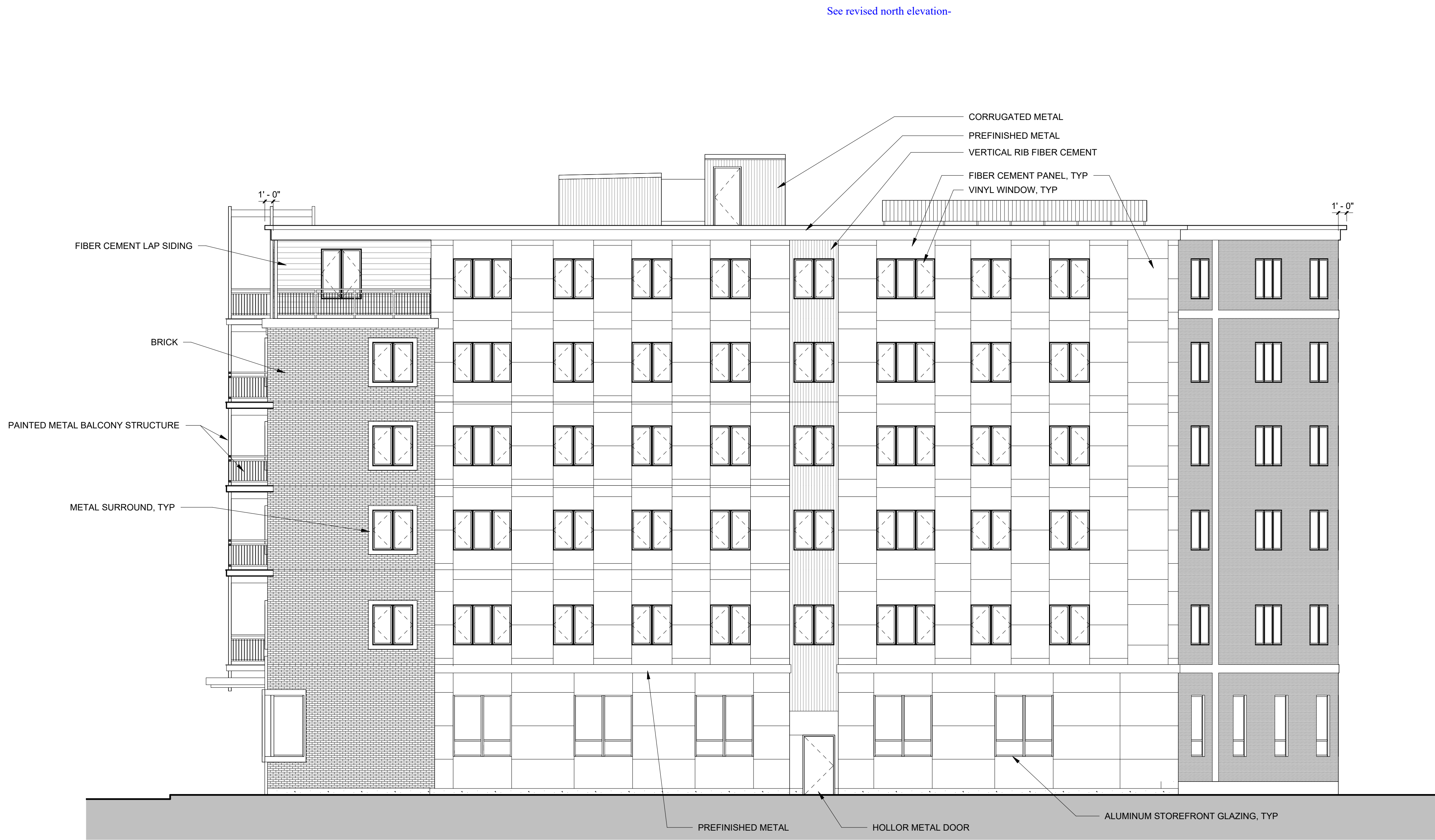
SCALE:
1/8" = 1'-0"

A202

See revised west elevation~



1 WEST ELEVATION
1/8" = 1'-0"



1 Elevation 1 - a
1/8" = 1'-0"

STRUCTURAL ENGINEER:
ENGINEERING VENTURES, PC
208 Flynn Ave.
Burlington, VT 05401

**MECHANICAL,
ELECTIRCAL, & PLUMBING
ENGINEER:**
DUBOIS & KING
6 Green Tree Drive
S. Burlington, VT 05403

**CIVIL ENGINEER, &
LANDSCAPE:**
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40 IDX Drive
Building 100
S. Burlington, VT 05403

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Chicago, IL 60606

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HOTEL Y
266 College Street
Burlington, VT 05401

ISSUED:
06-13-2023

**DESIGN
DEVELOPMENT NOT
FOR
CONSTRUCTION OR
PERMIT**

NORTH ELEV.

SCALE:
1/8" = 1'-0"

A203



1 EAST ELEVATION
1/8" = 1'-0"

STRUCTURAL ENGINEER:
ENGINEERING VENTURES, PC
208 Flynn Ave.
Burlington, VT 05401

MECHANICAL, ELECTRICAL, & PLUMBING ENGINEER:
DUBOIS & KING
6 Green Tree Drive
S. Burlington, VT 05403

CIVIL ENGINEER, & LANDSCAPE:
VHB
40 IDX Drive
Building 100
S. Burlington, VT 05403

INTERIOR DESIGN:
GETTYS ONE
55 West Wacker Drive
Chicago, IL 60606

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HOTEL Y
266 College Street
Burlington, VT 05401

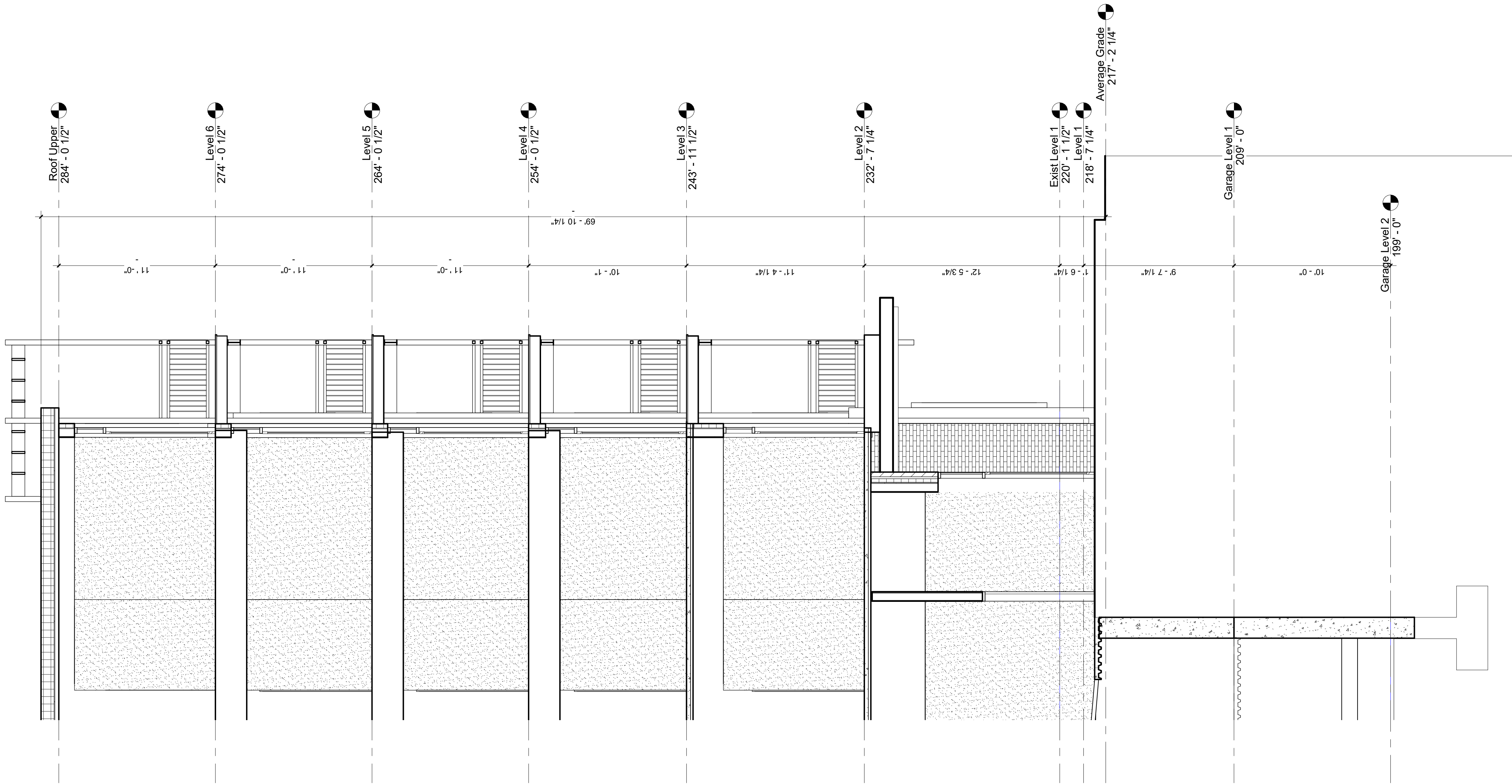
ISSUED:
06-13-2023

DESIGN DEVELOPMENT NOT FOR CONSTRUCTION OR PERMIT

EAST ELEV.

SCALE:
1/8" = 1'-0"

A204



1 Section 30
1/4" = 1'-0"

Apartments
266 College Street
Burlington, VT 05401

ISSUED:
06-13-2023

ZONING PERMIT
DRAWINGS
NOT FOR
CONSTRUCTION

WALL
SECTION

SCALE:
1/4" = 1'-0"

A350

CIVIL ENGINEER, &
LANDSCAPE:
VHB
40 IDX Drive
Building 100
S. Burlington, VT 05403

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Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

<https://www.burlingtonvt.gov/DPI/Zoning-Permits>

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Steven Cormier, Zoning Compliance Officer
Joseph Cava, Planning Technician
Ted Boylan, Permit Administrator



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: October 15, 2024
RE: ZP-24-375; 32-34 Hickok Place

Note: These are staff comments only. Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

File: ZP-24-375

Location: 32-34 Hickok Place

Zone: RM **Ward:** 3

Date application accepted: August 21, 2024

Applicant/ Owner: Lewis Creek Builders / Francis Swasey

Request: Variance request to replace existing slate roof with asphalt shingle roof to accommodate solar installation.



Background:

- **Zoning Appeal ZAP-24-3;** Appeal of Administrative Denial of ZP-24-52; replace failing slate roof with asphalt shingle roof to prepare for solar installation. DRB upheld administrative decision. May, 2024.
- **Zoning Permit ZP-24-52;** Proposed replacement of failing slate roof with an asphalt shingle roof; prepare for future solar panel installation. Replace existing metal edge-band with new metal to retain architectural detail. **Denied**, March 22, 2024.
- **Zoning Permit 21-204 / 21-0882CA;** Replace siding, install fencing, install window. April, 2021.
- **Zoning Permit 20-0055CA;** rebuild front steps, add steel railing. Add small gable over steps at porch entrance. August 2019.
- **Zoning Permit 17-1196CA;** rebuild back porch at 34 Hickok, replace existing fence, replace insulation, new sheathing and replace siding in kind. May 2017.
- **Non-applicability of Zoning Permit Requirements 16-1402NA;** remove upper portion of north wall, stabilize and/or repair roof ridge, replace north wall with clapboard. Repair roof. June 2016.
- **Zoning Permit 11-0112FC;** replace 64 ft. of existing fence with new 6' high cedar stockade fence. August 2010.

- **Zoning Permit 94-098;** remove existing chimney on rear addition of existing duplex. Slate roof to remain, area to be filled in with slate or flashing. Structure listed on the State list of historic structures. August 1993.
- **Zoning Permit 89-386;** install 6' stockade fence alongside property line. August 1989.

Overview: Contractors representing the owners of 32-34 Hickok Place request a variance to allow for the removal of the existing slate roof and installation of asphalt shingles to facilitate solar array on the roof of this duplex home; listed on the Vermont State Register of Historic Resources. A previous permit for removal of existing slate was denied; the administrative decision upheld on appeal to the DRB. No subsequent appeal was filed, and Finality applies. The applicants now seek a variance for essentially the same proposal.

The consideration for a Variance, per these standards, pertains to *a structure that is primarily a renewable energy resource structure*. The premise is invalid, as 32-34 Hickok Street is primarily a residential, multi-unit structure.

The Department of Permitting and Inspection does not regulate the installation of alternative energy devices, nor does it prohibit their installation. The Comprehensive Development Ordinance *does* regulate applications for alteration to historic building materials under Section 5.4.8. as allowed under statute §4414. The regulatory efforts to retain historic material integrity with listed resources is not mutually exclusive from the endeavors of Net Zero; there are typically alternatives that would preserve both goals. In this case, solar collection devices could be installed as free-standing rather than requiring the removal of a character-defining slate roof; or an alternate renewable energy resource could be pursued that would not forfeit the historic roofing material.

Recommended motion: Variance **Denial**, per the following Findings:

I. Findings

Article 12: Variances and Appeals

Sec. 12.1.1 Variances

*Use variances shall not be allowed under this ordinance. A variance from the provisions of this ordinance may be granted by the DRB, and a decision rendered in favor of the request for a structure **that is not primarily a renewable energy resource structure**, if all of the following facts are found and specified in its decision...*

The variance request is for installation of renewable energy equipment. See Section 12.1.2, below.

Section 12.1.2 Variances: Renewable Energy Resource Structures

*Where a variance from the provisions of this ordinance is requested **for a structure that is primarily a renewable energy resource structure**, the DRB may grant such variances, and render a decision in favor of the request if all the following facts are found and the finding is specified in its decision:*

(a) It is unusually difficult or unduly expensive for the appellant to build a suitable renewable

energy resource structure in conformance with the regulations;

The application is for roof-mounted solar collection devices, which will require additional structural reinforcement to support the weight of the racks and panels. The plan itself is an expensive one, with an estimated construction cost in excess of \$110,000 (although it will, in part, be subsidized by tax incentives.) A recommendation was made to examine a stand-alone solar collection device that has the capability of performing the same function without loss to the listed historic structure. Ground source heat pumps provide another alternative, as does Geothermal. There are at least three alternatives that have not been explored that would be in conformance with the regulations of Section 5.4.8, 6.2.2 d. and 6.3.2. b. **Adverse finding.**

and,

(b) That the hardship was not created by the appellant;

There are options unexplored by the applicant in the siting of the solar collection device. DPI does not prohibit alternative energy resources, but manages the retention of historic building features as allowed under Section 5.4.8. The applicant prefers the rooftop installation. The applicant has not demonstrated faithful examination of alternatives to the roof-top installation; at least one of which would be in conformance with the regulations. It really isn't "all or nothing"; the applicant has unexplored options for alternative energy that would be in conformance with the ordinance. **Adverse finding.**

and,

(c) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare;

The essential character of the neighborhood will largely remain intact; however the visual intrusion of the panels from the public way will noticeably detract from the historic character of the neighborhood; and the loss of historic building materials is contrary to Section 5.4.8. A decision to issue a variance would set a precedent for allowing diminishment of historic character on listed buildings; opening the door for additional loss of historic fabric and character within Burlington's historic neighborhoods. As the protection of historic resources is within the sphere of public welfare in maintaining Civic pride and neighborhood character, the diminishment of historic integrity on a listed property is an erosion of historic character, and therefore detrimental to the entire city. **Adverse finding.**

and,

(d) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the zoning regulation and from the municipal development plan.

32-34 Hickok Place is not primarily a renewable energy resource structure and therefore not eligible for a variance.

The applicant asserts that limitation of the alternative energy devices to the second story roofs (and not the front porch) represents the least deviation possible. No relief would be necessary if the applicant chose to install a ground-mounted solar collection device, ground mounted condensing units or geothermal. In short, there are alternatives in employing renewable energy that do not mandate loss of historic building fabric and integrity. **Adverse finding.**

As the applicant has alluded to statutory allowances provided under §4413 “Limitations on Municipal Bylaws”, the following section is also evident within state statute:

§4414 Zoning: permissible types of regulations

(F) Local historic districts and landmarks

(i) Bylaws may contain provisions for the establishment of historic districts and designation of historic landmarks. ...Bylaws may reference National and State Registers of Historic Places, properties and districts.

(ii) With respect to external appearances and other than normal maintenance, no structure within a designated historic district may be rehabilitated, substantially altered, restored, moved, demolished or changed, and no new structure within an historic district may be erected without approval of the plans therefor by the appropriate municipal panel. The panel shall consider the following in its review of plans submitted:

- I. The historic or architectural significance of the structure, its distinctive characteristics, and its relationship to the historic significance of the surrounding area.*
- II. The relationship of the proposed changes in the exterior architectural features of the structure to the remainder of the structure and to the surrounding area.*
- III. The general compatibility of the proposed exterior design, arrangement, texture, and materials proposed to be used.*
- IV. Any other factors, including the environmental setting and aesthetic factors that the panel deems to be pertinent.*

Burlington’s Comprehensive Development Ordinance allows for the review of alterations to any historic structure, as defined in Section 5.4.8. Under the decisions of ZP 24-270 and ZAP 24-3, the removal of the slate roof and installation of asphalt shingles was denied. The DRB decision was not appealed, and Finality rules.

II. Reasons for Denial

Per the adverse findings above.

NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.



Saryn Campbell <saryn@lewiscreekcompany.com>

Green Mountain Solar - Slate Roofs

1 message

Raenor Lakin <Raenorl@greenmtnsolar.com>

Thu, Aug 29, 2024 at 9:50 AM

To: "saryn@lewiscreekcompany.com" <saryn@lewiscreekcompany.com>

Cc: Nicole Pastore <npastore@greenmtnsolar.com>

Good Morning Saryn,

Apologies for being unable to reach me via my extension, I have input my direct line below for any additional questions. Following up on your inquiry, Green Mountain Solar will not install solar on a slate roof.

(802)-482-4191

Kind Regards,

Raenor Lakin (*She/Her*)

Project Team Leader



76 Ethan Allen Dr.

S Burlington VT 05403

Office : (802)-369-9149 ext 14

<https://www.greenmtnsolar.com/>



System Quote and Investment Details for:
Frank Swasey
32 Hickock Place, Burlington, Vermont, 05401
Updated 5/13/2024 - Valid for 30 Days
All Roof Surfaces Option

Included:			
Construction of a 13.6 kW DC roof-mounted solar array consisting of:			
• 32) Jinko Eagle 425W American made solar modules • 32) Enphase IQ 8M AC micro inverters • Anodized aluminum rail mount system • Enphase Envoy installed and configured with My Enlighten monitoring system • All electrical service from array to service panel/grid • Building and electrical permitting, fees, and inspections • 12-year workmanship warranty from Green Mountain Solar • 25-year warranty on panels guaranteed by Jinko • 25-year warranty on inverters guaranteed by Enphase • 5-year warranty on Envoy guaranteed by Enphase			
<i>*Does not include potential cost of utility installed solar meter, transformer upgrade, or solar tariff. These charges are utility dependent and would be billed directly to you from your utility company if applicable.</i>			
	System Information		
Annual Usage (kWh)	5,776		
Panel Count	32		
Array Output (DC Watts)	13,600		
Annual Production (kWh)	11,750		
Percentage of Electricity Usage Offset	154%		
	15yr Green Home Equity 6.25%	15yr Green Standard Loan 7.75%	Client-Funded
Gross System Cost (Paid to GMS)	\$ 42,259.00	\$ 42,259.00	\$ 42,259.00
Federal Tax Credit (30%, Claimed by Client)	\$ 12,677.70	\$ 12,677.70	\$ 12,677.70
Net Cost After Recouping Incentives	\$ 29,581.30	\$ 29,581.30	\$ 29,581.30
Initial Payment	\$362.34	\$285.93	N/A
After Tax Credit Payback	\$277.44	\$301.48	

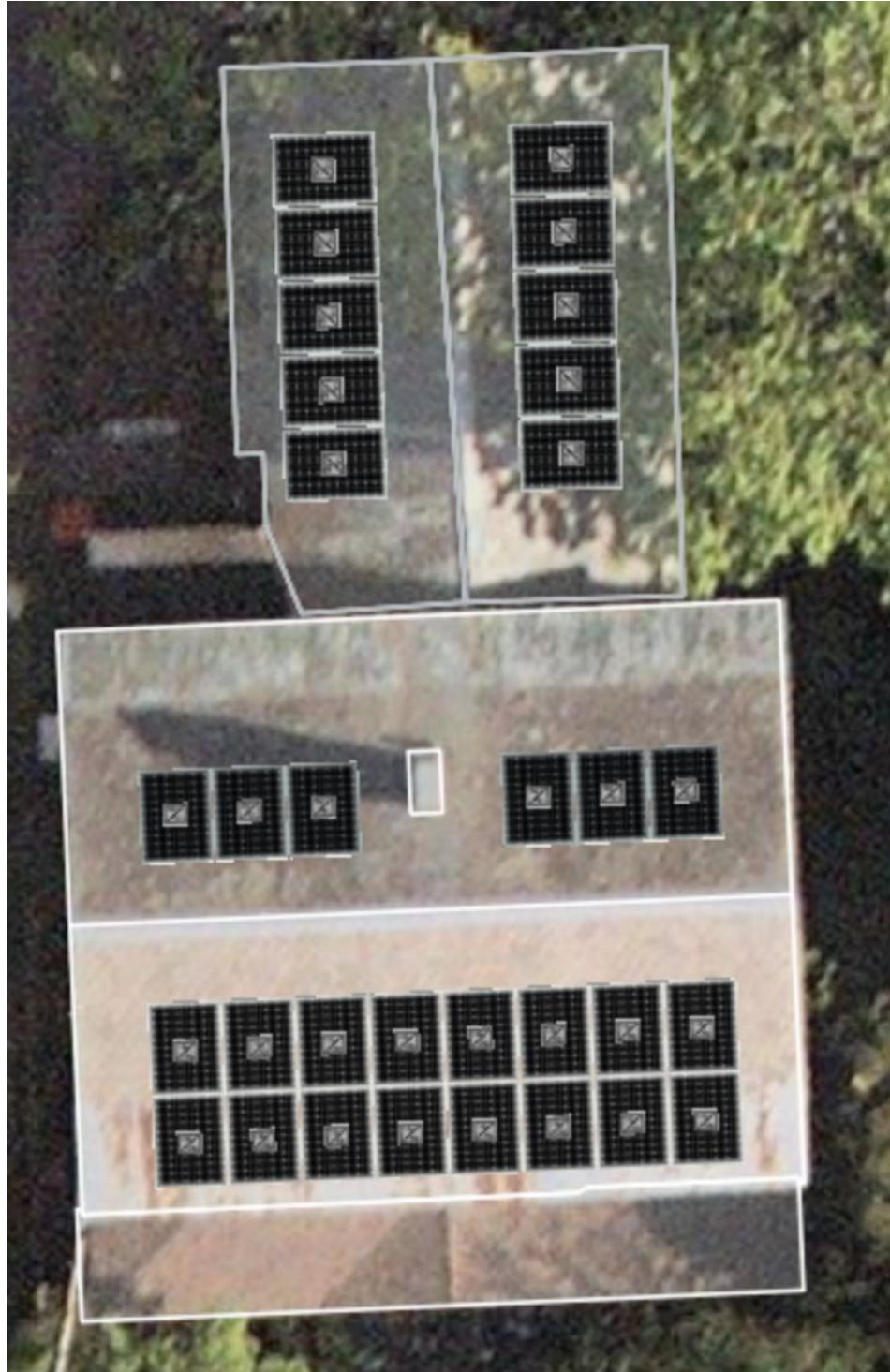
**GMS does not offer tax advice. Please consult an accountant to confirm whether these tax benefits apply.*





Proposed System Layout:
32 Hickock Place, Burlington, Vermont, 05401

All Roof Surfaces Option





THE MOST DEPENDABLE SOLAR PRODUCT

EAGLE® 54 G6R

420-440 WATT • N-TYPE TOPCON

Positive power tolerance of 0~+3%

- NYSE-listed since 2010, Bloomberg Tier 1 manufacturer
- Top performance in the strictest 3rd party labs
- Automated manufacturing utilizing artificial intelligence
- Vertically integrated, tight controls on quality
- Premium solar factories in USA, Vietnam, and Malaysia

KEY FEATURES



Superior Aesthetics

Black backsheet and black frame create ideal look for residential applications.



N-Type Technology

N-type cells with Jinko's in-house TOPCon technology offers better performance and improved reliability.



Thick and Tough

Fire Type 1 rated module engineered with a thick frame, 3.2mm front side glass, and thick backsheet for added durability.



Shade Tolerant

Twin array design allows continued performance even with shading by trees or debris.



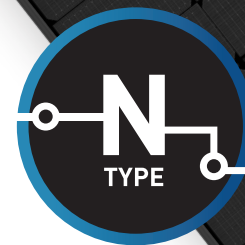
Protected Against All Environments

Certified to withstand humidity, heat, rain, marine environments, wind, hailstorms, and packed snow.



Warranty

25-year product and 30-year linear power warranty.

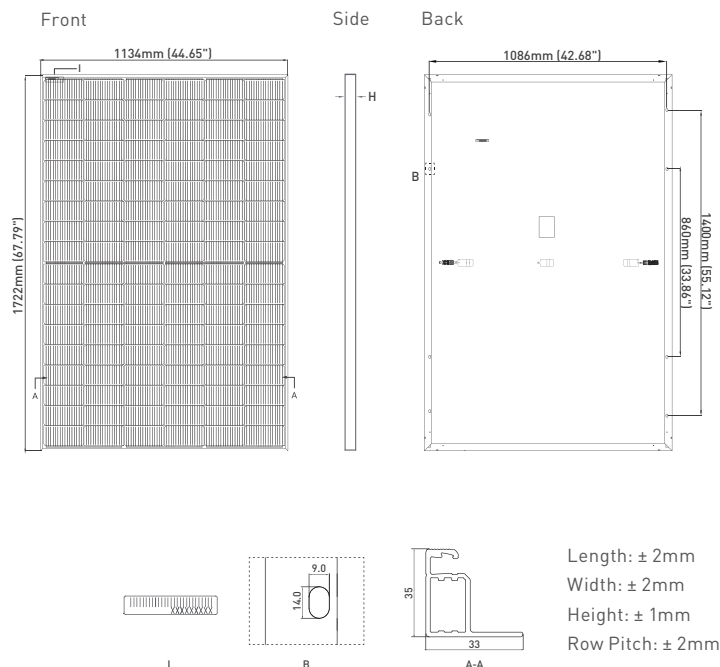


- ISO9001:2015 Quality Standards
- ISO14001:2015 Environmental Standards
- IEC61215, IEC61730 certified products

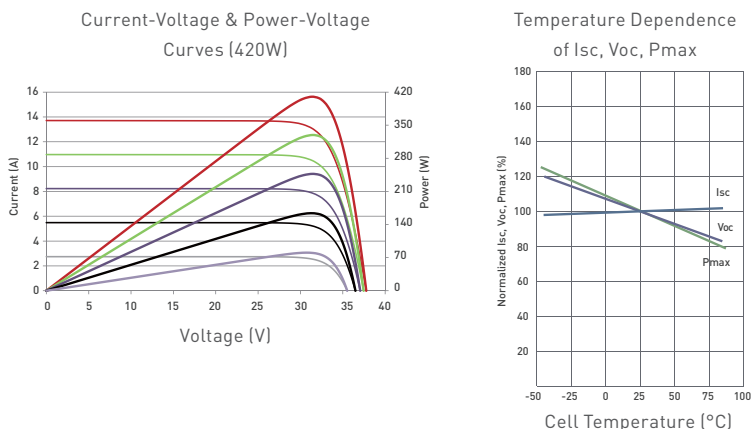
- ISO45001:2018 Occupational Health & Safety Standards
- UL61730 certified products



ENGINEERING DRAWINGS



ELECTRICAL PERFORMANCE & TEMPERATURE DEPENDENCE



MECHANICAL CHARACTERISTICS

No. of Half Cells	108 (2 x 54)
Dimensions	1722 x 1134 x 35mm (67.79 x 44.65 x 1.38 inch)
Weight	21.0kg (46.3lbs)
Front Glass	3.2mm, Anti-Reflection Coating High Transmission, Low Iron, Tempered Glass
Frame	Anodized Aluminum Alloy
Junction Box	IP68 Rated
Output Cables	12 AWG, 1400mm (55.12in) or Customized Length
Connector	Staubli MC4
Fire Type	Type 1
Pressure Rating	5400Pa (Snow) & 2400Pa (Wind)*

*see Supplemental Installation Manual for higher wind pressure rating solutions

TEMPERATURE CHARACTERISTICS

Temperature Coefficients of Pmax	-0.29%/°C
Temperature Coefficients of Voc	-0.25%/°C
Temperature Coefficients of Isc	0.045%/°C
Nominal Operating Cell Temperature (NOCT)	45 $\pm$ 2°C

MAXIMUM RATINGS

Operating Temperature (°C)	-40°C~+85°C
Maximum System Voltage	1000VDC
Maximum Series Fuse Rating	25A

PACKAGING CONFIGURATION

(Two pallets = One stack)

31pcs/pallets, 62pcs/stack, 806pcs/40 HQ Container

WARRANTY

25-year product and 30-year linear power warranty

1st year degradation not to exceed 1%, each subsequent year not to exceed 0.4%, minimum power at year 30 is 87.4% or greater.

ELECTRICAL CHARACTERISTICS

Module Type	JKM420N-54HL4-B		JKM425N-54HL4-B		JKM430N-54HL4-B		JKM435N-54HL4-B		JKM440N-54HL4-B	
	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT
Maximum Power [Pmax]	420Wp	316Wp	425Wp	320Wp	430Wp	323Wp	435Wp	327Wp	440Wp	331Wp
Maximum Power Voltage [Vmp]	32.16V	29.95V	32.37V	30.19V	32.58V	30.30V	32.78V	30.50V	32.99V	30.73V
Maximum Power Current [Imp]	13.06A	10.55A	13.13A	10.60A	13.20A	10.66A	13.27A	10.72A	13.34A	10.77A
Open-circuit Voltage [Voc]	38.74V	36.80V	38.95V	37.00V	39.16V	37.20V	39.36V	37.39V	39.57V	37.59V
Short-circuit Current [Isc]	13.51A	10.91A	13.58A	10.96A	13.65A	11.02A	13.72A	11.08A	13.80A	11.14A
Module Efficiency STC [%]	21.51%		21.76%		22.02%		22.28%		22.53%	

*STC: ☀ Irradiance 1000W/m²

NOCT: ☀ Irradiance 800W/m²

🌡 Cell Temperature 25°C

🌡 Ambient Temperature 20°C

☁ AM = 1.5

☁ AM = 1.5

🌬 Wind Speed 1m/s

*Power measurement tolerance: $\pm 3\%$

The company reserves the final right for explanation on any of the information presented hereby. JKM400-420N-54HL4-B-F4-US

BUILDING YOUR TRUST IN SOLAR. WWW.JINKOSOLAR.US



IQ8M and IQ8A Microinverters

Our newest IQ8 Microinverters are the industry's first microgrid-forming, software defined microinverters with split-phase power conversion capability to convert DC power to AC power efficiently. The brain of the semiconductor-based microinverter is our proprietary application specific integrated circuit (ASIC) which enables the microinverter to operate in grid-tied or off-grid modes. This chip is built in advanced 55nm technology with high speed digital logic and has superfast response times to changing loads and grid events, alleviating constraints on battery sizing for home energy systems.



Part of the Enphase Energy System, IQ8 Series Microinverters integrate with the IQ Battery, IQ Gateway, and the Enphase App monitoring and analysis software.



IQ8 Series Microinverters redefine reliability standards with more than one million cumulative hours of power-on testing, enabling an industry-leading limited warranty of up to 25 years.



Connect PV modules quickly and easily to IQ8 Series Microinverters using the included Q-DCC-2 adapter cable with plug-n-play MC4 connectors.



IQ8 Series Microinverters are UL listed as PV Rapid Shutdown Equipment and conform with various regulations, when installed according to manufacturer's instructions.

Easy to install

- Lightweight and compact with plug-n-play connectors
- Power Line Communication (PLC) between components
- Faster installation with simple two-wire cabling

High productivity and reliability

- Produce power even when the grid is down*
- More than one million cumulative hours of testing
- Class II double-insulated enclosure
- Optimized for the latest high-powered PV modules

Microgrid-forming

- Complies with the latest advanced grid support**
- Remote automatic updates for the latest grid requirements
- Configurable to support a wide range of grid profiles
- Meets CA Rule 21 (UL 1741-SA) and IEEE 1547:2018 (UL 1741-SB 3rd Ed.)

Note:

IQ8 Microinverters cannot be mixed together with previous generations of Enphase microinverters (IQ7 Series, IQ6 Series, etc) in the same system.

*Only when installed with IQ System Controller 2, meets UL 1741.

**IQ8M and IQ8A support split-phase, 240V installations only.

IQ8M and IQ8A Microinverters

INPUT DATA [DC]		I08M-72-2-US	I08A-72-2-US
Commonly used module pairings ¹	W	260 – 460	295 – 500
Module compatibility		54-cell / 108 half-cell, 60-cell / 120 half-cell, 66-cell / 132 half-cell and 72-cell / 144 half-cell	
MPPT voltage range	V	30 – 45	32 – 45
Operating range	V	16 – 58	
Min. / Max. start voltage	V	22 / 58	
Max. input DC voltage	V	60	
Max. continuous input DC current	A	12	
Max. input DC short-circuit current	A	25	
Max. module I _{sc}	A	20	
Overvoltage class DC port		II	
DC port backfeed current	mA	0	
PV array configuration		1 x 1 Ungrounded array; No additional DC side protection required; AC side protection requires max 20A per branch circuit	
OUTPUT DATA [AC]		I08M-72-2-US	I08A-72-2-US
Peak output power	VA	330	366
Max. continuous output power	VA	325	349
Nominal (L-L) voltage / range ²	V	240 / 211 – 264	
Max. continuous output current	A	1.35	1.45
Nominal frequency	Hz	60	
Extended frequency range	Hz	47 – 68	
AC short circuit fault current over 3 cycles	Arms	2	
Max. units per 20 A (L-L) branch circuit ³		11	
Total harmonic distortion		<5%	
Overvoltage class AC port		III	
AC port backfeed current	mA	30	
Power factor setting		1.0	
Grid-tied power factor (adjustable)		0.85 leading – 0.85 lagging	
Peak efficiency	%	97.8	97.7
CEC weighted efficiency	%	97.5	97
Night-time power consumption	mW	60	
MECHANICAL DATA			
Ambient temperature range		-40°C to +60°C (-40°F to +140°F)	
Relative humidity range		4% to 100% (condensing)	
DC Connector type		MC4	
Dimensions (H x W x D)		212 mm (8.3”) x 175 mm (6.9”) x 30.2 mm (1.2”)	
Weight		1.08 kg (2.38 lbs)	
Cooling		Natural convection – no fans	
Approved for wet locations		Yes	
Pollution degree		PD3	
Enclosure		Class II double-insulated, corrosion resistant polymeric enclosure	
Environ. category / UV exposure rating		NEMA Type 6 / outdoor	
COMPLIANCE			
Certifications	CA Rule 21 (UL 1741-SA), UL 62109-1, IEEE 1547:2018 (UL 1741-SB 3 rd Ed.), FCC Part 15 Class B, ICES-0003 Class B, CAN / CSA-C22.2 NO. 107.1-01 This product is UL Listed as PV Rapid Shutdown Equipment and conforms with NEC 2014, NEC 2017, and NEC 2020 section 690.12 and C22.1-2018 Rule 64-218 Rapid Shutdown of PV Systems, for AC and DC conductors, when installed according to manufacturer’s instructions.		

(1) Pairing PV modules with wattage above the limit may result in additional clipping losses. See the compatibility calculator at <https://link.enphase.com/module-compatibility>. (2) Nominal voltage range can be extended beyond nominal if required by the utility.

(3) Limits may vary. Refer to local requirements to define the number of microinverters per branch in your area.

Customer References



JOSH PATRICK



Josh Patrick

jpatrick@stage2planning.com

802.846.1264

Hinesburg, VT

PATI NARITOMI & STUART BENNETT

Pati Naritomi & Stuart Bennett

stu.m.bennett@gmail.com

802.318.0364

Charlotte, VT



FRANCISCO SANDOVAL



Francisco Sandoval
psandoval@gmail.com
248.821.8490
Williston, VT

MISSY & SHAWN SEMPREBON

Missy & Shawn Semprebon
missy@calmontbeverage.com
802.373.4546
Waterbury, VT



ADDITIONAL REFERENCES:

Sean Schofield
sean.schofield@gmail.com
202.591.6429
Swanton, VT

Lynn Powers and Doug Benoit
lynnannpowers@comcast.net
802.735.7130
Essex Junction, VT

Suzie McCoy
suziemccoy1@gmail.com
802.343.4076
Hinesburg, VT

Jeffrey Lane
jefflane@theautomaster.com
802.316.0715
Charlotte, VT

Shawn Labelle
Shawn.Labelle@yahoo.com
802.393.5791
Fairfield, VT

Bill LaPointe
SirBentley516@comcast.net
802.879.4431
Williston, VT

Bill & Sarah Goodman
goodmansuisse@gmail.com
802 462-2175
Cornwall, VT

ADDITIONAL REFERENCES:

Pat Macari

patmacari@gmail.com
860.841.2225
Woodstock, VT

Srini & Allision Srinivasan

slsrinivasan@gmail.com
617.955.7145
South Burlington, VT

Sam and Christine Beall

Samuel.Beall@gmail.com
636.379.4056
Burlington, VT

Suzanne Mancinelli

PNSCAL@gmail.com
802.223.1505
Worcester, VT

Andrew Fegley

andrew@madmeadows.com
215.840.1864
Warren, VT

Jakob Petri

jakobpetri@hotmail.com
617.968.1551
Rochester, VT

James Fox

jamescfox@gmail.com
415.519.9631
Charlotte, VT

Seth and Becca Haven

shaven@vermontgas.com
802.881.3056
Monkton, VT

Thomas Aldrich

thomas.aldrich@regeneron.com
914.588.6731
Ferrisburgh, VT

Nancy Clodgo

ddiamondc@yahoo.com
802.238.3673
Milton, VT

Joe Russo

joe@vermontpuremaplesyrup.com
802.372.1311
Alburgh, VT

Tracey Newton & Tim Dartt

ntheresa@gmail.com
802.233.9733
Saint George, VT

Bill Farmerie

bill.farmerie@gmail.com
352.804.1465
Vergennes, VT

ADDITIONAL REFERENCES:

Matt Tashjian

matttashjian@gmail.com

305.906.2658

Woodstock, VT

Larry Morell

larrysfarmvt@gmail.com

802.274.3632

Ryegate, VT

James Depalma

jamesdepalma47@gmail.com

802.234.0259

Bethel, VT

Christian and Nicole Matthews

cmatthews@tutamail.com

970.821.8213

Underhill, VT

Adam and Laura Wile

awile1@gmail.com

516.459.748

Charlotte, VT

Gabe Grout

gabegrout@yahoo.com

773.656.1747

Woodstock, VT

Ryan Rowden

ryanrrowden@gmail.com

802.274.0460

Ryegate, VT

Barbara Kessler

barbara.kessler@vermont.gov

802.558.5547

Hartland, VT

The Town of Ripton

pike.riptonfd@gmail.com

802.388.4506

Ripton, VT

Chris and Hylah Patton

cgpattson@gmail.com

802.425.3061

Charlotte, VT

Additional references are available by request



How To Read Your Proposal

This guide explains the different parts of your proposal so you can make a well-informed decision about your solar.


System Quote and Investment Details for:

Included:
Construction of a 15.3 kW DC roof-mounted solar array consisting of:

- 36) Hanwha Q-Cell Q.Tron 425W Black M-G2+ solar modules
- 36) Enphase IQ8M AC micro inverters
- Anodized aluminum rail mount system
- Enphase Envoy installed and configured with My Enlighten monitoring system
- All electrical service from array to service panel / grid
- Building and electrical permitting, fees, and inspections
- 12-year workmanship warranty by Green Mountain Solar
- 25-year warranty on panels guaranteed by Hanwha Q-Cell
- 25-year warranty on inverters guaranteed by Enphase
- 5-year warranty on Envoy guaranteed by Enphase

**Does not include cost of utility installed solar meter. Transformer upgrades and solar tariff possible as well- utility dependent. These*

System Information			
Annual Usage (kWh)	14,500		
Panel Count	31		
Array Output (DC Watts)	15,300		
Annual Production (kWh)	16,799		
Percentage of Electricity Usage Offset	101%		
	15Yr Home Equity Loan 6.25%	15Yr Green Loan 7.75%	Client-Funded
Gross system cost (paid to GMS)	\$ 42,329.00	\$ 42,329.00	\$ 42,329.00
Federal Tax Credit (30%) (Claimed by Client)	\$ 12,698.70	\$ 12,698.70	\$ 12,698.70
Net cost after recouping incentives	\$ 29,630.30	\$ 29,630.30	\$ 29,630.30
Initial Payment	\$362.94	\$286.41	
After Tax Credit payback	\$277.90	\$301.98	N/A

*Green Mountain Solar does not offer tax advice. Please consult with your accountant whether these tax benefits may apply to you.

Updated 3/28/2024 - Valid for 30 Days



Green Mountain Solar • (802) 369.9149 • info@GreenMtnSolar.com • www.GreenMtnSolar.com
76 Ethan Allen Drive, South Burlington, Vermont, 05403

This outlines what you'll get from Green Mountain Solar, including the specs of your array. The array is your complete system of panels, inverters, and racking/mounting.

Annual Usage: The amount of electricity in kilowatt-hours we estimate you use per year based on your electric bill and future anticipated changes (like adding heat pumps, EVs, a hot tub, etc.)

Array Output: This is the size of your system. It is what your system can produce based on the panel wattage under standard test conditions.

Annual Production: Actual array output in kilowatt hours. This may be more or less than the array output based on site-specific factors like the pitch and direction (orientation) of your roof, shading, etc.

Here are the financing options offered by VSECU

15 Year Home Equity Loan: This is similar to home equity line of credit and requires a home appraisal (typically \$500). It may take up to 2 months to get full approval. No early payment penalties.

15 Year Green Loan: This is an unsecured loan and can usually be approved in 2 weeks. No early payment penalties.

This is your monthly payment based on the different financing options.

Percentage of Electric Usage Offset: The amount of your usage that will be covered by the solar system. These numbers are calculated by comparing net metering rates (how much your utility credits you for your produced power), and your utility rates.

This is what your potential federal tax credit would be if you qualify for the full 30%.



To whom it may concern,

Acting as an agent of Frank Swasey and Mary VanBuren, Lewis Creek Builders (LCB) in partnership with Green Mountain Solar (GMS), is proposing the installation of a photovoltaic array on the roofs at 32 - 34 Hickok Place.

Due to the current state and materials of the existing roof, a zoning variance to 5.4.8(b) is requested to accommodate a roof replacement to a solar-compatible material. Please see below the proposal and supporting documentation for the requested variance.

- Install solar on all roofs at 32-34 Hickok Place to accommodate current and future demand.
 - See attachment: *F. Swasey - Green Mountain Solar Proposal 05.13.24.pdf*
 - See attachment: *32-34 CPG.pdf*
 - Existing home is a two story, with front porch. Existing slate roof on primary roofs.
- Roof replacement and repairs to accommodate solar
 - The existing slate roof is failing, causing damage to interior finishes
 - See attachment: *32-34 Hickok Roof Assessment Letter from Major's Home Repairs*
 - The rear roof will be structurally reinforced as it is currently undersized and failing.
 - Existing size, shape and wall finishes to be replaced in kind.
 - Roof finish on all roofs is proposed to be replaced with Architectural asphalt shingles.
 - Seeking a variance to Section 5.4.8 (2), (5), (6), and (9) Historic Buildings and Sites, Section 6.2.2 Site Plan Design Standards, and Section 6.3.2 Architectural Design Standards under Sec. 12.1.1 Variances.
 - The current materials and condition of the slate roof inhibit the installation of solar installation and interferes with state statute 24 V.S.A. § 2291a.
 - See attachment: *32-34 Aerial View.pdf*
 - See attachment: *Architectural Asphalt Shingle Data Sheet.pdf*
 - 12.1.1(a), and 12.1.1(b): It is unusually difficult and risks undue expense to the applicant to repair the existing roof conditions and install a solar system on a slate roof. Slate roofs are not able to be warrantied for any period of time (unlike asphalt which can be guaranteed for 50 years), which in addition to the added penetrations to attach a solar array creates undue risk to the client in continued repairs to the roof, and damage to the home interior.
 - GMS and other solar installers will not install or warranty a solar array on a slate roof. The City's own guide does not recommend placing solar on slate roofs.
 - See attachment: *GMS Slate Roof Letter.pdf*
 - 12.1.1(c): This hardship was not created by the applicant as the roof is estimated to be approx. 117 years of age based on public and land records of the home. The requirement of a slate roof will prevent the installation of a solar array at this



property creating undue hardship for the applicant in achieving Net Zero Energy goals.

- See attachment: *State Title 24 Chapter 2291a.pdf*
- 12.1.1(d): This proposal will not alter the essential character of the neighborhood as many neighboring homes have asphalt roofs, including historic homes such as 23 Hickok Place.
- To achieve the need for current and expected future electrical load, solar is required on all primary roofs of the property.
 - 12.1.1(e): Maintaining the minimum variance to afford relief, no solar is proposed on the front, street-facing, porch, despite its prominent southern exposure and high expected solar output. The existing porch roof finish is to remain.
- Replacement of the roof with asphalt shingles is preferred due to its long-lasting warranty and durability, compatibility with solar installation, ease of repairs, and cost-effectiveness. Other products that can be warrantied, are compatible with a solar installation and do not create additional hardship for applicants can be considered if necessary.

We, Lewis Creek Builders, have submitted this permit application and variance request on behalf of our clients, Frank Swasey and Mary VanBuren at 32-34 Hickok Place, Burlington.

Thank you,

Saryn Campbell
Lewis Creek Builders

Net-Metering Registration Form

Applicant/Customer Information	
Applicant/Customer Name	Francis Swasey
Applicant Mailing Address	32 Hickok Place
Town/City/State	Burlington
Zip Code	05401
Daytime Telephone	(802) 922-8378
Email Address	permits@greenmtnsolar.com
Applicant/Customer Name	Mary Van Buren
Applicant Mailing Address	32 Hickok Place
Town/City/State	Burlington
Zip Code	05401
Daytime Telephone	(802) 922-8378
Email Address	permits@greenmtnsolar.com
Will the applicant own or lease the generation equipment?	Own

Utility Information	
Name of Interconnecting Utility	City of Burlington Electric Department
Consumption Meter Number	32511
Is this a group net-metering system?	Yes

System Information	
System Location	32 Hickok Place
Town/City/State	Burlington
Zip Code	05401
Existing CPG Number (if amendment)	
Description of Proposed Amendment	
Are there one or more existing, approved, or other proposed net-metering systems at this service address?	No
Case Number(s) or CPG Number(s) of Other Systems	

Photovoltaic System Information	
System Capacity (AC nameplate capacity of the inverter(s))	10.56 AC Kilowatts
PV Panel Manufacturer	Jinko
PV Panel Model Number	Eagle
Number of Panels	32
Power Rating per Panel	425 DC Watts
Total Array Output	13.6 DC Kilowatts
Inverter Manufacturer	Enphase
Inverter Model Number	IQ8M
Is the inverter UL 1741 / IEEE 1547.1 compliant?	Yes
Is the inverter certified per UL 1741-SA and compliant with ISO-NE's Inverter Source Requirements Document (ISO-NE SRD)?	Yes
Is the inverter certified per UL 1741-SB and compliant with ISO-NE's Default IEEE 1547-2018 Setting Requirements?	Yes
Interconnection Configuration	Behind Consumption Meter
Installation Type	Roof Mount
System Orientation	Fixed

System Installer Information (if different from Applicant)	
Installer Name	Nicole Pastore, Green Mountain Solar
Mailing Address	76 Ethan Allen Dr
Town/City/State	South Burlington VT
Zip Code	05403
Daytime Telephone	(802) 369-9149
Email Address	permits@greenmntnsolar.com
Does the installer have a binding contract, signed by the Applicant, authorizing the installer to submit this form on the Applicant's behalf?	Yes

Environmental Attribute Election	
Do you elect to retain or transfer ownership of any environmental attributes associated with the system?	Transfer Ownership

Certification

The undersigned declares that, having exercised due diligence and made reasonable inquiry, the information that I have provided on this form and any attachments and the statements below are true and accurate to the best of my knowledge and belief. **I understand that if the statements below are false, I may be subject to sanctions by the Commission pursuant to 30 V.S.A. § 30.**

- (1) The system will be installed in compliance with the interconnection, safety, and technological requirements of Vermont Public Service Commission Rule 5.500 and all interconnection requirements of the interconnecting electric utility.
- (2) If the system capacity is 15 kW or greater, the Applicant has received approval to interconnect the system pursuant to Vermont Public Utility Commission Rule 5.500.
- (3) This registration will not result in more than 500 kW of cumulative net-metering generation being allocated to any customer, consistent with Commission 5.129(D) and the definitions of the terms “account” and “customer” contained in Commission Rule 5.103, unless the customer is a school or school district, in which case the school or school district may be allocated greater capacity but not more than the limit set forth in Section 6 of Act 81 of 2019.
- (4) If this project is a hydroelectric system, the project has received all necessary federal and state permits.
- (5) If this project has a capacity of greater than 15 kW, as required by State law, within 45 days of the date that a certificate of public good (CPG) for the project is deemed issued, I must record a notice of the CPG in the land records of the host municipality using the Certificate of Public Good Municipal Notice Form that is available on the Commission’s website at <http://puc.vermont.gov/document/cpg-municipal-notice-form>. I must file proof of this recording with the Commission;
- (6) If I am a system installer, the Applicant has authorized me to submit this registration form on behalf of the Applicant, and the Applicant has signed a binding contract for the installation.
- (7) I have paid the required Department/Commission Application Fee to the Department of Public Service.

Making false or misleading statements on this application could result in revocation of any approval granted.

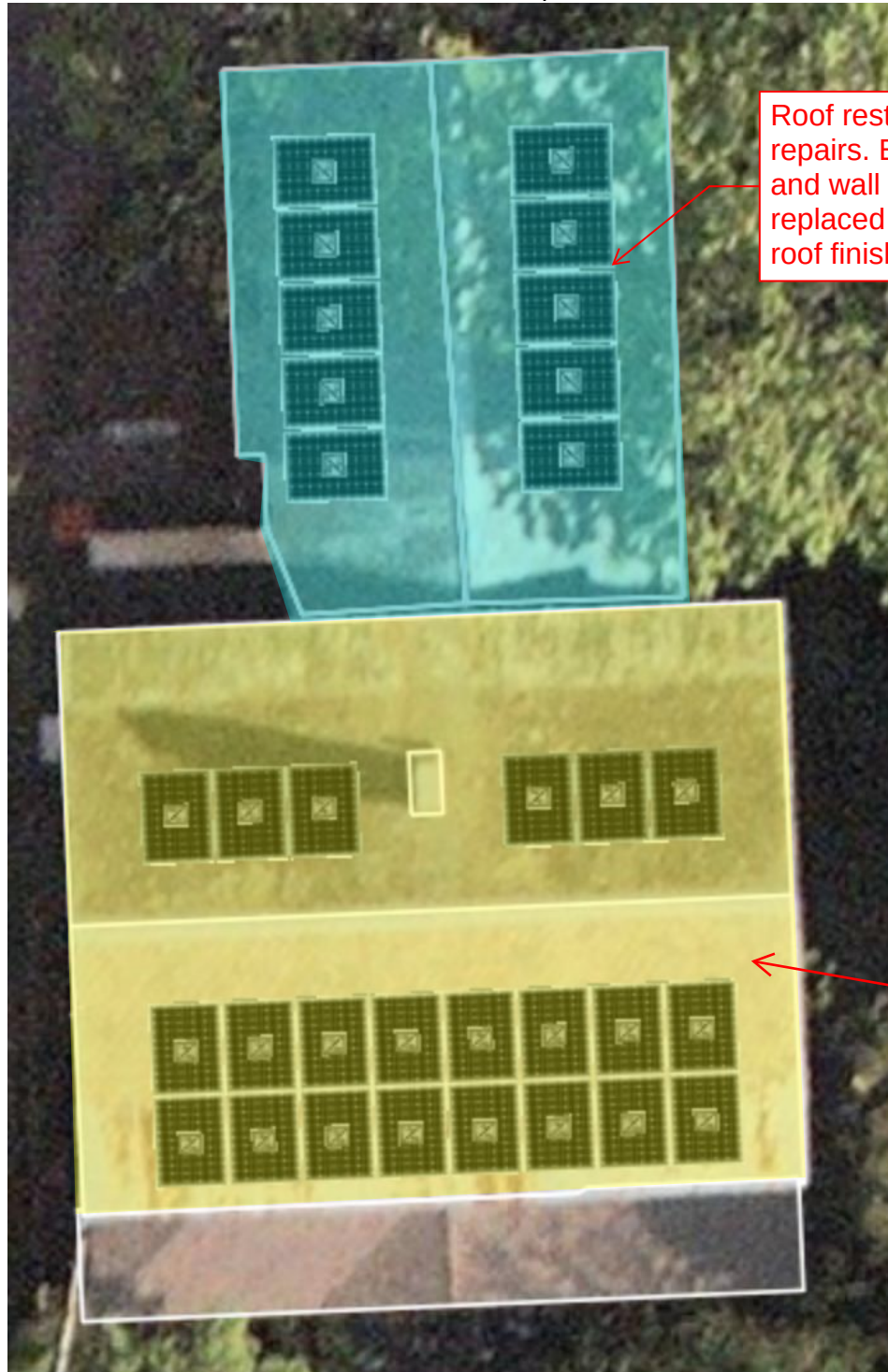
Nicole Pastore
Filer Name

06/25/24
Date Filed with the Commission



Proposed System Layout:
32 Hickock Place, Burlington, Vermont, 05401

All Roof Surfaces Option



Roof restructuring and repairs. Existing size, shape and wall finishes to be replaced in kind. Proposed roof finish to asphalt

Proposed roof replacement to asphalt



Split Rock Restoration, LLC

Grant Thibault
317 N. Winooski Ave Apt 3
Burlington, VT 05401
Splitrockrestoration.com

Slate Assessment for 32 Hickok Place Union Street-Burlington, VT

-Slate Identification:

The roof is slated with VT Sea Green .These are S1 rated slates and typically last anywhere from 150-200+ years. I was informed by the builder on site that the house was moved to that spot in the 1930's so the slate is likely around 90 years old.

Overall Assessment:

Based on the information I was given;photos of the roof before the tarp was installed; the exposed North-western rake and assessing the roof from the attic; the roof seems to be well in its lifespan of a restore. There is consistent 2" of headlap throughout which was the standard 100 years ago when these roofs were installed. The slates were sitting well and the fasteners still seemed intact as the rake slates were straight and in place. My professional opinion is that the slates themselves could last another 50 years minimum.

Like any 100 year old roof though, it's very likely that all the roof flashings need to be replaced; There's a chimney and vent on the south face that probably need to be reflashed and a tired snowbelt that might be salvageable and if so could be sanded, cleaned and painted to give it extra life. Additionally, roll on roofing applications can be installed over the existing snow pan to give it a more permanent repair.

There are also a couple areas where the roof decking might have to be replaced. General slate repairs would have to be completed throughout as there were a few noticeable nail/bib holes. Roofs of this age typically need about 20% of the slates addressed in some manner, and around 30% if there have been improper repairs. Southern faces usually produce a fair amount of end of life slates as well.

*I was also informed that the roof has been worked on by a slate professional a couple times a few years ago, and that they didn't notice anything alarming but recommended getting the snowbelt painted.

*I was only able to assess a small section of the roof as a tarp was installed and we were due for rain the next day. I have been exclusively a slate roof for over 5 years and have worked on hundreds of roofs in Burlington. I'm confident in my assessment but I had to make a lot of educated guesses based off the info given and my experience.

- Full Restore w/o snowbelt- Approx. \$20,000
- Full Restore Cost w/ new copper snowbelt- Approx. \$35,000
- Cost of emergency repairs - Approx. \$4-8,000



Historic Preservation
5602

HISTORIC SITES & STRUCTURES SURVEY Individual Structure Survey Form

COUNTY:	Chittenden
TOWN:	Burlington
LOCATION:	32-34 Hickok Place
COMMON NAME:	
FUNCTIONAL TYPE:	residence/apartment
OWNER:	Martin & Shiela C. VanBuren
ADDRESS:	34 Hickok Place Burlington Vt
ACCESSIBILITY TO PUBLIC:	Yes ☐ No ☒ Restricted ☐
LEVEL OF SIGNIFICANCE:	Local ☒ State ☐ National ☐

GENERAL DESCRIPTION:

Structural System

1. Foundation: Stone ☒ Brick ☐ Concrete ☐ Concrete Block ☐
2. Wall Structure
 - a. Wood Frame: Post & Beam ☐ Balloon ☒
 - b. Load Bearing Masonry: Brick ☐ Stone ☐ Concrete ☐ Concrete Block ☐
 - c. Iron ☐ d. Steel ☐ e. Other:
3. Wall Covering: Clapboard ☒ Board & Batten ☐ Wood Shingle ☒ Shiplap ☐ Novelty ☐ Asbestos Shingle ☐ Sheet Metal ☐ Aluminum ☐ Asphalt Shingle ☐ Brick Veneer ☐ Stone Veneer ☐ Bonding Pattern: Other:
4. Roof Structure
 - a. Truss: Wood ☒ Iron ☐ Steel ☐ Concrete ☐
 - b. Other:
5. Roof Covering: Slate ☒ Wood Shingle ☐ Asphalt Shingle ☐ Sheet Metal ☐ Built Up ☐ Rolled ☐ Tile ☐ Other:
6. Engineering Structure:
7. Other:

Appendages: Porches ☒ Towers ☐ Cupolas ☐ Dormers ☐ Chimneys ☒ Sheds ☐ Ells ☒ Wings ☐ Bay Window ☐ Other:

Roof Style: Gable ☒ Hip ☐ Shed ☐ Flat ☐ Mansard ☐ Gambrel ☐ Jerkinhead ☐ Saw Tooth ☐ With Monitor ☐ With Bellcast ☐ With Parapet ☐ With False Front ☐ Other:

Number of Stories: 2 1/2

Number of Bays: 4 x 2

Approximate Dimensions: _____

SURVEY NUMBER:
32-34 Hickok Place

NEGATIVE FILE NUMBER:
78-A-158, 78-A-277

UTM REFERENCES:
Zone/Easting/Northing

U.S.G.S. QUAD. MAP:

PRESENT FORMAL NAME:

ORIGINAL FORMAL NAME:
Dr. A. J. Willard owner rental property

PRESENT USE: apartments

ORIGINAL USE: apartments

ARCHITECT/ENGINEER:

BUILDER/CONTRACTOR:

Z. T. Austin

PHYSICAL CONDITION OF STRUCTURE:
Excellent ☐ Good ☒
Fair ☐ Poor ☐

STYLE: Vernacular Shingle

DATE BUILT: c. 1889 Style

THREAT TO STRUCTURE:
No Threat ☐ Zoning ☐ Roads ☐ Development ☐ Deterioration ☐ Alteration ☐ Other:

LOCAL ATTITUDES:
Positive ☐ Negative ☐ Mixed ☐ Other:

ADDITIONAL ARCHITECTURAL OR STRUCTURAL DESCRIPTION:

Massing - Rectangular; rear 1 story ell.

Penetration - 4 x 2; 1/1 sash and 2/2 sash on rear & sides. Paired windows on facade.

Entrance - 4 x 1, 1 story end porch with chamfered posts, simple balustrade, curvilinear braces, plain entablature; 2 glass and panel doors.

Cornice - Projecting eaves, partial returns, plain frieze.

Clapboarded on 1st story with cornerboards, shingled 2nd story.

RELATED STRUCTURES: (Describe)

(In fair to poor condition) Barn c. 1895, concrete foundation, clapboard with board & batten, gable roof, 2 bays wide (garage doors now) 2 stories, 1 6/6 sash window on south elevation.

STATEMENT OF SIGNIFICANCE:

This vernacular house was built by Z. T. Lrustin for Dr. A. J. Willard, owner of Willard Sanatorium on North Prospect Street, and a prominent Burlington physician. It was most likely built as rental property and represents the rising interest in speculative and investment real estate by upper middle class Burlington citizens. It is one of very few houses, in this rapidly developing neighborhoods, to have an accompanying barn to the rear of the house. Simple in plan and design, it is one of the first buildings on Hickok Place, and, there, is an early example of the housing available to middle class workers in the late 19th century. It contributes its size, scale and massing to the cohesive profile of the streetscape.

REFERENCES:

Burlington City Directories; Burlington City Map 1890; Sanborn Insurance Maps 1889, 1894, 1900, 1906, 1912; Burlington Free Press 2/8/1889.

MAP: (Indicate North in Circle)



SURROUNDING ENVIRONMENT:

Open Land ☐ Woodland ☐
Scattered Buildings ☐
Moderately Built Up ☐
Densely Built Up ☒
Residential ☒ Commercial ☒
Agricultural ☐ Industrial ☐
Roadside Strip Development ☐
Other:

RECORDED BY:
Gloria Scott

ORGANIZATION:
VT. Div. for Historic Preservation

DATE RECORDED:
September 10, 1978



TruDefinition®

DURATION®

****Proposed roof asphalt shingle,
or similar****

Shingles with Patented SureNail® Technology

Tejas con tecnología patentada SureNail®



Driftwood®



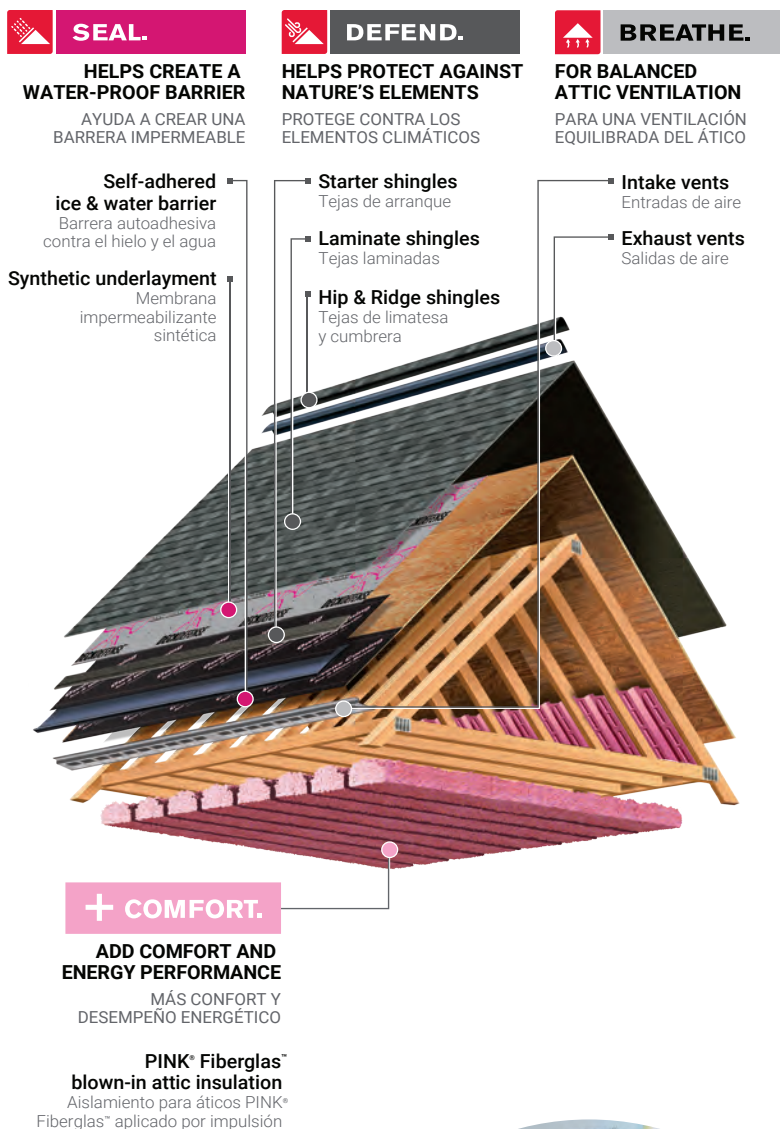


TOTAL PROTECTION SIMPLIFIED™

It takes more than just shingles to protect a home. It takes an integrated system of components and layers designed to perform in three critical areas. The Owens Corning® Total Protection Roofing System® gives you the assurance that all of your Owens Corning® roofing components are working together to help increase the performance of your roof.

PROTECCIÓN TOTAL SIMPLIFICADA™

Se necesita más que simplemente tejas para proteger su vivienda. Se necesita un sistema integral de componentes y capas diseñadas para desempeñarse en tres áreas críticas. El Total Protection Roofing System® de Owens Corning® le garantiza que todos sus componentes para cubiertas de Owens Corning® funcionan en conjunto para mejorar el desempeño de su techo.



REGISTER YOUR WARRANTY

Registering your Owens Corning® warranty ensures it's easily referenced should you ever need to access it. The process is easy—just have your installation date, shingle type, shingle color and number of squares ready. Then go online to www.owenscorning.com/roofingstandardwarranty or call 1-800-ROOFING (1-800-766-3464) to finish the process.



**SCAN TO REGISTER
YOUR WARRANTY**

Escanee para registrar
su garantía

REGISTRE SU GARANTÍA

Al registrar su garantía de Owens Corning® la podrá consultar rápidamente si fuera necesario acceder a ella. El proceso es simple: tenga a mano la fecha de instalación, el tipo y color de tejas y la cantidad de cuadrados. Luego, visite www.owenscorning.com/roofingstandardwarranty o llame al 1-800-ROOFING (1-800-766-3464) para completar el proceso.



DEEP DIMENSION OUTSTANDING PERFORMANCE

Duration® Shingles offer:

- The high-performance of SureNail® Technology
- A TruDefinition® Color Platform
- A Limited Lifetime Warranty*[‡] for as long as you own your home
- The protection of a 130-MPH* wind warranty
- StreakGuard™ Protection with a 25-year Algae Resistance Limited Warranty^{3/§}

UNA NUEVA DIMENSIÓN DESEMPEÑO SOBRESALIENTE

Las tejas Duration® ofrecen:

- El gran desempeño de la tecnología SureNail®
- La gama de colores TruDefinition®
- Una garantía limitada de por vida*[‡] mientras sea propietario de la vivienda
- La protección de una garantía contra vientos de hasta 210 km/h (130 mph)*
- Protección StreakGuard™ con una garantía limitada de 25 años de resistencia a las algas ^{3/§}



Don't let black streaks lower the value or curb appeal of your home.

Owens Corning blends specialized copper-lined granules, developed by 3M, a leading producer of roofing granules, into our colorful shingles. This helps resist blue-green algae growth.*

No deje que las manchas de algas afecten al valor o aspecto de su vivienda.

En sus coloridas tejas, Owens Corning añade gránulos especiales con recubrimiento de cobre, desarrollados por 3M, un productor líder de gránulos para techos. Esto ayuda a prevenir la proliferación de algas azul-verdosas.*



THE FINISHING TOUCH

OWENS CORNING® HIP & RIDGE SHINGLES

Owens Corning® Hip & Ridge Shingles are uniquely color matched to TruDefinition® Duration® Shingles. The multiple color blends are only available from Owens Corning® Roofing and offer a finished look for the roof.

EL TOQUE FINAL

TEJAS DE LIMATESA Y CUMBRERA DE OWENS CORNING®

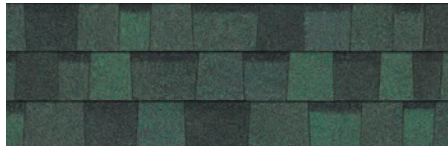
Las tejas de limatesa y cumbrera de Owens Corning® se ofrecen en una exclusiva gama de colores para combinar con las tejas Duration® TruDefinition®. Esta gran variedad de combinaciones de colores es una exclusividad de Owens Corning® Roofing para lograr techos con un acabado único.

TruDefinition®
DURATION®

Shingles with Patented SureNail® Technology | Tejas con tecnología patentada SureNail®



Brownwood¹



Chateau Green¹



Colonial Slate¹



Desert Rose¹



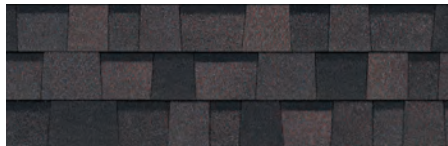
Driftwood¹



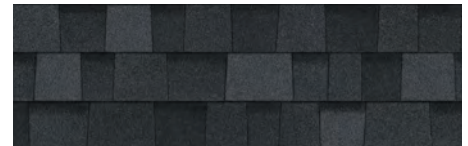
Estate Gray¹



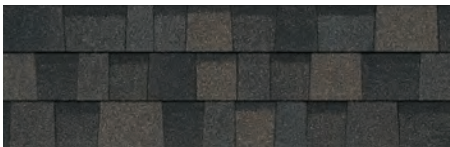
Harbor Blue¹



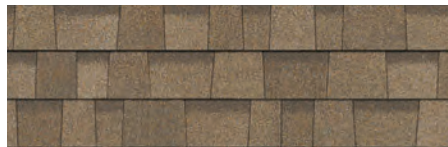
Midnight Plum¹



Onyx Black¹



Peppercorn¹



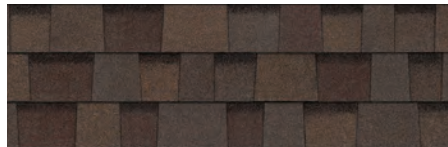
Sand Castle¹



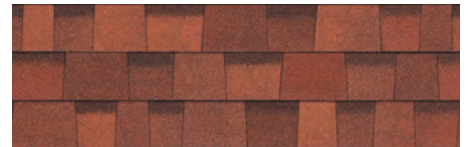
Sierra Gray¹



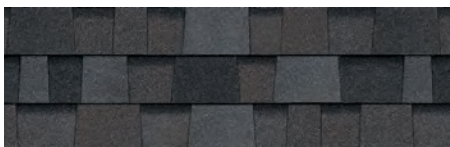
Slatestone Gray¹



Teak¹



Terra Cotta¹



Williamsburg Gray¹

COLOR DISCLAIMER

As color experts, we know getting the shingle color right is a big part of any roofing purchase. Due to printing color variations, in addition to viewing shingle literature, we suggest you request an actual shingle sample to see how it will appear on your home and with your home's exterior elements in various natural lighting conditions. Lastly, we recommend you verify your color choice by seeing it installed on an actual home; your roofing contractor or supplier can provide a sample and may be able to direct you to a local installation.

DESCARGO DE RESPONSABILIDAD SOBRE LOS COLORES

En tanto que especialistas en color, sabemos que obtener el color de teja perfecto es una parte importante en toda compra de techos. Debido a las variaciones en los colores impresos, además de mirar folletos de tejas, le sugerimos que solicite una muestra de la teja para ver como se verá en su hogar y con los elementos externos de la vivienda bajo distintas condiciones de luz natural. Finalmente, le recomendamos que para verificar su elección de colores, vea cómo lucen las tejas ya instaladas en una vivienda; su contratista de techos o su proveedor le pueden dar una muestra e incluso indicarle dónde ver un techo ya instalado.

THERE'S A LINE BETWEEN A GOOD SHINGLE AND A GREAT SHINGLE.®

It's the nailing line on your shingles. The difference between a good shingle and a great shingle is having Patented SureNail® Technology, only from Owens Corning.

HAY UNA GRAN DIFERENCIA ENTRE UNA BUENA TEJA Y UNA TEJA EXCELENTE™

Es la línea de clavado en su tejas. La diferencia entre una buena teja y una teja excelente es la tecnología patentada SureNail®, una exclusividad de Owens Corning.

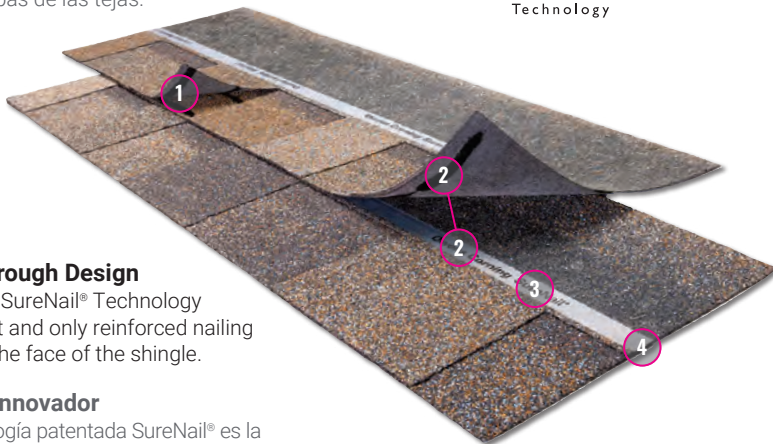
1

Excellent Adhesive Power

Helps keep the shingle layers laminated.

Excelente poder adhesivo

Ayuda a conservar el laminado de las capas de las tejas.



2

Breakthrough Design

Patented SureNail® Technology is the first and only reinforced nailing zone on the face of the shingle.

Diseño innovador

La tecnología patentada SureNail® es la primera y la única que provee un área de clavado reforzada en la cara de la teja.

"No Guess" Wide Nailing Zone

This tough, engineered woven-fabric strip is embedded in the shingle to create an easy-to-see, strong, durable fastener zone.

Área de clavado ancha, sin cálculos "a ojo"

Esta banda resistente de tela mecánica tejida está incrustada en la teja para proveer un área de sujeción resistente, duradera y fácil de detectar.

3

Outstanding Grip

The SureNail® strip enhances the already amazing grip of our proprietary Tru-Bond®** sealant for exceptional wind resistance of a 130-MPH wind warranty.

Agarre excepcional

La banda SureNail® mejora el excelente agarre de nuestro sellador patentado Tru-Bond®** con una garantía de resistencia al viento excepcional de 210 km/h (130 mph).

4

Triple Layer Protection®+

A unique "triple layer" of reinforcement occurs when the fabric overlays the two shingle layers, providing increased protection against "nail pull" from the wind.

Triple Layer Protection®+

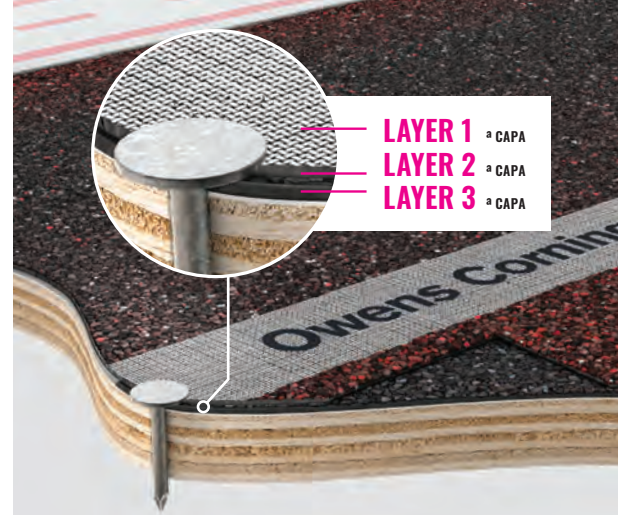
Cuando la tela cubre las dos capas de la teja, se forma una "triple capa" de refuerzo excepcional que ofrece una mayor protección ante el "arranque de clavos" debido al viento.

Double the Common Bond

SureNail® features up to a 200% wider bond between the shingle layers in the nailing zone over standard shingles.

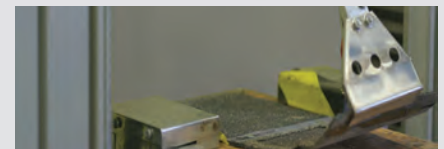
Duplica la adherencia común

En comparación con las tejas comunes, SureNail® ofrece un área de unión hasta un 200 % más ancha entre las capas de la teja en el área de clavado.



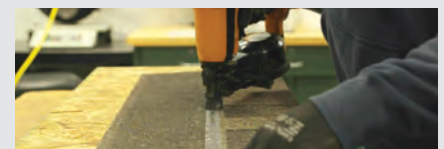
THE PROOF IS IN THE PERFORMANCE

LA PRUEBA ESTÁ EN EL DESEMPEÑO



Up to
2.5X
BETTER
NAIL PULL-THROUGH
RESISTANCE

Hasta
2.5
VECES MEJOR
RESISTENCIA A LA
TRACCIÓN DE LOS
CLAVOS



Up to
9X
BETTER
NAIL BLOW-THROUGH
RESISTANCE

Hasta
9
VECES MEJOR
RESISTENCIA AL
DESPRENDIMIENTO
DE LOS CLAVOS



Up to
2X
BETTER
DELAMINATION
RESISTANCE

Hasta
2
VECES MEJOR
RESISTENCIA A
LA DELAMINACIÓN

Product Attributes

Warranty Length*

Limited Lifetime†
(for as long as you own your home)

Wind Resistance Limited Warranty*

130-MPH

Algae Resistance Limited Warranty*§

25 Years

TRU PROtection® Non-Prorated Limited Warranty* Period

10 Years



TruDefinition® Duration® Shingles Product Specifications

Size	13¼" x 39⅝"
Application Exposure	5⅝"
Shingles per Bundle	Not less than 20
Average Shingle Count per 3 Bundles	64
Average Coverage per 3 Bundles	98.4 sq. ft.

Applicable Standards and Codes

ASTM D3462

ASTM D228

ASTM D3018 (Type 1)

ICC-ES AC438#

ASTM D3161 (Class F Wind Resistance)

ASTM D7158 (Class H Wind Resistance)

ASTM E108/UL 790 (Class A Fire Resistance)

PRI ER 1378E01

Florida Product Approval

Miami-Dade County Product Approval²

Características del producto

Período de garantía*

Garantía limitada de por vida†
(mientras sea propietario de la vivienda)

Garantía limitada de resistencia al viento*

210 km/h (130 mph)

Garantía limitada de resistencia a las algas*§

25 años

Período no prorrateado de garantía limitada TRU PROtection®

10 años



Especificaciones de las tejas Duration® TruDefinition®

Tamaño	33.65 x 100 cm (13¼ x 39⅝ pulg)
Exposición de aplicación	14.3 cm (5⅝ pulg)
Tejas por paquete	20 como mínimo
Cantidad promedio de tejas por 3 paquetes	64
Cobertura promedio por 3 paquetes	9.14 m² (98.4 pies²)

Normas y códigos pertinentes

ASTM D3462

ASTM D228

ASTM D3018 (Tipo 1)

ICC-ES AC438*

ASTM D3161 (Resistencia al viento, Clase F)

ASTM D7158 (Resistencia al viento Clase H)

ASTM E108/UL 790 (Resistencia al fuego Clase A)

PRI ER 1378E01

Aprobación del producto en el estado de Florida

Producto aprobado por el condado de Miami-Dade²

* See actual warranty for complete details, limitations and requirements.

† 40-Year Limited Warranty on commercial projects.

† Owens Corning testing against competing products with wide, single-layer nailing zones when following manufacturers' installation instructions and nailing in the middle of the allowable nailing zone.

** Tru-Bond® is a proprietary premium weathering-grade asphalt sealant that is blended by Owens Corning Roofing® and Asphalt, LLC.

+ The amount of Triple Layer Protection® may vary on shingle-to-shingle basis.

International Code Council Evaluation Services Acceptance Criteria for Alternative Asphalt Shingles.

^ Excludes non-Owens Corning® roofing products such as flashing, fasteners, pipe boots and wood decking.

1 See Color Disclaimer information on page 2 for additional details.

2 Applies to all areas that recognize Miami-Dade Notice of Acceptance (NOA).

3 Shingles are algae resistant to control the growth of algae and discoloration.

§ This coverage is effective 1/1/2023; Installation must include use of an Owens Corning® Hip & Ridge product. See actual warranty for details.

For Patent information, please visit owenscorning.com/patents.

SureNail® Technology is not a guarantee of performance in all weather conditions.

4 Owens Corning® Black Sable shingle includes a patented design.

* Consulte la garantía para obtener una lista completa de detalles, limitaciones y requisitos.

† Garantía limitada de 40 años para proyectos comerciales.

† Ensayos comparativos de Owens Corning con productos de la competencia con zonas de clavado ancho de una sola capa cuando se siguen las instrucciones de instalación del fabricante y se clava en el medio de la zona de clavado permitida.

** Tru-Bond® es un sellador asfáltico patentado de calidad premium formulado por Owens Corning Roofing® and Asphalt, LLC.

+ La cantidad de Triple Layer Protection® puede variar entre una teja y otra.

Criterios de aceptación de los servicios de evaluación del Consejo Internacional de Códigos para tejas asfálticas alternativas.

^ Se excluyen productos para techos no fabricados por Owens Corning®, como tapajuntas, sujetadores, bases de tubos y estructuras de soporte de madera.

1 Para obtener más información, consulte el Descargo de responsabilidad sobre los colores, en la página 2.

2 Aplicable a todas las zonas que reconocen el Aviso de aceptación (NOA, Notice of Acceptance) del condado de Miami Dade.

3 Las tejas son resistentes a las algas para controlar su desarrollo y la decoloración.

§ Esta cobertura entra en vigor el 1 de enero de 2023; la instalación debe incluir el uso de un producto para limatesa y cumbrera de Owens Corning®.

Para información sobre la patente, visite www.owenscorning.com/patents.

La tecnología SureNail® no es una garantía de desempeño en todos los tipos de condiciones climáticas.

4 Las tejas Black Sable de Owens Corning® incluyen un diseño patentado.



OWENS CORNING ROOFING AND ASPHALT, LLC
ONE OWENS CORNING PARKWAY
TOLEDO, OHIO, USA 43659

1-800-GET-PINK® | 1-800-438-7465
www.owenscorning.com

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All Rights Reserved. The color PINK is a registered trademark of Owens Corning.
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(Kearny)

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Department of Permitting and Inspections

645 Pine Street
Burlington, VT 05401-8415
Phone: (802) 865-7188

www.burlingtonvt.gov/dpi

Zoning Permit Application – Owner’s Signature & Consent

For use when the applicant is acting on behalf of the property owner.

PROJECT LOCATION ADDRESS: 32 - 34 Hickok Place	
PROPERTY OWNER*: Frank (Francis) Swasey *If condominium unit, written approval from the Association is also required	APPLICANT: Lewis Creek Builders Attn: Saryn Campbell
POSTAL ADDRESS: 32 - 34 Hickok Place	POSTAL ADDRESS: 14 Morse Drive
CITY, ST, ZIP: Burlington, VT 05401	CITY, ST, ZIP: Essex Junction, VT, 05401
DAY PHONE: (802) 922-8378	DAY PHONE: (802) 662-1630
EMAIL: frank.swasey@gmail.com	EMAIL: mgmt@lewiscreekbuilders.com
SIGNATURE: 	SIGNATURE: 

Property owner signature authorizes the applicant (if noted) to act on owner's behalf for all matters pertaining to this zoning permit application. Signature also consents to the proposed work and to inspection by city zoning staff to close out the zoning permit upon project completion.

Description of Proposed Project: Solar installation on all roofs. Roof replacement and repairs to accommodate.

Frank Swasey's Roof

edward major <majorshomerepairs@gmail.com>
To: Emily Morse <emily@lewiscreekcompany.com>

Tue, Feb 20, 2024 at 12:20 PM

To whom it may concern:

My name is Edward Major, of Major's Home Repairs. I recently did some slate repairs for Frank Swasey at 32 Hickock place in Burlington. The objective was to fix a leak from an unknown source. During my exploration I could not find any single source, and it actually appeared to be coming in from everywhere. Upon investigating this further I discovered that there is only 1 1/2"- 2" of headlap on the slate. The normal for all roofs with the exception of a 12/12 pitch is 3". It's my professional opinion that this lack of headlap is the source of water infiltration. The reason it has gone unnoticed is because the water was draining out on the rosin paper beneath the slate, but now that has disintegrated. There is further evidence in the attic space where you can see insulation clumped together where water has dripped from between the roof slats onto it. Unfortunately there is no easy solution for this issue, besides redoing the roofing.

I worked as a steeplejack for Yankee Steeplejack Company out of Harvard, Ma from 2005-2017. We did historical restoration of church steeples and other hard to access structures which included lots of slate and copper work.

If there are any questions for me please contact me at:
802-782-6843
Majorshomerepairs@gmail.com

Thank you
Edward Major

On Fri, Feb 16, 2024, 11:38 AM Emily Morse <emily@lewiscreekcompany.com> wrote:
[Quoted text hidden]

Major's Home Repairs
159b River Rd
Essex Junction Vermont 05452

To whom it may concern:

My name is Edward Major, of Major's Home Repairs. I recently did some slate repairs for Frank Swasey at 32 Hickock Place in Burlington. The objective was to fix a leak from an unknown source. During my exploration, I could not find any single source, and it actually appeared to be coming in from everywhere. Upon investigating this further, I discovered that there is only 1 1/2"- 2" of headlap on the slate. The normal for all roofs with the exception of a 12/12 pitch is 3".

While 1-1/2" - 2" headlap may be common in the Burlington area, it is not industry standard and risks water and moisture mitigation in driving and high volumes of water. 3" headlap is ideal and industry standard to allow for a durable, long lasting roof.

It's my professional opinion that this lack of headlap is the source of water infiltration. The reason it has gone unnoticed is because the water was draining out on the rosin paper beneath the slate, but now that has disintegrated. There is further evidence in the attic space where you can see insulation clumped together where water has dripped from between the roof slats onto it. Unfortunately, there is no easy solution for this issue, besides redoing the roofing.

Any slate repairs that are done in the current condition, without addressing the overarching headlap issue, will not prevent against leakage from driven and high volumes of water. No warranty or guarantee will be available for these repairs, leaving the client vulnerable to subsequent leaks and needed repairs indefinitely.

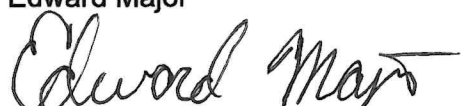
It is my professional opinion that to provide the client with a long lasting, durable, guaranteed product, with the ability to install solar, replacing the existing roof with asphalt is the best course of action.

I have over 12 years of experience in the slate industry. I worked as a steeplejack for Yankee Steeplejack Company out of Harvard, MA from 2005-2017. We did historical restoration of church steeples and other hard-to-access structures which included lots of slate and copper work. Below is a reference if you are interested in knowing more about the work we did repairing historic churches and structures. I have continued to tackle slate and roof repairs over the past 7 years on my own, and as Majors Home Repairs.

Tom Evarts - Owner of Yankee Steeplejack Company
978-456-7339
<http://www.yankeetower.com/>

If there are any questions for me please contact me at:
802-782-6843
Majorshomerepairs@gmail.com

Thank you
Edward Major



The Vermont Statutes Online

The Vermont Statutes Online does not include the actions of the 2024 session of the General Assembly. We expect them to be updated by November 1st.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 24 : Municipal and County Government

Chapter 061 : Regulatory Provisions; Police Power of Municipalities

Subchapter 011 : Miscellaneous Regulatory Powers

(Cite as: 24 V.S.A. § 2291a)

§ 2291a. Renewable energy devices

Notwithstanding any provision of law to the contrary, no municipality, by ordinance, resolution, or other enactment, shall prohibit or have the effect of prohibiting the installation of solar collectors, clotheslines, or other energy devices based on renewable resources.

This section shall not apply to patio railings in condominiums, cooperatives, or apartments.

(Added 2009, No. 45, § 15b, eff. May 27, 2009.)

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone:(802) 865-7188

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



TO: Development Review Board
FROM: Garret King
DATE: October 15, 2024
RE: ZPS-24-28; 125 Cambrian Way

=====

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: NAC-CR Ward: 7

Owner/Applicant: 125 Cambrian Way / Mike Brouillard

The applicant has altered the scope of work proposed and will no longer require a Master Sign Plan. This application is now under administrative review and will not require review by the DRB.

Email received 10.3.2024

[WARNING]: This email was sent from someone outside of the City of Burlington.

DRB:

At the recommendation of the zoning office I attended the DRB meeting 10/1/24 for 44 Wright Ave remotely, and although I was sworn in and had my hand raised I was not recognized to speak. I am asking that the meeting be reopened so that I may.

Thank you, Dana Sicard