

Burlington Development Review Board

Department of Permitting & Inspections
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Evan Gould
Geoff Hand
Sean McKenzie
Leo Sprinzen
Miles Waite
Marina Campbell, (Alternate)
Chase Taylor, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, May 19, 2026, 5:00 PM MINUTES

Hybrid & In Person (at 645 Pine Street) Meeting

Board Members Present: Evan Gould, Sean McKenzie, Leo Sprinzen, Miles Waite, Marina Campbell (5:15 PM), and Chase Taylor

Board Members Absent: AJ LaRosa, Caitlin Halpert, and Geoff Hand

Staff Members Present: Scott Gustin and Joseph Cava

Staff Members Absent: Mary O'Neil, Kirk Dressing, and Collin Naheedy

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

1. **ZP-26-159; 1127 North Avenue (NAC, Ward 4) Hauke Building Supply, Inc. / David Hauke**
Conditional use to expand existing North End Brew Pub into 1,200 sq. ft. of existing space. (Project Manager, Scott Gustin)
David Hauke, owner, present

Sean McKenzie: This item is recommended for consent approval. Has the applicant had a chance to review the staff report and have any questions or comments?

David Hauke: Yes, and no questions or comments. It is pretty straightforward.

Sean McKenzie: Is there anyone on the Board that would 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?

Scott Gustin: I do not see anyone online.

Sean McKenzie: Hearing none, would someone like to make a motion?

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

V. **Public Hearing**

1. **ZAP-26-4; 88 Lafountain Street (RM, Ward 2) SWB, LLC / Michael Alvanos**
Appeal of administrative denial of ZP-26-78 for the after-the-fact installation of gravel for driveway.
(Project Manager, Scott Gustin)

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Michael Alvanos and Dave Lafayette: Sworn in.

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

Scott Gustin: The original permit application was denied.

Miles Waite: Are you appealing the Notice of Violation (NOV) or the administrative decision denying the application?

Michael Alvanos: I am appealing the administrative decision denying the application.

Sean McKenzie: Can you tell us about the basis of your appeal?

Michael Alvanos: I would like to speak to the validity of the existing permit history. There is an existing curb cut. The owner laid down gravel connecting the existing curb cut to the property. If we cannot use this area as a driveway, then is the existing curb cut to remain? The property owner would like to use this area for parking.

Miles Waite: Does a curb cut constitute approval for a driveway?

Scott Gustin: There is no relationship between the driveway created by the gravel that was laid and the existing curb cut in this case.

Michael Alvanos: The owner has been using the driveway without issue. From my experience, the curb cut will have to be removed to prevent use. There are other examples like cutting off the driveway with a fence.

Sean McKenzie: From the photos and supporting evidence, it appears to be a parking space, not a driveway.

Evan Gould: My understanding from the Comprehensive Development Ordinance (CDO) would be a number of years for a non-conformity to be grandfathered.

Scott Gustin: The timeline for a pre-existing non-conformity to be discontinued would be a year. Geoff Hand would point out that for something to be a pre-existing non-conformity, it must be in continuous use and that the burden of proof is on the appellant to demonstrate that. There are not any site plans on file to support a driveway access and use for parking.

Miles Waite: Would the owner be palpable to changing the language from driveway to parking?

Evan Gould: I think the evidence shows that there has not been continuous use. At some recent point, this green space was converted to gravel.

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

Dave Lafayette: This area has not been in continuous use as a driveway. This area has always been greenspace since my parents ownership of the neighboring property starting in the 1970s. I purchased the neighboring property in the early 2000s. There was no survey done before the gravel was dumped between the two properties up to my building's foundation.

Evan Gould: Was there any parking here previously?

Dave Lafayette: No. Another concern I have is the slate roof where ice and snow continuously drops in one chunk. Who is liable for a person's health or property damage is using this area for parking is approved?

Sean McKenzie: Are there any additional questions or comments from members of the public in attendance?

Scott Gustin: I do not see anyone present online to speak.



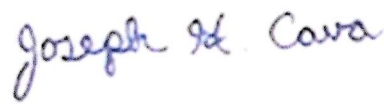
Sean McKenzie: Hearing no additional questions or comments, we will close the hearing on this item and deliberate on this agenda item later on.

- 2. **ZAP-26-5; 261 South Winooski Avenue (RM, Ward 6) Field Stone Property Management, LLC / Ryan Field**
Appeal notice of zoning violation for unpermitted window replacement. (Project Manager, Collin Naheedy)

Scott Gustin: This appeal has been withdrawn.

Sean McKenzie: 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 5:25 PM.

	
Alexander J. LaRosa, Chair of Development Review Board	Date
	6-2-26
Joseph H. Cava, Permitting & Inspections Permit Technician	Date

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 <https://burlingtonvt.portal.civicclerk.com/> or the office notice board, one week before the hearing for the order in which items will be heard.

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