

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
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Development Review Board

Wednesday, March 25, 2026, 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>

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1. Agenda

2. Communications

3. Minutes

4. Consent

4.1.

ZP-26-54; 49 Henderson Terrace (RL, Ward 6) Elizabeth Halpern / Alex Halpern
Proposed replacement of an existing garage with a new garage. (Project Manager, Mary O'Neil)

4.2.

ZP-26-42; 5 Crescent Road (RL, Ward 6) Robert Stumler / Jane Dunbar
Proposed establishment of bakery home occupation. (Project Manager, Kirk Dressing)

4.3.

ZP-25-615; 72-74 Cedar Street (RM, Ward 2) Lois Grimard / Bradley Grimard
Proposed establishment of a pottery home occupation. (Project Manager, Kirk Dressing)

5. Public Hearing

5.1.

ZP-26-69; 125 Lakeside Avenue (E-LM, Ward 5) Ride Your Bike, LLC / John Caulo
Final plat application for 3-lot subdivision. (Project Manager, Scott Gustin)

6. Certificate of Appropriateness

6.1.

ZP-25-378; 451 Appletree Point Road (RL, Ward 4) Jamie Spano
Proposed after-the-fact tree removal and replacement/extension of deteriorated seawall. (Project
Manager, Scott Gustin)

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/439/Zoning-Division>

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William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Kirk Dressing, Associate Planner
Collin Naheedy, Zoning Compliance Officer
Joseph Cava, Planning Technician



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: March 25, 2026
RE: ZP-26-54; 49 Henderson Terrace

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-26-54

Location: 49 Henderson Terrace

Zone: RL **Ward:** 6

Applicant/ Owner: Alex Halpern

Request: Proposed replacement of an existing garage with a new garage.

Background:

- **Zoning Permit 11-0374CA;** Add two stone patios, wood deck, and latic fence with gate. October 2010.
- **Zoning Permit 08-757BA;** add one window and enlarge another window, add deck, demolish and rebuild garage. May 2008. [This permit was never closed out nor relinquished.]
- **Zoning Permit 81-546;** construct a 6' x 8' shelter over existing stairs. June 1981.
- **Building Permit 54-64** issued for construction of new garage. October 1953.
- **Request to move garage.** Neighbor objection; request withdrawn. New request to erect a new garage in new location. October 1953.



EXISTING FRONT VIEW

Overview:

The existing garage at 49 Hendersen Terrace was constructed in 1953. The inclusion of 49 Hendersen Terrace within the Historic Sites and Structures Survey of 2005 within the Prospect Park North survey area has thrust this parcel into historic structure review of Section 5.4.8. One line in the narrative: *One-bay garage* is the source of the inclusion for this review. The original building permit defines aluminum siding and asphalt shingle roofing; both which remain today. No building description is included within the HS&S survey to support its historic merit. A permit was issued for its replacement in 2008, but no Certificate of Occupancy has been issued and it the work was never done.

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

I. Findings

Article 3: Applications, Permits, and Project Reviews

Part 5: Conditional Use and Major Impact Review

Section 3.5.2 Applicability

(a) Conditional Use Review

Required for a request to demolish a historic structure per Section 5.4.8 (d) 2.

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;*

There is no impact to existing or planned public utilities. **Affirmative finding.**

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;*

Hendersen Terrace is a developed residential area. A replacement garage shall not impact the residential character of the area. **Affirmative finding.**

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;*

There are no identified nuisance impacts with the replacement of a residential garage. **Affirmative finding.**

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;*

There are no negative impacts to the local transportation system. **Affirmative finding.**

and,

5. *The utilization of renewable energy resources;*

There is no hindrance in the potential use of renewable energy resources. **Affirmative finding.**

and,

6. *Any standards or factors set forth in existing City bylaws and city and state ordinances;*

The applicant shall abide by best practices in material abatement and disposal as required by law. **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:

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 are no identified impacts from a replacement garage that might require mitigation. Not applicable.

2. *Time limits for construction.*

The standard life of a zoning permit is three years. If the applicant wishes to phase the project, they may make the request of the DRB. Otherwise, the typical three-year time limit will apply. **Affirmative finding as conditioned.**

3. *Hours of operation and/or construction to reduce the impacts on surrounding properties.* Hours of construction are limited to M-F 7:30 am to 5:30 pm. Saturday construction is limited to interior work. There shall be no construction activities on Sundays. **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 alteration will be reviewed under the standards in effect at the time of application. **Affirmative finding as conditioned.**

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.*

This is at the discretion of the DRB.

Article 4: Zoning Maps and Districts

Table 4.4.5-1

RL	Min Lot Frontage 30'	Front setback Avg. of front setback 2 adjacent lots on both sides +/- 5'	Side setback 10% lot width or avg. of side setback of 2 adjacent lots on both sides	Rear setback 20'	Lot coverage 45%
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49 Hendersen Terrace	Existing 74'	Existing 14.65' Proposed 22'	Existing 5'6" Proposed 5'*	68.95' (garage) (Required: 5' accessory structure)	27.5 existing 32.5 proposed
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*Acceptable per Section 5.2.5 (b) 5. Accessory Structures and Parking Areas

Affirmative finding.

Article 5: Citywide General Regulations

Section 5.2.2 Required Frontage or Access

Pre-existing at 74'. See Table 4.4.5-1, above.

Section 5.2.3 Lot Coverage

See Table 4.4.5-1.

Section 5.2.4 Buildable Area Calculation & Steep Slopes Overlay District

The property does not exceed 2 acres, excluding it from Buildable area review.

The parcel is not within the Steep Slopes Overlay. Not applicable.

Section 5.2.5 Setbacks

See Table 4.4.5-1, above.

Section 5.2.6 Building Height Limits

The proposed replacement garage has a height less than 15'; qualifying as an accessory structure that may enjoy a minimum 5' side yard setback. **Affirmative finding.**

Section 5.2.7 Density Calculations

No change is proposed to the existing unit count. Not applicable.

Section 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.*

49 Henderson Terrace was included within the 2005 Historic Sites and Structures Survey, Prospect Park North. Within that structural narrative the garage is acknowledged, but no building description was provided, nor any supporting information about historic merit of the accessory structure. This garage is not contemporary with the (c. 1930) home.

(b) Standards and Guidelines

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 principal structure will remain. The garage is proposed for replacement. There are no distinctive characteristics of the garage that merit extraordinary measures.

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 garage was built in 1953; simple in construction and lacking refinement. As originally constructed, it has an asphalt shingle roof and aluminum siding.

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.*

The garage is a rudimentary single car structure with aluminum siding.

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

None identified.

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

There are no notable materials, features, finishes or construction techniques present in the existing garage.

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.*

Repair is not requested. The application is for wholesale replacement of the garage, which is only included within the Historic Sites and Structures Survey as an associated structure.

While the principal residence is approximately 1930, the garage was constructed in 1953 and retains no notable characteristics or features.

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.*

Not applicable.

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

There are no identified archaeological resources at this location.

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 removal of this garage of dubious historic value has no impact on the integrity of the principal structure, which has an earlier date of construction and represents an identifiable architectural style of greater distinction.

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, the proposed new garage could be removed in the future without impacting the integrity of the principal structure.

Affirmative finding with DRB concurrence.

(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/owner is an architect. The limited area and function of the structure are the basis for its replacement.

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

Although the structure warranted a notation within the Historic Sites and Structures Survey, no narrative defining historic merit was included. Without further definition or assurance of its appropriate designation as a historic structure, further application of the standards is uncertain.

- 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; and,*

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

- 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;*

The application includes site details, foundation plans, elevations and roof plan for a replacement garage. **Affirmative finding.**

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 application includes full redevelopment plans after the removal of the existing 1953 one car garage. **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; 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; 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.*

The small garage is of marginal value, and is not contemporary with the house. Its replacement does not warrant providing a substantial community wide benefit, without demonstration that it is of high architectural merit. A new structure will outweigh any historic or architectural significance of the 1953 garage.

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 nature of this small, accessory structure; detached from the 1929 residence is not fully developed in the Historic Sites and Structures Survey narrative. Its historic importance, if any, is limited.

- 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;*

For this minor accessory structure of undefined architectural importance, photographs are sufficient for documenting its appearance and materials.

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).*

Redevelopment at this site is the focus of this permit application.

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

While larger than the structure proposed for demolition, the new garage will be differentiated from the residential structure, yet articulated in a more contemporary vocabulary to clearly demarcate the difference between old and new.

- (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;*

With DRB approval, the zoning permit will have a three-year lifetime.

and,

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

This shall be a condition of approval.

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.

Affirmative finding as conditioned.

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 may consider safe salvage and reuse of the structure; however, it is likely that the age of the building may include a presumption of the presence of lead paint.

The limited architectural value of the structure coupled with material concerns and public safety may preclude its reuse.

Article 6: Development Review Standards

Part 2: Site Plan Design Standards

Sec. 6.2.1 Applicability.

These standards shall be satisfied for the approval of all development subject to the provisions of this ordinance found in Article 3, Section 3.4.2(1) – Site Plan Review.

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

None identified. **Affirmative finding.**

(b) Topographical Alterations:

None proposed. **Affirmative finding.**

(c) Protection of Important Public Views:

Not applicable.

(d) Protection of Important Cultural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).

See Section 5.4.8, above.

(e) Supporting the Use of Renewable Energy Resources:

Where feasible, the site plan should be so designed as to take advantage of the site's inherent potential to utilize sources of renewable energy including direct sunlight, wind, or running water. The site plan should also incorporate site planning and landscaping decisions intended to minimize energy demand such as siting buildings to maximize solar access or the use of deciduous and coniferous trees to create shade and windbreak.

Buildings should, where appropriate within the context of the neighborhood development pattern, maximize their solar exposure by being oriented to maximize natural light and heat gain during winter months, and to minimize casting shadows into ground floor living space of a building on an adjacent property.

No part of this application precludes the use of wind, water, solar, geothermal or other renewable energy resources. **Affirmative finding.**

(f) Brownfield Sites:

Where a proposed development involves a known or suspected brownfield, the site plan shall indicate areas of known or suspected contamination, and the applicant shall identify completed or planned remediation necessary to support the intended use(s).

Not applicable.

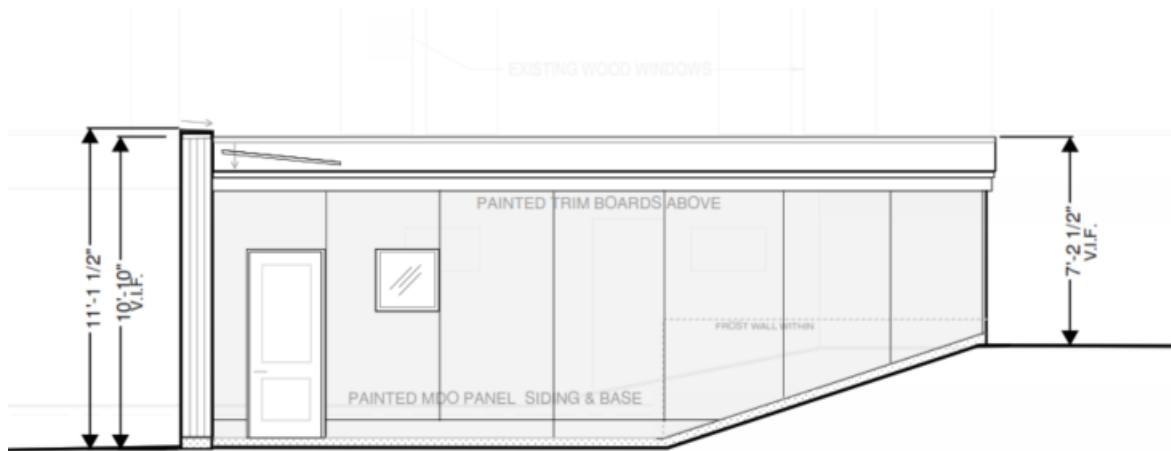
(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

As construction of the proposed garage will disturb more than 400 sq. ft., an Erosion Prevention and Sediment Control Plan will be required for submission, for review and approval by the City Stormwater Engineer.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

A diverter strip is proposed on the roof above the westerly pedestrian door. See Plans A100 and A200. **Affirmative finding.**



(h) Building Location and Orientation:

The introduction of new buildings and additions shall be consistent with the intent of the district. New buildings and additions should be aligned with the front façade of neighboring buildings to reinforce the existing “street-edge,” or where necessary, located in such a way that complements existing natural features and landscapes. Buildings placed in mixed-use areas where high volumes of pedestrian traffic are desired should seek to provide sufficient space (optimally 12-15 feet) between the curblineline and the building face to facilitate the flow of pedestrian traffic. In such areas, architectural recesses and articulations at the street-level are particularly important, and can be used as an alternative to a complete building setback in order to maintain the existing street wall.

In residential areas, accessory buildings shall be located in such a way so as to be secondary and subordinate in scale and design to the principal structure. A parking structure – either attached or detached – shall be setback from the longest street-facing wall of the principal structure and be deferential yet consistent in character and design.

Where a garage is attached to a principal single-family or duplex residential structure and oriented to the street (i.e. the garage doors face the street) the following standards shall apply:

- 1. Except as provided in subsections 3, 4 and 5 below, a street-facing garage wall shall constitute no more than 50% of the width of the street-facing façade of the entire structure (including the garage portion), and shall not exceed 24-feet. In cases where a street-facing garage wall constitutes between 30%-50% of the street-facing façade, living space is encouraged above to integrate the garage more closely into the design and mass of the overall structure. In cases where the street-facing garage wall constitutes more than 50% of the width of the street-facing façade, living space above is required.*

*The proposed replacement garage does not exceed 50% of the width of the street facing façade. The garage itself is less than 24’ in width. **Affirmative finding.***

- 2. Each bay of the garage shall have a separate entrance door of no more than 10-feet in width.*

The application shall be revised to limit garage doors or no more than 10' in width.
Affirmative finding as conditioned.

3. *Where the width of the street-facing façade of the residential portion of the structure is less than 14 feet, the street-facing garage portion may be allowed up to but not exceeding 14 feet in order to allow for a single garage bay.*

Not applicable.

4. *Where a garage entrance is within a single roofline and wholly integrated into the overall design the front façade of the structure, it may constitute more than 50% of the width of the street-facing façade provided there is interior living space above, and the primary pedestrian entrance offers a clear and welcoming entrance from the street.*

The garage entrance is not within a single roofline and wholly integrated into the overall design of the structural façade. Not applicable.

5. *Enclosed space originally designed and constructed as a garage for vehicular parking but converted to living space may be converted back to enclosed vehicular parking provided there is no expansion of the building footprint necessary to complete the conversion.*

Not applicable.

(i) Vehicular Access:

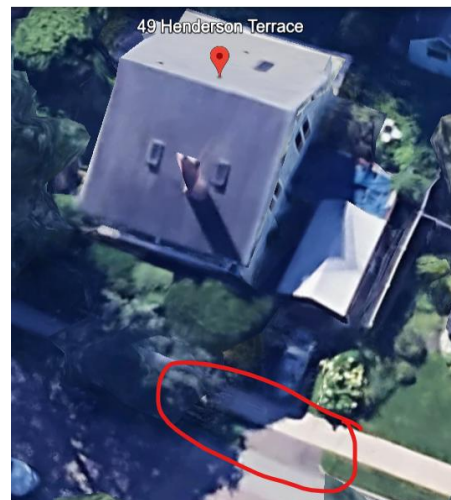
Curb cuts shall be arranged and limited in number to reduce congestion and improve traffic safety. A secondary access point from side roads is encouraged where possible to improve traffic flow and safety along major streets. The width and radius of curb cuts should be kept to the minimum width necessary, and sight triangles and sufficient turnarounds for vehicles shall be provided to reduce the potential for accidents at points of egress.

Whether commercial or residential, shared driveways are encouraged, where possible and appropriate.

The curb cut is preexisting. **Affirmative finding.**

(j) Pedestrian Access:

Pedestrians shall be provided one or more direct and unobstructed paths between a public sidewalk and the primary building entrance. Well defined pedestrian routes shall be provided through parking areas to primary building access points and be designed to provide a physical separation between vehicles and pedestrians in a manner that minimizes conflicts and improves safety. Where sidewalks



and driveways meet, the sidewalk shall be clearly marked by differentiated ground materials and/or pavement markings.

There is a pre-existing brick walkway that leads to the front porch. **Affirmative finding.**

(k) Accessibility for the Handicapped:

Special attention shall be given to the location and integration of accessible routes, parking spaces, and ramps for the disabled. Special attention shall also be given to identifying accessible access points between buildings and parking areas, public streets and sidewalks. The federal Americans with Disabilities Act Accessibility Guidelines (ADAAG) shall be used as a guide in determining the adequacy of the proposed development in addressing the needs of the disabled.

While encouraged, accessibility is not a requirement for single family homes. ADA access compliance is under the jurisdiction of the building official. **Affirmative finding.**

(l) Parking and Circulation:

As a replacement garage to a single-family home, its function and orientation remain as existing conditions. **Affirmative finding.**

(m) Landscaping, Fences and Retaining Walls:

Part of the garage foundation includes a structural retaining wall to support the existing front porch. Reference is made to plans S100. **Affirmative finding.**

(n) Public Plazas and Open Space:

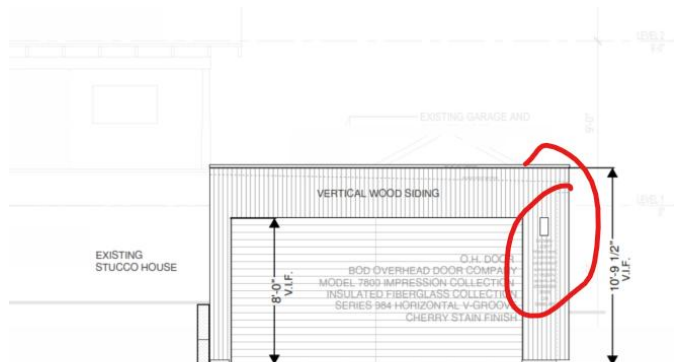
Not applicable.

(o) Outdoor Lighting:

Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

Elevations suggest the installation of sconce lighting at the garage entrance. Fixture and illumination information is required.

Affirmative finding as conditioned.



(p) Integrate infrastructure into the design:

Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 5 Performance Standards.

The plan does not include any identified machinery, equipment, meters, mailboxes or similar accessory structure. Not applicable.

Part 3: Architectural Design Standards

Sec. 6.3.1 Applicability.

These standards are enacted and shall be satisfied for the approval of all development subject to the provisions of this ordinance found in Article 3, Section 3.4.2(b) – Design Review.

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

Proposed buildings and additions shall be appropriately scaled and proportioned for their function and with respect to the purpose of the zoning district. They should integrate harmoniously into the topography, and to the use, scale, and architectural details of existing buildings in the vicinity; however, such consideration shall not require building height to be more limited than otherwise allowed within an applicable zoning district or overlay zone per Article 4.

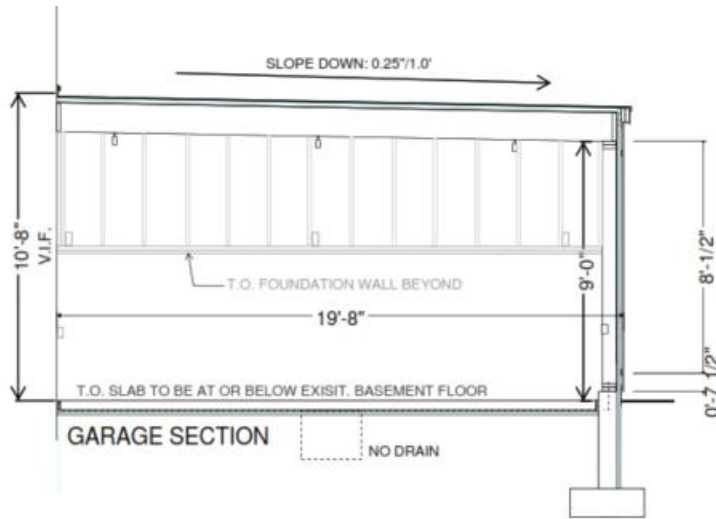
The following shall be considered:

1. Massing, Height and Scale:

The massing and height of the proposed garage are minor and deferential to the existing principal structure. **Affirmative finding.**

2. Roofs and Rooflines.

The new roof will be slightly pitched to the rear/south. **Affirmative finding.**



3. Building Openings

Other than the overhead garage door, there will be a pedestrian door on the west/side of the structure. **Affirmative finding.**

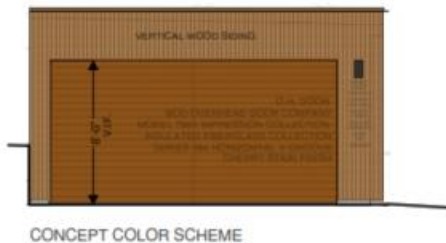
(b) Protection of Important Architectural Resources:

See Section 5.4.8.

(c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:



The erection of an attached parking structure will physically strengthen the street wall, yet provide a pleasant, differentiated structural vocabulary to the arrangement. Clearly more contemporary than the Craftsman style home, the natural materials and toned palette allow the buildings to naturally interrelate. **Affirmative finding.**

(e) Quality of materials:

All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

Owners of historic structures are encouraged to consult with an architectural historian in order to determine the most appropriate repair, restoration or replacement of historic building materials as outlined by the requirements of Art 5, Sec. 5.4.8.

The vertical wood sheathing on the north-front will present an appealing counterpoint to the existing stucco residence. The sides of the garage are proposed to be painted MDO with trim boards. **Affirmative finding.**

(f) Reduce energy utilization:

New structures should incorporate the best available technologies and materials in order to maximize energy efficient design. All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

New structures should take advantage of solar access where available, and shall undertake efforts to reduce the impacts of shadows cast on adjacent buildings where practicable, in order to provide opportunities for the use of active and passive solar utilization.

Affirmative finding as conditioned.

(g) Make advertising features complementary to the site:

Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2 (p), above.

(i) Make spaces secure and safe:

Spaces shall be designed to facilitate building evacuation, accessibility by fire, police or other emergency personnel and equipment, and, to the extent feasible, provide for adequate and secure visibility for persons using and observing such spaces. Building entrances/entry points shall be visible and adequately lit, and intercom systems for multi-family housing should be incorporated where possible, to maximize personal safety.

Construction shall adhere to all applicable building and life safety codes as defined by the building official. **Affirmative finding as conditioned.**

Article 8: Parking

Zoning Amendment ZA-22-07 eliminated minimum parking requirements. The proposal does not exceed Maximum Parking allowances of Section 8.1.9-1. (Single Family detached and Duplex: 3 parking spaces maximum. Driveway parking is excluded from Maximum Parking calculation.) **Affirmative finding.**

Conditions of Approval:

1. The application shall be revised to limit garage doors or no more than 10' in width.

2. **Prior to release of the zoning permit**, an Erosion Prevention and Sediment Control Plan shall be provided to the Stormwater Engineer for review and approval.
3. The driveway shall not exceed 18' in width.
4. Hours of construction are limited to M-F 7:30 am to 5:30 pm. Saturday construction is limited to interior work. There shall be no construction activities on Sundays.
5. All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
6. All construction materials shall be disposed of in a safe and legal manner. The applicant shall abide by best practices in material abatement and disposal as required by law.
7. The time between demolition and commencement of new construction generally shall not exceed six (6) months.
8. Any future alteration will be reviewed under the standards in effect at the time of application.
9. 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.

OWNER

ALEX & ELIZABETH HALPERN
49 HENDERSON TERRACE
BURLINGTON, VT 05401

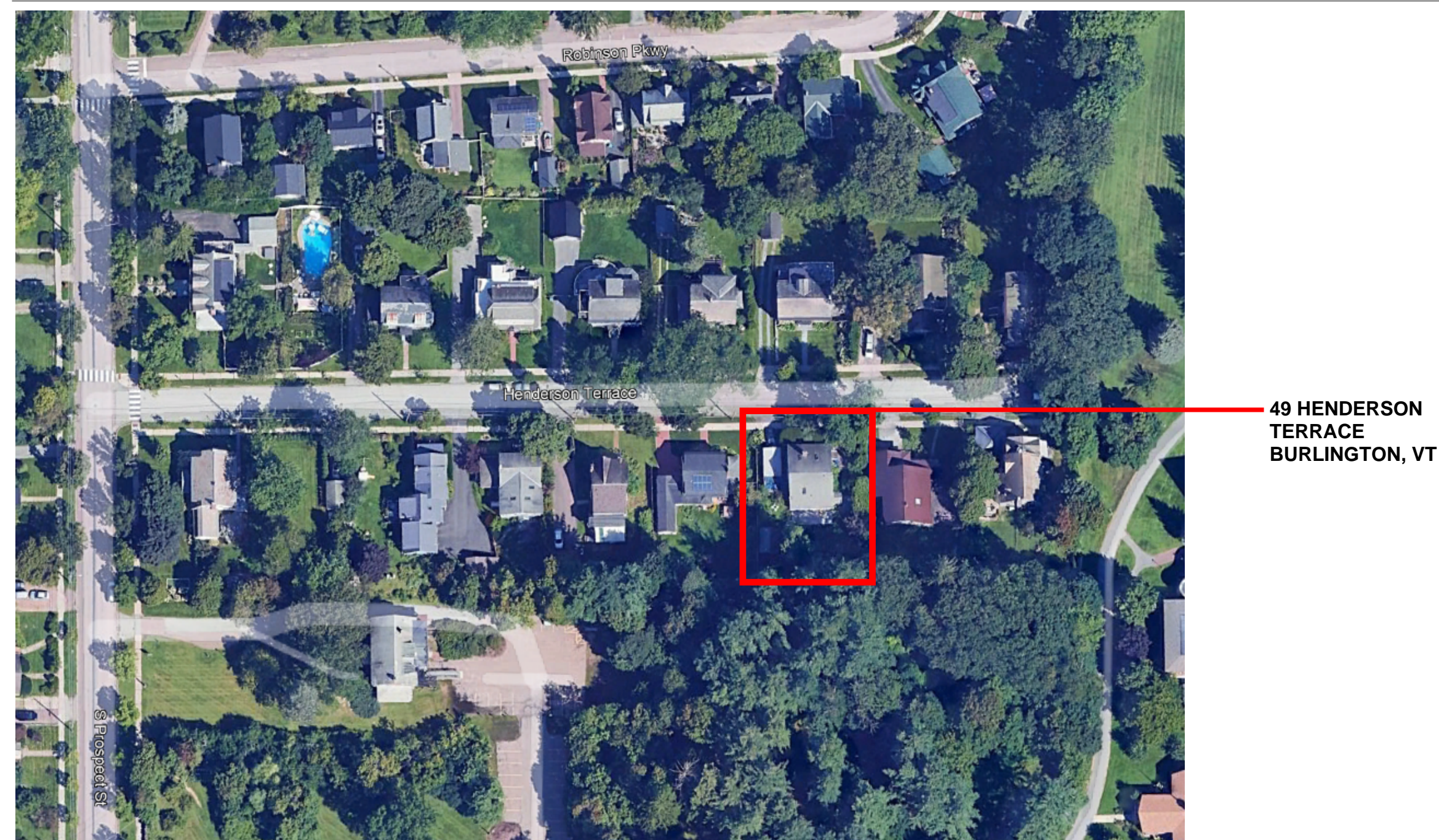
ARCHITECT

ALEX HALPERN
49 HENDERSON TERRACE
BURLINGTON, VT 05401

49 HENDERSON TERRACE REPLACEMENT GARAGE - ACCESSORY STRUCTURE ISSUE FOR CONSTRUCTION



LOCATION MAP



ABBREVIATIONS

ACT	ACOUSTICAL CEILING TILE	MATL	MATERIAL
ADA	AMERICANS WITH DISABILITIES ACT	MAX	MAXIMUM
AFF	ABOVE FINISH FLOOR	MECH	MECHANICAL
ALUM	ALUMINUM	MFR	MANUFACTURER
APPROX	APPROXIMATELY	MIN	MINIMUM / MINUTE
A/V	AIR / VAPOR (when followed by "BARRIER") or AUDIO / VIDEO	MISC	MISCELLANEOUS
		MO	MASONRY OPENING
		MTD	MOUNTED
		MTL	METAL
BD	BOARD	NIC	NOT IN CONTRACT
BLDG	BUILDING	NTS	NOT TO SCALE
CG	CORNER GUARD	OC	ON CENTER
CJ	CONTROL JOINT	OFF	OFFICE
CL	CENTER LINE	OH	OPPOSITE HAND OR OVERHEAD
CLG	CEILING	OPP	OPPOSITE
CLR	CLEAR	OFOI	OWNER FURNISHED
CMU	CONCRETE MASONRY UNIT	OPI	OWNER INSTALLED
COL	COLUMN	OFCI	OWNER FURNISHED CONTRACTOR INSTALLED
CONC	CONCRETE	OPNG	OPENING
CONT	CONTINUOUS		
CORR	CORRIDOR		
CPT	CARPET		
CT	CERAMIC TILE		
CFCI	CONTRACTOR FURNISHED CONTRACTOR INSTALLED	PL	PLATE
CFOI	CONTRACTOR FURNISHED OWNER INSTALLED	PLAM/P-LAM	PLASTIC LAMINATE
		PLYWD	PLYWOOD
		PREFAB	PREFABRICATED
		PT	PRESSURE TREATED
		PTD	PAINTED
DF	DRINKING FOUNTAIN		
DIA	DIAMETER		
DIM	DIMENSION	QT	QUARRY TILE
DN	DOWN		
DTL	DETAIL	RCP	REFLECTED CEILING PLAN
DWG	DRAWING	REF	REFERENCE / REFRIGERATOR
		REQD	REQUIRED
		RESIL	RESILIENT
		REV	REVISION
		RM	ROOM
		RO	ROUGH OPENING
EJ	EXPANSION JOINT	SCHED	SCHEDULE
EL/ELEV	ELEVATION	SECT	SECTION
ELEC	ELECTRIC	SHT	SHEET
EMER	EMERGENCY	SIM	SIMILAR
ENGR	ENGINEER	SPEC	SPECIFICATION
EQ	EQUAL	STD	STANDARD
EQUIP	EQUIPMENT	STL	STEEL
EWC	ELECTRIC WATER COOLER	SS, ST, STL	STAINLESS STEEL
EX/EXIST	EXISTING	STOR	STORAGE
EXT	EXTERIOR	STRUCT	STRUCTURAL
ETR	EXISTING TO REMAIN		
FD	FLOOR DRAIN	TEL	TELEPHONE
FEC	FIRE EXTINGUISHER CABINET	TOC	TOP OF CONCRETE
FG	FIBERGLASS	TOS	TOP OF STEEL
FIN FLR	FINISH FLOOR	TOW	TOP OF WALL
FIN	FINISH	TYP	TYPICAL
FLR	FLOOR	UNO	UNLESS NOTED OTHERWISE
FRM	FIRE RESISTIVE MATERIAL	UC	UNDER CONTROL
FT	FOOT OR FEET		
GALV	GALVANIZED	VB	VINYL BASE
GWB	GYPHUM WALL BOARD	VCT	VINYL COMPOSITION TILE
GYP	GYPHUM	VERT	VERTICAL
HC	HANDICAP	VEST	VESTIBULE
HDW	HARDWARE		
HM	HOLLOW METAL		
HORIZ	HORIZONTAL	W/	WITH
HR	HANDRAIL	WC	WATER CLOSET
HT	HEIGHT	WD	WOOD
INSUL	INSULATION	W/O	WITHOUT
INT	INTERIOR		
IN	INCHES		
JAN	JANITOR		
JC	JANITOR CLOSET		
LAV	LAVATORY		

SCHEDULE OF DRAWINGS

SUMMARY
REMOVE EXISTING GARAGE AND REPLACE WITH NEW GARAGE.

DRAWINGS
AS100 - SITE PLAN - EXISTING AND PROPOSED WITH ZONING SUMMARY AND CALCULATIONS
AE100 - EXISTING GARAGE FLOOR AND ROOF PLANS
AE200 - EXISTING GARAGE EXTERIOR ELEVATIONS
A100 - NEW GARAGE FLOOR AND ROOF PLANS
A200 - NEW GARGE EXTERIOR ELEVATIONS AND DETAILS

GENERAL NOTES

- ALL WORK TO BE DONE IN ACCORDANCE WITH STATE AND LOCAL CODES AND ORDINANCES.
- ALL WORK PERFORMED TO BE OF ACCEPTED INDUSTRY STANDARDS AND PRACTICES GOVERNING THE HIGHEST DEFINED QUALITY OF WORKMANSHIP. CONTRACTOR TO COORDINATE KEYING REQUIREMENTS WITH THE OWNER AND THOSE SCHEDULED WITHIN THESE DOCUMENTS.
- FIRE PROTECTION DEVICES, EMERGENCY LIGHTING ARE TO BE LOCATED AS DIRECTED AND REQUIRED BY CODE AND / OR AUTHORITIES HAVING JURISDICTION.
- ALL EXTERIOR WOOD BLOCKING AND ALL WOOD IN CONTACT WITH CONCRETE SLABS AND / OR MASONRY TO BE PRESSURE TREATED (GROUND CONTACT RATED). CONTRACTOR TO VERIFY LAYOUT AND DIMENSIONS PRIOR TO THE START OF CONSTRUCTION AND TO CONSULT WITH THE ARCHITECT REGARDING ANY DISCREPANCIES THAT EXIST WITHIN THESE CONSTRUCTION DOCUMENTS.
- CONTRACTOR TO COORDINATE WITH THE OWNER FOR ANY ITEMS TO BE PROVIDED BY THE OWNER AND INSTALLED BY THE CONTRACTOR.
- CONTRACTOR IS RESPONSIBLE FOR PERMITS, FEES, ETC. ASSOCIATED WITH THE EXECUTION AND COMPLETION OF THE WORK AS DEFINED IN THE CONTRACT.
- PROVIDE FIRE TREATED WOOD BLOCKING IN PARTITIONS AS REQUIRED FOR MOUNTING OF CABINETS, SHELVING, GRAB BARS, TACK BOARDS, ETC.
- ALL WOOD FRAMING / BLOCKING AND UNIT MASONRY SIZES ARE NOMINAL, UNO.

MATERIALS LEGEND

	METAL STUD FRAMING
	CONCRETE
	MASONRY - BRICK
	MASONRY - CMU
	BATT INSULATION
	RIGID FOAM INSULATION
	RIGID MINERAL FIBER INSULATION
	SPRAY FOAM INSULATION
	EARTH
	GYPHUM BOARD
	STEEL
	ALUMINUM
	CRUSHED STONE
	PLYWOOD

SYMBOL LEGEND

SECTION / DETAIL CALL-OUT
 1 - SIM - MODIFIER
 A101 - DETAIL NUMBER
 1 - SHEET NUMBER

ELEVATION CALL-OUT
 1Ref - VIEW NUMBER
 A422 - MODIFIER
 1Ref - SHEET NUMBER

ROOM TAG - SEE A900 FOR FINISHES
 Room name - ROOM NAME
 101 - ROOM NUMBER

WALL TAG - SEE SHEETS A003, A004
 150 SF - WALL TYPE
 1i - WHERE A WALLTYPE LEADER PASSES THROUGH 2 OR MORE WALLS, ALL OF THOSE WALLS SHALL BE OF THE TYPE INDICATED.

DOOR TAG - SEE SHEET A800
 101 - DOOR NUMBER

WINDOW TAG - SEE SHEET A700
 A - WINDOW TYPE

CURTAINWALL TAG - SEE SHEET A700
 CW - CURTAINWALL TYPE

ELEVATION MARK
 Name - LEVEL NAME
 Elevation - LEVEL ELEVATION IN FEET

CENTER LINE
 C - CENTER LINE

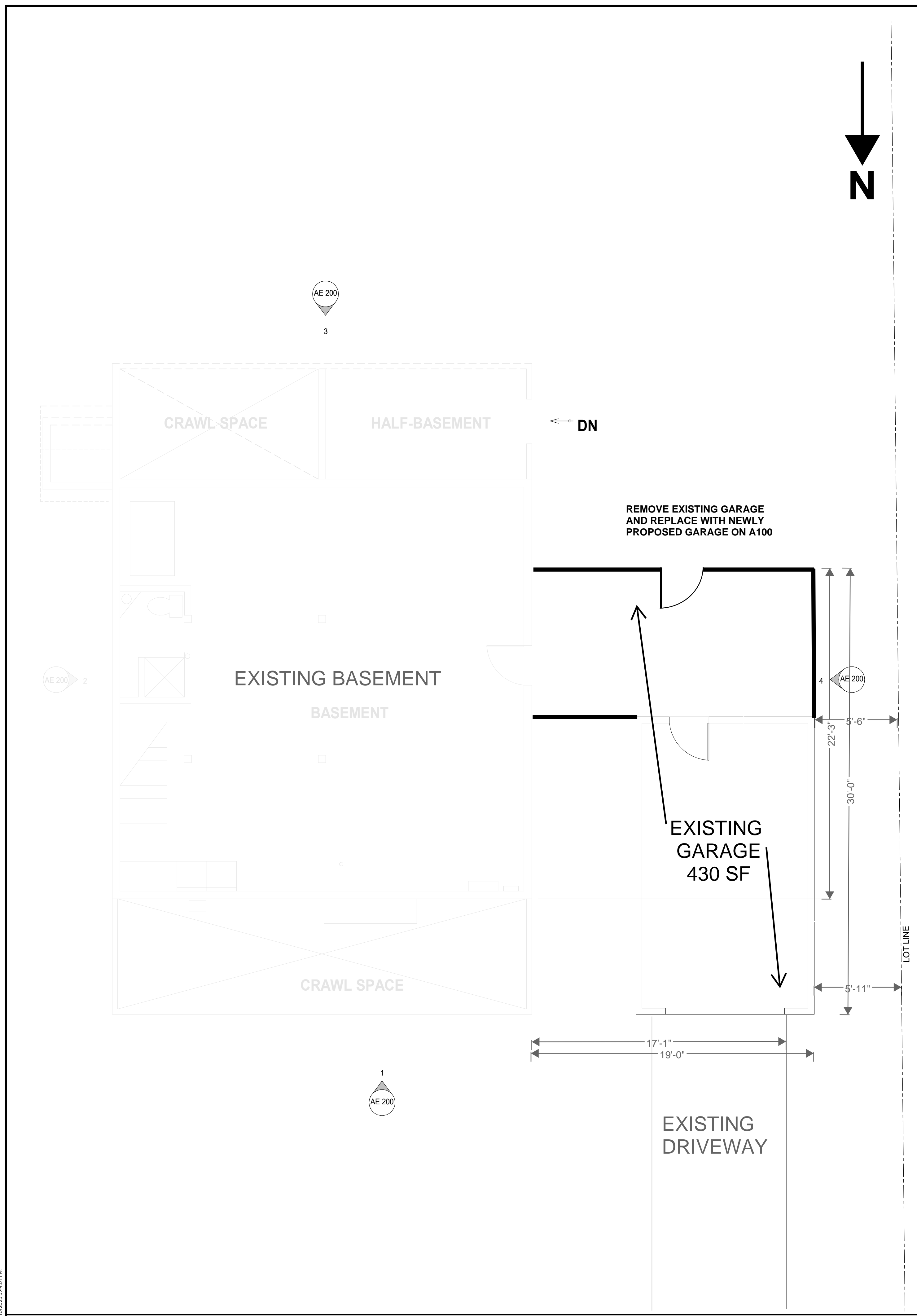
REVISION MARK
 1 - REVISION NUMBER

KEYNOTE TAG
 01 - KEY NUMBER

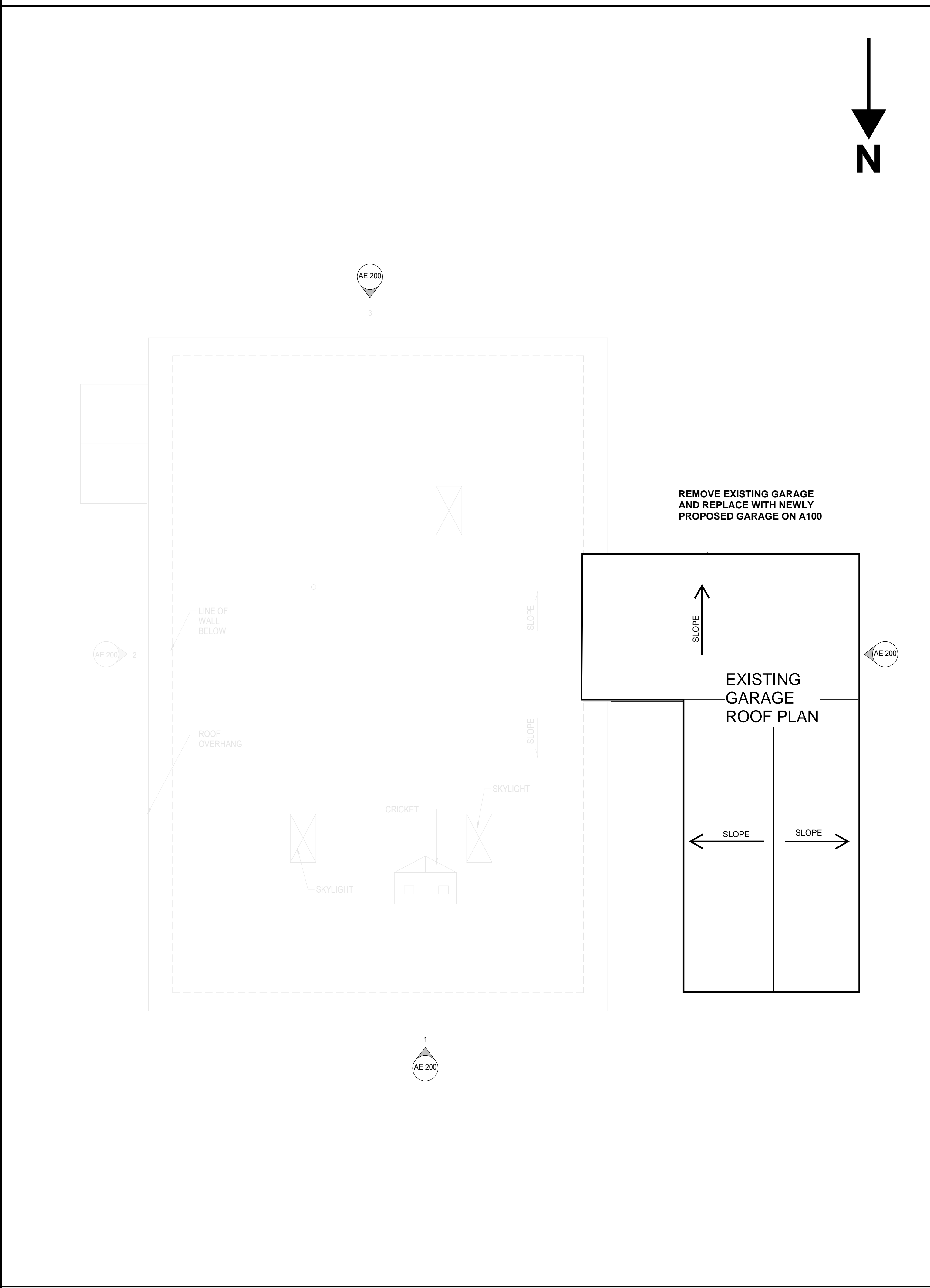
NORTH ARROW
 N - PROJECT NORTH
 T - TRUE NORTH
 M - MAGNETIC NORTH

ISSUE LOG

2/14/2026 - ISSUE FOR CONSTRUCTION



2 EXISTING BASEMENT/ GARAGE FLOOR LEVEL
 AE100 SCALE: 1/4" = 1'-0" REF.: A201



1 EXISTING ROOF PLAN
 AE100 SCALE: 1/4" = 1'-0" REF.: A201

A.L.

LICENSED ARCHITECT
 STATE OF VERMONT
 NO. 2865

Project Name!

CITY, STATE

PROJECT NUMBER: HAL49HT

ORIGINATOR DATE: 12/21/2025 SCALE: 1/4" = 1'-0"

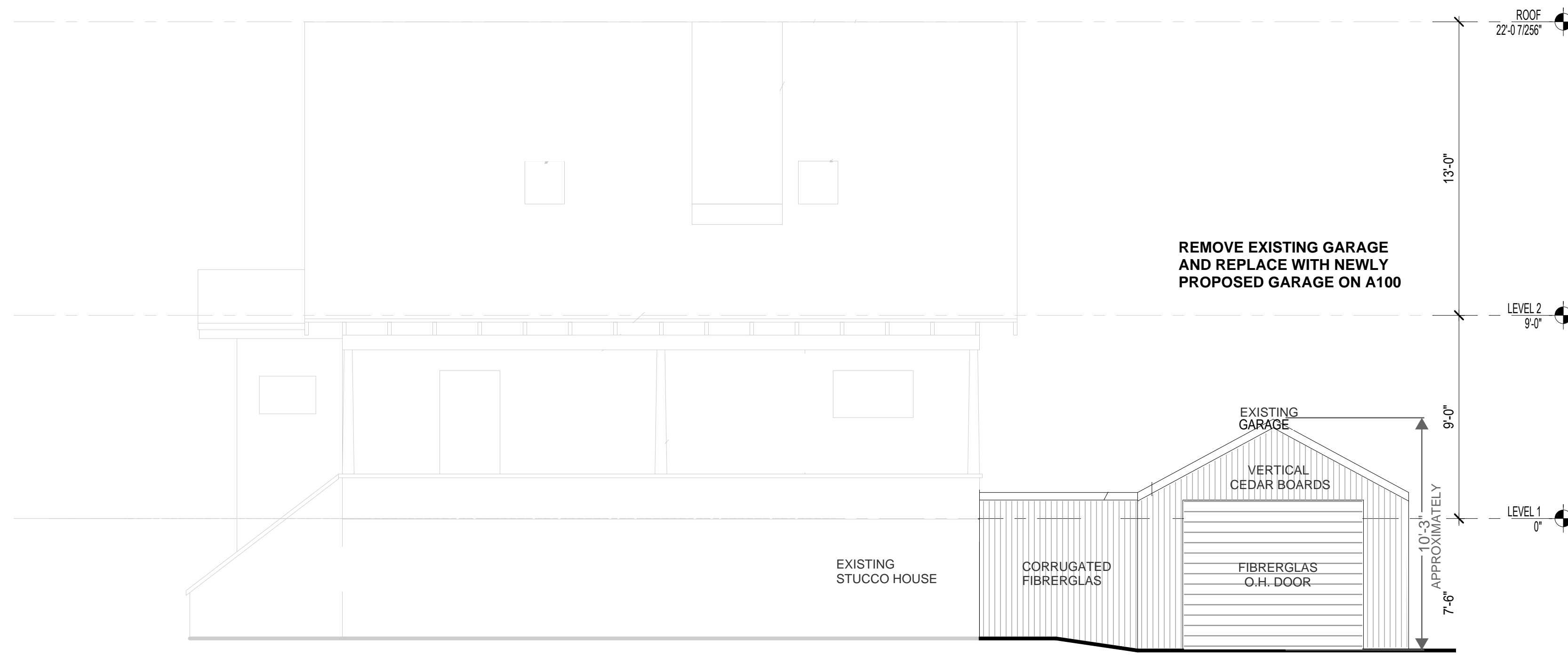
DRAWN BY: AAH CHECKED BY: AAH

ISSUE LOG:
 Construction
 2/14/2026

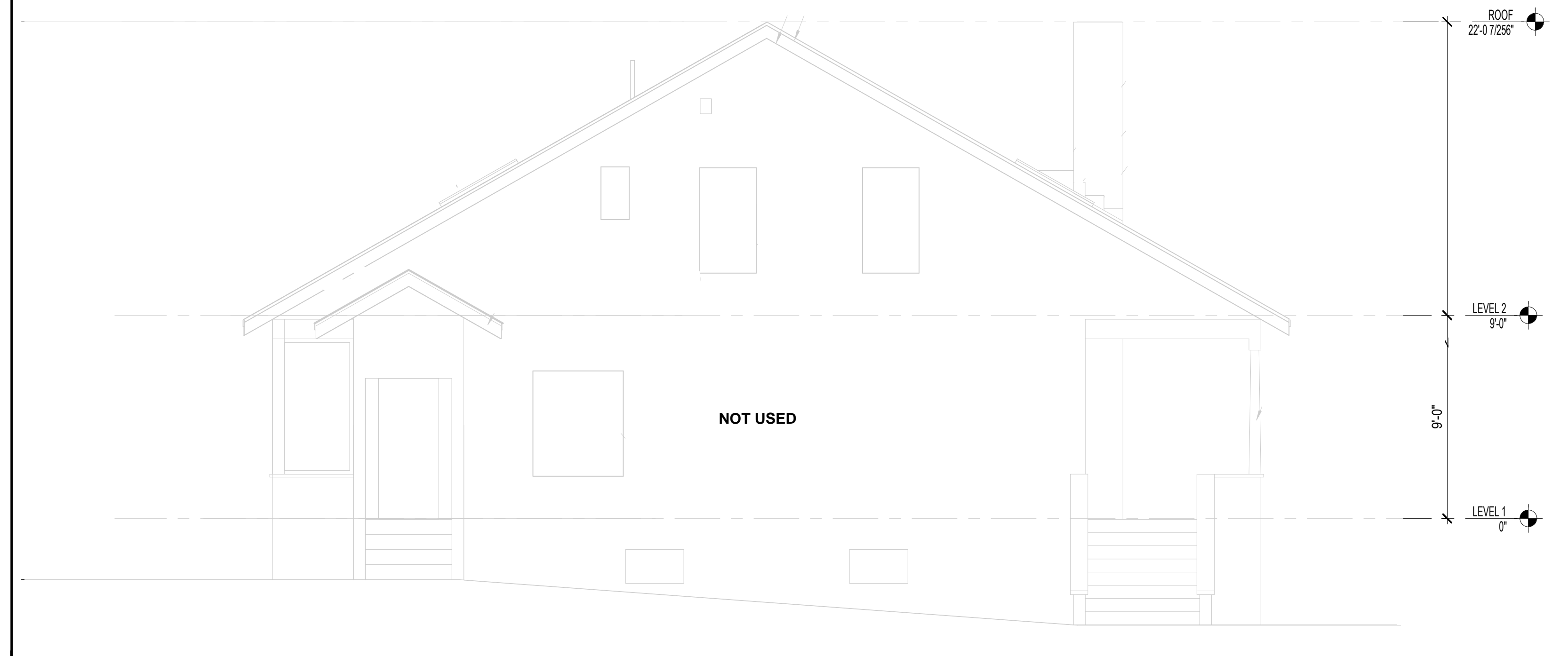
SHEET CONTENTS:
EXISTING PLANS

SHEET NO.:
AE100

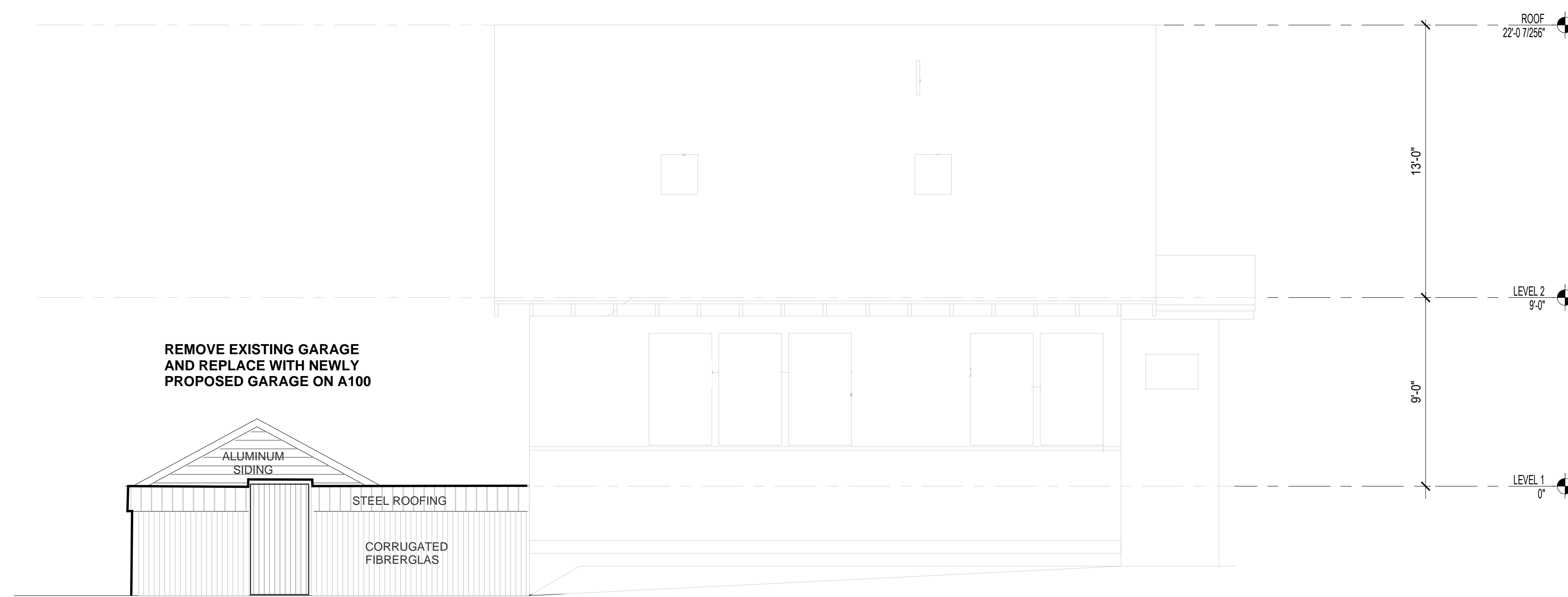
11/10/2025 10:44:05 AM



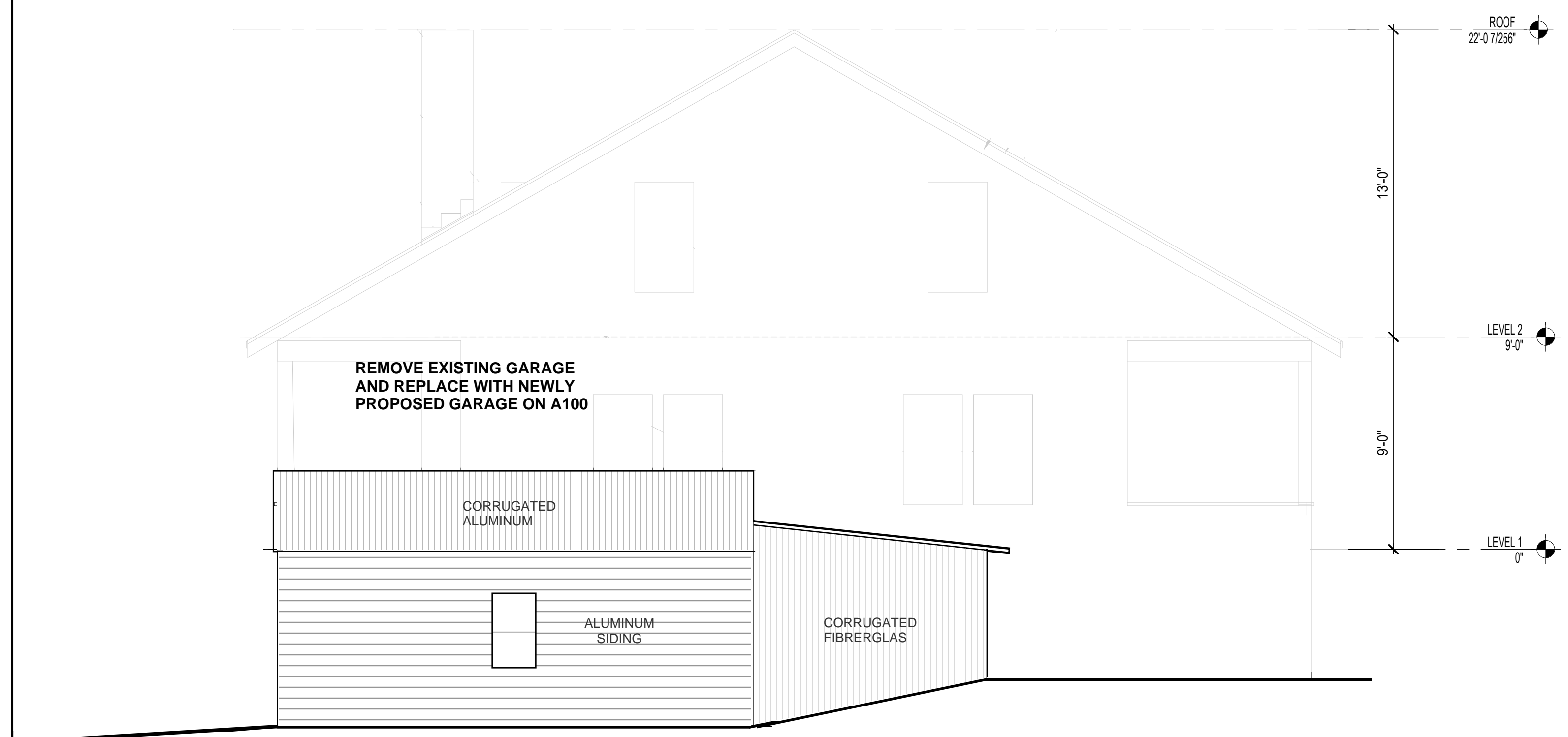
1 EXISTING NORTH ELEVATION
AE200 SCALE: 1/4" = 1'-0" REF.:



2 EXISTING EAST ELEVATION/ GARAGE ON OTHER SIDE OF HOUSE
AE200 SCALE: 1/4" = 1'-0" REF.:



3 EXISTING SOUTH ELEVATION
AE200 SCALE: 1/4" = 1'-0" REF.:



4 EXISTING WEST ELEVATION
AE200 SCALE: 1/4" = 1'-0" REF.:

Project Name!

CITY, STATE

PROJECT NUMBER: HAL49HT

ORIGINATION DATE: 12/21/2025 SCALE: 1/4" = 1'-0"

DRAWN BY: AAH CHECKED BY: AAH

DATE LOG: Construction 2/14/2026

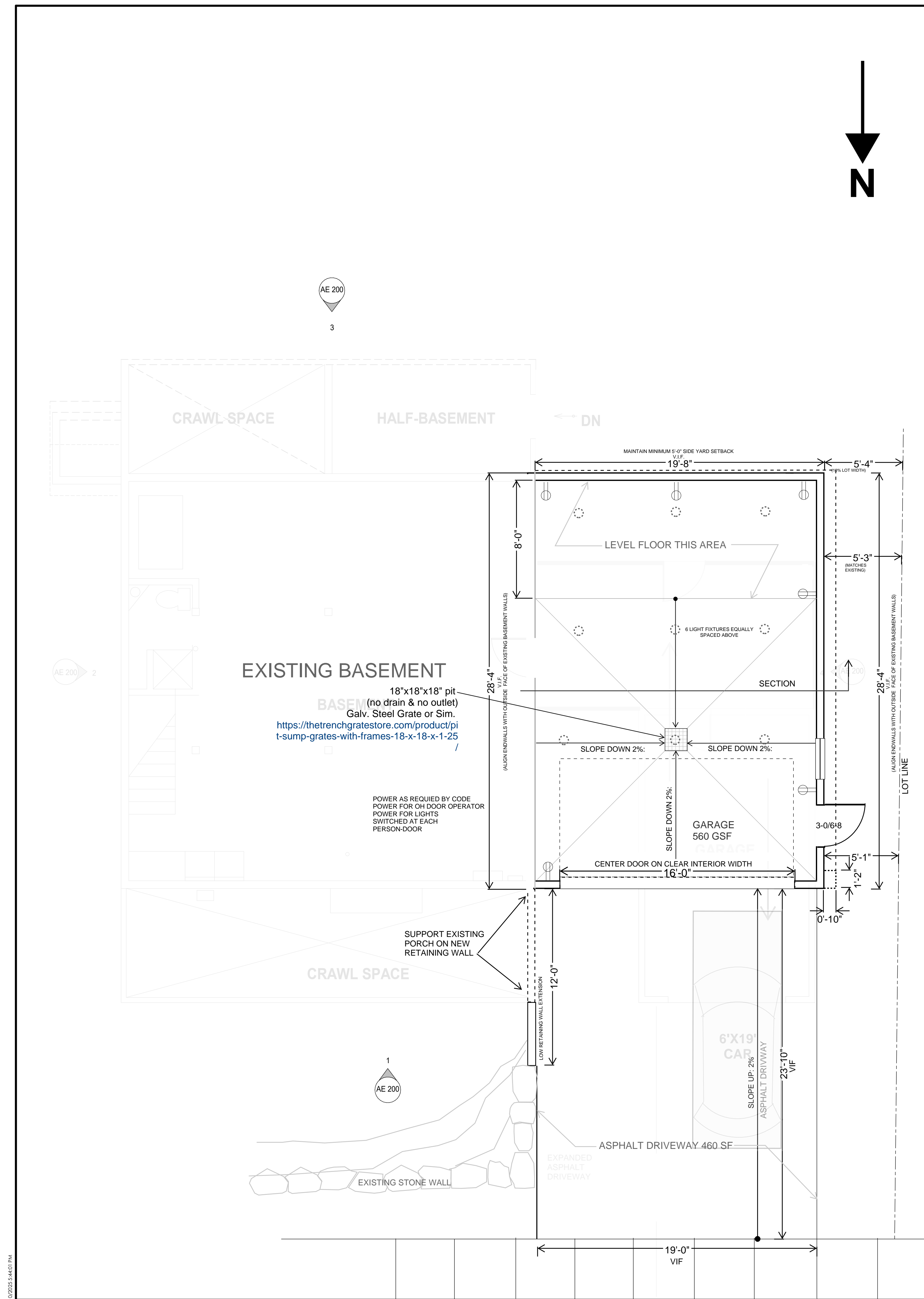
SHEET CONTENTS:

EXISTING EXTERIOR ELEVATIONS

SHEET NO.:

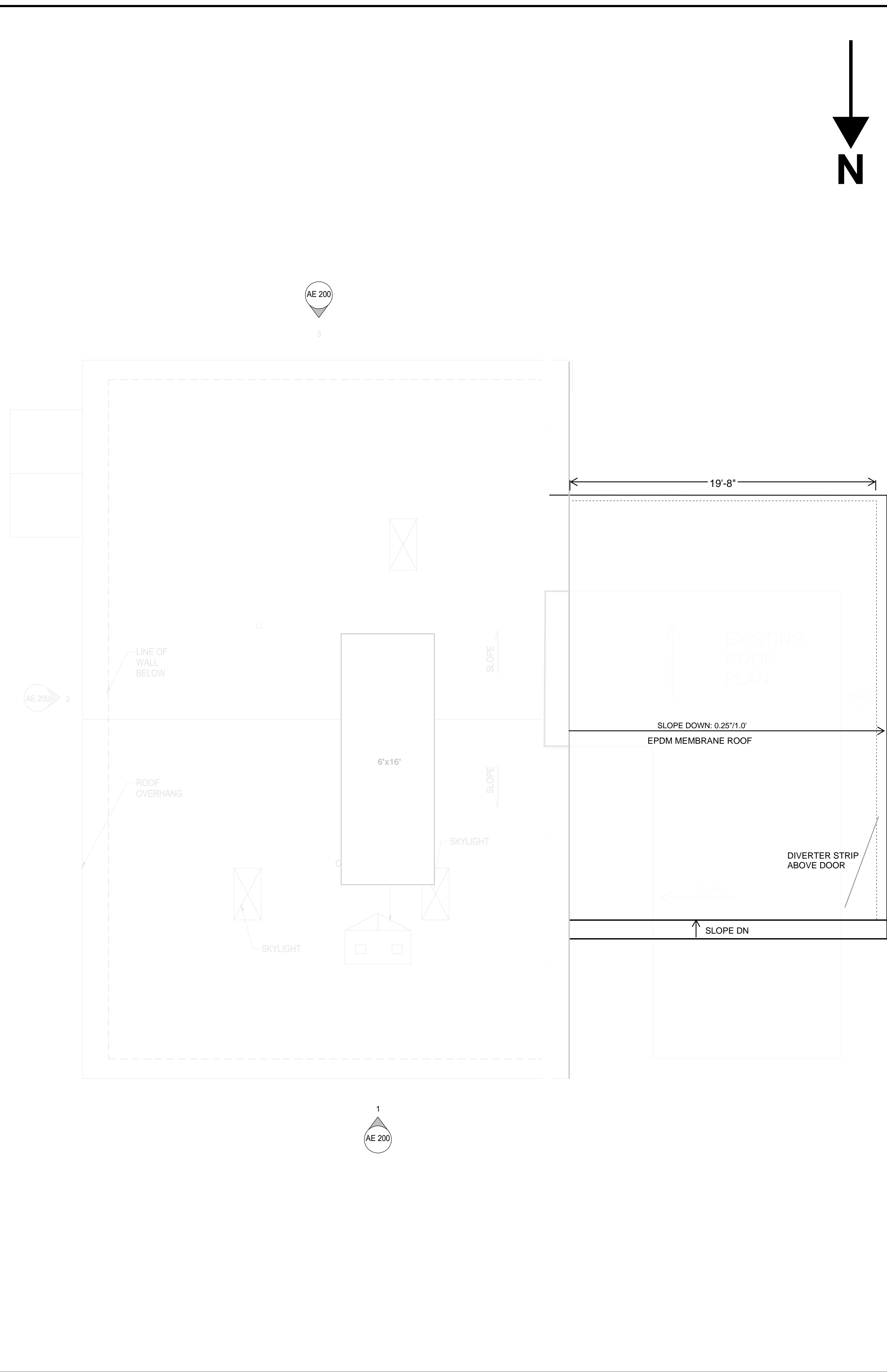
AE200

3-016-8



2 PROPOSED FLOOR PLAN
 SCALE: 1/4" = 1'-0"

EXISTING CURB CUT
 REMAINS IN PLACE.
 NEW ASPHALT



1 PROPOSED ROOF PLAN
 SCALE: 1/4" = 1'-0"



Project Name!

CITY, STATE

PROJECT NUMBER: HAL49HT

ORIGINATION DATE: 12/21/2025 SCALE: 1/4" = 1'-0"

DRAWN BY: AAH CHECKED BY: AAH

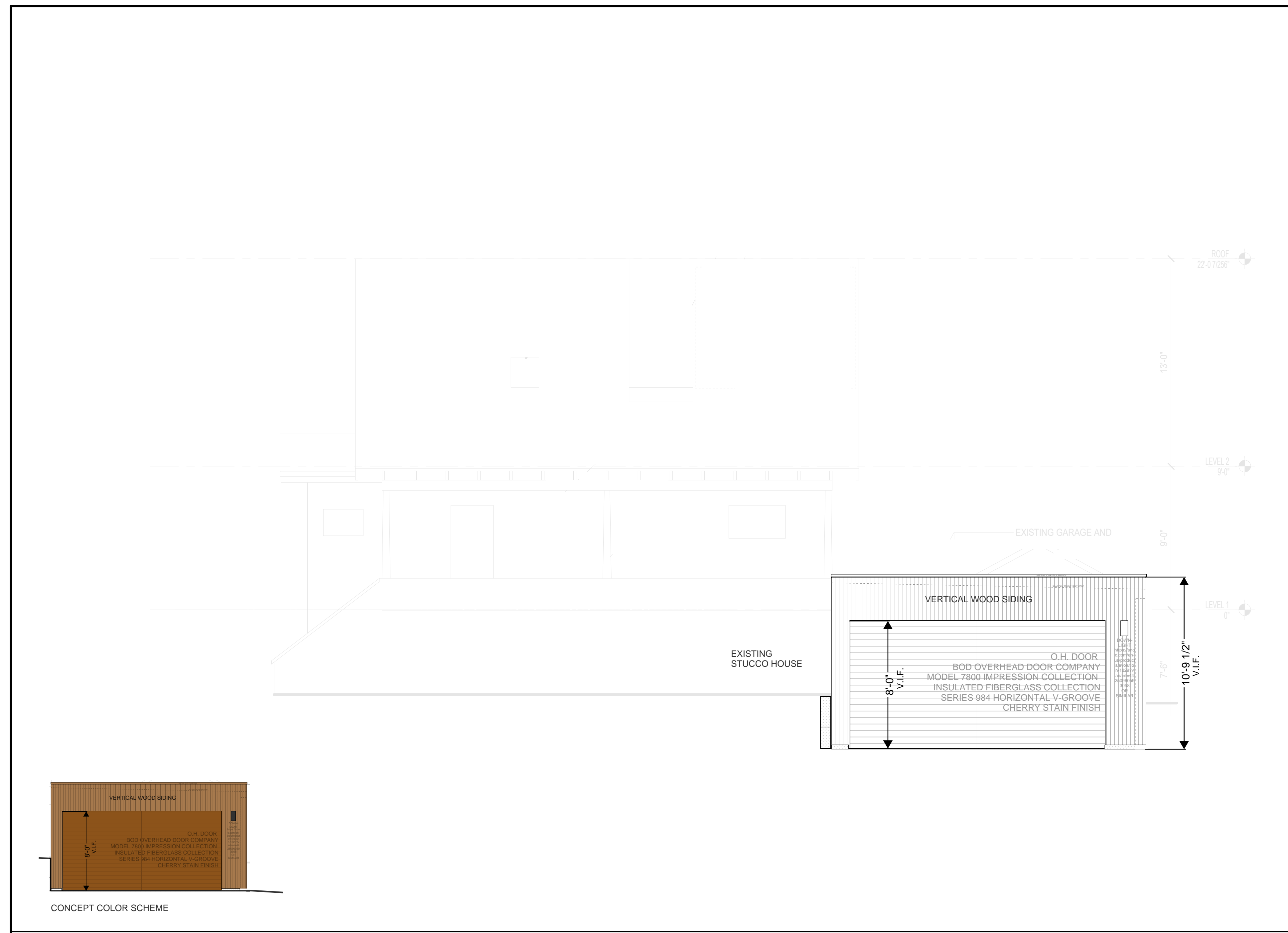
ISSUE LOG:
 Construction
 2/14/2026

SHEET CONTENTS:

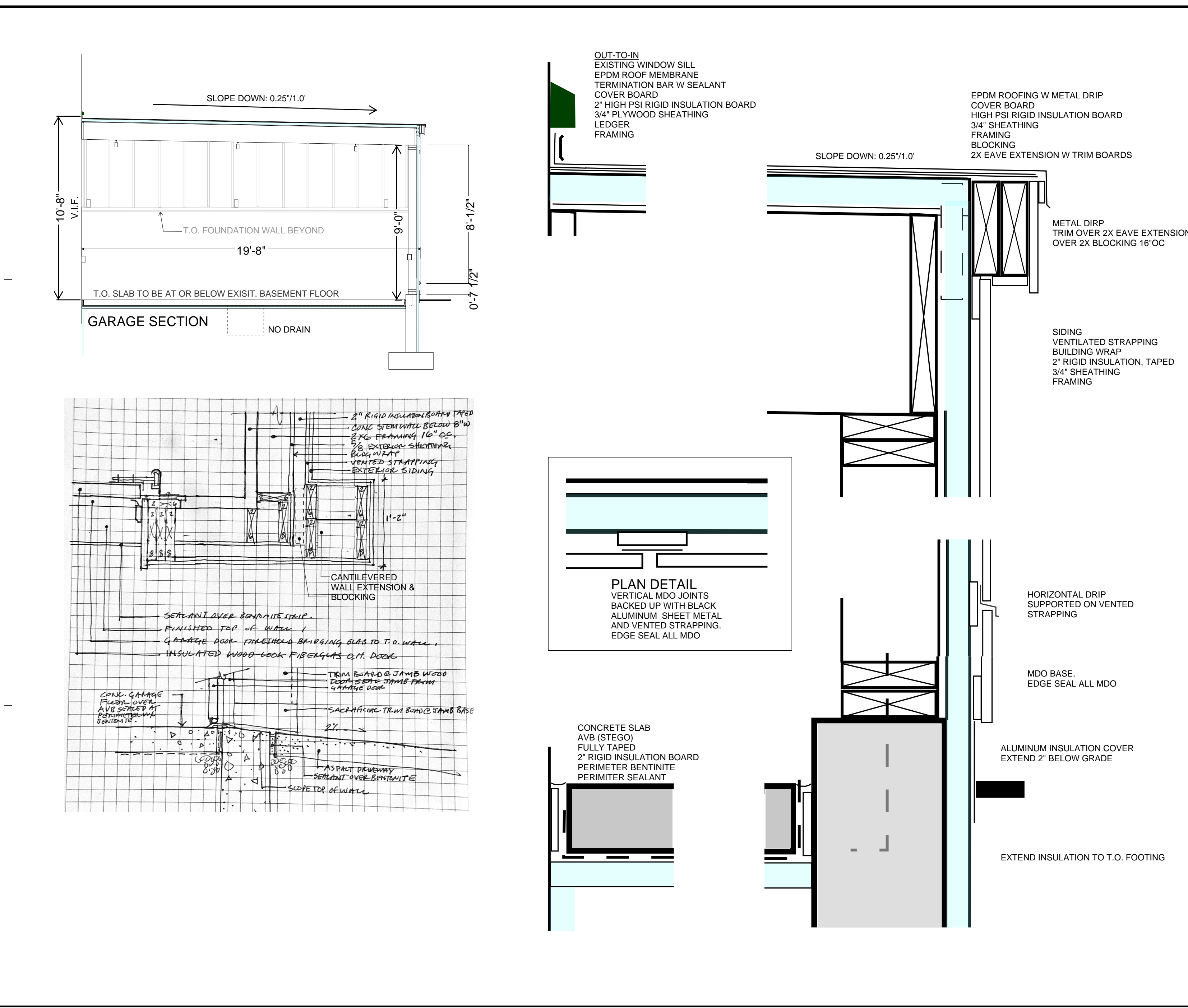
PROPOSED PLANS

SHEET NO:

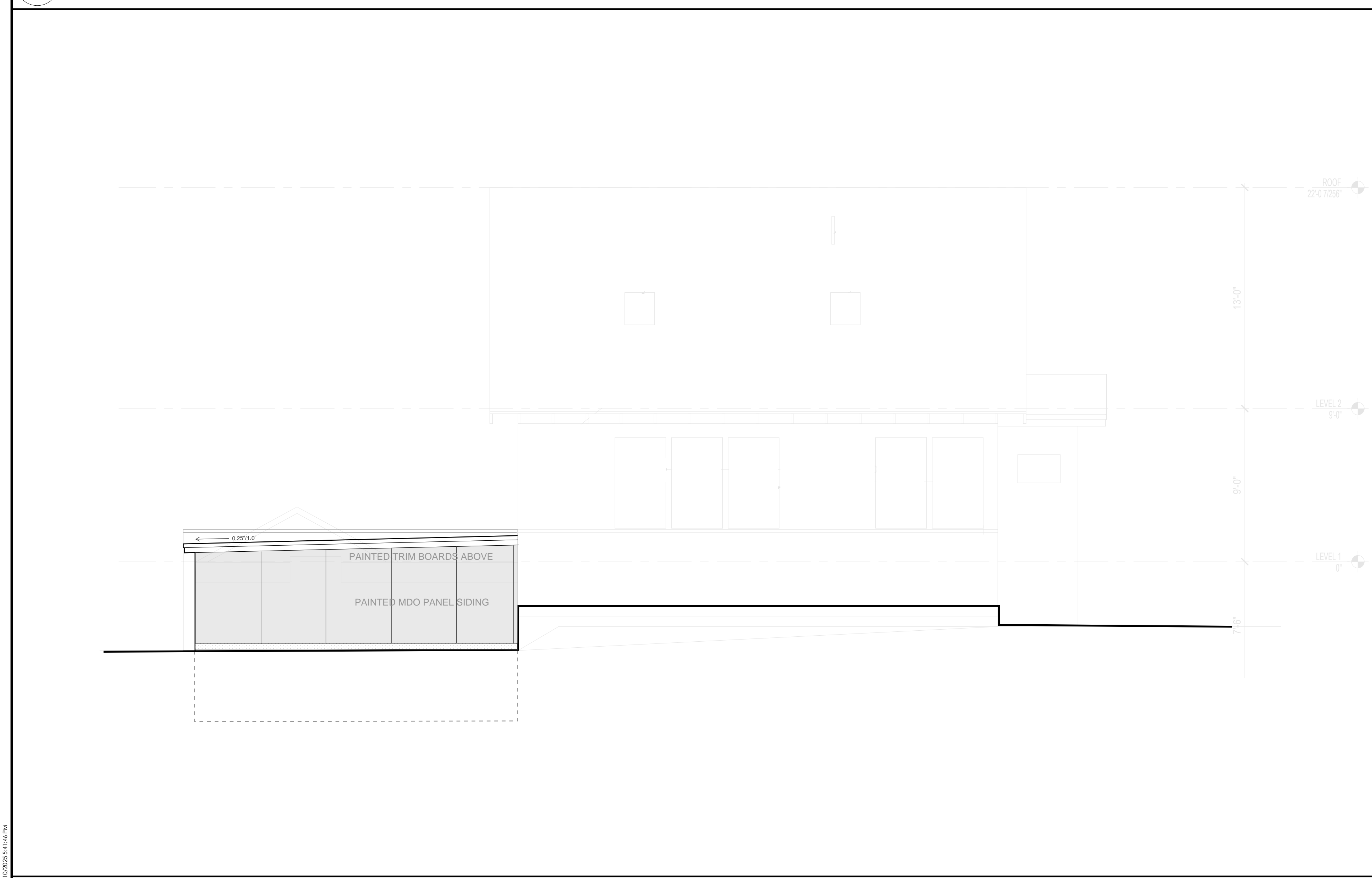
A100



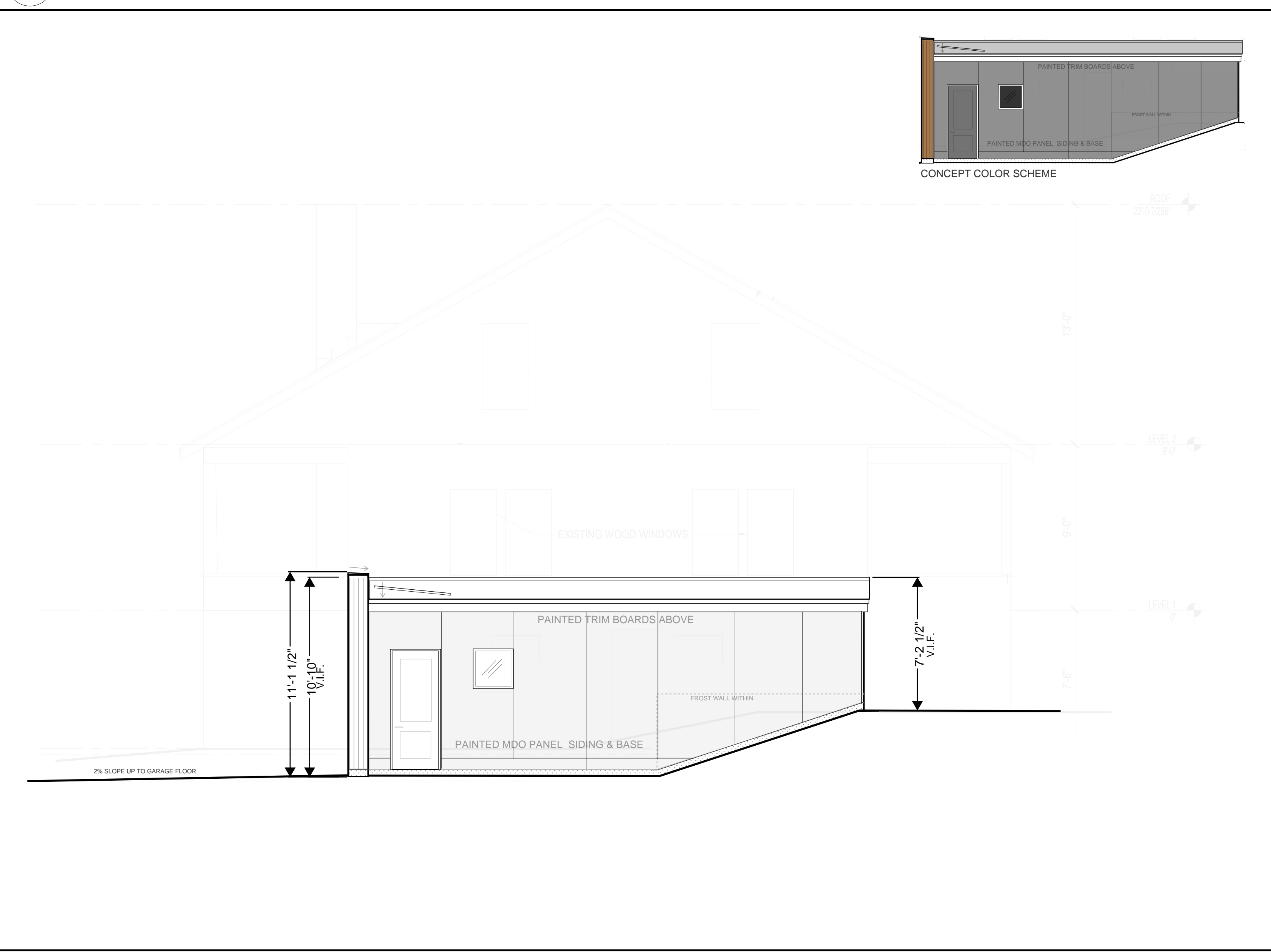
1 PROPOSED NORTH ELEVATION
 SCALE: 1/4" = 1'-0" REF.:



2 CROSS-SECTION AND DETAILS
 SCALE: 1/4" = 1'-0" REF.:

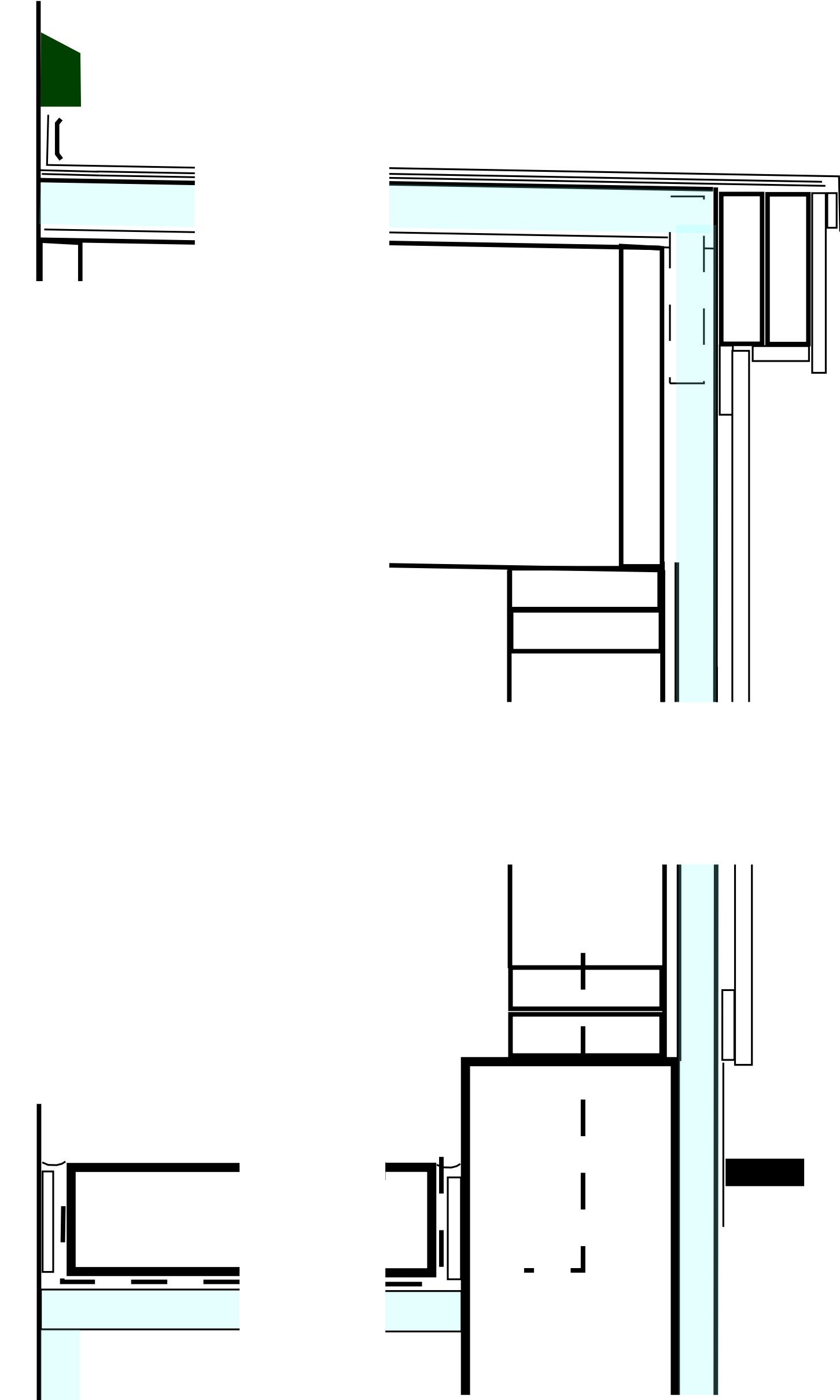
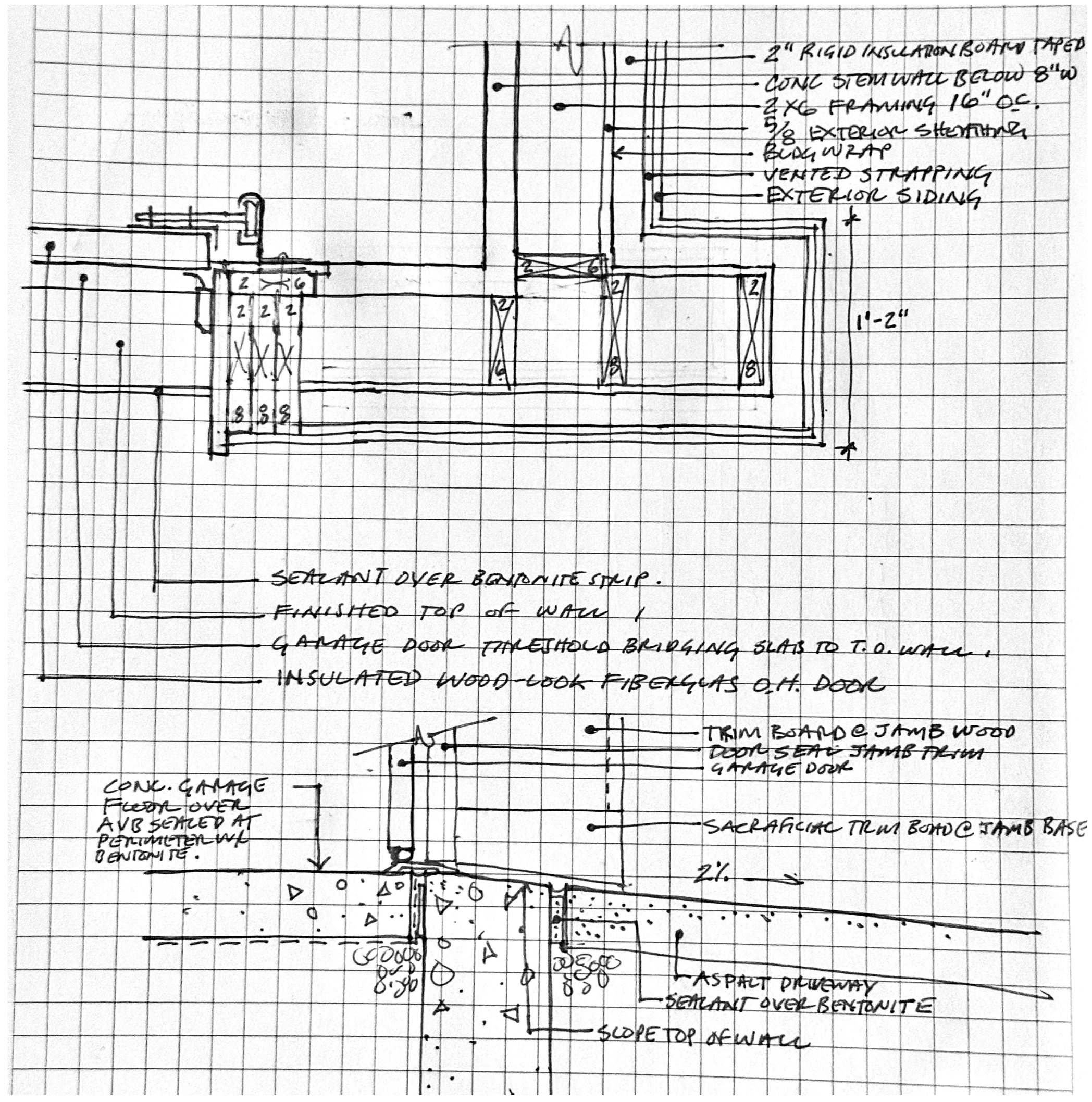
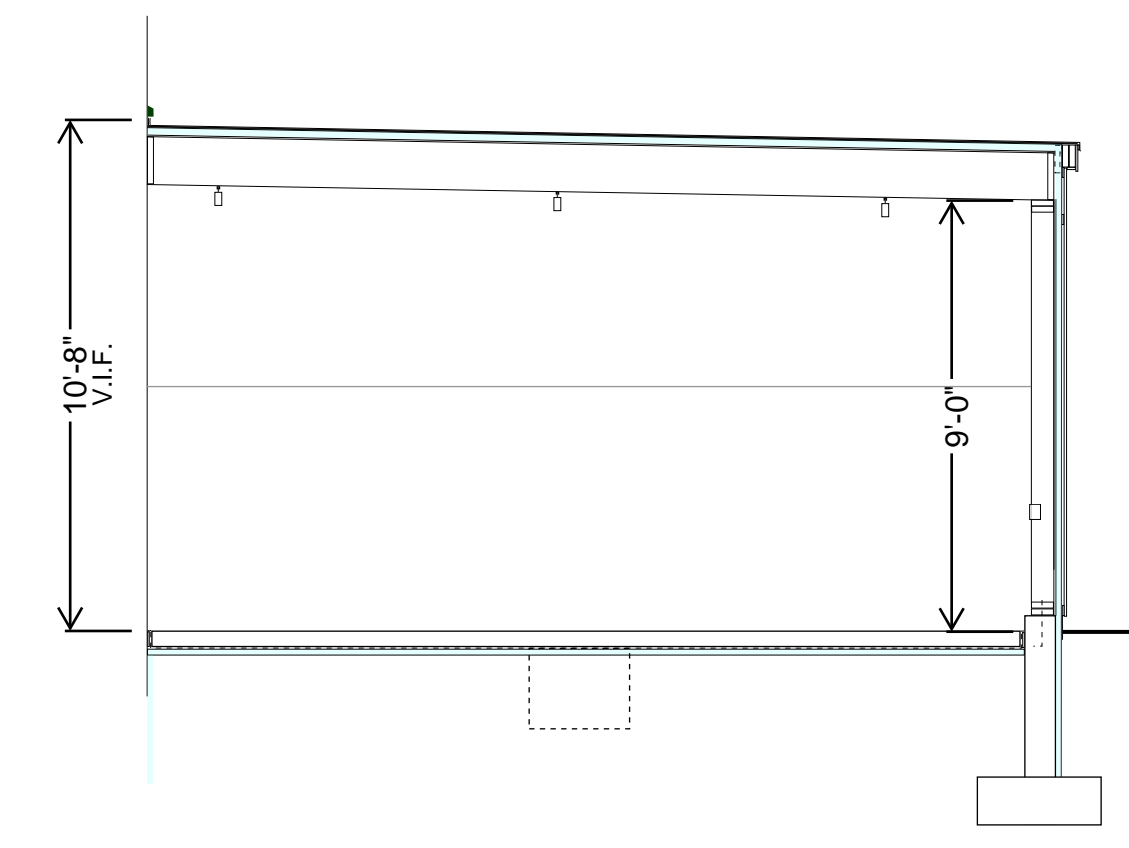
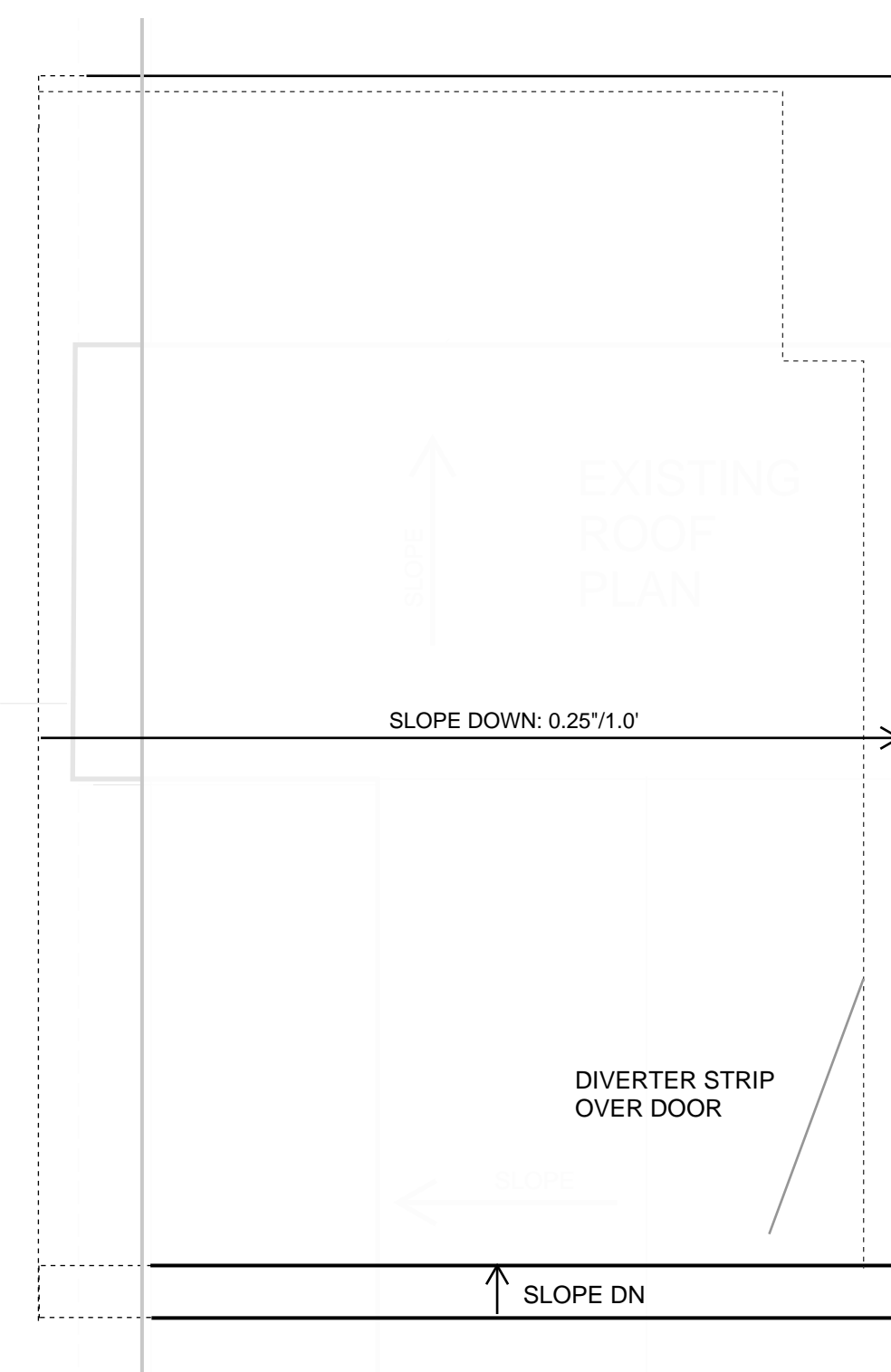
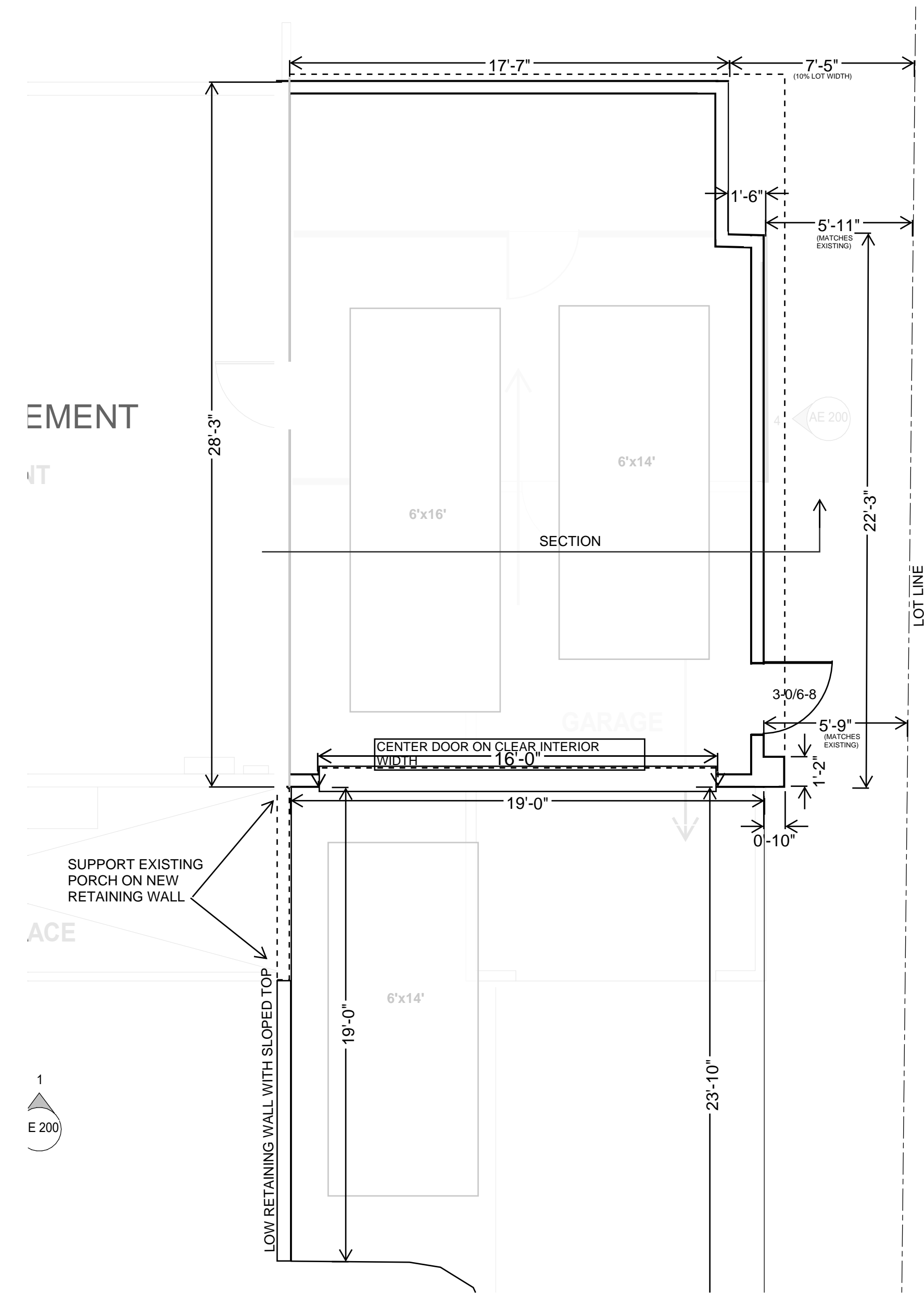


3 PROPOSED SOUTH ELEVATION
 SCALE: 1/4" = 1'-0" REF.:



4 PROPOSED WEST ELEVATION
 SCALE: 1/4" = 1'-0" REF.:

Project Name!	
CITY, STATE	
PROJECT NUMBER:	HAL49HT
ORIGINATION DATE:	12/21/2025
SCALE:	1/4" = 1'-0"
DRAWN BY:	AAH
CHECKED BY:	AAH
DATE LOG:	Construction 2/14/2026
SHEET CONTENTS:	
EXISTING EXTERIOR ELEVATIONS	
SHEET NO. A200	



Project Name!

CITY, STATE

PROJECT NUMBER: HAL49HT

ORIGIN DATE: 12/21/2025 SCALE: 1/4" = 1'-0"

DRAWN BY: AAH CHECKED BY: AAH

DATE LOG: Construction 2/14/2026

SHEET CONTENTS: STRUCTURAL FOUNDATIONS AND FRAMING

SHEET NO: S100

STATE OF VERMONT Division for Historic Preservation Montpelier, VT 05602 HISTORIC SITES & STRUCTURES SURVEY Individual Structure Survey Form		SURVEY NUMBER: 68	
COUNTY: Chittenden		Part of: <input checked="" type="checkbox"/> District _____ <input type="checkbox"/> Complex _____	
TOWN: Burlington VILLAGE:		Contributing <input checked="" type="checkbox"/> Non-Contributing <input type="checkbox"/>	
LOCATION: 49 Henderson Terrace		Listed on: State Register of Historic Places <input type="checkbox"/> N National Register of Historic Places <input type="checkbox"/> N	
PROPERTY TYPE: House		CRITERIA: A <input checked="" type="checkbox"/> B <input type="checkbox"/> C <input checked="" type="checkbox"/> D <input type="checkbox"/>	
OWNER: WOODRUFF CHARLOTTE S ADDRESS:		NEGATIVE FILE NUMBER:	
ACCESSIBILITY TO PUBLIC: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Restricted <input type="checkbox"/>		COORDINATES: UTM (ZONE 18) E _____ N _____ VSP (NAD 83) E 444423.67328 N 219308.33364 E911 E 0 N 0	
HISTORIC CONTEXT: Physical Patterns of Communities		PRESENT FORMAL NAME:	
SIGNIFICANCE: Architectural <input checked="" type="checkbox"/> Historic <input type="checkbox"/> Archeological <input type="checkbox"/> Engineering <input type="checkbox"/>		COMMON NAME: 49 Henderson Terrace	
LEVEL OF SIGNIFICANCE: Local <input checked="" type="checkbox"/> State <input type="checkbox"/> National <input type="checkbox"/>		ORIGINAL FORMAL NAME:	
PHYSICAL CONDITION OF STRUCTURE: Excellent <input type="checkbox"/> Good <input type="checkbox"/> Fair <input checked="" type="checkbox"/> Poor <input type="checkbox"/>		PRESENT USE: House	
GENERAL DESCRIPTION: 1. Foundation: Stone <input type="checkbox"/> Brick <input type="checkbox"/> Concrete <input type="checkbox"/> Concrete Block <input type="checkbox"/> 2. Wall Structure: a. Wood Frame: Post & Beam <input type="checkbox"/> Balloon <input checked="" type="checkbox"/> b. Load Bearing Masonry: Brick <input type="checkbox"/> Stone <input type="checkbox"/> Concrete <input type="checkbox"/> Concrete Block <input type="checkbox"/> Bonding Pattern: c. Iron <input type="checkbox"/> Steel <input type="checkbox"/> e. Other: F 3. Wall Covering: Clapboard <input type="checkbox"/> Board & Batten <input type="checkbox"/> Wood Shingle <input type="checkbox"/> Shiplap <input type="checkbox"/> Novelty <input type="checkbox"/> Asbestos Shingle <input type="checkbox"/> Sheet Metal <input type="checkbox"/> Aluminum & Asphal Siding <input type="checkbox"/> Brick Veneer <input type="checkbox"/> Stone Veneer <input type="checkbox"/> Bonding Pattern: _____ Other: F 4. Roof Structure: a. Truss: Wood <input checked="" type="checkbox"/> Iron <input type="checkbox"/> Steel <input type="checkbox"/> Concrete <input type="checkbox"/> b. Other: 5. Roof Covering Slate <input type="checkbox"/> Wood Shingle <input type="checkbox"/> Asphalt Shingle <input type="checkbox"/> Sheet Metal <input type="checkbox"/> Built Up <input type="checkbox"/> Rolled <input type="checkbox"/> Tile <input type="checkbox"/> Other: 6. Engineering Structure: _____ 7. Other: 8. Appendages: Porches <input checked="" type="checkbox"/> Towers <input type="checkbox"/> Cupolas <input type="checkbox"/> Dormers <input type="checkbox"/> Chimneys <input checked="" type="checkbox"/> Shed <input type="checkbox"/> Ells <input type="checkbox"/> Wings <input type="checkbox"/> Bay Window <input type="checkbox"/> Other: 9. Roof Styles: Gable <input checked="" type="checkbox"/> Hip <input type="checkbox"/> Shed <input type="checkbox"/> Flat <input type="checkbox"/> Mansard <input type="checkbox"/> Gambrel <input type="checkbox"/> Jerkinhead <input type="checkbox"/> Saw Tooth <input type="checkbox"/> With Monitor <input type="checkbox"/> With Bellcast <input type="checkbox"/> With Parapet <input type="checkbox"/> With False Front <input type="checkbox"/> Other: Number of Stories: 1.5 Entrance Location: eave left Number of Bays: 3 Approximate Dimensions:		ORIGINAL USE: House	
		ARCHITECT/ENGINEER:	
		BUILDER/CONTRACTOR:	
		STYLE: Craftsman	
		PLAN:	
		DATE BUILT: 1929	

ADDITIONAL ARCHITECTURAL OR STRUCTURAL DESCRIPTION:

Additional Features:

Bungalow porch; rafter tails; exposed rafter tails

Additional Description:

Bungalow porch; exposed rafter tails, large recessed porch under deep gable roof ...(see continuation page)

RELATED STRUCTURES:

One-bay Garage

STATEMENT OF SIGNIFICANCE:

49 First listed in the Burlington City Directory in 1929, Charlotta Tracy – No job listed

This simple bungalow with exposed rafter tails, large recessed front porch with prominent exterior chimney on front piercing porch roof is a good example of the Craftsman bungalow style of suburban home made popular by mail order companies like Sears.

REFERENCES:

Mannings Burlington City Directory, Sanborn Insurance Maps 1884-1950

MAP: (Indicate North in Circle)

SURROUNDING ENVIRONMENT:

- Open
- Scattered Buildings
- Densely Built Up
- Residential
- Agricultural
- Roadside Strip Development
- Designed Landscape Features
- Other:
- Woodland
- Moderately Built Up
- Commercial
- Industrial

RECORDED BY:

P. Barlow

ORGANIZATION:

Burlington Planning

DATE RECORDED:

LAST UPDATED:



VERMONT DIV. FOR HISTORIC PRESERVATION
Property Name: 49 henderson terrace Survey #: Direction of View:
Filename: 49 henderson terrace.JPG Photographer:



VERMONT DIV. FOR HISTORIC PRESERVATION

Property Name: 49 henderson terrace - side Survey #: Direction of View:

Filename: 49 henderson terrace - side.JPG Photographer:

ADDITIONAL DESCRIPTION

Bungalow porch; exposed rafter tails, large recessed porch under deep gable roof has prominent front exterior brick chimney piercing porch roof and battered square columns, paired windows

Application for Building Permit

Zone No. 1

Burlington, Vermont

10/17

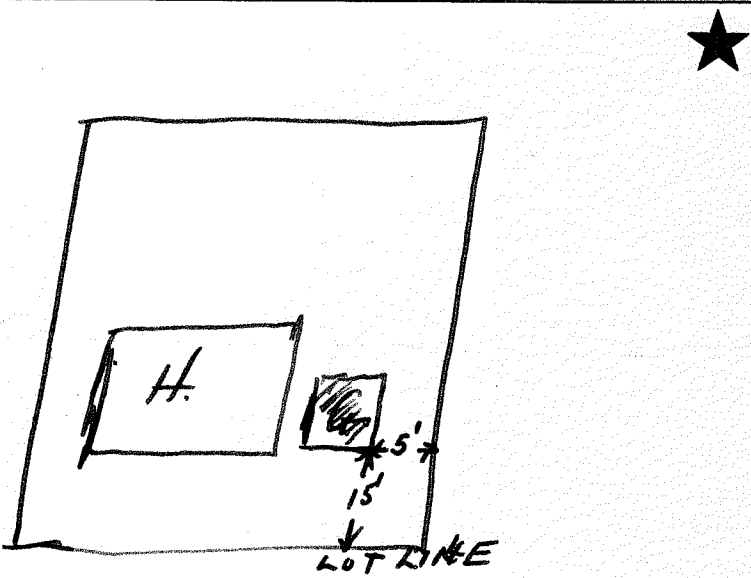
19 13

The undersigned hereby applies for permission to make certain building improvements as described below. (Plans to be submitted if required by Building Inspector.) All construction to be completed in accordance with the Zoning Laws and Building Regulations of the City of Burlington and the State of Vermont, and conform to the Regulations of the National Board of Fire Underwriters and any and all Federal Regulations now in effect.

CONSTRUCTION

Grid of construction options including OCCUPANCY, FLOORS, INTERIOR FINISH, FOUNDATION, EXTERIOR WALLS, HEATING, PLUMBING, ROOFING, and TILING.

LOCATION Henderson Ter., STREET, NO. 49, LOT SIZE, OWNER Dr. R.S. Woodruff, BUILDER self, WATER SUPPLY, SEWAGE DISPOSAL, ESTIMATED COST \$500.



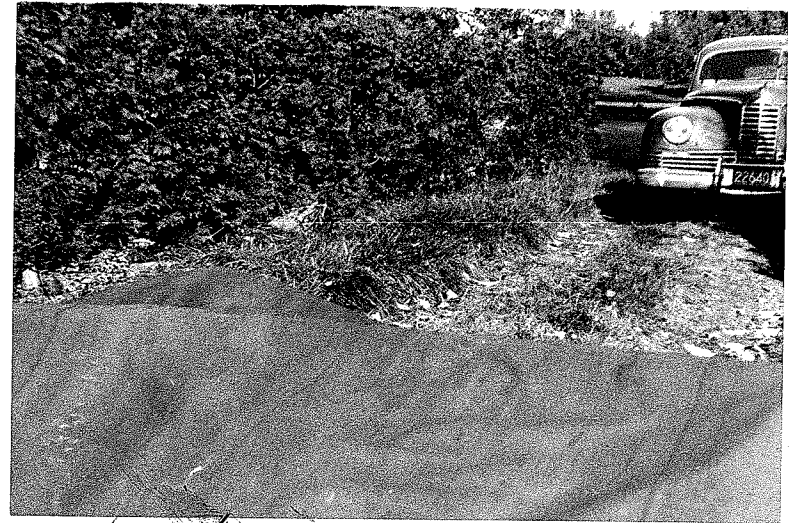
Street Line Staked or Marked as Shown Date City Engineer Scale 1 to Lot Coverage %

DESCRIBE Signature of Owner Richard S. Woodruff 49 Henderson Terrace Address of Owner

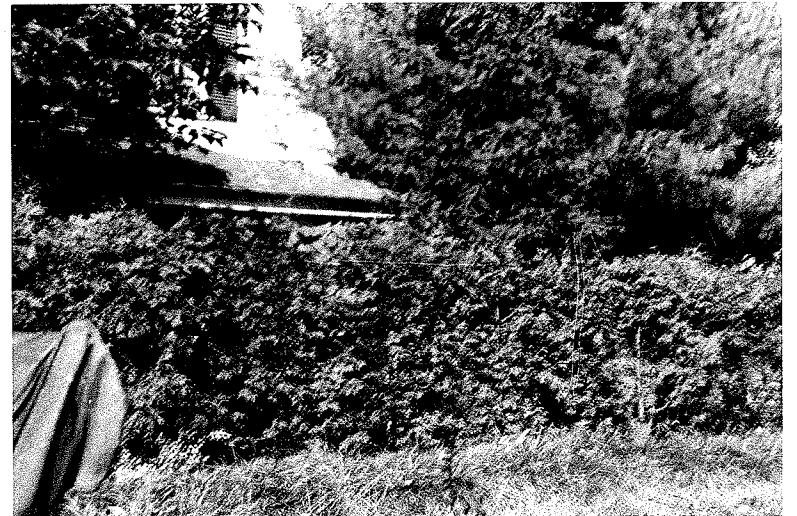
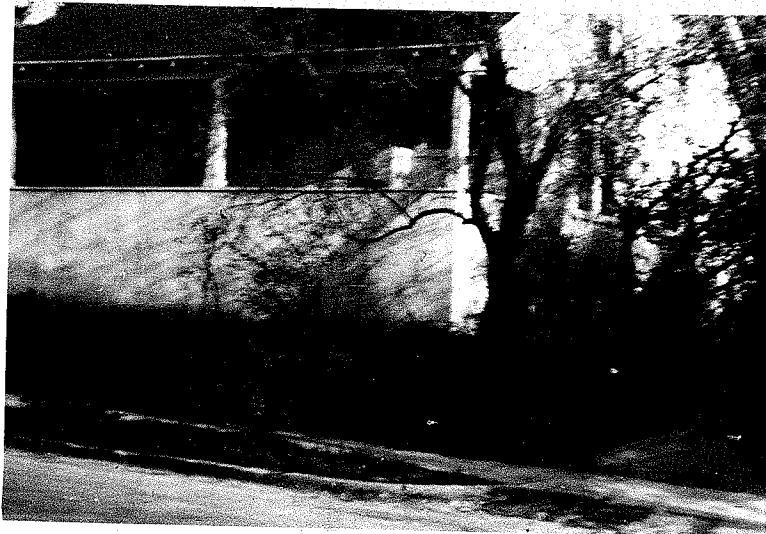
FOR BUILDING INSPECTOR'S USE--Remarks or reasons for rejection.

Approval section with Fee Paid \$0.50, Approved/Rejected checkboxes, Permit No. 54-64, Issued to Dr. Richard S. Woodruff, Date 10/17 19 13, Building Inspector J. Stewart.

When construction is completed return this form to Building Inspector stating ACTUAL COST. If actual cost exceeded estimated cost stated in application, an ADDITIONAL FEE, proportionate to the increase, is due. Refund will be made if actual cost is less than estimate. DATE FINISHED ACTUAL COST \$



49 HENDERSON TERR

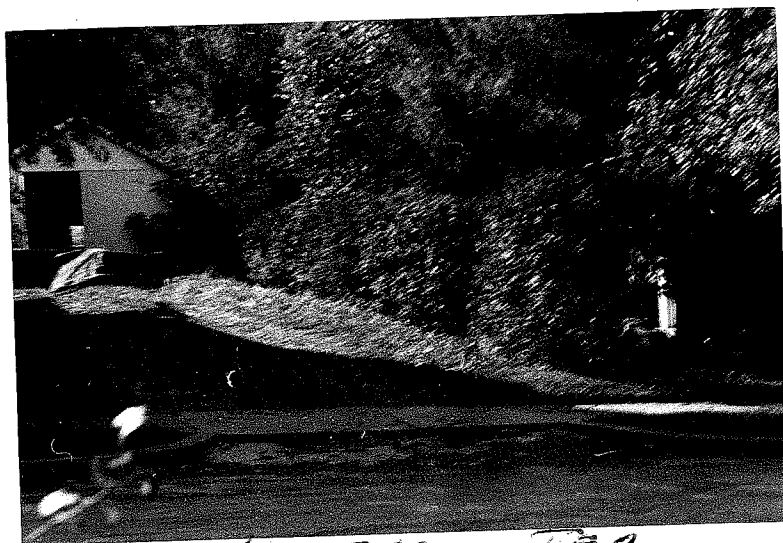


49 HENDERSON TERR

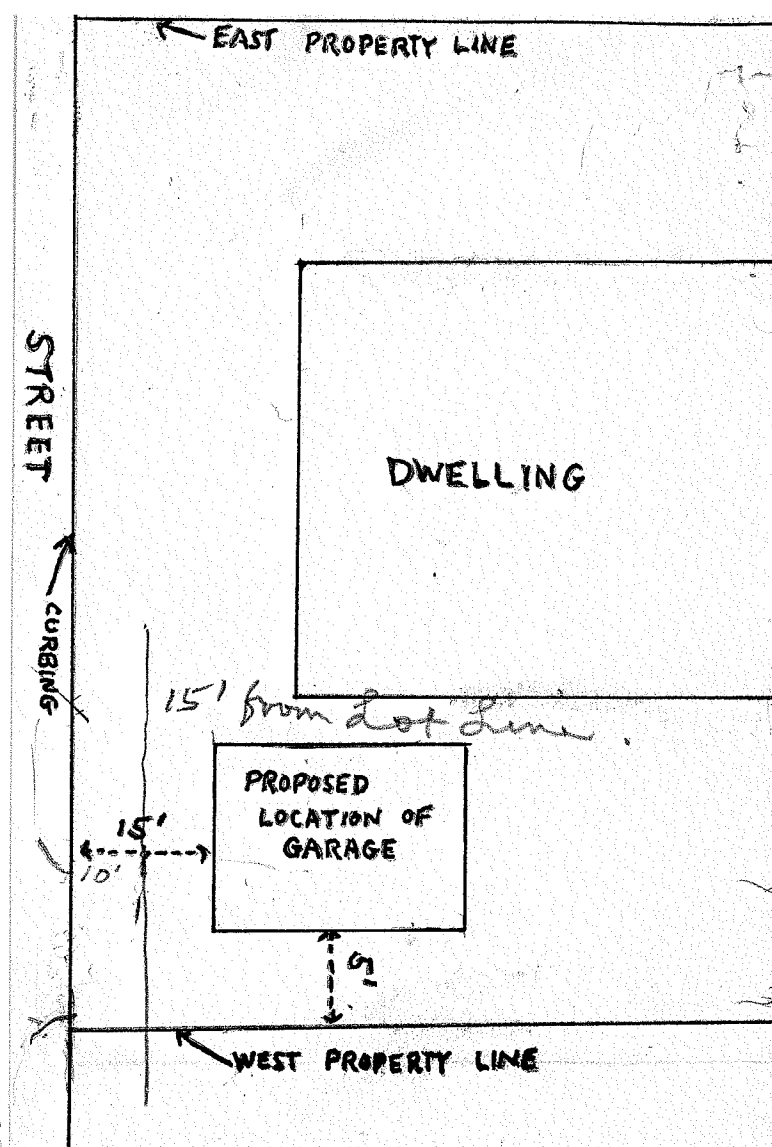
→ direction of sun's arc.



49. HENDERSON TER



49 HENDERSON TER



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
Kirk Dressing, Associate Planner
Joseph Cava, Permit Technician
Collin Naheedy, Code Compliance Officer*



TO: Development Review Board
FROM: Kirk Dressing
DATE: March 25, 2026
RE: ZP-26-42; 5 Crescent Road

=====
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: 6

Owner/Applicant: Jane Dunbar

Request: Establish bakery home occupation.

Applicable Regulations:

Article 3 (Applications, Permits, & Project Reviews), Article 5 (Citywide General Regulations)

Background Information:

The applicant is requesting approval to establish a coffee roasting home occupation business. The property is a single detached dwelling unit and is located in a residential zone. The home occupation is subject to conditional use review. No site or exterior building changes are proposed.

Previous zoning actions for this property are noted below.

- ZP-17-87 (03/09/2017) – Approval to install garden fence in front yard.
- ZP-09-393 (07/16/2009) – Approval to install new door, window, and 6’x9’ landing and steps in association with kitchen remodel.
- ZP-01-21 (02/01/2001) – Approval for lot line adjustment between this single family home parcel and the adjacent two lots at 32 glen road and 97 prospect parkway.

Recommendation: Consent approval as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications, Permits, and Reviews

Part 5, Conditional Use & Major Impact Review:

Section 3.5.6 (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;*

The proposed home occupation is small in scale and will not increase demand on existing or planned public utilities. **(Affirmative finding)**

- 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;*

The subject property is located within the Residential Low Intensity zone and is in a neighborhood characterized predominantly by other single detached dwelling units on similarly sized lots. No exterior changes are proposed for the home occupation, and only one resident employee is proposed. There will be little, if any, evidence of the home occupation as perceived from the neighborhood. **(Affirmative finding)**

- 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;*

Baking activities will take place within the existing kitchen. No impacts from noise, dust, heat, or vibrations are anticipated. Baking produces an aroma, however, the activity will take place within the existing kitchen, and odor impacts outside the building will be limited. **(Affirmative finding)**

- 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;*

Traffic impacts, if any, are expected to be minimal. Just one employee, a resident of the property, will work the home occupation, and there will be some on-site pickup, though the applicant states they are actively pursuing off-site pickup options. No commercial vehicle deliveries are anticipated. **(Affirmative finding)**

and,

- 5. The utilization of renewable energy resources;*

Nothing within the application will preclude the use of wind, solar, geothermal, or other renewable energy resource. **(Affirmative finding)**

and,

- 6. Any standards or factors set forth in existing City bylaws and city and state ordinances;*

The home occupation will be subject to any applicable city or state requirements. **(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 will be operated solely by one resident occupant. **(Affirmative finding)**

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 up to ±237 sf in the first level of the principal structure; ±9% of the 2,702 sf total floor area of the dwelling unit. **(Affirmative finding)**

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. **(Affirmative finding)**

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

No outside storage is proposed. **(Affirmative finding)**

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. **(Affirmative finding)**

and

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

None proposed. **(Affirmative finding)**

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 substantial increase in vehicular traffic flow or parking are proposed. There will be occasional customer visits for pre-arranged pickup, and there will be no onsite retail activity. The existing driveway provides off-street parking for at least one vehicle. **(Affirmative finding)**

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;*

See Sec. 3.5.6 (a) 3 above.

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.*

As proposed, the home occupation will be inconsequential to the residential district in which it is located. **(Affirmative finding)**

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 commercial vehicle deliveries are proposed. **(Affirmative finding)**

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;*

See criterion 9 above.

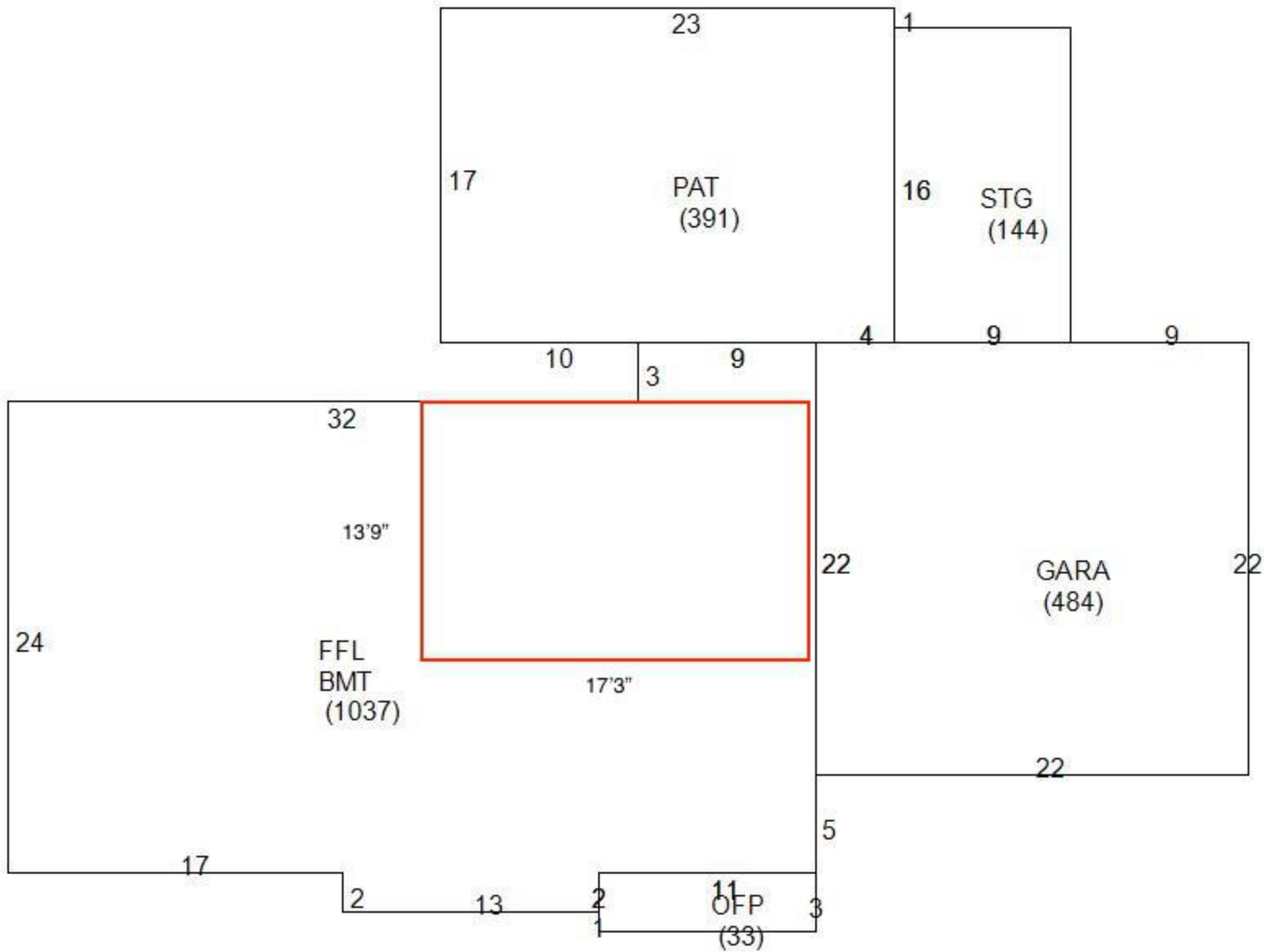
and

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

No retail activities will take place onsite. **(Affirmative finding)**

II. Conditions of Approval

1. It is the applicant's responsibility to comply with any applicable city or state requirements related to the proposed coffee roasting business.
2. Standard Conditions 1-15.





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:

- 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
- 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: Sweet Jane's, LLC

Type of Business Proposed: Cottage Microbakery

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:

- How many persons will be involved or employed in the conduct of the proposed Home Occupation:
Residents of premises: 1 Others _____ Total Number 1
- 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:
Gluten free and vegan doughnuts
- Describe any alterations to the home or premises that might be required to facilitate your Home Occupation:
N/A
- 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).
Existing home kitchen, equipment, and pantry storage will be used. Gross area to be used is 237 sq. ft.
- Describe the mechanical and/or electrical equipment that will be necessary to conduct your business activity:
I will be using my existing gas stove and oven.
- Describe how, where and in what amounts the material, supplies and/or equipment related to your Home Occupation will be displayed or stored:
I will store the ingredients on shelves in the existing pantry. I will either keep them in the original resealable packaging or, for bulk-purchased flours, in food-grade airtight storage bins. Because I don't anticipate (nor want) large orders, my storage needs will be minimal.

PLEASE TURN OVER

7. Will people come to your home to obtain any product or utilize any service connected with the proposed Home Occupation activity? Yes _____ No

If yes, please explain in detail:

~~Customers will order in advance and have a specific pickup day and time. To protect my privacy and offer convenience, I'm actively pursuing ways to have pickup in a public area and/or partner with an existing business to host pickup.~~

8. Are any signs necessary or proposed relative to the Home Occupation?

Yes _____ 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

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 No _____

We suggest checking your deed for conditions, covenants and restrictions.

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:

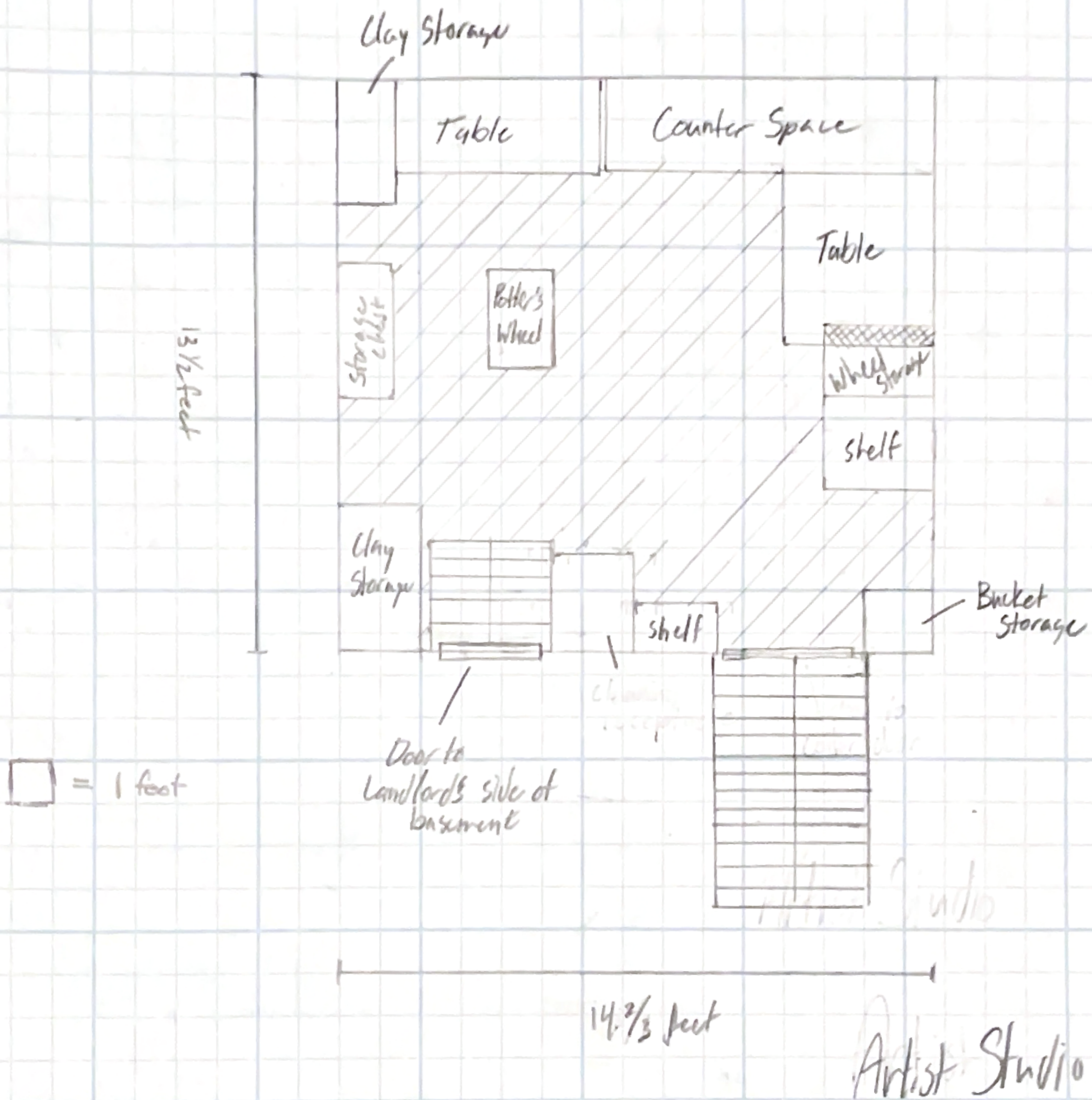
Applicant's Signature: Jane Marie Dunbar

Date: 2/4/2026

Property Owner's Signature: Jane Marie Dunbar

Date: 2/4/2026

Basement Workshop



Garage

20 feet

Landlord's Storage

Garage Door

shelf

Operating Business Space

= 2 foot

Cabinet

Cabinet

shelf

shelf

table

shelf

Kitchen

Landlord's Garage Bay

Window

40 ft

21 1/2 feet

Door

Window

Garage Door

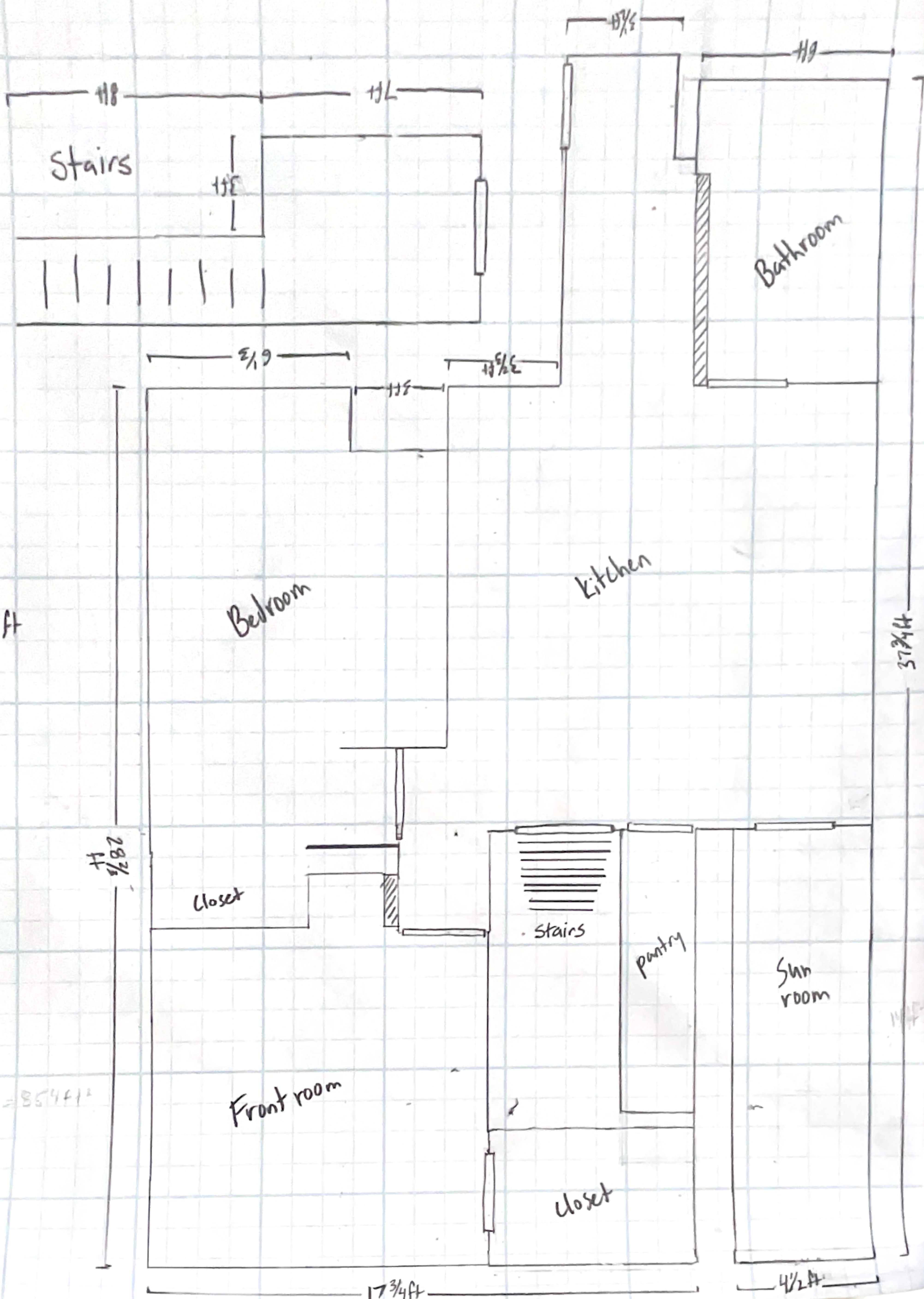
Garage Door

11.5 feet

Parking Spot

10 feet

11.5 feet





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:

- 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
- 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: Closingtime98 Ceramics

Type of Business Proposed: Ceramic Art/Pottery

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 or employed in the conduct of the proposed Home Occupation:
Residents of premises: 1 Others _____ 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:

I will be creating pottery and art out of clay.

3. Describe any alterations to the home or premises that might be required to facilitate your Home Occupation:

No alterations will be made to the home or premises.

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)

In the basement I will throw pottery on an electric wheel. This is where I will store clay and materials. These are stored in 5-gallon buckets. Clay will also be stored in plastic bags which are

5. and cabinets that store pottery and tools. Glazes are stored under the table in lidded

buckets
I will be using an electric wheel to make the pottery and an electric kiln to fire it

6. Describe how, where and in what amounts the material, supplies and/or equipment related to your Home Occupation will be deployed or stored:

Raw materials are stored in sealed and labeled 5-gallon buckets stored in the basement. Clay materials in this case will be stored in labeled and sealed plastic bags, that is a 100lb bin that is sealed and stored in the garage. The electric wheel is stored in the
garage and the kiln
is in the garage on a stand provided by the manufacturer

7. Will people come to your home to obtain any product or utilize any service connected with the proposed Home Occupation activity? Yes _____ No
 If yes, please explain in detail: X
-
8. Are any signs necessary or proposed relative to the Home Occupation?
 Yes _____ 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?
my personal vehicle which is used to transport supplies and pottery will be parked in front of my garage bay behind the
10. _____
 premises? Yes _____ No
 If yes, please explain: X
-
11. How many parking spaces will be provided for the home occupation? 1
 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 _____ No
 We suggest checking your deed for conditions, covenants and restrictions.

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: *Lois M. Grimard*

Date: Jan 20, 2026

Property Owner's Signature: *Lois M. Grimard*

Date: Jan 20, 2026



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: 72-74 Cedar Street, Burlington VT, 05401	
PROPERTY OWNER*: Lois M. Grimard <small>*If condominium, this must be approved from the Association board president.</small>	APPLICANT: Bradley Grimard
POSTAL ADDRESS: 74 Cedar Street	POSTAL ADDRESS: 72 Cedar Street
CITY, ST, ZIP: Burlington, VT, 05401	CITY, ST, ZIP: Burlington VT, 05401
DAY PHONE: 8028632767	DAY PHONE: 8605593538
EMAIL: lmgrimard@gmail.com	EMAIL: Bradley.grimard@gmail.com
SIGNATURE: <i>Lois M. Grimard</i>	SIGNATURE: <i>Bradley Grimard</i>

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: I would like to start a pottery business out of my apartment at 72 Cedar Street. No changes will be made to any existing structure. Pottery will take place in the basement where the pottery is made and the garage where it will be fired. I will not be selling pottery out of the house or property.

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
Kirk Dressing, Associate Planner
Joseph Cava, Permit Technician
Collin Naheedy, Code Compliance Officer*



TO: Development Review Board
FROM: Kirk Dressing
DATE: March 25, 2026
RE: ZP-25-615; 72-74 Cedar 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.

Zone: RM Ward: 2

Owner/Applicant: Bradley Grimard

Request: Establish pottery home occupation.

Applicable Regulations:

Article 3 (Applications, Permits, & Project Reviews), Article 5 (Citywide General Regulations)

Background Information:

The applicant is requesting approval to establish a pottery home occupation business. The property is duplex dwelling unit and is located in a residential zone. The home occupation is subject to conditional use review. No site or exterior building changes are proposed.

Previous zoning actions for this property are noted below.

- ZP-04-299 (07/12/2004) – Approval to replace wooden clapboard siding on duplex and garage with vinyl siding.
- ZP-1993-269 (07/06/1993) – Approval for window changes to rear and side of existing duplex. No change to footprint or use.

Recommendation: Consent approval as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications, Permits, and Reviews

Part 5, Conditional Use & Major Impact Review:

Section 3.5.6 (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;*

The proposed home occupation is small in scale and will not increase demand on existing or planned public utilities. **(Affirmative finding)**

- 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;*

The subject property is located within the Residential Medium Intensity zone and is in a neighborhood characterized predominantly by other multi-unit, duplex, and single detached dwelling units on similarly sized lots. No exterior changes are proposed for the home occupation, and only one resident employee is proposed. There will be little, if any, evidence of the home occupation as perceived from the neighborhood. **(Affirmative finding)**

- 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;*

Pottery activities will take place within the existing basement and detached garage. No impacts from noise, dust, heat, or vibrations are anticipated. As the activity will take place within the existing basement and garage, odor impacts outside the building will be limited. **(Affirmative finding)**

- 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;*

Traffic impacts, if any, are expected to be minimal. Just one employee, a resident of the property, will work the home occupation, and there will be no retail activity on-site. No commercial vehicle deliveries are anticipated. **(Affirmative finding)**

and,

- 5. The utilization of renewable energy resources;*

Nothing within the application will preclude the use of wind, solar, geothermal, or other renewable energy resource. **(Affirmative finding)**

and,

- 6. Any standards or factors set forth in existing City bylaws and city and state ordinances;*

The home occupation will be subject to any applicable city or state requirements. **(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 will be operated solely by one resident occupant. **(Affirmative finding)**

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 up to ±413 sf in the basement and detached garage; 35% of the 1,172 sf total floor area of the dwelling unit. **(Affirmative finding)**

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. **(Affirmative finding)**

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

No outside storage is proposed. **(Affirmative finding)**

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. **(Affirmative finding)**

and

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

None proposed. **(Affirmative finding)**

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 substantial increase in vehicular traffic flow or parking are proposed. There will be occasional customer visits for pre-arranged pickup, and there will be no onsite retail activity. **(Affirmative finding)**

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;*

See Sec. 3.5.6 (a) 3 above.

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.*

As proposed, the home occupation will be inconsequential to the residential district in which it is located. **(Affirmative finding)**

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 commercial vehicle deliveries are proposed. **(Affirmative finding)**

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;*

See criterion 9 above.

and

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

No retail activities will take place onsite. **(Affirmative finding)**

II. Conditions of Approval

1. It is the applicant's responsibility to comply with any applicable city or state requirements related to the proposed pottery business.
2. Standard Conditions 1-15.

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)

*William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Kirk Dressing, Associate Planner
Joseph Cava, Permit Technician
Collin Naheedy, Code Compliance Officer*



TO: Development Review Board
FROM: Scott Gustin
DATE: March 25, 2026
RE: ZP-26-69; 125 Lakeside Avenue

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: E-LM Ward: 5

Owner/Applicant: Ride Your Bike, LLC/John Caulo

Request: Final plat review of 3-lot subdivision and area for future road right-of-way. No development included.

Applicable Regulations:

Article 4 (Zoning Maps and Districts), Article 6 (Development Criteria & Guidelines), and Article 10 (Subdivision)

Background Information:

The applicant is seeking final plat approval for a 3-lot subdivision and related delineation of rights-of-way for future streets. No development is included in this subdivision. All development anticipated on the subject lands is to be pursued under separate zoning permit.

Preliminary plat approval was granted by the Development Review Board on February 19, 2026 subject to the following conditions:

1. This preliminary plat approval in no way grants or implies final plat approval.
2. Within 1 year of preliminary plat approval, a complete final plat application shall be submitted. Otherwise, the preliminary plat approval will expire unless extended by the DRB following written request by the applicant.
3. Preliminary plat comments from the Department of Public Works shall be addressed prior to final plat review and approval:
 - a. The depicted future street right-of-way needs to be 50.5' wide (not 50' as depicted);
 - b. Total right-of-way area (0.5 acre vs. 0.62) must be clarified;
 - c. Curb cut access permit will be required; and,
 - d. Note on the plat that the concrete sidewalk at the northern property boundary is private.

The final plat application was filed February 25, 2026, well within 1 year of preliminary plat approval. The Public Works' conditions have been met as reflected on the final plat. The future "Innovation Lane" right-of-way is depicted as 50.5' wide, the total ROW area is noted as 0.5 acre, and "private" is noted along the northerly concrete sidewalk paralleling Lakeside Avenue.

Recommendation: Final plat approval as per, and subject to, the following findings and conditions.

I. Findings

Article 4: Maps & Districts

Sec. 4.5.6, South End Innovation District Overlay:

(a) Areas Covered

The proposed development site is entirely within the SEID overlay.

(b) District Specific Regulations

Table 4.5.6-1:SEID Dimensional Standards & Density

Block Perimeter ¹	Max. Intensity (floor area ratio ^{2,3})	Max Building Size per Floorplate ^{4,5}	Max. Lot Coverage & Pervious Surface Required ⁶	Minimum Building Setbacks ⁶			Max. Height ⁷
				Front	Side	Rear	
1,600' max	2.5 FAR	Floors 1-6: 15,000 sq. ft. Floors 7-8: 10,000 sq. ft. <i>Except as permitted by Sec.4.5.6 (c) 1</i>	80% max impervious	0' min 20' max ⁵	0' min 20' max ⁵	0' min 20' max ⁶	85'

1. Blocks may be enclosed by any combination of streets within public Rights-of-Way or Public Paths. Where a property abuts a railroad or area identified as Wetland, Conservation or Natural Area on Map 4.5.3-1 Natural Resource Protection Overlay District, such boundaries may serve as enclosing block boundaries.
2. Floor area ratio is described in Sec 5.2.7.
3. Bonuses for additional FAR for inclusionary housing projects are described in Sec. 9.1.12.
4. Maximum square footage applies to each floorplate.
5. One parking structure per lot established as of January 1, 2023 may exceed the 15,000 sq. ft. floorplate maximum standard according to the following:
 - a. When the structure contains a transit use, the maximum floorplate is 60,500 sq. ft., or
 - b. When the structure does not contain a transit use, the maximum floor plate is 30,000 sq. ft.
6. Setbacks are measured from the property line; however, buildings must be at least 15' from the curb or edge of a public Right of Way if no curb exists.
7. Maximum building height in the E-SEID shall be further limited by Map 4.5.6-2: SEID Specific Height Area Map.

1. Dimensional Standards & Density

Proposed lot 1 will be the site of the first building in what is anticipated to be a larger, more comprehensive development. Lots 1 and 3 comply with the maximum block perimeter standard in Table 4.5.6-1. Lot 2 is the remainder of the existing lot and will be further subdivided under separate application in the future. As proposed, lot 2 will lessen the degree of existing nonconformity as to block perimeter and is acceptable. **(Affirmative finding)**

2. Frontage and Ground Floor Activation Standards

Not applicable for subdivision review.

3. Parking

Not applicable for subdivision review.

4. *Uses*

Not applicable for subdivision review.

Article 6: Development Review Standards:

Part 1: Land Division Design Standards

Section 6.1.2 Review Standards

(a) Protection of important natural features

The arrangement of blocks and lots shall preserve watercourses, wetlands, steep slopes, flood-prone areas, rock outcroppings, wildlife habitat and travel corridors, specimen trees and contiguous stands of forest, and other sensitive ecological and geological areas to the extent practicable.

There are no significant natural features in the land to be subdivided. The existing conditions consist largely of surface parking. **(Affirmative finding)**

(b) Block Size and Arrangement

The size and arrangement of new blocks shall maintain the size and arrangement of existing neighborhood blocks within the zoning district, and support the pattern of interconnected streets throughout the city.

See Sec. 4.5.6 above for block size and arrangement standards within the SEID overlay.

(c) Arrangement of Lots

The size and arrangement of new lots shall reflect and perpetuate the existing development pattern of the surrounding neighborhood. Lots shall be created in such a way as to enable their development pursuant to the requirements of this ordinance, and ensure a clear transfer of title.

The proposed lot sizes and arrangement reflect the dimensional standards of the SEID overlay. Existing and proposed street frontages are incorporated. Just 3 lots are proposed, and they are consistent with nearby parcel patterns in the SEID overlay.

Interior lot lines extending from a street should be perpendicular or radial to the street right-of-way line to the greatest extent feasible. Flag lots and through lots are discouraged, and shall be allowed only to the extent where topography and existing block and lot arrangement allow no suitable alternative. In such cases, a minimum frontage for access of 20 feet shall be required.

No flag lots are proposed. Lots 1 and 3 are regularly shaped. As the remaining parcel, lot 2 is somewhat irregular; however, even lot 2's boundary lines are fairly regular in their configuration. See also Sec. 4.5.6. **(Affirmative finding)**

(d) Connectivity of streets within the city street grid

The established grid of interconnected streets shall be maintained and extended to the extent practicable. All streets shall be in conformance with applicable street design and construction details as provided by the department of public works, and shall be dedicated to the city.

This initial subdivision utilizes existing street frontage along Lakeside Avenue and also creates right-of-way space for a future public street (so-called "Innovation Lane" in ZP-26-18). The new public street will provide street frontage for each of the proposed lots and, likely, future subdivided lots. The future street right-of-way shows the initial stages of a future street grid. Note that area for so-called "Cross Street (in ZP-26-18) between Lots 1 and 3 is just 20' wide. This width is much too narrow for a public street. It may be acceptable for a private access way. This area is

contiguous with the area for the future Innovation Lane. As one is intended to become public and the other not, future subdivision of the right-of-way area for the two will likely be necessary. **(Affirmative finding as conditioned)**

(e) Connectivity of sidewalks, trails, and natural systems

The established sidewalk network shall be maintained and extended to the extent possible. Trail networks and uninterrupted corridors of greenspace outside of the established street grid should be maintained and extended wherever possible. All sidewalks shall be in conformance with applicable street design and construction details as provided by the department of public works, and shall be dedicated to the city.

Sidewalks and multi-use paths shall be constructed to Department of Public Works standards and dedicated to the city. No public sidewalks are depicted on the final plat plans. Rather, they are included with the associated zoning permit for development on lot 1. **(Affirmative finding)**

Article 10: Subdivision

Sec. 10.1.8, Preliminary Plat Review

D. Review Criteria

Decisions by the DRB on a preliminary plat shall be based on the project's conformance with the following:

- 1. The requirements of the underlying zoning district(s) and all applicable overlay district(s) as set forth in Article 4;*
See Article 4 above.
- 2. The review criteria for Conditional Uses and Major Impact in Article 3, Part 5 where applicable;*
Not applicable.
- 3. The requirements of Article 5 with regard to Special Uses and Performance Standards as applicable; and,*
Not applicable.
- 4. The land division and site development principles and design standards in Article 6.*
See Article 6 above.

Sec. 10.1.10, Performance Bond and Guarantee of Completion

(a) Bonds and Securities

New street rights-of-way are included in this subdivision application; however, construction of public infrastructure within those rights-of-way is included in separate permit (ZP-26-18).

This criterion is addressed under that separate application. **(Affirmative finding)**

Sec. 10.1.12, Dedication and Acceptance of Public Facilities

So-called "Innovation Lane" is to become a new public street. It will be located within the future street ROW between Lot 1 and Lot 2. Dedication and acceptance of this new street shall be subject to the standards of this criterion. **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. Within 180 days of approval, a mylar copy of the approved final plat, with all applicable signatures, shall be filed in the city's land records. Failure to do so renders this approval null and void.

2. Dedication and acceptance of the new public street (so-called Innovation Lane) shall be subject to the standards of Sec. 10.1.12. The 20' wide "future street" area between Lots 1 and 3 is not to become a public street.
3. Standard conditions 1-15.

Project Narrative for COA Level III Final Plat Subdivision

Project Site: 125 Lakeside Avenue. (Ward 5, E-LM, SEID, Tax No. 053-2-009-000).
Project: Ride Your Bike Building A
Property Owner: Ride Your Bike, LLC
Applicant: RYB Building A, LLC
Date: 24 February 2026

The parcel is 6.33 acre in size and currently used for surface parking. Specifically, the proposed subdivision includes the creation of two additional lots and proposed public right-of-way (ROW) as follows:

- Lot 1: 1.48 ac.
 - Lot 2: 3.75 ac.
 - Lot 3: 0.60 ac.
 - ROW: 0.50 ac.
- Total: 6.33 ac.

Responses to the preliminary plat comments from the Department of Public Works are as follows:

- a. The proposed right-of-way is 50.5ft wide, which has been noted on the Final Plat.
- b. The total right-of-way area is 0.5acres.
- c. A curb-cut access permit will be applied for after approval of the Final Plat.
- d. Notes have been added to the Final Plat that the existing concrete sidewalks at the northern property boundary are private.

No physical improvements are proposed with the subdivision application, therefore no construction drawings, plans and profiles, are included in the proposed subdivision plat. The proposed subdivision application meets the relevant sections of Burlington Comprehensive Development Ordinance as follows:

Article 4: Maps & Districts

Sec. 4.4.3, Enterprise Districts:

(a) Purpose

(4) Light Manufacturing (E-LM)

1. The Light Manufacturing (E-LM) district is the traditional commercial/industrial center of Burlington, and is intended primarily to accommodate enterprises engaged in the manufacturing, processing, distribution, design, creating, repairing, or assembling of physical and digital goods, merchandise, equipment, or art. This district is primarily intended to provide for various industrial and commercial uses, with specific provisions and limits intended to preserve and enhance areas of varied character throughout district. In some locations, commercial and residential uses are allowed to support the wide range of services and employment opportunities desired in the district, and support adjacent areas of residential development. Development is intended to respect interspersed historic industrial buildings, and reflect the industrial aesthetic of the district's past. Parking is intended to be hidden within, behind,

or to the side of structures. This district includes the SEID overlay which is intended to facilitate the redevelopment of a central portion of the E-LM into a walkable, mixed-use innovation district.

Sec. 4.5.6 South End Innovation District Overlay

(a) Purpose:

The South End Innovation District Overlay (SEID) is intended to provide for a dense, vibrant and dynamic mixed-use district. The overlay is unique in its allowance for residential uses in that it limits the most intensive manufacturing and industrial uses allowed elsewhere in the district. The overlay permits arts, employment, and other non-residential uses intrinsic to an amenity-rich, convenient urban neighborhood. Development is intended to be dense and highly sustainable. Lot coverage standards permit significant development but a high degree of permeable surfaces achieved through green stormwater infrastructure is encouraged. Buildings should range in height from one to eight stories, and should be constructed of materials and in manners that limit embodied carbon and achieve the highest possible energy performance permitted by the Vermont Building Code. Sites should incorporate ample public and private open spaces and include extensive networks of accessible paths that are free of cars. Streets should be constructed in a manner that allocates the majority of their space to pedestrians and cyclists. Buildings should be oriented to the public realm – streets, paths and open spaces, in a manner that creates a safe and inviting district. Site and building design should support public and ecological health to the highest possible degree. Parking should be hidden behind structures, including perimeter buildings or screening devices. Where possible, parking structures should be located along the most heavily trafficked roads to encourage residents, employees and visitors who arrive by car to park at the district's edge and travel on foot, by bike, or other mode of transportation that is compatible with Burlington's climate objectives. Special consideration should be given to the design and construction of parking structures to allow for their renovation to other uses in coming decades as Burlington evolves from car dependence.

This project is a subdivision of land that will allow for future development in accordance with the E-LM district and SEID overlay purpose.

(b) Dimensional Standards & Density

Table 4.5.6-1: SEID Dimensional Standards & Density

Block Perimeter ¹	Max. Intensity (floor area ratio ^{2,3})	Max Building Size per Floorplate ^{4,5}	Max. Lot Coverage & Pervious Surface Required	Minimum Building Setbacks ⁶			Max. Height ⁷
				Front	Side	Rear	
1,600' max	2.5 FAR	Floors 1-6: 15,000 sq. ft. Floors 7-8: 10,000 sq. ft. <i>Except as permitted by Sec.4.5.6 (c) 1</i>	80% max impervious	0' min 20' max ⁵	0' min 20' max ⁵	0' min 20' max ⁶	85'

1. Blocks may be enclosed by any combination of streets within public Rights-of-Way or Public Paths. Where a property abuts a railroad or area identified as Wetland, Conservation or Natural Area on Map 4.5.3-1 Natural Resource Protection Overlay District, such boundaries may serve as enclosing block boundaries.
2. Floor area ratio is described in Sec 5.2.7.
3. Bonuses for additional FAR for inclusionary housing projects are described in Sec. 9.1.12.
4. Maximum square footage applies to each floorplate.
5. One parking structure per lot established as of January 1, 2023 may exceed the 15,000 sq. ft. floorplate maximum standard according to the following:
 - a. When the structure contains a transit use, the maximum floorplate is 60,500 sq. ft., or
 - b. When the structure does not contain a transit use, the maximum floor plate is 30,000 sq. ft.
6. Setbacks are measured from the property line; however, buildings must be at least 15' from the curb or edge of a public Right of Way if no curb exists.
7. Maximum building height in the E-SEID shall be further limited by Map 4.5.6-2: SEID Specific Height Area Map.

The proposed lots are less than 1,600ft perimeter. There are no minimum lot size or street frontage requirements in the SEID zone. Building FAR, lot coverage, and building height are unaffected by the proposed subdivision.

(c) Permitted & Conditional Uses

Not applicable for subdivision application.

(d) District Specific Regulations

Not applicable for subdivision application.

Article 6: Development Review Standards: Part 1, Land Division Design Standards

(a) Protection of important natural features

No physical improvements are proposed with the subdivision application. Further, the existing parcel is a paved parking lot with no important natural features.

(b) Block size and arrangement

The size and arrangement of proposed blocks meet the SEID maximum Block Perimeter of 1,600ft and the orthogonal layout established in the SEID plan.

(c) Arrangement of Lots

The size and arrangement of proposed lots meet the SEID maximum Block Perimeter of 1,600ft and the orthogonal layout established in the SECD plan.

(d) Connectivity of streets within the city street grid

The subdivision plat depicts a new public street ROW that connects to Lakeside Avenue at the north and an existing easement to Sears Lane at the south. Actual street construction details will be reviewed separately as part of the 125 Lakeside Phase 1 zoning permit noted above. For the purposes of this subdivision, the proposed public street ROW will enable connection of the lots to the city’s public street network.

(e) Connectivity of sidewalks, trails, and natural systems

Street, sidewalk, and multi-purpose path connectivity will be reviewed and considered under a separate zoning permit application for development. As noted above, the proposed public street ROW will enable connectivity of streets and sidewalks within the subdivision to the city’s entire network.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

Not applicable for subdivision application.

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

Not applicable for subdivision application.

Article 10: Subdivision

Sec. 10.1.8, Preliminary Plat Review and Sec. 10.1.9, Final Plat Review

D. Review Criteria

Decisions by the DRB on a preliminary and final plat shall be based on the project’s conformance with the following:

1. The requirements of the underlying zoning district(s) and all applicable overlay district(s) as set forth in Article 4;
See Article 4 above.

2. The review criteria for Conditional Uses and Major Impact in Article 3, Part 5 where applicable;

Not applicable for subdivision application.

3. The requirements of Article 5 with regard to Special Uses and Performance Standards as applicable; and,

Not applicable for subdivision application.

4. The land division and site development principles and design standards in Article 6.

See Article 6 above.

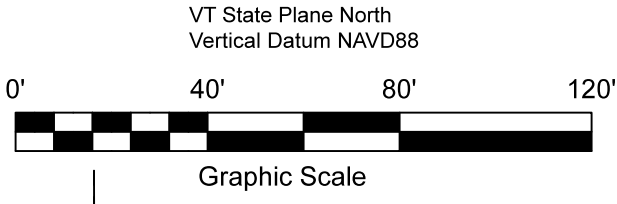
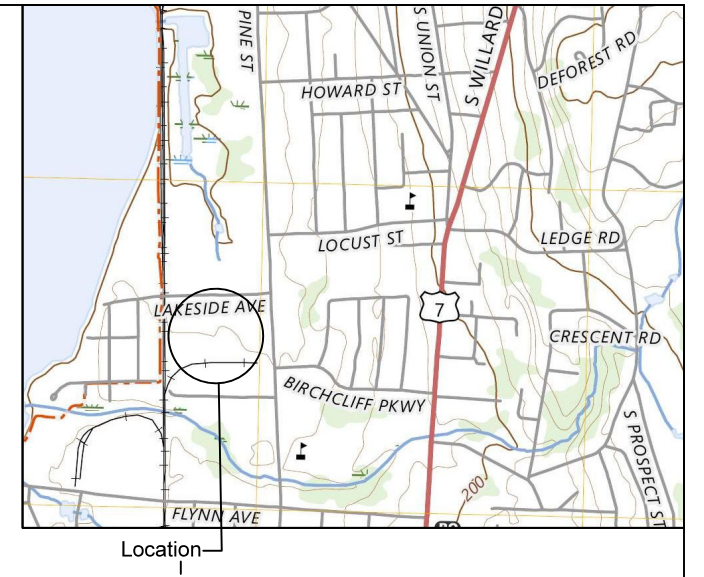
It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown hereon actually exist or are marked as "future" and their location, size, type, and materials are correctly shown. This plat is my faithful representation of record evidence, parcel evidence, physical site conditions at the time of survey and all other specific evidence referred to in the notes section and on the plat herein. This plat meets the requirements of VT statute title 27, chapter 17, section 1403.

Project Engineer
 "It is hereby certified that this plat fully complies with all engineering requirements set forth in the subdivision regulations of the City of Burlington and all other engineering requirements of Burlington, Vermont"

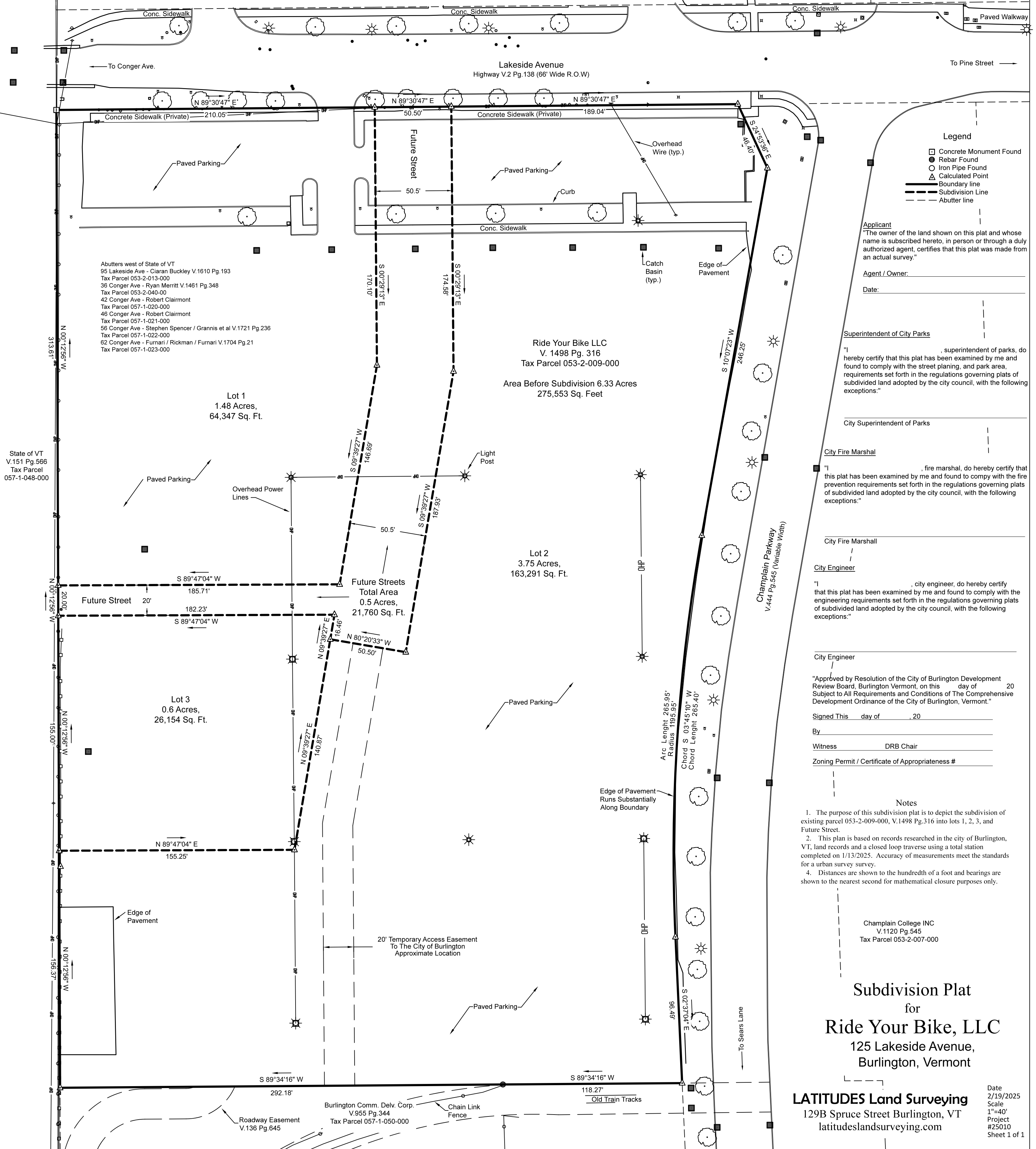
Draft For Permitting
 Nathan O. Yager VT LLS # 59685 Date 2/19/2026



By: _____
 Registered
 Seal



Fortieth Burlington LLC
 V.890 Pg.9
 Tax Parcel 053-2-010-000



Legend

- Concrete Monument Found
- Rebar Found
- Iron Pipe Found
- △ Calculated Point
- Boundary line
- - - Subdivision Line
- - - Abutter line

Applicant
 "The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey."

Agent / Owner: _____
Date: _____

Superintendent of City Parks
 "I, _____, superintendent of parks, do hereby certify that this plat has been examined by me and found to comply with the street planning, and park area, requirements set forth in the regulations governing plats of subdivided land adopted by the city council, with the following exceptions:"

City Superintendent of Parks _____

City Fire Marshal
 "I, _____, fire marshal, do hereby certify that this plat has been examined by me and found to comply with the fire prevention requirements set forth in the regulations governing plats of subdivided land adopted by the city council, with the following exceptions:"

City Fire Marshal _____

City Engineer
 "I, _____, city engineer, do hereby certify that this plat has been examined by me and found to comply with the engineering requirements set forth in the regulations governing plats of subdivided land adopted by the city council, with the following exceptions:"

City Engineer _____

"Approved by Resolution of the City of Burlington Development Review Board, Burlington Vermont, on this _____ day of _____ 20
 Subject to All Requirements and Conditions of The Comprehensive Development Ordinance of the City of Burlington, Vermont."

Signed This _____ day of _____, 20____
 By _____
 Witness _____ DRB Chair
 Zoning Permit / Certificate of Appropriateness # _____

Notes

1. The purpose of this subdivision plat is to depict the subdivision of existing parcel 053-2-009-000, V.1498 Pg.316 into lots 1, 2, 3, and Future Street.
2. This plan is based on records researched in the city of Burlington, VT, land records and a closed loop traverse using a total station completed on 1/13/2025. Accuracy of measurements meet the standards for a urban survey survey.
4. Distances are shown to the hundredth of a foot and bearings are shown to the nearest second for mathematical closure purposes only.

Champlain College INC
 V.1120 Pg.545
 Tax Parcel 053-2-007-000

Subdivision Plat
 for
Ride Your Bike, LLC
 125 Lakeside Avenue,
 Burlington, Vermont

LATITUDES Land Surveying
 129B Spruce Street Burlington, VT
 latitudeslandsurveying.com

Date 2/19/2025
 Scale 1"=40'
 Project #25010
 Sheet 1 of 1



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
Kirk Dressing, Associate Planner
Joseph Cava, Permit Technician
Collin Naheedy, Code Compliance Officer*



TO: Development Review Board
FROM: Scott Gustin
DATE: March 25, 2026
RE: ZP-25-378; 451 Appletree Point Road

=====
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: 4N

Owner/Applicant: Jamie Spano

Request: After-the-fact tree removal and replacement with new trees. Replaced failing seawall and added additional seawall length.

Applicable Regulations:

Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines)

Background Information:

The applicant is seeking approval for reconstruction and extension of a stone seawall and related tree clearing along the lakeshore. The work was done more than a year ago and is the subject of zoning enforcement. As the seawall is located partially below the 102' elevation, it is subject to review under the flood hazard area regulations in addition to dimensional and design review standards. As required, the project is subject to review and approval by the State National Floodplain Insurance Program Coordinator at VT DEC. Comments have been provided and find that the seawall is compliant with applicable flood hazard area standards.

Given the project location along the lakeshore, this application is subject to review by the Conservation Board. The Conservation Board reviewed this application at their December 1, 2025 meeting. Due to limited replanting information, the Board continued review to a future meeting. Specifically, the Board requested a landscaping plan including the required low mow zone(s), new trees, and native plant species. Revised project plans were provided, reviewed, and approved by the Conservation Board at their March 2, 2026 meeting.

Previous zoning actions for this property are noted below.

- 11/2/18, Approval of as-built building and site changes
- 7/21/15, Approval of demolition, construction of new duplex and related site improvements
- 7/1/14, Approval of front yard setback variance
- 7/26/04, Approval of 2-lot subdivision
- 1/13/04, Denial of 3-lot subdivision

Recommendation: Certificate of appropriateness approval, as per, and subject to, the following findings and conditions.

I. Findings

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(1) Residential Low Density (RL)

This district is intended for relatively low density residential development that includes a mix of housing types, generally including single family homes through quadplexes. The existing single family residence is consistent with this intent. No change in use is proposed. **(Affirmative finding)**

(b) Dimensional Standards

The subject property is accessed by a private road and has ~150' of frontage. It will not change, and the minimum required is 30.'

Setbacks generally remain unchanged. The reconstructed and extended seawall is allowed to encroach into the waterfront setback. The two walkways are also permissible encroachments. At the southeastern corner of the property, a former boathouse was removed when the existing home was constructed. That was to be converted to green space; however, the area was instead converted to patio space. The prior redevelopment of the property resulted in a net decrease of lot coverage within the lakeshore setback of 121 sf. The patio is 132 sf. In order to avoid an increase in nonconformity within the lakeshore setback, the patio needs to be reduced in size by 11 sf. There is a 2nd patio just to the west that is an impermissible encroachment into the lakeshore setback and needs to be removed. The applicant requests approval to retain this feature; however, there is no provision to allow for this additional lakeshore setback encroachment.

The reconstructed section of seawall does not affect lot coverage. The extended section of seawall and river stone installed inland of the entire length of seawall results in 1,162 sf of net new lot coverage (6.5%) for a total of 27.8% lot coverage. The applicant proposes removing the river stone. Doing so will reduce net new lot coverage by about half for a resultant ~23.8% lot coverage. Removal of the impermissible 2nd patio will lower coverage slightly to 23.2%.

Height of the replacement and extended seawall will be similar to the existing seawall at up to ~4.'

The number of dwelling units remains unchanged at 1.

The footprint of the principal structure remains unchanged. **(Affirmative finding as conditioned)**

(c) Permitted & Conditional Uses

The seawall is accessory to the permitted single family home. **(Affirmative finding)**

(d) District Specific Regulations

1. Additional Residential Development Permitted

(Not applicable)

2. Exceptions to Dimensional Standards
(Not applicable)

3. Exception for Neighborhood Commercial Uses
(Not applicable)

4. Miscellaneous Standards
(Not applicable)

5. Residential Development Bonuses
(Not applicable)

Sec. 4.5.4, Natural Resource Protection Overlay District:
(a) District Specific Regulations: Special Flood Hazard Area
(7) Special Review Criteria

A. The danger to life and property...

The seawall is located within the lakeshore flood hazard area. Lakeshore flood dynamics are unlike those of river flood dynamics. The water does not flow at perceptible speeds and is not subject to constriction. Placement of the seawall within the lakeshore flood zone will have no impact on flood heights or velocities. **(Affirmative finding)**

B. The danger that material may be swept onto other lands...

The reconstructed and extended seawall is built of stone blocks and is anchored into the ground. There is little danger that the structure will be swept away by flood waters. **(Affirmative finding)**

C. The proposed water supply and sanitation systems...

Not applicable.

D. The susceptibility of the proposed facility and its contents to flood damage...

The seawall is a protective measure against flood damage to the property. The potential for flooding damage to the seawall itself is minimal. **(Affirmative finding)**

E. The importance of the services provided...

The seawall is of little importance to the Burlington community; however, it will provide substantial protection to the private property that it is located on. **(Affirmative finding)**

F. The availability of alternative locations...

The point of the seawall is to protect the property from flood damage. Its placement within the flood zone is key to this function. Its location within the floodplain is acceptable. **(Affirmative finding)**

G. The compatibility of the proposed use with existing development...

Seawalls are commonplace along Burlington's lakeshore. **(Affirmative finding)**

H. The relationship of the proposed use to the Municipal Development Plan...

The Municipal Development Plan does not address seawalls. It does speak to the development pattern of relatively low density residential development within the RL zone. The subject property

contains a single family home. Insofar as homes along the lakeshore commonly have seawalls, the proposal can be found in compliance with the MDP. **(Affirmative finding)**

I. The safety of access to the property...

The rebuilt and extended seawall will have no effect on the safety of access to the property during times of flood. **(Affirmative finding)**

J. The expected heights, velocity, duration, rate of rise...

The maximum regulatory flood elevation along the lakeshore is 102' above sea level. The seawall will have no impact on flood heights, velocity, duration, rate of rise, or sediment transport. **(Affirmative finding)**

K. Conformance with all other applicable requirements...

See Articles 4, 5, and 6 of these findings.

(c) District Specific Regulations: Riparian and Littoral Conservation Zone

The subject property is affected by the Riparian and Littoral Conservation Zone (250' width from the 95.5' lakeshore elevation). This overlay zone limits the clearing of vegetation and new stormwater outfalls. No stormwater outfalls have been installed; however, trees were cleared to rebuild and extend the seawall. As noted above, the Conservation Board approved the revised project plans as presented at their March 2, 2026 meeting. **(Affirmative finding)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

No lot coverage exceptions are sought. **(Not applicable)**

Sec. 5.2.5, Setbacks

No permissible setback encroachments are sought. **(Not applicable)**

Sec. 5.2.6, Building Height Limits

No exceptions to height limits are sought. **(Not applicable)**

Sec. 5.2.7, Density Calculations

Density is unaffected. **(Not applicable)**

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to result in creating a nuisance under this criterion. **(Affirmative finding)**

Sec. 5.5.4, Tree Removal

(a) Review criteria for zoning permit requests for tree removal

(1) Grounds for approval

Tree removal involving six (6) or more trees, each of ten (10) inches or greater in caliper or the removal of ten (10) or more trees, each of which is three (3) inches or greater in caliper during any consecutive twelve (12) month period may be permitted for any of the following reasons:

A. Removal of dead, diseased, or infested trees;

Not applicable.

B. Thinning of trees for the health of remaining trees according to recognized accepted forestry practices;

Not applicable.

C. Removal of trees that are a danger to life or property; or,

Not applicable.

D. As part of a development with an approved zoning permit.

Project plans depict trees that were removed as well as new plantings that will be installed. The new plantings consist of a variety of native species along the lakeshore and include several “low mow” areas as required. The Conservation Board found that the proposed plantings are acceptable mitigation for the trees removed. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

More than 400 sf of earthwork likely took place to rebuild and extend the seawall. No erosion control plan was provided; however, the site is clearly stabilized at this point. **(Affirmative finding)**

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

The subject property is located along the Lake Champlain shoreline. The shoreline is an identified significant natural area. The property is affected by the Natural Resource Protection Overlay District, specifically the riparian and littoral conservation zone, which stretches inland 250’ from the 95.5’ lakeshore elevation. As noted previously, trees were cleared, and the revised landscaping plan includes new plantings along the lakeshore to mitigate this loss. **(Affirmative finding)**

(b) Topographical alterations

The property slopes gently towards the lake and then drops significantly down to the lake along the immediate shoreline. The seawall work retains this topography. **(Affirmative finding)**

(c) Protection of important public views

The seawall will not adversely impact public views across the lake and towards the Adirondacks. **(Affirmative finding)**

(d) Protection of important cultural resources

The property contains no known archaeological resources. Much of the lakeshore is archaeologically sensitive. Fortunately, relatively little new construction along the lakeshore was done to extend the seawall. **(Affirmative finding)**

(e) Supporting the use of alternative energy

Not applicable.

(f) Brownfield sites
Not applicable.

(g) Provide for nature's events
See Sec. 5.5.3.

(h) Building location and orientation
Not applicable.

(i) Vehicular access
Not applicable.

(j) Pedestrian access
Not applicable.

(k) Accessibility for the handicapped
Not applicable.

(l) Parking and circulation
Not applicable.

(m) Landscaping, fences, and retaining walls
Height of the seawall does not extend above 5'; however, it will satisfy this requirement anyway. It is constructed of natural stone blocks. **(Affirmative finding)**

(n) Public plazas and open space
Not applicable.

(o) Outdoor lighting
Not applicable.

(p) Integrate infrastructure into the design
Not applicable.

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

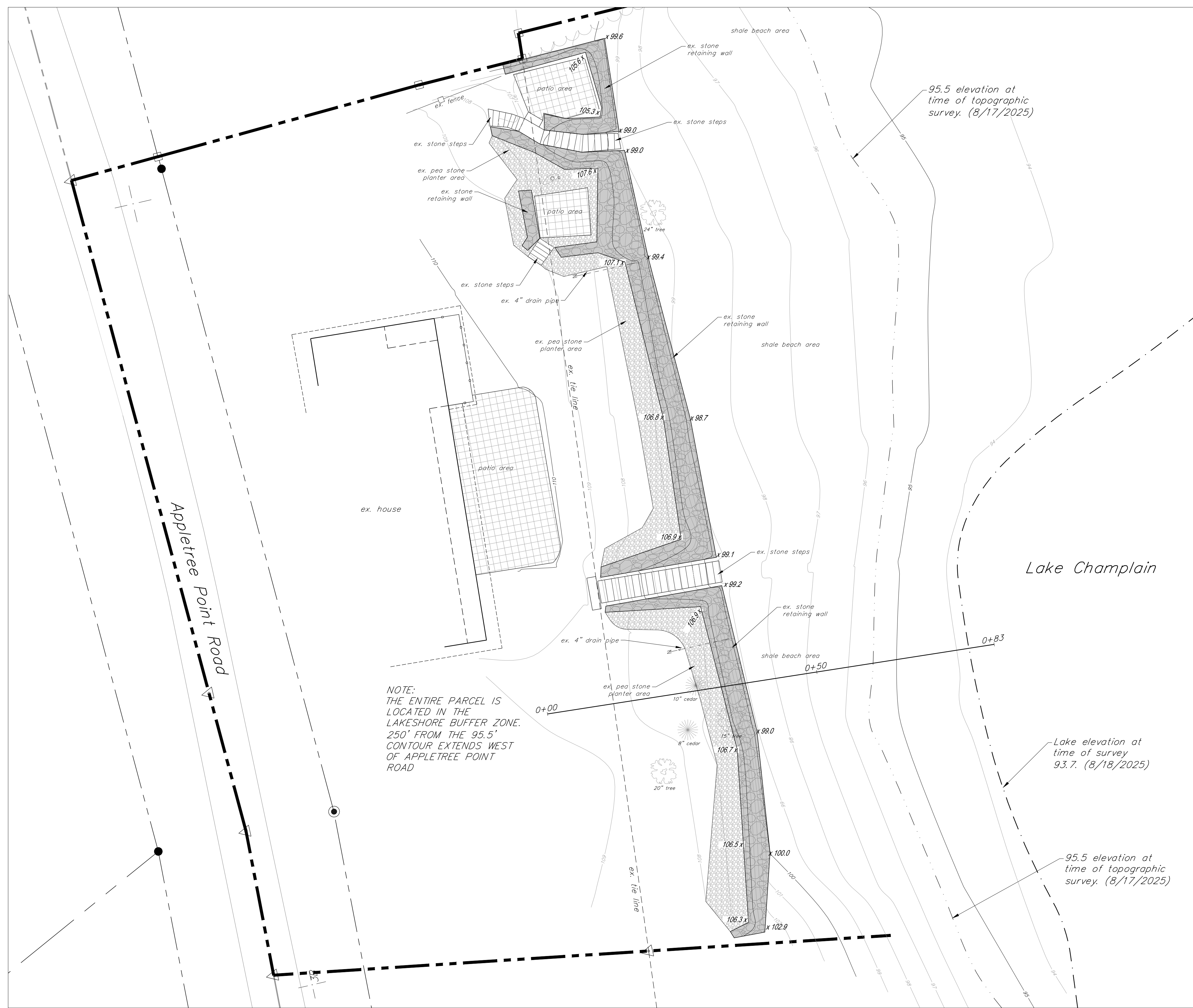
Not applicable.

II. Conditions of Approval

1. All work associated with this zoning permit shall be complete by September 15, 2026.
2. **Prior to release of the zoning permit**, revised project plans shall be submitted, subject to staff review and approval. Revised project plans shall delete the western of the two patios in the southeastern corner of the site and shall also delete the river rock / gravel inland of the seawall. The remaining patio shall be reduced in size by 11 square feet.
3. In all **Special Flood Hazard Areas** (including Floodway areas) such conditions require that:

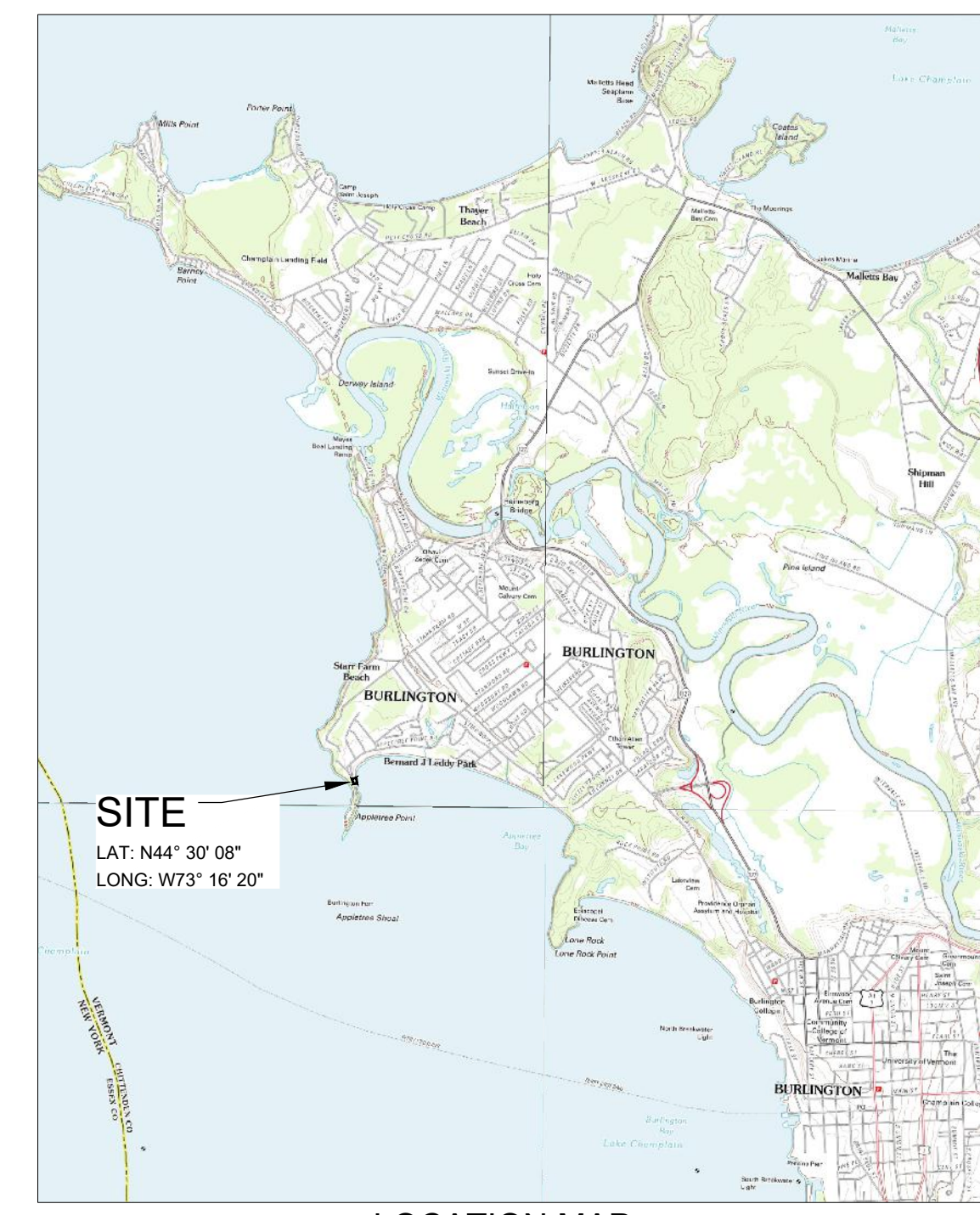
All development:

- (i) New construction and/or substantial improvements to structures shall be reasonably safe from flooding and be:
 - 1. Designed and adequately anchored to prevent flotation, collapse, or lateral movement during the occurrence of the base flood;
 - 2. Constructed of materials resistant to flood damage;
 - 3. Constructed by methods and practices that minimize flood damage; and
 - 4. Constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - (ii) All development shall be designed to minimize flood damage to the proposed development and to public facilities and utilities;
 - (iii) All development shall be designed to provide adequate surface drainage to reduce exposure to flood hazards;
 - (iv) All new construction and substantial improvements that have fully enclosed areas below the lowest floor shall:
 - 1. Be solely used for parking of vehicles, storage, or building access, and such a condition shall clearly be stated on any permits; and,
 - 2. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Such designs must be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria: A minimum of two openings of two walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters;
 - (v) All necessary permits shall be obtained from those governmental agencies from which approval is required by federal or state law.
- 4. The Applicant/Property Owner is responsible for obtaining all necessary Building Permits through the Department of Permitting & Inspections as well as other permit(s) as may be required.
 - 5. Standard permit conditions 1-15.



NOTE:
THE ENTIRE PARCEL IS
LOCATED IN THE
LAKESHORE BUFFER ZONE.
250' FROM THE 95.5'
CONTOUR EXTENDS WEST
OF APPLE TREE POINT
ROAD

Site Plan
Horizontal Scale 1"=10'



LOCATION MAP
SCALE: 1" = 5,000 FT

LEGEND

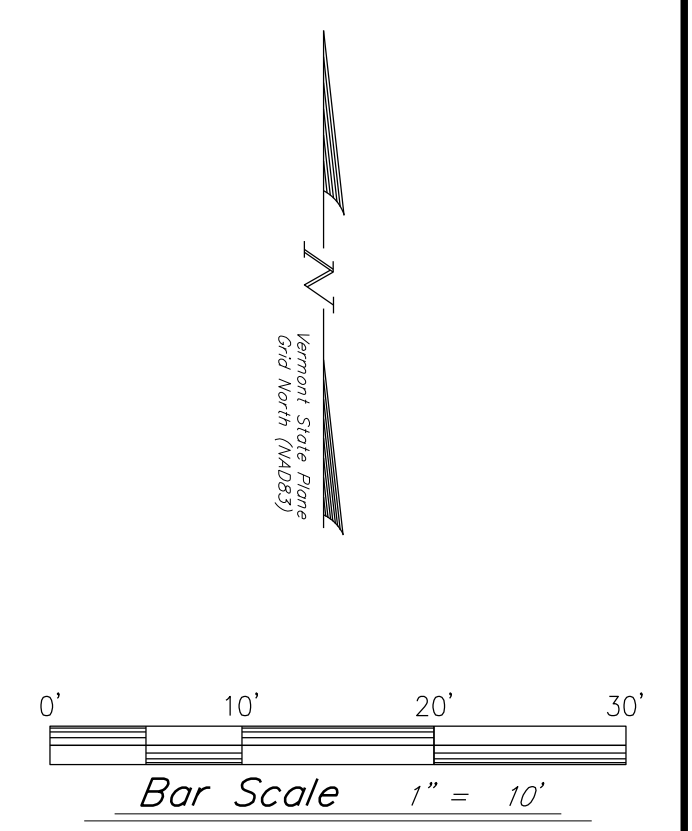
- Survey Control Point
- Existing Sign
- Existing Light Pole
- Existing Deciduous Tree
- Existing Evergreen Tree
- Existing Spot Grade Elevation
- Existing Contour
- Existing Gas Line/Valve
- Existing Sewer Line/Manhole
- Existing Sewer Forcemain
- Existing Storm Line/Manhole/Basin
- Existing Overhead Electric Line/Power Pole
- Existing Overhead Utility
- Existing Communications Line
- Existing Tree Line
- Existing Stockade Fence
- Existing Underground Power
- Existing Water Line/Hydrant/Valve/Shutoff
- Approximate Property Line
- Existing Setback
- Existing Easement
- Existing Stone Retaining Wall
- Existing Pea Stone with Landscaping Area

NOTES

1. This plan is not intended to be a boundary survey. Property lines are based on physical evidence and a Boundary Line Adjustment Survey completed by Krebs and Lansing in March 2015.
2. The horizontal coordinate system is based on NAD83 Vermont State Plane 4400 (US Survey Feet). Elevations are based on NAVD88 datum (US Survey Feet).
3. Existing conditions are based on a topographic survey completed by Krebs & Lansing in August 2025.
4. Utilities are based on visible structures located during the topographic survey and are not warranted to exact or complete. Contractor shall contact Dig Safe and other non-member utilities prior to beginning any excavation.

KREBS & LANSING
CONSULTING ENGINEERS
164 Main Street, Suite 201 P: (802) 878-0375
Colchester, Vermont 05446 www.krebsandlansing.com

STAMP:



Project:
**451
APPLETREE
POINT ROAD**

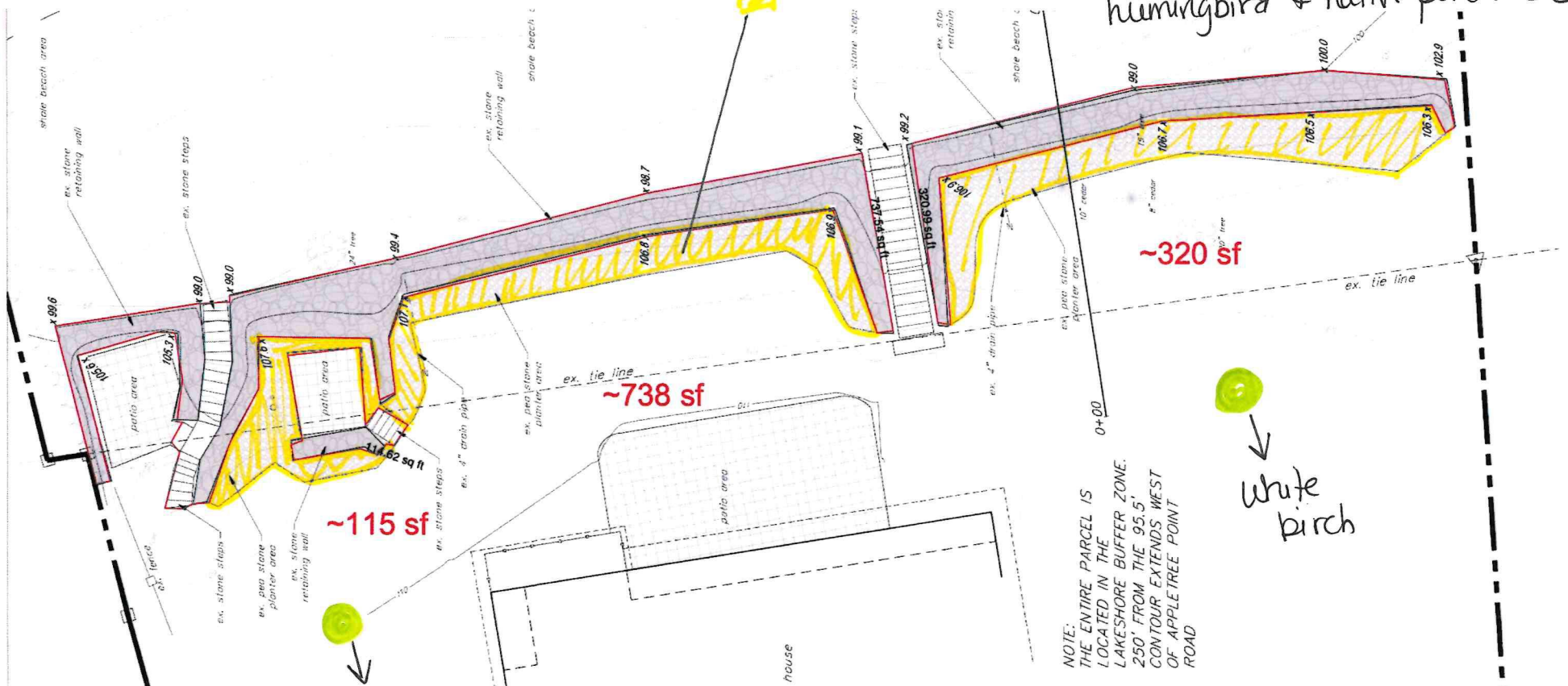
Project No. 25251
Scale as noted
Drawn by TJB/AMR
Checked by
Date 08/29/2025

Revisions		
No.	Date	Description
1	11/04/2025	cross section
2	12/03/2025	plan view

Drawing Title
**Existing
Conditions Plan**

Drawing No.
X-1

- low-mow area
- Remove river rock
- Add compilation of: grey dogwood, juniper communis, little bluestem grass, summersweet hummingbird + native perennials



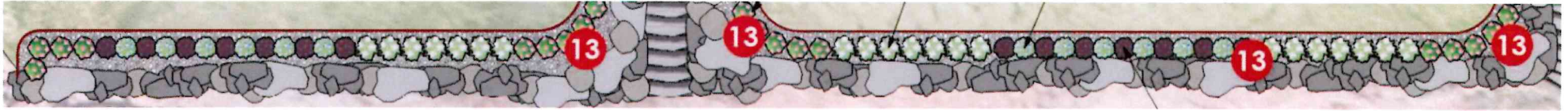
~115 sf
 ↓
 white birch

~738 sf

~320 sf

↓
 white birch

NOTE:
 THE ENTIRE PARCEL IS
 LOCATED IN THE
 LAKESHORE BUFFER ZONE.
 250' FROM THE 95.5'
 CONTOUR EXTENDS WEST
 OF APPLE TREE POINT
 ROAD



Current plantings















11/02/2018 10:26



11/02/2018 10:27




11/02/2018 10:28



11/02/2018 10:29

2021 Google Earth

Legend

-  451 Appletree Point Rd




Google Earth



100 ft

Page 8 of 10

Legend

-  451 Appletree Point Rd



451 Appletree Point Rd 451

465

100 ft

 N

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