

Burlington Development Review Board

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



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, May 20, 2025, 5:00 PM MINUTES

Hybrid & In Person (at 645 Pine Street) Meeting

Board Members Present: Caitlin Halpert, Sean McKenzie, Miles Waite, Marina Campbell, and Evan Gould

Board Members Absent: AJ LaRosa, Geoff Hand, Brad Rabinowitz, and Leo Sprinzen

Staff Members Present: Scott Gustin and Joseph Cava

Staff Members Absent: Mary O'Neil and Garret King

I. Agenda II. Communications

Evan Gould: The board acknowledges receipt of the submitted communication, Miles Waite 2nd. Vote 5-0. Motion carried.

III. Minutes IV. Consent

1. ZP-25-192; 475 Lake Street (DW-PT, Ward 3) City of Burlington / CEDO

Phase 1B of Moran Frame project to include site improvements, pedestrian amenities, and storage container. (Project Manager, Scott Gustin)
Zach Williamson: Sworn in.

Caitlin Halpert: This item is recommended for consent approval. Is there anyone from the board that would have an issue with treating this item as consent? Hearing none, has the applicant had a chance to review the staff report?

Zach Williamson: Yes, I have.

Caitlin Halpert: Did you have any questions or comments regarding the information in the staff report?

Zach Williamson: No, none.

Caitlin Halpert: Is there anyone from the board with questions or comments? Hearing none, is there anyone from the public with questions or comments regarding this item? Hearing none, would someone like to make a motion?

Miles Waite: Motioned to approve and adopt staff recommendations, Sean McKenzie 2nd. Vote 5-0. Motion carried.

V. Sketch Plan

1. ZSP-25-3; 453 Pine Street (E-LM, Ward 5) Derrick Davis / Alain Youkel

Proposed sketch plan review for the development of vacant parcel with two mixed-use commercial/residential structures with associated site improvements. (Project Manager, Scott Gustin)

Doug Nedde, Scott Mapes, Ruby Perry, Andy Simon, Bram Kleppner, and Sharon Bushor: Sworn in.

Miles Waite: I did preliminary consulting for this property for the previous applicant, and I have worked with the current applicant on another project, but I do not consider this a conflict with these proceedings.

Caitlin Halpert: Can you please walk us through what you would like to do?

Doug Nedde: I have done several projects in the area, and I have a long and interesting relationship with Pine Street. I have brought in a professional to explain and interpret the plans before you.

Scott Mapes: I was previously involved with the Silt Botanica Bathhouse project, which was the previously proposed use for this site. This project was scuttled due to higher than anticipated costs to contend with the pollution on this site. This previously proposed project would have had up to 80% lot coverage, which led to greater need to remediate the site. We learned from this previous project while planning for this new project. The two buildings proposed would be situated to the east of the peat line to allow for fewer impacts to hydro geological conditions existing in the Barge Canal. There are two contaminants of concern including non-aqueous phase liquid (NAPL) created by the gasification process in the subsurface of this property. The other contaminant is polycyclic aromatic hydrocarbons (PAHs). The background and history of this site is important because this requires a corrective action plan to meet the residential standards proposed by this project. An easement will also be needed to address residential uses in the recently adopted South End Innovation District (SEID). We are requesting a height waiver for the five-stories proposed of each structure to meet the zoning provision under the SEID regulations. This project has a significantly less lot coverage proposed than the previous bathhouse project. Concerning stormwater retention and management, we are proposing a water retention basin utilizing the existing topography to cap the amount of infiltration on this site. It is difficult to tell from the existing plans, but the hydrodynamic forces flow from east to west.

Sean McKenzie: So the corrective action plan addresses stormwater?

Scott Mapes: Any area of disturbance is subject to a corrective action plan.

Evan Gould: Adding another curb cut would cause contention amongst cyclists and other pedestrian traffic. Can you make changes to address this? Would it be possible to use the Maltex building's existing curb cut?

Scott Mapes: We can review this. It would be difficult to have only one access point to address the commercial/residential uses of this property as proposed.

Doug Nedde: The existing curb cuts along Pine Street are also a good straight away for pedestrian traffic and safety.

Evan Gould: Can you expand on the proposed commercial uses for this property?

Scott Mapes: The plans have not been worked out enough yet at this stage to provide a more definitive answer.

Caitlin Halpert: This is the first residential development that we are seeing under the newly adopted SEID regulations. What provisions are you seeking, variance, etc.?

Scott Mapes: Under the SEID regulations, the Development Review Board (DRB) has the ability to waive certain requirements. Along the Pine Street corridor, there is a City easement in the Right-of-Way (ROW), which will not allow us to move the proposed structures closer to the street. This is part of the conflict we are trying to resolve between commercial/residential parking.

Caitlin Halpert: That makes sense, however it should be noted that there is no longer a parking minimum requirement for residential development, which would otherwise hinder the development of this project.

Scott Mapes: We are charged and challenged with how to make this site a successful and activated commercial space without decreasing parking.

Doug Nedde: We have a good market sense for what is needed for parking for both the commercial and residential uses of this property as proposed.

Miles Waite: I have a question about the structure's proposed foundation. The previous bathhouse project had difficulty because of the proposed ground disturbance that would be required to pour foundations.

Scott Mapes: Piles would be driven down into the bedrock to support the proposed structures.

Miles Waite: How does the understanding of the property change over time to allow for development of projects like this?

Scott Mapes: This is the first time that geotechnical data and analysis is being supporting through outside funding sources to create corrective action plans. A significant amount of time and study has been implemented on this property since 2010.

Miles Waite: Is there a process for utilizing existing contaminated fill rather than transporting it to remediation centers like Coventry landfill?

Scott Mapes: What the state does not want in uncontaminated soils ending up in contamination facilities like Coventry landfill. The corrective action plan will address this with additional studies and project planning.

Miles Waite: You take a risk for projects like this if contaminants are found beyond the scope of what was previously evaluated.

Scott Mapes: This site has been thoroughly evaluated. This project seeks to duplicate similar structure features to neighboring structures like the Maltex building, which abuts this property. The structures facades will have wide windows and brick exteriors as proposed, which is similar to the industrial appearance of the Maltex building. There are up to 117 proposed residential dwelling units in a variety of sizes ranging from studio apartments to two-bedroom apartments.

Doug Nedde: As proposed, we are creating a space with pedestrian bicycle parking/storage, a fitness center in each structure, and rooftop terraces.

Evan Gould: For consideration of commercial uses, the shared plaza between the two structures with residential uses has an opportunity for shared frontages.

Caitlin Halpert: The massing looks a little overwhelming, but this can be discussed with the Design Advisory Board (DAB).

Doug Nedde: This project is similar to projects we have done in Winooski that do not feel overwhelming in nature.

Miles Waite: Will residents be limited to areas of the property like the Barge Canal where contamination will still exist?

Scott Mapes: This is subject to the corrective action plan. We do not wish to allow people to trespass in areas that are detrimental to their health and safety.

Caitlin Halpert: Are there any additional questions or comments from the board? Hearing none, is there anyone from the public with questions or comments regarding this item?

Ruby Perry: Will AJ LaRosa be recused on this item, as a representative of the project team?

Scott Mapes: Yes.

Ruby Perry: I live in the Five Sisters Neighborhood and I have concerns of this project coming to fruition given the limited land use of this property. Now is an excellent opportunity to reevaluate this property given the number of projects that have failed to come to fruition here. This property is identified as a superfund site and I want to ensure that any project meets local and state level regulations. Can you ensure the contaminated soil will not run into the Black River, which flows directly into Lake Memphremagog? The existing property is comprised of a diverse ecosystem that is a valuable resource to the South End. Any development will interfere with the natural protections that this property provides against global warming.

Andy Simon: I also live in the Five Sisters Neighborhood, and I am a participating member of the Friends of the Barge Canal volunteer group. Each time a project is proposed in this area, I am frequently saying no to development. We agree there is a housing shortage, and I am not discouraging development, just not in this area. Other areas of the SEID are prime candidates for this area. Since 1992, animals and vegetation have flourished in this area. It is time to consider the broader interests of our community including water quality versus the private interests of developers.

Bram Kleppner: I am the Vermont Representative for this district. A great amount of time and energy has been done in the legislature to combat the issue of affordable housing and housing stock. Normally, I am in agreement with my neighbors expressing objections to development, but this is an excellent site for housing development. This is based on the geographic characteristics of this property that would behoove us to develop a project that would last 100 years or more. People will be living and working in this area and this is an important factor to consider.

Sharon Bushor: I do not live in the South End, but I follow City government very closely. The Planning Commission created this process for the SEID and I urge those who spoke this evening to speak with Charles Dillard and Sarah Morgan in the City Planning office. If indeed this project moves forward, the commercial occupancy at this site has been drastically reduced from previous proposals. This project needs to bring in the public and was referenced by Scott Gustin in his report. Commercial spaces need to do what it is intended to do and be innovating. Concerning no appetite for surface parking outlined by the board, the majority of parking is solvable without congesting the commercial storefronts. I am very concerned by the lack of compliance with the Americans with

Disabilities Act (ADA) for parking in light of no parking minimums. There is a nice mix of commercial/residential uses, but the ratio of bedroom counts seems limited for larger family sizes.

Caitlin Halpert: Is there anything else that anyone would like to respond to?

Scott Mapes: More specific details on parking will be hashed out once we make it past sketch plan review.

Doug Nedde: Additional parking would push us over the previously mentioned peat line to the west.

Miles Waite: Are you proposing to change the property lines with a subdivision?

Scott Gustin: Dimensional requirements would be more suited to a lot line adjustment than a subdivision.

Doug Nedde: Yes, portions of the property will be adjusted, and land conveyed to abutting properties like the Maltex building.

Caitlin Halpert: Can you expand on what you are looking for from the DRB beyond general review?

Scott Mapes: Under Section 5.4.9 Brownfield Remediation of the Comprehensive Development Ordinance (CDO), we are requesting a waiver to utilize greater height, parking, and commercial streetscape activation in the SEID. Stormwater management and retention will also address peak storm events so the property is no inundated.

Caitlin Halpert: Parking will still present an issue with the standards outlined in the CDO and our ability to grant a waiver.

Miles Waite: I agree with the reduction of parking and expansion of commercial use.

Evan Gould: It looks like there is an issue with frontages outlined in the existing plans.

Scott Gustin: There is no secondary frontage, which would allow up to 35%.

Doug Nedde: If we take additional parking away can we utilize existing infrastructure like the Maltex building's parking lot.

Scott Gustin: The board has granted parking waivers before like with the application for Rhino Foods.

Evan Gould: There are variety of parking examples.

Doug Nedde: The Maltex building is unwilling to negotiate long-term parking at their property.

Sean McKenzie: The purpose of the SEID is to create a welcome and uniform design in this district.

Caitlin Halpert: Are there any additional questions or comments? Have you gotten what you needed from this? This is a new district, so our review of the standards is also new.

Scott Mapes: The SEID regulations as written are very challenging.

Caitlin Halpert: Where you started your presentation today with the relationship of existing contaminants on the proposed development is very helpful.

Evan Gould: I would like to clarify the standards for commercial parking.

Scott Mapes: We are allowed up to six parking spaces per commercial business, but we have decreased it to five parking spaces as a precaution.

Caitlin Halpert: Hearing no additional questions or comments, we will close the hearing on this item, and adjourn this evening's meeting.

VI. Adjournment

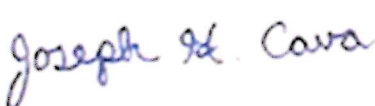
Hearing closed at 6:20 PM.



Alexander J. LaRosa, Chair of Development Review Board



Date



Joseph H. Cava, Permitting & Inspections Permit Technician

6-3-25

Date

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

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