

Burlington Development Review Board

Department of Permitting & Inspections

645 Pine Street

Burlington, VT 05401

www.burlingtonvt.gov/DPI/DRB

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Miles Waite

Marina Campbell, (Alternate)

Evan Gould, (Alternate)



Development Review Board

Tuesday, November 19, 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. Consent

4.1.

**ZP-24-445; 72-78 Lafountain Street (RM, Ward 2) Paul Bonelli / Lafountain AF, LLC
Request to establish a home occupation bakery. (Project Manager, Mary O'Neil)**

5. Public Hearing

5.1.

**ZAP-24-8; 0 Northshore Drive (RL, Ward 4) Village of Northshore Association, Inc. Members
/ Jon Anderson
Appeal of administrative denial, ZP-24-193, for the after-the-fact installation of
four EV charging stations. (Project Manager, Scott Gustin)**

6. Master Sign Plan

6.1.

**ZPS-24-3; 266/270 Pine Street (E-LM, Ward 5) Stephen & Margaret Conant / Molly Conant
Proposed re-opening of the Master Sign Plan. (Project Manager, Mary O'Neil)**

7. Other Business

7.1.

Nomination and election of Ordinance Committee representative.

8. Adjournment

9. Informational and Non-Discrimination Statements

9.1.

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.

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

Department of Permitting and Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
<https://www.burlingtonvt.gov/439/Zoning-Division>
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: November 19, 2024
RE: ZP-24-445; 72-78 Lafountain 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 24-445
Location: 72-78 Lafountain Street
Zone: RM **Ward:** 2
Date application accepted: September 23, 2024
Applicant/ Owner: Paul Bonelli
Request: Bakery Home Occupation "Feral Gnome Bakeshop"

Background:

- **Zoning Permit ZPW-22-44;** window replacement. May 2022.
- **Zoning Permit 14-0183CA / ZP-13-611 OG;** reconstruct rear parking area, install walkways and stormwater improvements. August 2013.
- **Zoning Permit n.n.;** erect a chain link fence on the north property line. October 1976.
- **Zoning Permit n.n.,** convert the four apartment house into six apartments. September 1972.



Overview: 72-78 Lafountain Street, originally built as the French Baptist Church at the site of the current H.O. Wheeler School in 1873 was moved to this site in 1904. It is currently a six unit apartment house. The applicant wishes to conduct a modest home baking business, with no customers coming to his residence and no exterior changes. Home occupations other than home offices require Conditional Use review.

Recommended motion: Conditional Use Consent approval, per the following Findings and Conditions:

I. Findings

The programs and services of the City of Burlington are accessible to people with disabilities. For accessibility information call 865-7188 (for TTY users 865-7142).

Article 3: Applications, Permits, and Project Reviews

PART 5. CONDITIONAL USE AND MAJOR IMPACT REVIEW

Sec. 3.5.1 Purpose

These regulations are enacted to provide for a more detailed consideration of development proposals which may present a greater impact on the community, based on either the nature of the proposed use and/or the overall scale of the proposed development, in order to ensure that

(b) the anticipated impact of such developments on the city's natural and physical character, services and infrastructure are mitigated.

(a) Conditional Use Review:

Conditional Use Review shall be required for the approval of all development subject to the following provisions of this ordinance:

- 1. any use identified under Article 4 and Appendix A – Use Table as a “Conditional Use” or “CU;”*
- 2. any Special Use specifically identified as being subject to conditional use review under Article 5, Part 3;*

Sec. 3.5.6 Review Criteria

(a) Conditional Use Review Standards:

Approval shall be granted only if the DRB, after public notice and public hearing, determines that the proposed conditional use and associated development shall not result in an undue adverse effect on each of the following general standards:

- 1. Existing or planned public utilities, facilities or services are capable of supporting the proposed use in addition to the existing uses in the area;*
This is an existing, developed residential area with ample infrastructure in place to support a small home bakery.
- 2. The character of the area affected as defined by the purpose or purposes of the zoning district(s) within which the project is located, and specifically stated policies and standards of the municipal development plan;*
No exterior changes are proposed; no adverse impact to the character of the area.
From planBTV:
 - 5.8 [Land Use] Explore and expand approaches to promote and support locally-owned and controlled small businesses, including home occupations and social entrepreneurs, that serve both city-wide needs and surrounding neighborhoods.planBTV, p 43)*
 - 5.8 Promote local-owned small businesses, entrepreneurs, home occupations (plan BTV, p. 110)*
 - 5.8 [Economic Development] Promote and support locally-owned and controlled small businesses, including home occupations planBTV, p. 116.*

3. *The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;*
No structural alterations will be made, no introduction of noise, odor, dust, heat and vibrations greater than produced by the residential use.
4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;*
While no customers are proposed to come to the home bakery, the existing street network, public sidewalks, and nearby GMT Route (#7, North Avenue) all provide supportive transportation options.
and,
5. *The utilization of renewable energy resources;*
No part of this application precludes the use of wind, water, solar, geothermal or other renewable energy resources.
6. *and,*
7. *Any standards or factors set forth in existing City bylaws and city and state ordinances;*
Standard Permit Conditions will address any other bylaw requirements.

Affirmative finding.

(b) Major Impact Review Standards

Not applicable.

(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:

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.*

There is no identified need for screening or landscaping. The home occupation is proposed to be entirely within the dwelling unit.
2. *Time limits for construction.*

No interior construction is proposed. Not applicable.
3. *Hours of operation and/or construction to reduce the impacts on surrounding properties.*

As a home occupation with no interior renovations and no identified impacts on surrounding properties, the hours of operation will remain the same as the residential use of the property.

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

This is a standard Condition of Approval.

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.*

No other performance standards are identified, but may be added by the Board.

Affirmative finding as conditioned.

Article 5: Citywide General Regulations

Sec. 5.4.6 Home Occupations

Pursuant to the requirements of 24 VSA 4412(4), it is the intent of these regulations to provide for the use of a minor portion of a dwelling unit for a home occupation and to ensure compatibility with other permitted uses and with the residential character of the neighborhood. Such a home occupation must clearly be secondary or incidental to the principal residential use, and so located and conducted that the average neighbor, under normal circumstances, would not otherwise be aware of its existence.

(b) Conditional Use Review:

All home occupations not otherwise eligible for administrative approval above shall require review and approval by the DRB pursuant to the requirements of Art. 3, Part 5. In addition to the conditional use criteria, the following criteria must be met for any home occupation:

1. *A home occupation shall be conducted solely by resident occupants plus no more than one additional full-time equivalent employee in RL districts, and no more than two (2) full-time equivalent employees in other districts. The home occupation shall be conducted entirely within an existing dwelling unit and/or one enclosed accessory structure;*

The home occupation bakery will be operated solely by the resident occupant. He provided an incorrect number on his Home Occupation Questionnaire, believing he was being asked how many people live in his apartment building.

2. *No more than thirty-five per cent (35%) of the floor area of said residence, including accessory structures, up to a maximum of seven hundred fifty (750) square feet, whichever is less, shall be used for such purpose;*

The home occupation will occupy 220 sq. ft. (the kitchen); approximately 18.64% of the total floor area of the dwelling unit.

3. *No home occupation shall require alterations, construction or equipment that would change the fire rating of the structure or the fire district in which the structure is located;*

No construction, equipment or alterations are proposed.

4. *There shall be no outside storage of any kind related to the home occupation;*

No outside storage is proposed.

5. *There shall be no exterior evidence of the conduct of a home occupation except for:*

- A. *Occasional garage/lawn/yard type sales (up to twice a year not to exceed two (2) days each);*

None proposed, however this can be conditioned.

and

- B. *One non-illuminated attached parallel sign that shall not exceed two (2) square feet. No other signs shall be permitted.*

This will be a condition of approval.

6. *No home occupation may increase vehicular traffic flow or parking by more than one additional vehicle at a time for customers or deliveries. All parking shall be located off-street and shall maintain the required front yard setback;*

No increase in vehicular traffic flow or parking are proposed. The products will be baked and delivered the same day by the resident.

7. *No home occupation shall create sounds, noise, dust, vibration, smell, smoke, heat, humidity, glare, radiation, electrical interference, fire hazard or any other hazard, nuisance or unsightliness which is discernible from any adjacent dwelling unit;*

As proposed, the home occupation will not introduce any other impacts than would normally be produced by the residential use.

8. *The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes and shall not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part.*

9. *Delivery of products and materials related to the home occupation by vehicles other than automobiles shall occur no more than once per day;*

No product delivery of materials to the unit is proposed by outside carriers.

10. *With the exception of one delivery per day, as specified in subparagraph (9), no more than one (1) commercial vehicle shall be allowed on the premises at any one time;*

No commercial vehicles are proposed.

and

11. *There shall be no sale of goods except for goods fabricated on the premises as part of an approved home occupation.*

No sale of goods will occur at the residence. Products will be delivered.

Affirmative finding as conditioned.

(c) Exclusions:

Home occupations shall not include commercial stables or kennels, veterinary clinics, or similar establishments.

(d) Revocation:

Approval of a home occupation may be revoked by the DRB in accordance with the following provisions:

1. *Noncompliance. Upon receipt of notification or evidence of noncompliance with conditions of approval or evidence of error or misrepresentation, the DRB may schedule a public hearing to consider the revocation or modification of approval for a home occupation;*
2. *Notice. The administrative officer shall duly warn such public hearing and give notice to the applicant, abutters, and other interested parties;*
3. *Public Hearing. The DRB shall hold a public hearing to hear cause as to why the approval of the home occupation should not be revoked. The DRB shall render its decision in accordance with the conditional use time limitations set forth in Article 3, Part 5; and*
4. *Errors. The burden of providing complete and accurate information shall be the sole responsibility of the applicant. Any error or misrepresentation may result in voiding or modification of the approval for a home occupation.*

II. Conditions of Approval

1. *A home occupation shall be conducted solely by resident occupants plus no more than one additional full-time equivalent employee in RL districts, and no more than two (2) full-time equivalent employees in other districts. The home occupation shall be conducted entirely within an existing dwelling unit and/or one enclosed accessory structure;*
2. *No more than thirty-five per cent (35%) of the floor area of said residence, including accessory structures, up to a maximum of seven hundred fifty (750) square feet, whichever is less, shall be used for such purpose;*

3. No home occupation shall require alterations, construction or equipment that would change the fire rating of the structure or the fire district in which the structure is located;
 4. There shall be no outside storage of any kind related to the home occupation;
 5. There shall be no exterior evidence of the conduct of a home occupation except for:
 - A. Occasional garage/lawn/yard type sales (up to twice a year not to exceed two (2) days each);and
 - B. One non-illuminated attached parallel sign that shall not exceed two (2) square feet. No other signs shall be permitted.
 6. No home occupation may increase vehicular traffic flow or parking by more than one additional vehicle at a time for customers or deliveries. All parking shall be located off-street and shall maintain the required front yard setback;
 7. No home occupation shall create sounds, noise, dust, vibration, smell, smoke, heat, humidity, glare, radiation, electrical interference, fire hazard or any other hazard, nuisance or unsightliness which is discernible from any adjacent dwelling unit;
 8. The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes and shall not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part.
 9. Delivery of products and materials related to the home occupation by vehicles other than automobiles shall occur no more than once per day;
 10. With the exception of one delivery per day, as specified in subparagraph (9), no more than one (1) commercial vehicle shall be allowed on the premises at any one time;
- and
11. There shall be no sale of goods except for goods fabricated on the premises as part of an approved home occupation.
 12. Approval of a home occupation may be revoked by the DRB in accordance with the Standards of Section 5.4.6 (d), above.
 13. Standard Permit Conditions 1-15.

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



Department of Permitting and Inspections

645 Pine Street
Burlington, VT 05401-8415
Phone: (802) 865-7188
www.burlingtonvt.gov/dpi

Home Occupation Application Questionnaire

Use this checklist for all applications for a home occupation - See Sec. 5.4.6 of the Zoning Ordinance. This questionnaire is provided to summarize details and is required to accompany a zoning permit application form and required fee (for either administrative approval or conditional use review).

Please note:

1. The specific requirements for home occupations can be found in Section 5.4.6 of the Comprehensive Development Ordinance which is available in its entirety on our website at www.burlingtonvt.gov/PZ
2. A 'Business Personal Property Registration Form' may be required to be submitted to the Assessors Office. This form is available at www.burlingtonvt.gov/assessor/businesses

Name of Business Proposed:

Feral Gnome Bakeshop

Type of Business Proposed:

Home bakery

Provide a detailed description of the proposed Home Occupation such as: activities involved; materials and equipment used; quantities of materials and equipment stored on-site; methods of operation; hours of operation. This may be done on a separate piece of paper and attached.

Please respond to the following:

1. How many persons will be involved in the conduct of the proposed Home Occupation:
Residents of premises: 2 Others 8 Total Number 1
2. What type of product will be produced, serviced, or repaired in the conduct of your Home Occupation? (For example: repair of clocks or watches, making jewelry, etc.). Explain:
English muffins definitely..., possibly cookies, and cupcakes
3. Describe any alterations to the home or premises that might be required to facilitate your Home Occupation:
None
4. Describe what rooms will be used in the conduct of the Home Occupation and how these rooms will be used. (For example: garage will be used to store supplies; or den will contain desk and file cabinets, etc.). Indicate the gross floor area(s) that will be used in the conduct of the Home Occupation. Indicate the total gross floor areas of your house and include any accessory structure(s) to be used for the Home Occupation, (Ex. Garage).
Kitchen only, approx 200sq ft, will be used. Entire unit is approx 950sq ft.
5. Describe the mechanical and/or electrical equipment that will be necessary to conduct your business activity:
No additional equipment needed. Only using the oven provided by landlord.
6. Describe how, where and in what amounts the material, supplies and/or equipment related to your Home Occupation will be displayed or stored:
Dry goods (50lb bags of flour, yeast, sugar) stored in pantry, and smaller dry good items stored in cupboards. Items will be packed and delivered on day they are produced.

PLEASE TURN OVER

7. Will people come to your home to obtain any products or services or utilize any service connected with the proposed Home Occupation activity? Yes _____ No No
If yes, please explain in detail: _____
8. Are any signs needed for the proposed relative to the Home Occupation?
Yes _____ No No
If yes, you are required to file for a Sign Permit. An application form can be obtained at the Planning and Zoning Department or on our website.
9. If trucks or other equipment will be used in your Home Occupation, where will they be parked or stored?
N/A
10. Will the Home Occupation involve the use of commercial vehicles for delivery of materials to or from the premises? Yes _____ No No
If yes, please explain: _____
11. How many parking spaces will be provided for the home occupation? N/A
Where will they be located? Indicate parking spaces on a site plan of this property as part of your application submission.
12. Is your proposed Home Occupation in conformance with the conditions, covenants and restrictions pertaining to your property? Yes Yes No _____
We suggest checking your deed for conditions, covenants and restrictions.

Looks like building was used as a plumbing /contractors storage facility in the past, unsure if that is still applicable, as it was a "commercial use"?

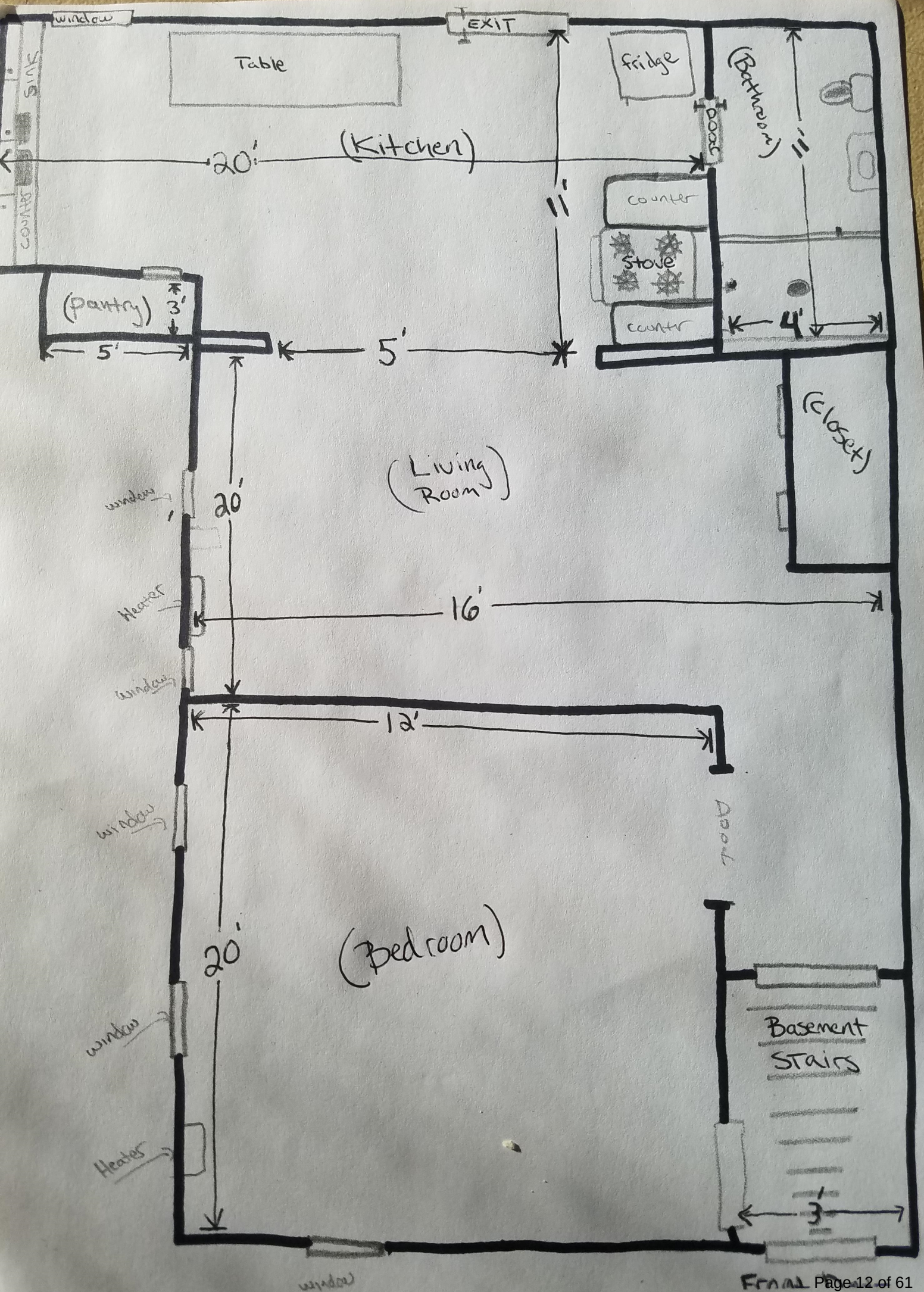
I have read and understand 'Sec 5.4.6 Home Occupations' under the City of Burlington Comprehensive Development Ordinance and believe that to the best of my knowledge my proposed Home Occupation would not violate any portion of said Ordinance:

Applicant's Signature: Paul Ball

Date: 10/1/24

Property Owner's Signature: [Signature]

Date: 10/3/2024



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, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: November 19, 2024
RE: ZAP-24-8; 0 Northshore Drive

=====

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: RL Ward: 4

Owner/Appellant: Village at Northshore Association, Inc. / Jon Anderson, Esq.

Request: Appeal of zoning administrative denial, ZP-24-193, for the after-the-fact installation of 4 EV charging stations.

Overview:

The applicant is appealing an administrative denial of an after-the-fact application for 4 EV charging stations installed at various locations throughout the Northshore development. Three of the four installations appeared to be compliant; however, one of them (charging station #1 in the project plans) lacked required parking information and resulted in denial of the application.

The application was denied July 31, 2024. The appeal was timely filed, and the DRB was to hear the appeal October 1, 2024. The appellants requested deferral to November 19, 2024 to allow time to resolve the matter. Revised plans were submitted and resulted in reversal of the denial and approval of the zoning permit application on October 31, 2024. A permit condition regarding curb stops was met November 12, 2024.

The appellants have not yet withdrawn the appeal; however, it is moot, given that the appeal was of a zoning permit denial that is now a zoning permit approval.

II. Recommended Motion

Dismiss the appeal as moot.



PRIMMER PIPER
EGGLESTON &
CRAMER PC

JON T. ANDERSON
ADMITTED IN VT
janderson@primmer.com
TEL: 802-864-0880
FAX: 802-864-0328

30 Main Street, Suite 500 | P.O. Box 1489 | Burlington, VT 05402-1489

August 14, 2024

VIA HAND DELIVERY
AND ONLINE PERMITTING SYSTEM

Development Review Board
City of Burlington
645 Pine Street
Burlington, VT 05401

Re: Zoning Permit #: 24-193

Ladies and Gentlemen:

Enclosed is a Notice of Appeal filed on behalf of the members of the Village at Northshore Association, Inc. (the "Members"). The Notice of Appeal is being filed mostly as a precaution. The Members hope to amend their application so that it will be approved, in which case the Notice of Appeal will become moot. The filing fee of \$250 is also included with this Notice of Appeal.

Very truly yours,

/s/ Jon Anderson

Jon Anderson

JTA/alb

Enclosure

**STATE OF VERMONT
CITY OF BURLINGTON**

DEVELOPMENT REVIEW BOARD

ZP #: 24-193

**APPEAL OF THE MEMBERS OF THE
VILLAGE AT NORTSHORE ASSOCIATION, INC.**

NOTICE OF APPEAL

NOW COME Appellants, the members (“Members”) of the Village at Northshore Association, Inc. (the “Village”), by and through Primmer Piper Eggleston & Cramer, PC, and, pursuant to 10 V.S.A. § 8501 et seq., hereby appeal to the City of Burlington, Vermont Development Review Board a certain one-page decision (the “Decision”) dated July 31, 2024 by the City Zoning Administrator, a copy of which Decision is attached hereto, denying (After-the-Fact) approval for the installation of 4 EV charging stations with 7 chargers and 5 overhead lights on an approximately 37-acre property owned by the Members and used as a residential condominium located at 0 Northshore Drive in the City of Burlington, Vermont (the “Property”). The address of the Village is 20 Farrell St. #102, South Burlington, VT 05403. The Property is Tax ID: 021-2-211-000.

Appellants claim party status to appeal pursuant to 24 V.S.A. § 4465(b)(1). Members own the Property on which the proposed facility will be located. Members allege that the bylaw imposes on the Property unreasonable or inappropriate restrictions of present or potential use under the particular circumstances of the case. Members requests that its application be approved as proposed or as amended in compliance with Burlington Zoning Ordinance, Sections 6.2.2 and 8.1.11.

Dated: August 14, 2024
Burlington, Vermont

PRIMMER PIPER EGGLESTON & CRAMER, PC

By: /s/ Jon Anderson
Jon Anderson, Esq.

Attorneys for the Members



City of
Burlington, Vermont
645 Pine Street

Zoning Permit – Reasons for Denial

ZP #: 24-193

Tax ID: 021-2-211-000

Issue Date: July 31, 2024

Decision: Deny

Property Address: 0 Northshore Drive

Description:

(After-the-Fact) Installation of four EV charging stations with seven chargers and five overhead lights.

Install 4 new EV charging stations that include 7 EV chargers. Install 5 overhead lights to illuminate EV charging stations. Each of the new stations and one of the existing stations will have these lights installed. Lights will be focused downwards and be on motion sensors and be switched on when a person comes to charge their vehicle or unplug their vehicle at the end of the charging session. The light will remain on for only a few minutes and then turn off.

Reasons for Denial:

Charging station 1 (near units 6-7) includes parking within existing yard space. Per Sec. 3.1.2, *Zoning Permit Required*, of the Comprehensive Development Ordinance, parking (including surface parking as defined in Article 13) requires a zoning permit. Design standards for parking areas are contained in Sec. 6.2.2, *Review Standards*, and dimensional standards for parking areas are contained in Sec. 8.1.11, *Parking Dimensional Requirements*. The application lacks information to demonstrate compliance with the applicable standards in these sections. As a result, the application is denied.

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board within 15 days after the decision date per Sec. 12.2.2, *Appeals of Administrative Officer Decisions*. Appeals may be filed online at [burlingtonvt.viewpointcloud.com/categories/1098](https://www.burlingtonvt.viewpointcloud.com/categories/1098) or in-person at 645 Pine Street, Burlington, Vermont. <https://www.burlingtonvt.gov/DPI/Appealing-a-Zoning-Decision>



City of
Burlington, Vermont
645 Pine Street

Zoning Permit – Reasons for Denial

ZP #: 24-193

Tax ID: 021-2-211-000

Issue Date: July 31, 2024

Decision: Deny

Property Address: 0 Northshore Drive

Description:

(After-the-Fact) Installation of four EV charging stations with seven chargers and five overhead lights.

Install 4 new EV charging stations that include 7 EV chargers. Install 5 overhead lights to illuminate EV charging stations. Each of the new stations and one of the existing stations will have these lights installed. Lights will be focused downwards and be on motion sensors and be switched on when a person comes to charge their vehicle or unplug their vehicle at the end of the charging session. The light will remain on for only a few minutes and then turn off.

Reasons for Denial:

Charging station 1 (near units 6-7) includes parking within existing yard space. Per Sec. 3.1.2, *Zoning Permit Required*, of the Comprehensive Development Ordinance, parking (including surface parking as defined in Article 13) requires a zoning permit. Design standards for parking areas are contained in Sec. 6.2.2, *Review Standards*, and dimensional standards for parking areas are contained in Sec. 8.1.11, *Parking Dimensional Requirements*. The application lacks information to demonstrate compliance with the applicable standards in these sections. As a result, the application is denied.

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board within 15 days after the decision date per Sec. 12.2.2, *Appeals of Administrative Officer Decisions*. Appeals may be filed online at [burlingtonvt.viewpointcloud.com/categories/1098](https://www.burlingtonvt.viewpointcloud.com/categories/1098) or in-person at 645 Pine Street, Burlington, Vermont. <https://www.burlingtonvt.gov/DPI/Appealing-a-Zoning-Decision>

Zoning permit addendum.

Zoning permit ZP-24-193

July 26, 2024

Village of Northshore Association (VNS) would like the City of Burlington Zoning Department to be made aware of City of Burlington Ordinance Article III, Section 20-55(f) that specifies the regulations regarding "Parking on lawns or yards in residential districts prohibited".

Under Article III, Section (1) the ordinance states that it is "unlawful for any vehicle to be parked on any lawn or yard in Wards 1,2,3 and 8".

Our property is in Ward 4 so we believe that the section above does not pertain to us since we are not located in "Wards 1,2,3 and 8". Therefore, if we choose to allow individuals who are parked on our lawns adjacent to our EVSE chargers, then we are not in violation of this City of Burlington Ordinance.

Please note that we do not allow abandoned vehicles on our property.

We would like the Zoning Permit ZP-24-193 to be promptly approved so that we can proceed with the completion of the installation of our new ESVE charging stations.

For further questions or comments, please contact me at john.ajamie@gmail.com or at my phone of 802-751-5383.

Respectfully submitted,

John Ajamie, Chair of VNS Energy/EV Committee

JuiceBox® Pro 40

Commercial Charging Stations

Optimize your smart grid EV charging with the best-selling JuiceBox Pro 40

JuiceBox is a Level 2 charging station with all the safety and charging features that cost-conscious businesses and organizations need to maximize their EVSE investments.

Powered by the JuiceNet® software platform, JuiceBox offers direct administrator control and smart grid optimization. It offers your customers, employees, and tenants access to best-in-class smart charging solutions and helps you:

- Optimize energy costs by controlling charging times and demand charges
- Conveniently monetize your EV charging
- Increase grid reliability and support EV adoption
- Enhance driver satisfaction and reach sustainability goals



Why JuiceBox?

Powered by JuiceNet

Intuitive mobile app for drivers and powerful online dashboard for system administrators

Smart Grid Connected

Optimize charging times and aggregate stations to reduce energy costs

Great Performance & Value

Best-in-class smart charging station at an affordable price

Universal Compatibility

SAE-J1772TM compliance ensures compatibility with all EVs*

Access Control & Payment

With JuiceNet Enterprise software, allow registered drivers to access charging stations via mobile device and pay to charge with the mobile app

Compact & Easy to Use

Small enclosure, weatherproof for indoor/outdoor installation, LED charging status indicators

*Tesla requires adapter

JuiceBox® Pro 40 Specifications

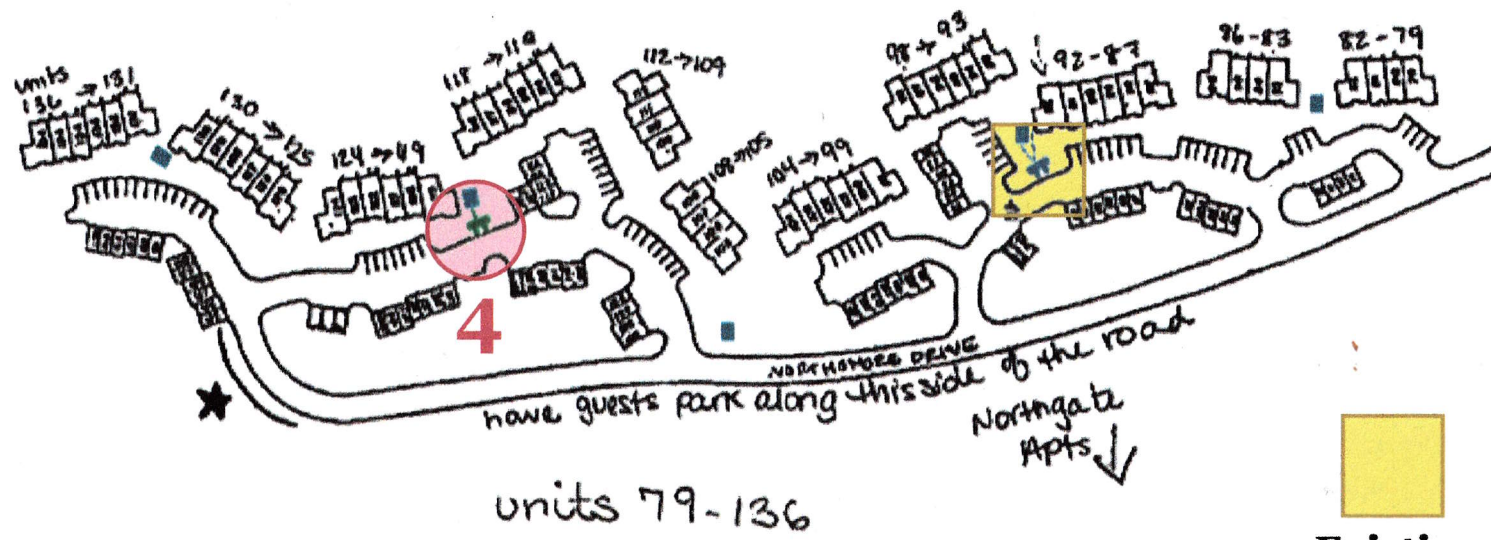
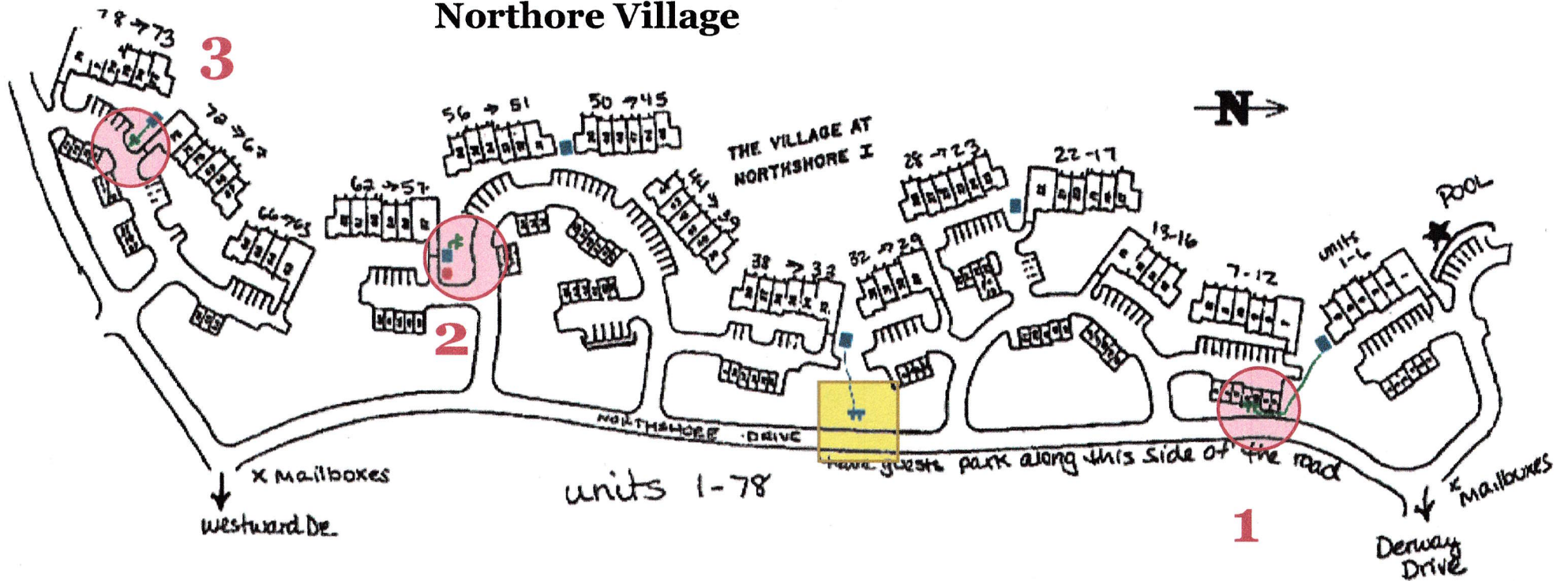
Electrical Characteristics	› Safety Rated: 40A Max › Single phase input: nominal voltage 208-240 VAC ~60 Hz › Power: 8.3 kW at 208 VAC; 9.6 kW at 240 VAC
Input Cable & Plug	› 2 ft/0.6 m with NEMA 14-50 or 6-50 plug › 2.5 ft/0.8 m hardwire pigtail
Output Cable & Connector	› 25 ft/7.6 m cable › J1772 standard compliant
JuiceNet® Smart Charging Platform	› Precision measurement of power, energy, voltage & current › Web-based portal: set payment rates and charging hours; monitor charging status and consumption data for individual or groups of devices; control station access; manage EV load › Driver app to monitor and pay for charging (iOS & Android) › Refer to the JuiceNet Manager and JuiceNet Enterprise data sheets for more on the capabilities of each dashboard
Connectivity & Authentication	› WiFi-enabled: 802.11 b/g/n 2.4 GHz › Integrated Cellular: LTE (optional) › JuiceRouter: Connect up to 16 chargers with WiFi-to-LTE router (optional) › RFID enabled and QR Code authenticated with Enel X Way® app
Firmware	› End-to-end AES-256-based encrypted protocols › 90-day, 15-minute interval data storage › Over-the-air (OTA) upgradeable firmware › Persistent data storage upon power interruption
Enclosure	› Dynamic LED lights show charging status: network connectivity, charging in progress, delayed charging, standby, charge complete/EV not drawing power › IP66: Weatherproof, dust-tight, polycarbonate enclosure › IK10: Resistant polycarbonate case › Quick-release wall mounting bracket included › Built-in security lock and integrated cable management › Operating Temperature: -40°F to 140°F (-40°C to 60°C)
Altitude	› Up to 2000 m/6500 ft
Weight & Dimensions	› Main enclosure: H: 18.5 in/469 mm x W: 6.8 in/173 mm x D: 5.8 in/147 mm › 15 lbs/6.8 kg
Codes & Standards	› FCC Part 15 Class B, NEC 625 compliant, ENERGY STAR® › OCPP 1.6J and Open ADR2.0b compliant (optional)
Safety	› UL and cUL Listed
Warranty	› 3-year limited parts warranty for commercial use. 2-year warranty extension available
Made in North America	› From domestic & imported parts



Plan for the installation of charging stations at Northshore Village, funded in part by an Electric Vehicle Supply Equipment Grant from the State of Vermont.

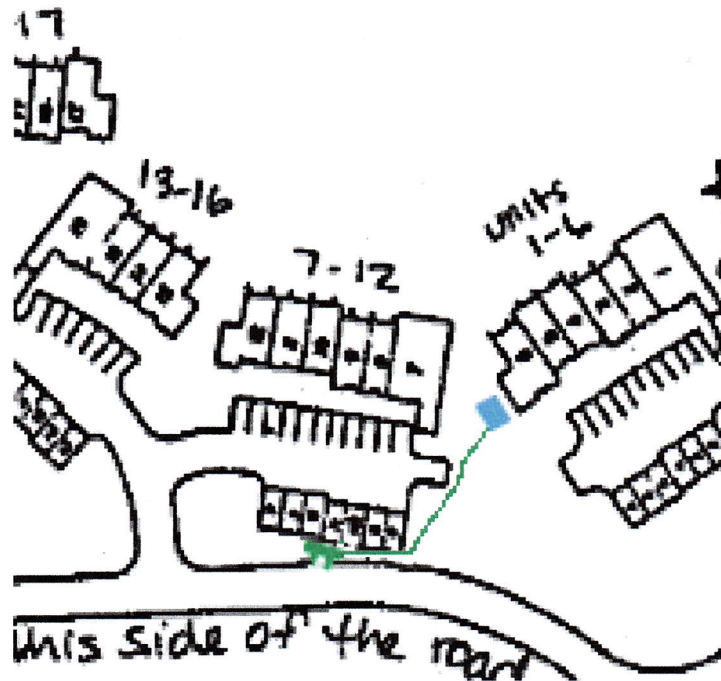
February 29, 2024

Northore Village



Existing New

1. Charger Near Units 6-7



Transformer Number: 3446

Length of Cable Trench: 166 feet

Units Served: 1-22



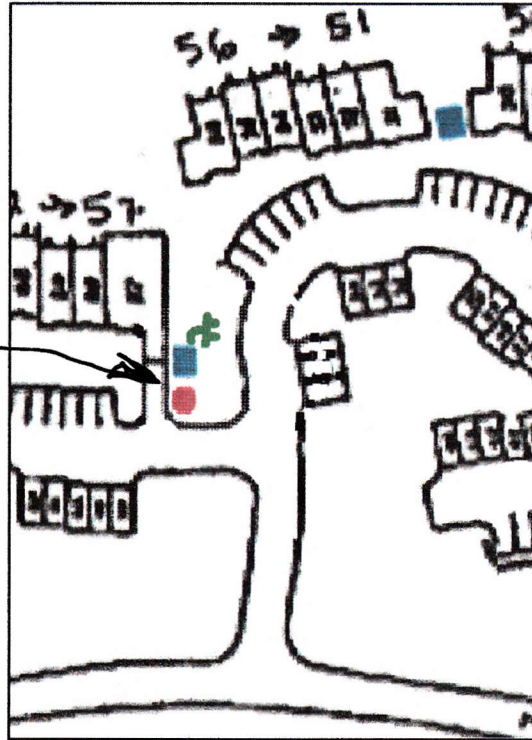
cars under
charge park
on grass



transformer

2. Charger Near Units 52-57

Five
Hydrant



Transformer Number: 3424

Length of Cable Trench: 15 feet

Units Served: 39-62

Unit 57

Transformer



3. Charger Near Units 72-73



Transformer Number: 3477

Length of Cable Trench: 10 feet

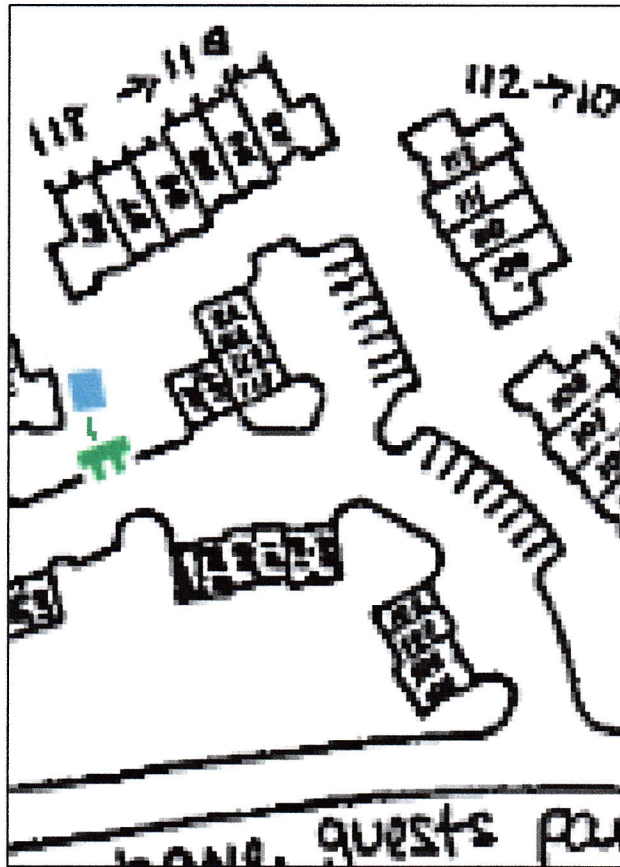
Units Served: 64-78



transformer

car under charge
parks on drive

4. Charger Near Units 118-119



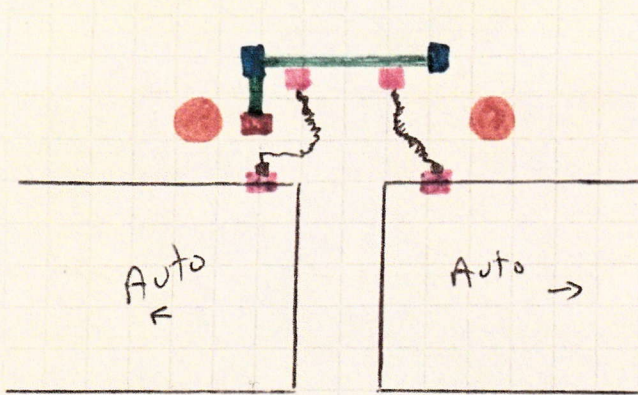
Transformer Number: 3478

Length of Cable Trench: 18 feet

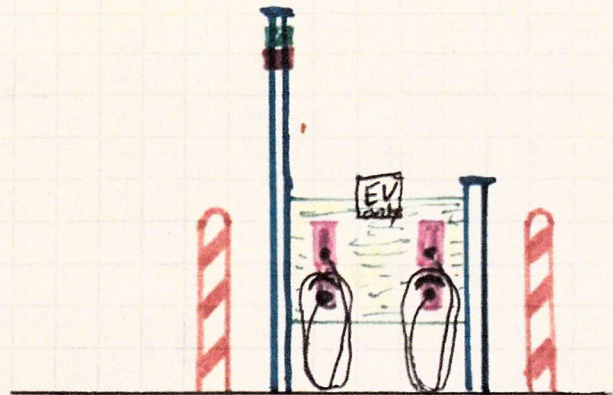
Units Served: 105-136



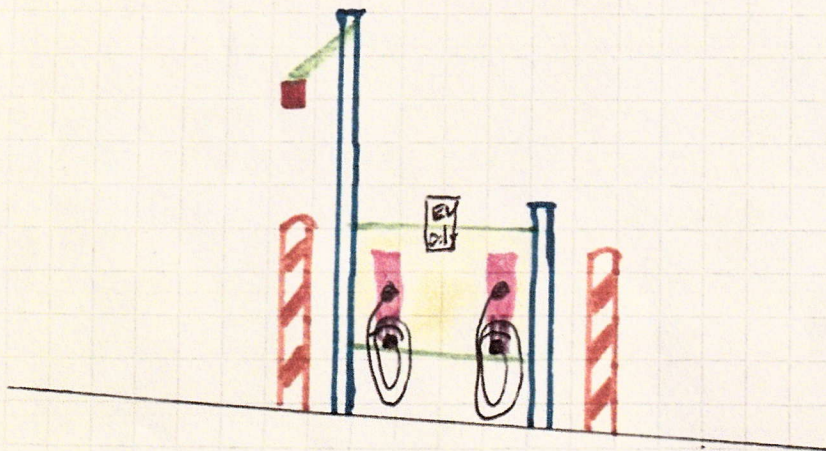
Sketch - Proposed 2 Port EVSE Northshore Village



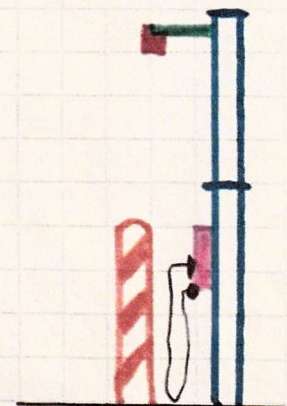
Overhead View



Front view



EV Parking



Side view

- Scale = 1 Foot
 - EVSE
 - Bollards
 - Posts
 - Mounting Board
 - Light
- Key

Perspective View

THE VILLAGE AT NORTSHORE ASSOCIATION, INC.



SENT VIA EMAIL

May 21, 2024

RE: Zoning Permitting Number ZP-24-193

The City of Burlington
149 Church Street
Burlington, VT 05401

To Whom It May Concern,

We are the property managers for The Village at Northshore Association, Inc. On May 10, 2024, an application was submitted for a zoning permit to install an EVSE and overhead lights.

At this time, we are informing you that The Village at Northshore Association's Board of Electors approved the project as described. See the enclosed January meeting minutes referencing this project.

If you require any other information, please do not hesitate to reach out.

Sincerely,

Rose Marie DePaul
The Park Place Management Company, Inc.
Agent for The Village at Northshore Association, Inc.

**THE VILLAGE AT NORTHSORE
BOARD OF DIRECTORS MEETING MINUTES
January 23, 2024 – BOD Monthly Meeting
Meeting held by Zoom teleconference**

- Directors in attendance by VTC:
 - Director MacCubbin
 - Director Gallagher
 - Director Lasher
 - Director Delaney (departed at 7:11 pm)
 - Director Danko
- Association members in attendance by VTC:
 - Mari Palace (# 1)
 - John Ajamie (# 15)
 - Sally Grossnickle (# 29)
 - Suzanne Slayden (# 36)
 - Diane Fleming (# 41)
 - Jim Wanner (# 91)
 - Eric Schlosser (# 97 – departed at approximately 7:25 pm)
 - Rhys Townsend (# 120)
 - John Cox (# 122 – audio only)
 - Roy Watson and Elizabeth Watson (# 132)
- Zoom meeting hosted by Marian Servidio on behalf of Park Place Management (PPM).

Opening

Director MacCubbin called the Board of Directors Meeting to order at 6:03 pm.

Meetings and Minutes

- The next regular BOD meeting is scheduled for Tuesday February 27, 2024.
- The Board discussed the minutes from the previous HOA/BOD meetings.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- (b) (5) DPP, (b) (7)(C), (b) (7)(D)
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED] [REDACTED]
- [REDACTED]

Open Forum

At 6:05 pm, the Board opened the floor to any open forum discussion.

- No one requested to address the Board.

Board Business

- [illegible]

with an employee from BED and an employee from a trenching contractor. They selected four potential sites (in addition to the two existing charging sites). One site would require trenching under a driveway, but the contractor believed a tunnel could be installed without issue because they had done one in that location previously.

- It is presently unknown whether the existing transformers have the load capacity to support the EV chargers. To execute the installations, VNS might have to install one or more with greater capacities. BED would not do a survey to determine if upgrades are required until we committed to the charger installations.
 - Director Lasher asked if we needed to upgrade transformers for the two previous EV charger installations.
 - The prior installations did not require upgrades, but the BED employee did warn that it was a possibility.
 - If upgrades were necessary, VNS would pay for labor, but not for the materials. He also indicated there would likely be a rebate against the labor charge.
- VNS has been putting aside money in anticipation of installing EV charger stations for some time. So far, approximately \$25,000 has been allocated. The overall cost of this phase of EV charger installations was projected at approximately \$62,000; with \$36,900 projected from the state's EV grant program and approximately \$2,000 in rebates, the net installation cost of the project would be \$22,000. It may be more expensive in the long run if we do not commit to installation while the grants are available.
- Director Lasher asked if the Committee perceived any downsides to the additional EV charger installations other than minor inconvenience to people living near the stations. It seemed to him that it would be beneficial to the neighborhood on balance.
 - Jim Wanner responded that he saw it as a great opportunity and that he expected property values would likely increase.
 - Director MacCubbin noted that the plan was for each charging station to serve 11-13 VNS units, so travel would be minimized.
 - Director Gallagher suggested that there are likely unknown downsides, such as annual operating costs and infrastructure management, but those are always present in new projects.
- Director Danko asked the Committee when the projected rebates might be known or when they might expire. John Ajamie responded that Brian Riley (BED Coordinator for Rebates) had emailed him, saying that the current rebate of \$1200 per charger will remain in place until April 30, 2024; after that, it would likely still be at least \$300 per charger if the rebate is reduced before projected installations this summer. He noted that to be eligible for the rebate, the equipment must be installed and operational, not just purchased and obligated.

- Director MacCubbin clarified the current financial projections for the EV charger expansion.
 - The initial plan projected a total expense of \$61,723; that was later revised to \$59,323.
 - Some expenses are not eligible for reimbursement under the grant (mostly software), and the grant application was set at \$41,000. The anticipated grant would be for 90% of the projected eligible expenses, so \$36,900.
 - The Reserve Budget included an expense of approximately \$10,000 every other year to install new charging station. If accelerating those expenditures to 2024, that line item has \$22,600 available for the project.
 - Counting the rebate from the stations at 32-33 and anticipating similar rebates from BED, the estimated differential on the charger installation project would be approximately \$22,900 that VNS would need to pay.
- Director MacCubbin noted some owners don't like expenditures like this instead of applying the dues to other amenities.
 - She compared a \$25,000 expenditure to approximately \$187 per unit per year. She noted that the Pool and Tennis expenditures for three years would be about \$600 per unit.
 - Director Gallagher noted that it was possible VNS could break even or make money on charging stations, depending on usage and rates. Regardless, it is likely to improve housing values.
- Director Lasher moved to accept the EV Grant and obligate the expenditure of up to \$25,000 within the project to install new EV charging stations.
 - Director Gallagher seconded the motion.
 - No further discussion was heard after invitation from Director MacCubbin.
 - All Directors voted in favor of the motion.
- The Board thanked the EV Committee for their major efforts in coordinating the project.

○

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [illegible]

1. [REDACTED]

2. [REDACTED]

3. [REDACTED]

■ [REDACTED]
 ■ [REDACTED]
 ■ [REDACTED]

- [REDACTED]
[REDACTED]

§ 87(2)(b) [REDACTED]

(b) (7)(C), (b) (7)(D)

[REDACTED]

[REDACTED]

[REDACTED]

1. [REDACTED]
[REDACTED]
[REDACTED]

1. [REDACTED]

2. [REDACTED]

T

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

[REDACTED]
 [REDACTED]
 [REDACTED]

- [illegible]

- [illegible]

- The Board turned to Committee reports at 7:39 pm.

Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

<https://www.burlingtonvt.gov/439/Zoning-Division>

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: November 19, 2024

RE: ZPS-24-3; 266/270 Pine Street Master Sign Plan

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: ZPS-24-3

Location: 266 + 270 Pine Street

Zone: E-LM **Ward:** 5

Date application accepted: February 5, 2024;

Revised and resubmitted October 10, 2024.

1st review by DRB: June 4, 2024

Applicant/ Owner: Molly Conant

Request: Revise Master Sign Plan (ZP-20-0931SN) to allow for blade signs and additional signage for 2nd floor tenants.

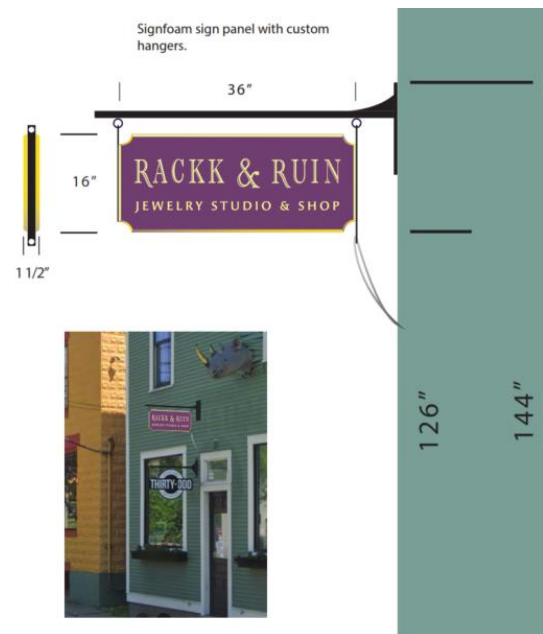
Background:

266 Pine Street

- **Zoning Permit ZP-20-0931MP;** Master sign plan for 266 + 270 Pine Street. July 2020.
- **Zoning Permit 20-121;** install replacement freestanding sign for the Soda Plant. External illumination included. March 2020. [This permit needs a Certificate of Occupancy.]
- **Zoning Permit 19-535;** install an awning at the Tom Girl store front. August 2019. [This permit needs a Certificate of Occupancy.]
- **Zoning Permit 19-237;** install concrete block retaining wall. May 2019. [This permit needs a Certificate of Occupancy.]
- There are dozens of older zoning permits for this parcel.

270 Pine Street

- **Zoning Permit ZP-20-0931MP;** Master sign plan for 266 + 270 Pine Street. July 2020.
- **Zoning Permit ZPS-22-25;** renew permit for existing sign. Zoning Permit not applicable. June 2022.



Proposed installation of Rackk & Ruin blade sign; above existing "Thirty Odd" sign and below Rhino.

- **Zoning Permit 18-0870SN (ZP-18-211 OG);** Projecting and parallel signs for Thirty Odd. May 2018.
- **Zoning Permit 13-0692SN;** replace two existing parallel signs with new signs in same locations for Conant Metal and Light. January 2013.
- **Zoning Permit 08-807SN;** two parallel replacement signs for Conant Metal and Light. May 2008.
- **Zoning Permit 08-081CA;** replace clapboards and trim on west and south side of building in kind. Replace two upper windows on west side with new wooden windows, and add two wooden windows to the south side of the building. August 2007.
- **Zoning Permit 07-050AW;** eight awning for 266 and 270 Pine Street. July 2006. Permit relinquished.
- **Zoning Permit 90-170;** construction of 10' x 12'6" addition, single story to rear of existing building as covered loading dock area. May 1990.
- **Zoning Permit 87-901;** construct shed roof addition to rear of building to provide door and stairs to basement of adjacent building. June 1988.
- **Zoning Permit 85-302;** construct and erect a copper and steel awning over the front entrance. Construct a 14' x 18' addition to the rear of the structure to provide additional manufacturing and storage space. August 1985.
- **Zoning Permit 82-077;** erect a projecting, directly illuminated sign, carved gold leaf wood for Conant Custom Brass. February 1982. Denied. Appealed. Tabled March 1982.

Overview: In July of 2020, the DRB approved a Master Sign Plan for both 266 + 270 Pine Street, which are adjacent lots under common ownership and as such are eligible for a Master Sign Plan under Section 7.3.2. In that review, linear street frontage of each structure was combined to calculate allowable wall sign area.

The approved Master Sign Plan offered flexibility in sign placement; specifically wall signs were permitted to be installed in excess of height limitations. The MSP was silent on blade signs, other than acknowledging an earlier approval of the 30 Odd sign and a proposed sign for Brandthopology. The Findings of Fact note that latter complies with height and location requirements, but needed modification to width.

Sign plans offer flexibility in location, but are required to be compatible with the site and buildings as well as character of the surrounding area.

The DRB reviewed the initial application at their June 4, 2024 meeting, and took the following action:

In the matter of ZPS-24-3, 266/270 Pine Street, I move we reopen the hearing and ask the applicant to submit a complete revision to the Master Sign Plan that includes how signage for any second floor tenant will be addressed.

This submission is the response to that prompt.

Recommended motion: The Comprehensive Development Ordinance specifically prohibits blade signs for 2nd floor tenants. [Section 7.2.4: 1 per ground floor tenant.] This application requests 3 additional blade signs for upper story tenants (only one of which is currently an active business.) The other two tenants, or the proposed installation locations are not defined. As the application is contrary to the intent of Section 7.2.4; recommended motion is **denial** per the following Findings.

I. Findings

Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

The administrative officer is authorized to deny all zoning permits or certificates of occupancy for any property with an uncorrected zoning violation (i.e. notice of zoning violation and/or municipal complaint ticket has been issued and is not under appeal.) The administrative officer is also authorized to deny all zoning permits for any property with an expired zoning permit without a final certificate of occupancy.

Instead of withholding or denying a zoning permit, the administrative officer may grant such permit subject to the condition that the uncorrected zoning violation is corrected or the expired zoning permit is closed out with a final certificate of occupancy. Such actions) shall take place before the issuance of a final certificate of occupancy on the new permit.

There are a significant number of “open” zoning permits for 266 Pine Street that require a Certificate of Occupancy. Any permit issued will require closure of all “open” zoning permits before a Certificate of Occupancy can be issued for this permit. **Affirmative finding as conditioned.**

Article 6: Development Review Standards

Section 6.3.2 (g)

Make advertising features complementary to the site:

Where signs and other advertising features are proposed, the applicant shall meet the requirements as per Article 7 – Signs. The size, location, design, texture, lighting, and materials of all exterior signs and advertising features shall not detract from the use and enjoyment of proposed buildings or surrounding properties. National branding through signage and architecture shall be discouraged.

See Article 7, Below.

Article 7: Signs

Section 7.1.1 Authority and Intent

(d) Effectively optimize communication that support the community’s sustained economic development, and reduce visual clutter within or directed upon the public realm.

The requested allowance for blade signs for second floor tenants will collectively allow the installation of additional blade signs, when 270 Pine Street already has one blade sign (Thirty-Odd) and a projecting rhinoceros. If included within the Master Sign Plan, it will increase the

number of signs which may contribute to visual clutter along the streetscape and building facade.
Adverse finding.

Section 7.2.4 Blade Signs

Description

TThis Sign type consists of 1-2 faces, and projects perpendicular from the Building facade on a Primary or Secondary Frontage, or elevation where street frontage is not available.

Specifications

Location (max)	within 4-feet of a principal entrance.
Quantity (max)	1 per ground floor tenant
Width, Sign (max)	3-ft
Height, Sign (max)	3-ft
Depth, Sign (max)	6-in
Offset from Building (min/max)	6-in min and 12-in max from the facade
Projection (max)	4-ft from the facade
Area, Sign (max)	9 sqft
Height, Clear (min)	8-ft min. above finished sidewalk (the lowest portion of the overhanging sign and/or bracket)
Height, Overall (max)	The lesser of the floor level of the second floor or 18-ft above the finished sidewalk.

Miscellaneous

The bracket must be an integral part of the Sign design.

A Blade Sign erected on a building that adjoins the intersection of 2 streets may intersect at a 45 degree angle to the corner of the building.

A Blade Sign may be attached to the face or underside of a canopy

If illuminated, Blade Signs shall only be externally illuminated.

Blade Signs in any Residential, RCO, or Urban Reserve district shall not be illuminated.

Any encroachment into or over the public right-of-way must also be approved by the Dept. of Public Works and/or City Council as may be applicable.

Although the proposed 3 blade signs, as general proposed, meet the building offset, projection, area and height installation requirements, they may not be associated with a first floor tenant; a specific requirement of this section. (See p. 2 of submission) **Adverse finding.**

Part 3: Master Sign Plans

Section 7.3.1 Intent

In order to provide for a higher degree of design quality, flexibility, compatibility, and creativity in larger buildings and building complexes with multiple tenants or uses, Signs shall be allowed as specified in a Master Sign Plan for the property.

Sec. 7.3.2 Applicability

Within any Mixed Use, Enterprise, or Institutional zoning district, all Signs located on a site, building, or a complex of buildings with three or more owners, tenants, or uses located on a single lot or adjacent lots under common ownership may be granted a Master Sign Plan submitted by the building owner and reviewed and approved by the DRB under the provisions of this Part. Signs located on City property erected by or at the direction of the City or any of its departments in the performance of their public duty or responsibility may also seek approval under the provisions of this Part.

Where a Master Sign Plan includes sufficient detail regarding the location, type, lighting, and other requirements for individual Signs, those Signs may be approved as part of the Master Sign Plan without the necessity for an individual permit(s). Otherwise the installation of individual Signs proposed pursuant to, and in compliance with, an approved Master Sign Plan shall receive administrative review and approval pursuant to the procedural requirements of Sec. 3.2.7.

266 and 270 Pine Street are adjacent lots under common ownership, and as such are eligible for a Master Sign Plan. **Affirmative finding.**

Sec. 7.3.3 Submission Requirements

A Master Sign Plan shall be a comprehensive plan of all planned Signs to be located on the site(s) and on all facades of the building(s) or building complex.

Information to be included in a Master Sign Plan shall include, but not be limited to, the following in sufficient detail as necessary to render a decision for the Master Sign Plan and individual Signs as may be applicable:

- (a) Total number of Signs proposed, including any existing Signs that will remain.*
- (b) Sketch of Signs clearly indicating size/dimensions of all Signs – including height above finished grade, lettering, logos or other graphics, colors, materials, texture.*
- (c) Types of Signs – see Part 2.*
- (d) Building elevations/photographs clearly illustrating the placement of Signs placed on all buildings.*
- (e) A site plan indicating the location of all freestanding Signs, buildings, and structures.*
- (f) Methods of illumination.*

This application is to amend the Master Sign Plan approved in June 2020, to include flexibility in allowance of a blade sign for a 2nd floor tenant. The specific request is to add up to three new blade signs for *upper* floor tenants. The earlier MSP allowed flexibility in placement of wall signs, and did not address blade signs. The identified proposed blade sign (Racck & Ruin) meets size, installation height, building projection and offset requirements for blade signs in general;



however it is associated with an upper floor tenant, which is specifically disallowed under Section 7.2.4 (see above.) **Adverse finding.**

Sec. 7.3.4 Flexibility from Existing Standards

(a) *The Master Sign Plan must establish standards of consistency applicable to all Signs to be provided on the subject property with regard to:*

- Colors;
- Letter/graphics style;
- Location and Sign Type;
- Materials;
- Methods of illumination; and/or

- Maximum dimensions and proportion.

(b) *A Master Sign Plan shall be consistent with the intent and purpose of the form or zoning district within which the site is located and the intent of this Article, and be compatible with the site and character of the surrounding area.*

(c) *All of the Signs in a Master Sign Plan shall be designed and organized in a manner consistent and complementary with the overall architecture of the Building, and employ complimentary materials, colors, design, and scale of letters while still providing diversity and differentiation among individual tenants,*

(d) *Individual Signs in an approved Master Sign Plan may vary from the locational standards of Part 2 of this Article pertaining to each Sign Type, and be granted Alternative Compliance per Sec. 7.1.11. However, no individual Sign may exceed the maximum area limitations for the specified Sign Type, or conflict with the limitations and prohibitions of Sec. 7.1.4 .*

(e) *Except for such variations approved by the DRB by acceptance of a Master Sign Plan pursuant to this Article, all other requirements, permits, and restrictions regarding Signs shall remain in effect.*

The proposed blade sign does not conflict with the limitations of Section 7.1.4 [Prohibited Signs]; however it does conflict with the allowance limitations of **Section 7.2.4, Blade Signs** in that they are limited to first floor tenants. Racck & Ruin is a second floor tenant.

Per Section (d) above, individual signs may vary from locational standards of Part 2 pertaining to each Sign type. The applicant is requesting allowance of blade signs for 2nd floor tenants. The

restriction of blade signs to first floor tenants only is not a *locational* issue, but an *allowance* issue.

While the proposed sign is attractively designed, the building façade threatens to look cluttered with two blade signs and the projecting rhino on the 270 Pine Street facade. The Thirty Odd blade sign is compliant while the proposal for the additional blade signs is inconsistent with the intent of the Article.

Any requests to revise the Master Sign Plan are subject to discretionary review by the DRB.

Adverse finding.

Sec. 7.3.5 On the Record Review

Pursuant to the authority of 24 V.S.A. §4471(b), any permit request for a Master Sign Plan approval by the DRB will be on the record, so that any appeal is not a de novo review, in accordance with the Vermont Rules of Civil Procedure.

If considered for approval, the following Conditions of Approval are recommended:

II. Conditions of Approval

1. Per **Section 2.7.8, Withhold Permit**, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit.
2. All conditions of ZP-20-09331MP unless otherwise altered within this review shall remain in effect.
3. Standard Permit Conditions 1-15.

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



PINE PROPERTIES, LLC

(The Soda plant)

Master Sign Plan Addendum

PROPERTY ADDRESS: 266/270 Pine Street

TAX ID: 049-2-013-000 & 049-2-014-000

ZP#: 20-0931MP

Purpose:

- To identify the signage that has been eliminated
- Update the inventory of existing signage
- Add up to three more blade signs without individual DRB review.



PINE PROPERTIES, LLC
(The Soda Plant)

Master Sign Plan Addendum

PROPERTY ADDRESS: 266/270 Pine Street

TAX ID: 049-2-013-000 & 049-2-014-000

ZP#: 20-0931MP

PURPOSE: To eliminate the Development Review Board's need to review up to 3 more signs to match: 30 Odd's projecting sign approved: July 21, 2020. Permit #18-0870SN. BP# 20 18 267437

QUANTITY: Up to 3 more

APPEARANCE (illustrated below)

Same colors: Black and white or silver

Same Projection: 41"

Same Size: 36" X 23"

Square Footage: Less than 4 'sq

Max Height: The lesser of the floor level of the second floor or 18 feet above the finished sidewalk



30 ODD

Permit pulled
Size: H 39" x W 60"

Ht to top of sign: 162"



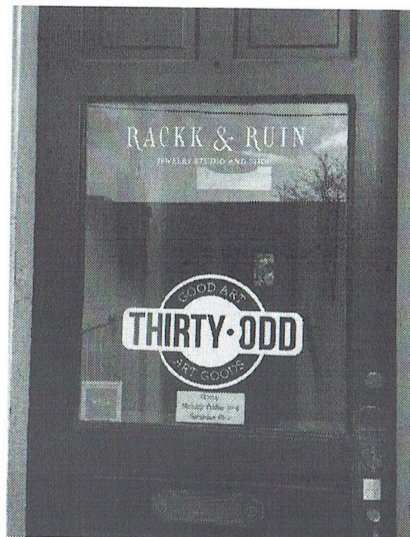
Rackk & Ruin

No permit pulled
Size: H 36" x W 94"
Ht to top of sign: 168"
Building is 270 Pine St.
South facing

This page is a photocopy of the approved
Master Sign Plan, 7.21.2020. ZP 20-0931 MP.

30 ODD Door Decals:

H 10" x W 19"
Front and back doors
Area: 1.8 sq. ft. each door



Rackk & Ruin:
H 4" x W 19"
Front and back doors
Area: .7 sq. ft. each door

Soda Plant Prospective 2nd Floor Tanants Above Tomgirl



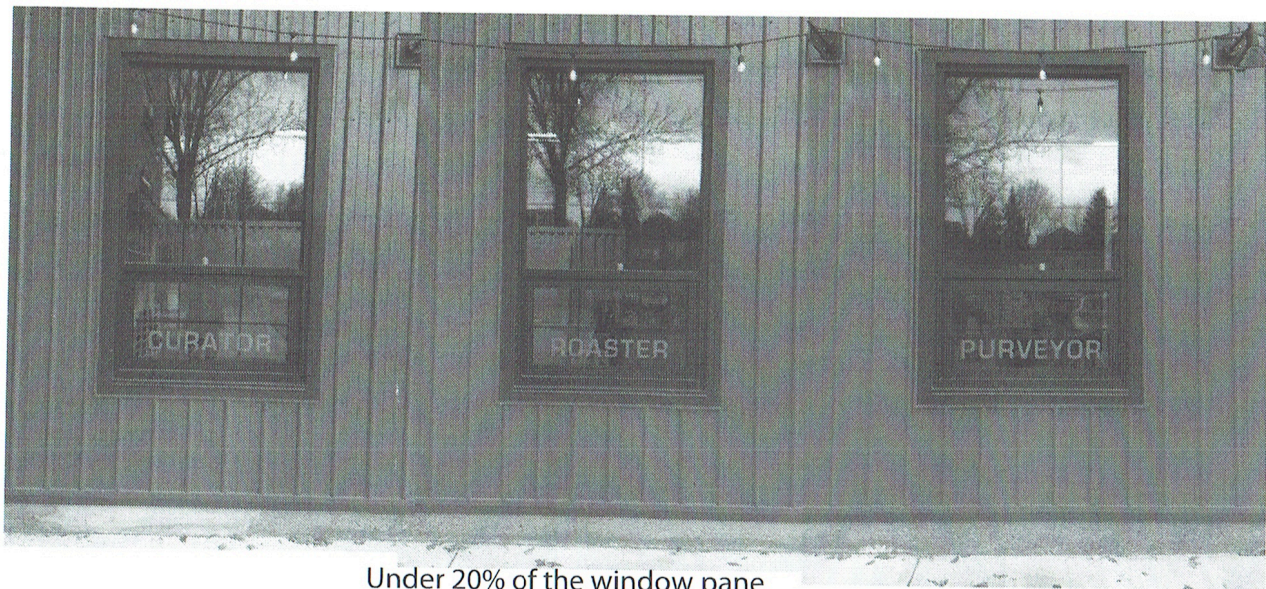
2nd Floor entrance next to To,girl storefront
4 signs total
Each sign size: H 15" x 48"
Total sign area: 24 sq. ft.

Tomgirl



Sign over store front windows:
Permit already pulled.
266 Pine St.
Size: H 22" x W 80"
Ht to top of sign: 14'
Total signs area: 12.2 sq. ft.

This is a photocopy of the
approved Master Sign Plan, July 21, 2020
ZP-20-0931MP.



Under 20% of the window pane



Art Category

Under 20% of the window pane



H 4' x W 6'
Total area: 24 sq. ft.
90" to top of Banner

Door is H 70" x W 24"
Area: 11.9 sq. ft.

Decal is H 23" x W 14"
Area: 2.23 sq. ft.

Decal is less than 20%
of the door glass.

Lorem ipsum

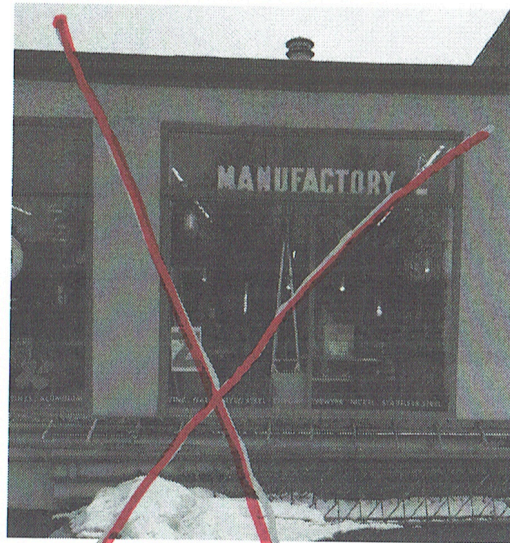


This is a photocopy of approved
signage from Master Sign Plan
ZP-20-0931MP.

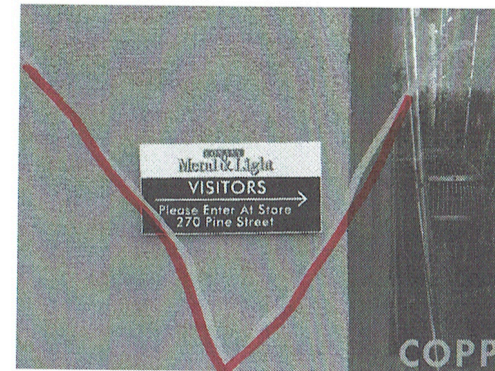
Conant



Out of Compliance
No permit pulled
It will be removed or reduced to less than 20% of the glass area.
Size limit: 8" x 7"



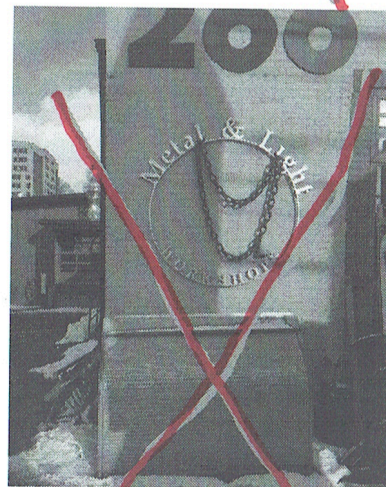
No permit pulled
Small lettering is less than 20% of the glass area.
3D lettering leaning on the inside of the glass at top of window is 3" x 68"
Area: 3.75 sq. ft.
Window pane is 21" x 122"
Area: 17.8 sq. ft.



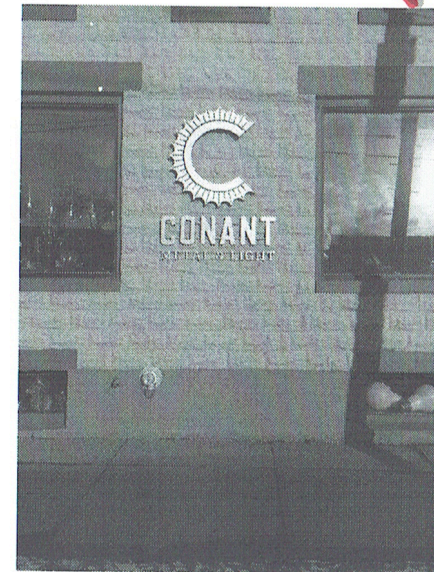
No permit pulled
Sign is 6.25" x 12.75"
Sign area: .6 sq.ft



Above North Wall Garage Space:
Size: H 41" x W 88"
Sign area: 26.9 sq. ft.
Ht to top of sign: 15 ft. (single story)



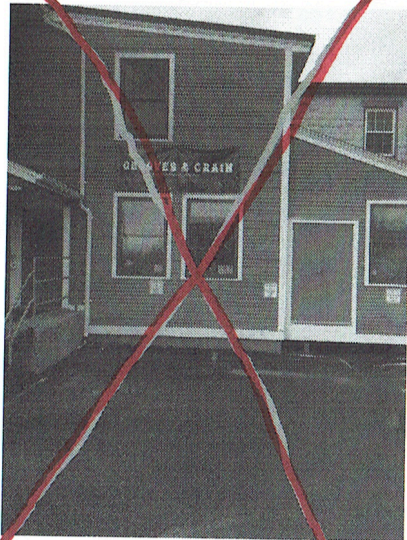
Under Large Address Numbers
Size: H 68.75" x W 64"
Sign area: 30.7 sq. ft. sq. ft.
Ht to top of sign: 7 ft. (single story)



Near West Entrance
Size: H 64" x W 48"
Sign area: 21.3 sq. ft.
Ht to top of sign: 7.5 ft.

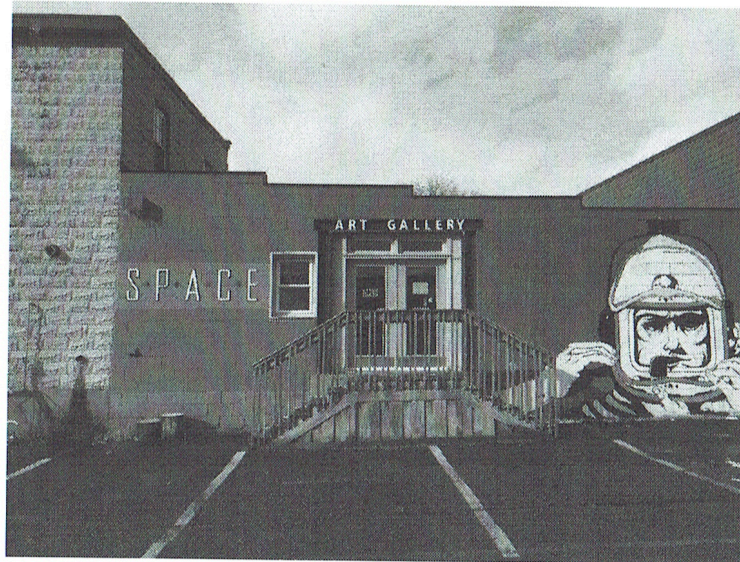
This is a photocopy of approved plans from ZP-20-0931MP dated July 21, 2020.

Groove & Grain



No permit pulled
Size: H 36" x W 94"
Ht to top of sign: 162"
Building is 270 Pine St.
South facing

S.P.A.C.E.



Decorative art

Painted lettering on the wall: H 32" x W 102"
Area: 23.7 sq. ft.
Ht to top of sign: 116"
3D lettering above the entrance: H 7" x 96"
Area: 4.7 sq. ft.
Ht to top of sign: 147"

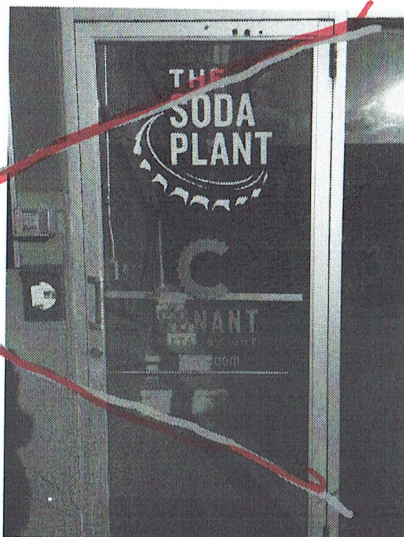
This is a photocopy from approved plan
ZP-20-0931MP, dated July 21, 2020.

Soda Plant

West Entrance:
Soda Plant branding decal
is ok, less than 20% of the
door glass.

Door Glass: 75" x 30"
Area: 15.6 sq. ft.
Decal: 20" x 20"
Area: 2.8 sq. ft.

The Conant Metal and Light
decal will be removed.

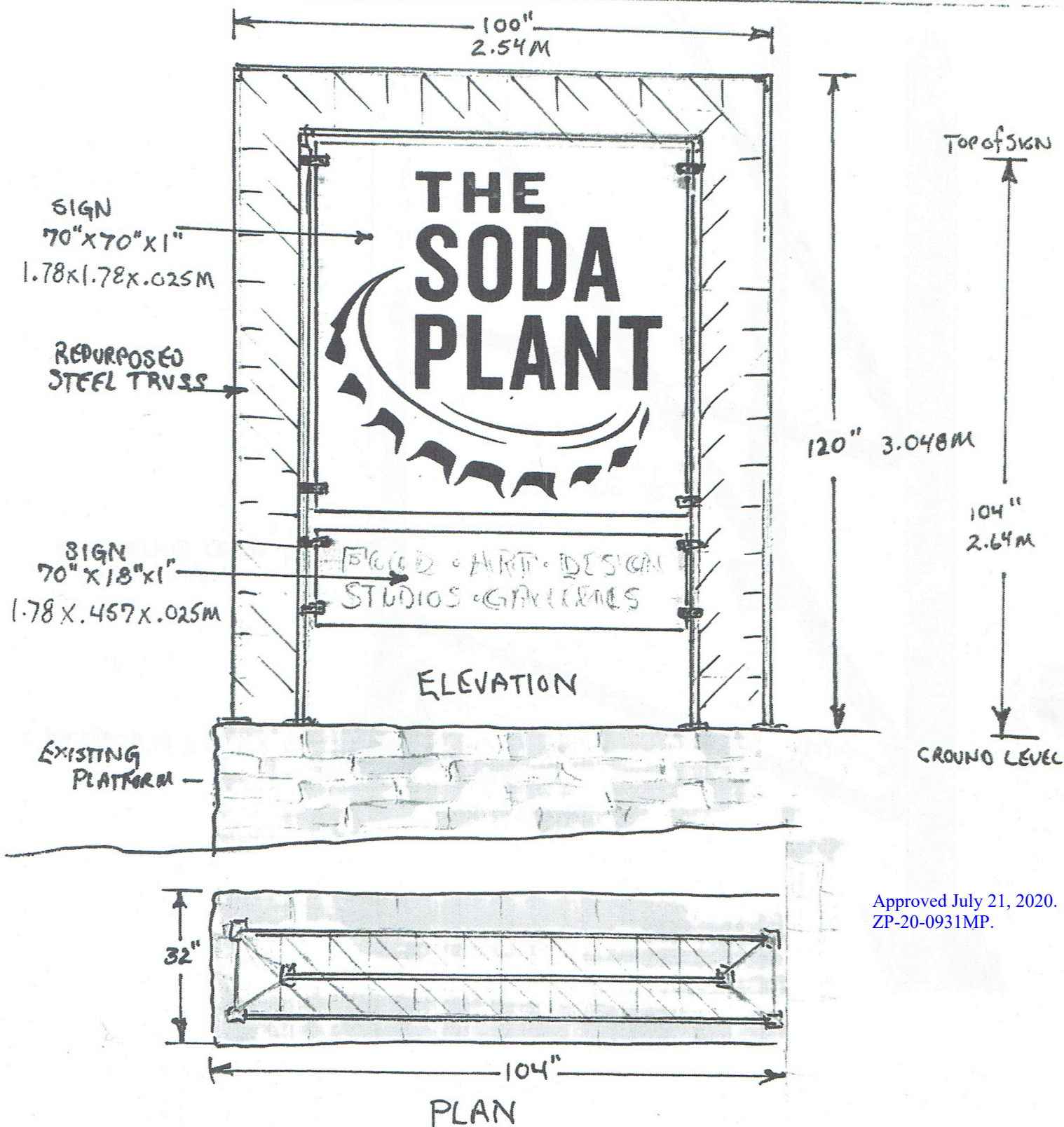


North Entrance:
Soda Plant branding decal
is ok, less than 20% of the
door glass.

Same as West entrance,

Free Standing : Complex ID Sign:

This I believe is being permitted separately.
Approximate size: H 40" x W 84"



Approved July 21, 2020.
ZP-20-0931MP.

Soda Plant Sign Area Totals

266 Pine St.

270 Pine St.

Total linear feet frontage:

266 Pine St.: 212'

270 Pine St.: 28'

Total for both: 240'

Total allowable sign area for 266 Pine St.: 2 sf per linear foot of street frontage: max 200 sf.

Total allowable sign area for 270 Pine St.: 2 sf per linear foot of street frontage: 56 sq. ft.

Total allowable Directory Sign area: *No directory signs proposed.
Allowable: 1/principal entrance,
18" x 36".

~~48 sq. ft.~~
~~60 sq. ft.~~
~~540 ft.~~

List of Tenants:

Brio:

Total sq. ft.

Not yet permitted for
window decals.

Door decal, logo with store hours:

2.2 sq. ft.

Additional 3 words on windows: 1 sq. ft. ea.

3 sq. ft.

West Facing Banner:

24 sq. ft.

Decorative art decal in window, not included in count

Total Brio sign sq. ft.

29.2 sq. ft.

Conant Metal & Light:

This, too is a photocopy of one page of the
approved Master Sign Plan, ZP-20-0931MP.

South entrance information eliminated by applicant.

Conant Metal and Light

North Facing Building Windows:

Decal lettering at bottom of North facing windows:

Quantity, 4 windows

Size: H 85" x W 45"

Sq. ft. total per window: 26.5 sq. ft.

Total decal area: @ .7 x 4 2.8 sq. ft.

2.8 sq. ft.

Conant Metal & Light: Cont.

[Previously permitted signage on North building wall eliminated by applicant.]

North Wall logo sign above overhead door: [Already permitted ZP-20-0931MP](#) 26.9 sq. ft.

West wall by Pine St.: [Already permitted ZP-20-0931MP.](#) 21.3 sq. ft.

Total Conant Metal & Light Sign Area:

Groove & Grain:

South Side: [Already permitted ZP-20-0931MP](#) 23.5 sq. ft.

Total Groove & Grain Sign Area: 23.5 sq. ft.

Rackk & Ruin:

South Side building Wall of 270 Pine St.

Dimensional, wall mounted, metal lettering: 16 sq. ft.

Rackk & Ruin total window decals on 2 entrance doors: 2 sq. ft.

Total Rackk & Ruin sign area: [Already permitted.ZP-20-0931MP.](#) 18 sq. ft.

S.P.A.C.E.:

Not yet permitted

South Side of 266 Pine St.

Painted logo graphics on building wall 23.7 sq. ft.

Building mounted 3 D lettering: 4.7 sq. ft.

Total S.P.A.C.E. sign area: [Already permitted ZP-20-0931MP.](#) 28.4 sq. ft.

[Soda Plan building branding information eliminated by applicant.]

30 ODD:

Window decals on entrance doors:		3	sq. ft.
South Side on 270 Pine St.	Already permitted by ZP-20-0931MP.	16.25	sq. ft.
Projecting Building Mounted: [Blade sign]		4	sq. ft.
Total 30 ODD Sign Area:		23.25	sq. ft.

~~Tom Girl~~

Already permitted

Wall facing West, building wall mounted sign above windows:	12.2	sq. ft.
Total Tomgirl Sign Area:	Already permitted ZP-20-0931MP.	12.2 sq. ft.

Second Floor Above Tomgirl:

Entrance Facing West

Not yet permitted

5 uniform sign panels for tenant use above entrance door to second floor.
Sign size: H 15" x W 48"

Five wall signs for upper floor tenants already approved ZP-20-0931MP.

Total Sign Area for Second Floor Tenant Spaces Above Tomgirl: **25** **sq. ft.**

Total sign area existing and proposed:

Total allowed:

[This calculation was removed as inaccurate. Sign area is dependent upon type (wall, blade, window) and tenant location; not collective.]

Exterior Directories:

These were approved under ZP-20-0931MP.

West Entrance (pine St entrance)	12	sq. ft.
North Entrance (delivery entrance)	12	sq. ft.
North Entrance (next to Tomgirl)	12	sq. ft.

Total Wall Mounted Tenant Directory sign panel area: **36 sq. ft.**

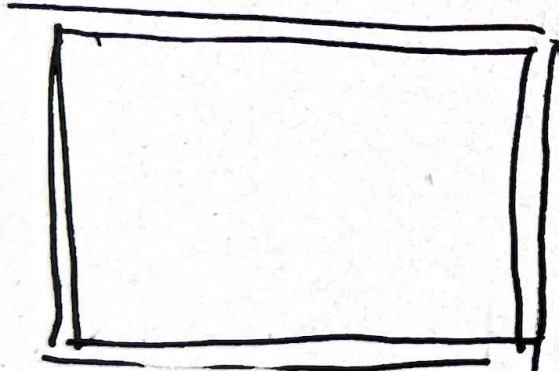
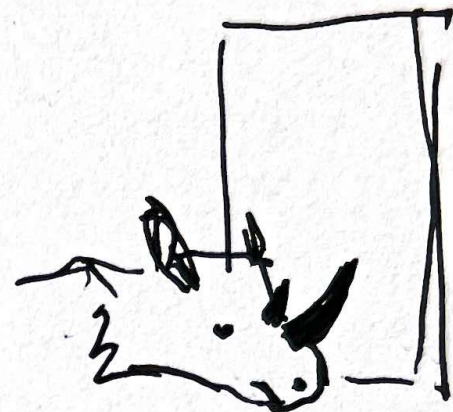
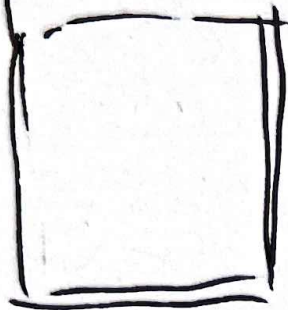
**Soda Plant (Branding) Complex ID Sign
(Permitted separately)** **58 sq. ft.**

Soda Plant Complex Tenant Sandwich Boards Along Pine St. at 8 sq. ft. each

I realize that these are permitted through Caleb Mana but they may need to be counted toward the compex total sign area maximum.

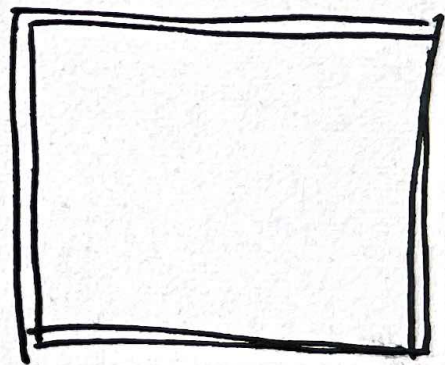
Allowance for 10 tenant sandwich boards along Pine St. **80 sq. ft.**





RACK & RUP

THIRTY ODD





14' 2"

