

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/DPI/DRB
Telephone: (802) 865-7188
Fax: (802) 863-0466

AJ LaRosa
Caitlin Halpert
Evan Gould
Geoff Hand
Sean McKenzie
Leo Sprinzen
Miles Waite
Marina Campbell, (Alternate)
Chase Taylor, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Wednesday, March 11, 2026, 5:00 PM MINUTES

Hybrid & In Person (at 645 Pine Street) Meeting

Board Members Present: AJ LaRosa, Caitlin Halpert, Evan Gould (5:05 PM), Geoff Hand, Sean McKenzie, Miles Waite, and Marina Campbell (Remote)

Board Members Absent: Leo Sprinzen and Chase Taylor

Staff Members Present: Mary O'Neil, Kirk Dressing, and Joseph Cava

Staff Members Absent: Scott Gustin and Collin Naheedy

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Consent**

1. **ZP-26-50; 633 Main Street (I, Ward 1) University of Vermont / State Agricultural College / Claire Forbes**

Proposed amendment to ZP-25-310 for changes to site design and materials. (Project Manager, Mary O'Neil)

AJ LaRosa: This item is marked as consent.

Mary O'Neil: Is anyone present online? I see the applicant, Claire Forbes, present online.

AJ LaRosa: Would anyone on this Board have an issue with treating this item as consent? Hearing none, are there any questions or comments from members of the Board? Hearing none, are there any questions or comments from members of the public in attendance? Hearing none, would someone like to make a motion?

AJ LaRosa: Motioned to approve and adopt staff findings and recommendations, Miles Waite 2nd.
Vote 6-0. Motion carried.

V. **Public Hearing**

1. **ZP-25-517; 355 Ethan Allen Parkway (RL, Ward 7) 355 Ethan Allen Parkway, LLC / Norman Benoit**

Proposed addition of 2 dwelling units to each existing building for a change from 12 to 18 dwelling units total. (Project Manager, Kirk Dressing)

Norman Benoit, Ross Labelle, Kyle Wybranowski, and Laine Rooney: Sworn in.

AJ LaRosa: Can you tell us about this project?

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Norman Benoit: There are currently a total of 12 units, and the proposal is to add additional units for a total of 18. There will be ground floor accessible units. Under this proposal the trash and recycling enclosure will also be improved.

AJ LaRosa: Are there any questions or comments from members of the Board?

Miles Waite: I have a correction to the staff report based on the existing number of units.

Norman Benoit: There is an addendum reflecting this.

Miles Waite: Will you need an ACT 250 amendment?

Kirk Dressing: This is not part of this proposal.

AJ LaRosa: Hearing no additional questions or comments from members of the Board, are there any questions or comments from members of the public in attendance?

Ross Labelle: My concerns are impacts to neighboring residents. I have lived here over 30 years and have witnessed subsequent ownership of this property and poor management practices. There has been excessive trash issues and I am concerned creating additional units will only create more trash. In addition to trash, I am also concerned about the overall impact to existing neighbors and the impact of future maintenance practices of the property. I have worked in the construction industry for over 40 years and I am concerned about the noise pollution that will be created with the construction of this proposal.

Kyle Wybranowski: We share the same concerns as Ross Labelle including excessive trash build up. We are also concerned with the scheduling of construction and the noise pollution it will generate.

Laine Rooney: I work from home and also share these noise concerns.

Kyle Wybranowski: We would recommend installing a living arborvitae hedgerow for privacy and containment.

AJ LaRosa: Can we see the site plan?

Ross Labelle: I echo this recommendation of an arborvitae hedgerow.

AJ LaRosa: So to clarify, this recommendation is for the northeast property boundary.

Laine Rooney: Yes, we recommend clearing the over growth of brush and installing a fence.

AJ LaRosa: To be clear, this Board cannot make a condition of approval for brush clearing.

Miles Waite: There would need to be a stormwater retention basin on the northeast area of the parcel to accommodate the additional units.

Geoff Hand: I note that there is not a planting plan submitted with this proposal.

Kirk Dressing: There are site plans that reference new plantings.

Evan Gould: I interpreted this as existing plantings.

Laine Rooney: Will the existing parking be expanded to accommodate the additional units?

Miles Waite: I do not see an increase in the parking shown on the site plan.

AJ LaRosa: Norman, were you able to hear neighboring concerns?

Norman Benoit: We had a neighborhood meeting, and the design of the dumpster enclosure came about through this engagement to address neighboring concerns.

AJ LaRosa: As a Board, we cannot enforce trash, but it is your responsibility to enforce trash. Will there be more trees?

Norman Benoit: We can consider more trees. Insurance firms requested the removal of trees to satisfy insurance requirements.

AJ LaRosa: Are there anymore questions or comment concerning this item?

Laine Rooney: What is the projected duration of construction?

Norman Benoit: If we started in May 2026, we could complete it within a six month period. There is a lot of work to consider.

Laine Rooney: Do you expect work to be conducted six days a week?

Norman Benoit: No, only five.

Ross Labelle: There is a lot of work maintaining my property because of the issues caused by trash debris and falling foliage from this property.

AJ LaRosa: Hearing no additional comments or questions, we will close the hearing on this item and deliberate on it later on.

2. **ZAP-26-2; 108 South Winooski Avenue (FD5, Ward 8) L & M Properties, LLC / Merrill Jarvis**
Appeal of administrative denial of ZP-25-620 for the after-the-fact installation of chain link fencing.
(Project Manager, Kirk Dressing)

Kirk Dressing: This item has been tentatively rescheduled to the 4/7/26 Development Review Board (DRB) meeting in response to a meeting conflict that affected the appellant's ability to attend this evening's meeting.

AJ LaRosa: Motioned to defer to the 4/7/26 DRB meeting, Caitlin Halpert 2nd. Vote 7-0. Motion carried.

3. **ZAP-26-3; 25 Cherry Street (FD6, Ward 3) Burlington Harbor Hotel GP, LLC / Daniel Seff**
Appeal of administrative denial of ZPS-26-4 of a sign package. (Project Manager, Mary O'Neil)
Daniel Seff, Hans van Wees, Israel Smith, and Jay Canning: Sworn in.

AJ LaRosa: I am recused on this item.

Caitlin Halpert: This is an appeal of an administrative denial. Is the appellant present?

Daniel Seff: Yes.

Caitlin Halpert: In the case of an appeal, we will hear the facts of the case from City staff, and then open it to the appellant to speak. Can you tell us about this project and the basis of the administrative denial and appeal?

Mary O'Neil: Zoning Division staff met with the applicants prior to the sign permit application's submission. The submission of the appeal was timely following the decision. The Projecting Sign

category (Section 7.2.11) was created during the rewrite of the Sign Regulations (ZA-19-06; November 2019) to achieve through regulation two specific goals:

1. To prevent a proliferation of large, disrupting visual signage (i.e. “Times Square”) that would deter from the overall streetscape design strategy of the Form Districts. (Downtown Mixed Use Core Overlay ZA-16-14, adopted September 2016. PlanBTV-Downtown Code ZA-18-01, adopted November 2017.)
2. To create a methodology for existing but limited widely recognized and established signs that would have otherwise been rendered non-conforming to the Sign standards of the Comprehensive Development Ordinance. The specific photo inclusion within the CDO of the Nectars restaurant sign (Formerly *Hi Hat*) and the Wilson Hotel projecting signs are included with this sign category to better define the category, reserved by definition for an iconic structural feature that may be retained as established.

Since these sign regulations were adopted, the dual goals of this standard have been realized.

This application proposes two projecting signs which are to be newly fabricated; not pre-existing and established signs as defined by the purposefully articulated “iconic” descriptor in the sign category. An icon is defined by its lasting and influential nature.

Caitlin Halpert: So no new iconic projecting signs are allowed?

Mary O’Neil: Correct.

Geoff Hand: Can you clarify?

Mary O’Neil: It meets the maximum allowable height and width dimensions, but the mounting bracket would need to be an integral component of the sign’s design to make it iconic.

Caitlin Halpert: What is the purpose of the non-conformity listed under the CDO?

Mary O’Neil: This is to manage the installation of large projecting signs.

Miles Waite: What is the allowance?

Mary O’Neil: There are other projecting sign categories, like blade signs, that could have been chosen to bring the proposal into conformance. The intent was clear at the time of this provision being adopted.

Geoff Hand: This gets into the challenge of what is iconic.

Mary O’Neil: The sign ordinance was adopted in 2019, so the ordinance itself is still relatively new.

Caitlin Halpert: Are there any questions or comments from members of the Board? Hearing none, we will now open it up for the appellant to speak.

Daniel Seff: We are dealing with one provision of the ordinance that is ambiguous. Iconic can relate to the building itself or the sign. There is another provision of ambiguity on what is defined as iconic. Older buildings and signs are iconic. It is our stance that new projecting signs are not defined in the historic context of what is iconic. The evidence is that the building itself is iconic and the sign, as proposed, could also be iconic, which would meet the standard. With the Board’s permission, I would like to turn it over to the project’s applicant, Hans van Wees, to discuss further.

Hans van Wees: This is an iconic hotel in Burlington. We would like to re-envision it as a full service hotel with restaurant and bar serving three meals a day.

Israel Smith: I am a licensed architect in the Burlington area. My least favorite agenda item when I served on a DRB was appeals, so I am going to speak on the fun side of architecture. Under my own, professional, direct knowledge, yes, this sign is consequential to the waterfront existence of the buildings downtown. I give you this background to shape the urban fabric of Burlington's downtown. This City has a sense of self for these waterfront properties extending over to Church Street. This is really about the context of what this corner is finally becoming. You have to understand what this site looked like in the 1960s, and the human cost of urban renewal. We are still working through the disruption of planning urban street grids, referencing the downtown mall project. This is the first new building constructed following the demolition created under urban renewal. People pay attention to the work as construction on this corner commenced to create a new architectural identity. It is not just the hotel forming an architectural identity, but other examples like St. Paul's Cathedral, designed by Tom Cullins, and the residences on Cherry Street and Battery Street that fit into this. When I think about what is iconic as an architect, I think about the groundbreaking changes to architecture of what came first and how it influenced future development. It creates conditions for what comes next. The staff report defines iconic as something old with longevity. Most important is the iconic structural features of buildings. Not just age, but meaning and influence created by one of the most influential design eras of Burlington.

Jay Canning: Not to encourage national architecture or signage. The design is catered to the site to market what we do.

Caitlin Halpert: Are there any additional questions or comments from members of the Board?

Geoff Hand: Can you expand on what is inadequate about the existing signs?

Hans van Wees: This is our next evolution to design and create something new.

Marina Campbell: Can you expand on the sign bracket being part of the final design.

Mary O'Neil: They need to be one in the same.

Caitlin Halpert: Hearing no additional questions or comments from members of the Board or Zoning Division staff, are there any questions or comments from members of the public in attendance?
Hearing none, we will close the hearing on this item and deliberate on this item later on.

4. ZAP-26-1; 22 Clymer Street (RM, Ward 6) Amy Limoge / Tim Kiely

Appeal of administrative denial of ZPR-25-40 for the after-the-fact replacement of wooden siding with vinyl siding. (Project Manager, Mary O'Neil)

Tim Kiely and Amy Limoge, owners, present, Tracey McVetty: Sworn in.

AJ LaRosa: This is an appeal of an administrative denial. Is the appellant present?

Tim Kiely: Yes.

AJ LaRosa: In the case of an appeal, we will hear the facts of the case from City staff, then open it to the appellant to speak. Can you tell us about this project and the basis of the administrative denial and appeal?

Mary O'Neil: Zoning Division staff was notified by Trades Division staff of ongoing work at 22 Clymer Street without the issuance of permits. In addition to replacing the original wooden novelty siding with vinyl siding, the new siding covered a previously existing window and a door was also replaced.

Geoff Hand: What is novelty siding?

Mary O'Neil: Novelty siding is chamfered wooden clapboard siding with a different beveled, sloped edge. The property, including the house and the barn, are both historically listed resources. This Board has continually upheld the decision to deny the replacement of existing historic wooden materials on historically registered properties with non-conforming materials like vinyl.

Evan Gould: Can you expand on the historic context of this property.

Mary O'Neil: Historic properties in the City of Burlington predating a construction date of 1900 are characterized with a construction date of 1899. I looked through Sanborn maps to help confirm the age of the existing structures, which places their construction to the 1890s. The barn was used by the Chittenden County Human Society in the 1950s as a dog kennel.

AJ LaRosa: Are there any additional questions or comments from members of the Board? Hearing none, we will now open it up for the appellant to speak.

Amy Limoge: I was born in Burlington, and have lived in Burlington most of my life. We bought the property in 2017.

Tim Kiely: I have lived in Burlington for the past ten years. This project is after-the-fact, because the inspector could not speak to the existing condition of the barn. When a hole opened up in the roof, we explored opportunities for renovation, and most contractors would not entertain taking on this project. During renovations, we uncovered a carpenter ant infestation, and many structural components were not even touching the ground. I mean no disrespect to the Zoning and Trades Division staff. I wonder about the historical intent of the building given its various outlined deficiencies and lack of a vapor barrier. I do not deny my own accountability, but my contractor said they would handle the permitting process. I was worried if I sent my contractor away, I would not see another one again for months.

Miles Waite: The first step in the permitting workflow is posting the red Z card on the property to notify abutting neighbors and interested parties of an active project.

AJ LaRosa: One of the challenges that we have seen in the past is that plastic/vinyl materials are not an appropriate replacement material.

Tim Kiely: We had the building wrapped before proceed with the new siding installation.

AJ LaRosa: Can you explain?

Tim Kiely: The building was wrapped and the vinyl siding installed over the existing wooden clapboard materials. From the sidewalk, you cannot tell the difference of what the material was/is.

AJ LaRosa: What is the siding material on the house?

Tim Kiely: Vinyl.

Miles Waite: If vinyl had been approved under the 2013 permit for the barn in addition to the house, then this might not have been an issue like it is now.

Tim Kiely: Our neighbors also have vinyl wrapped homes and structures. To respect your time, the existing house has vinyl, and therefore meets the trends of the neighborhood. Under a previous Vermont State Court Environmental Division (VSCED) ruling, it allowed the replacement of existing historic wood siding with a different material.

Mary O'Neil: I represented the City under these proceedings. The referenced case represented by Matt Daley should not be considered, as the material basis was different. The approved replacement material was a fiber cement board siding, not vinyl siding.

Tim Kiely: What may be legal precedent; the neighbors have said how wonderful the newly wrapped building looks.

Tracey McVetty: As the nearest abutting neighbor, I am most impacted by the visual aspects of the existing barn. I appreciate that it is no longer an eyesore. Six of the seven houses on this street are already wrapped in white vinyl. In terms of historical elements, what you see is the house, and not the barn. The barn is secondary because it is located behind the house, and you do not see it. I would recommend overturning this administrative denial.

Sean McKenzie: Was any structural work completed prior to wrapping the building in vinyl?

Tim Kiely: Yes.

Mary O'Neil: I do not think prior rulings should be considered. The court allowed for a replacement material, but did not rule that the neighborhood is washed in vinyl.

Miles Waite: Would the vinyl need to be removed, has a Notice of Violation (NOV) been issued?

Mary O'Neil: No, the submitted application, ZPR-25-40, put the NOV process on hold.

Evan Gould: What was the original siding on the existing house before it was given approval for replacement with vinyl?

Mary O'Neil: The material was aluminum; a composite-to-composite replacement did not require zoning approval.

AJ LaRosa: Hearing no additional questions or comments, we will close the hearing on this item and deliberate on this evening's agenda items.

VI. Adjournment

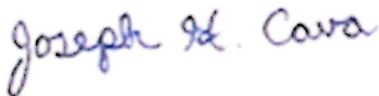
Hearing closed at 6:50 PM.



4-21-26

Alexander J. LaRosa, Chair of Development Review Board

Date



4-21-26

Joseph H. Cava, Permitting & Inspections Permit Technician

Date

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

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