

Department of Planning and Zoning

149 Church Street

Burlington, VT 05401

<http://www.burlingtonvt.gov/PZ/>

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

David E. White, AICP, Director
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, Senior GIS/IT Programmer/Analyst
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: December 6, 2016
RE: ZP 16-1400LL

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: ZP16-1400LL

Location: 80 Colchester Avenue

Zone: I **Ward:** 1E

Date of Application: June 6, 2016

Date application approved: September 23, 2016

Date appeal accepted: October 7, 2016

Applicant/ Owner: Randall Miller & Frank Von Turkovich

Appellants: Robert and Susan Butani, represented by Lisa Shelkrot Esq.

Request: Appeal of a lot line adjustment between 80 Colchester Avenue, 27 Fletcher Place and 49 Fletcher Place. (Zoning permit appealed was specifically for 80 Colchester Avenue parcel.)

Background:

- **Zoning Permit 17-0388MA/CA**, Construct 3 story residential building containing 75 apartments units. Combine and reconfigure surface parking areas. Project currently in review.
- **Zoning Permit 16-1400LL**; lot line adjustment with 27 and 49 Fletcher Place. September, 2016.
- **Sketch Plan Review ZP16-0904SP**; Sketch Plan Review for 66, 72, 80, 94 and 96 Colchester Avenue; 27 and 49 Fletcher Place, Construct 2 three story buildings containing 78 apartment units with above-ground and underground parking. April 2016.
- **Sketch Plan Review 16-0746SP**; Sketch Plan review for proposed three story, two building multi-residential building complex with associated parking. December 2015. (Design Advisory review.)
- **Sketch Plan Review ZP16-0393SP**, Construct 79 apartment units in 3 story building with underground and above-ground parking facilities. November 2015.
- **Sketch Plan Review 15-0896SP**, construct 79 apartment units in 3 story building with underground and above-ground parking facilities, April 2015.

- **Zoning Permit 15-0390SN**; install new freestanding sign for Hillel. Approved October, 2014.
- **Zoning Permit 15-0042CA/CU**, change of use from office to membership club; exterior staircase and install bike rack. Approved August 2014.
- **Zoning Permit CU 2004-016**; application for use by UVM affiliated Center for Children, Youth and Families Administrative offices. Approved with conditions, January 2004.
- **Zoning Permit 01-389**; installation of an externally illuminated freestanding sign for the existing medical (chiropractic) office. Approved April 2001; not pick up and confirmed expired in 2011.
- **Zoning Permit CU 2001-035**; change of use of first floor space from office to medical chiropractic office. Removed from agenda as determined that the proposed conversion from a medical billing office to a chiropractic office on the first floor does not require conditional use review. February 2001.
- **Zoning Permit 00-516**; refurbish existing side porch to allow ramping of deck for handicapped accessibility to the existing medical office. No increase in footprint. December, 2000.
- **Zoning Permit 99-277**; removal of slate roofing material, replacing with asphalt shingles for the existing medical office. Approved December 1998.
- **Zoning Permit 92-123**; construction of ten additional parking spaces for a total of sixteen for the existing medical office and residential unit. Existing curb cut to be eliminated, with joint use of adjacent property's (medical office / 94 Colchester Avenue) curb cut. Approved September 1991.
- **Zoning Permit CU92-011 / COA 92-025**; eliminate curb cut and driveway from #80 and utilize widened drive at traffic light at #94. Remove existing garage, change configuration and size of paved parking area. No change to use of #80 as office and apartment. Approved with conditions September 1991.
- **Request for Conditional Use Permit** to construct a private parking lot. July 1990. Application withdrawn by applicant.
- Notice of appeal to the Zoning Board of Adjustment seeking a special exception to erect a 16' x 16' addition to the northeast corner of existing doctor's office. Approved July 1968.

Overview: On June 6, 2016 the applicant submitted three applications to adjust the shared property boundaries between three parcels; 80 Colchester Avenue, 27 Fletcher Place and 49 Fletcher Place. All three applications were signed by property owners, and given individual zoning permit numbers. After assurance for compliance with parking requirements and setbacks, all three applications were simultaneously administratively approved September 23, 2016. The appellants have filed an appeal of one permit; that associated with 80 Colchester Avenue.

Recommendation: Denial of the appeal and uphold the administrative decision relative to adjusted boundary lines for 80 Colchester Avenue, per the following findings:

I. Findings

Article 3: Applications, Permits and Project Review

Section 3.2.4 Application Forms and Fees

(a) Any application shall be deemed incomplete until such time as all applicable application fees are paid.

The appellants have filed a single appeal for a lot line adjustment that was integral to boundary line adjustments of three lots. An operative appeal of the boundary line decisions must include all three permits, requiring appeal application and fees for three permits. The appeal is deficient in appropriate application fees, as only one appeal fee was provided for a single permit, when boundary line adjustments involve more than one property and three parcels were involved. **Adverse finding.**

Section 3.2.5 Completeness of Submission, Administrators Action

An application for a zoning permit shall not be complete until all submission requirements have been provided to the satisfaction of the administrative officer. The administrative officer shall take action with regard to a complete application within 30 days. Such action shall be to issue a decision on the application pursuant to the authority granted in Sec 3.2.7 of this Article, or by making a referral to the DRB.

Only one appeal was submitted for a single permit (16-1400LL) within a three-permit decision. Associated permits were issued for 27 Fletcher Place (ZP16-1398) and 49 Fletcher Place (ZP16-1399.) Although each parcel was issued a permit, the decisions were not only interrelated but interdependent. The property lines on one parcel cannot be altered without a corresponding permit for a property line adjustment for the affected neighbor. Similarly, an appeal of a single boundary line adjustment cannot be successful without an appeal of the other involved parcel(s). Failure to appeal the 2 other modified properties (27 Fletcher Place and 49 Fletcher Place) renders the single permit appeal imperfect. **Adverse finding.**

Should the administrative officer fail to take any such action, a permit shall be deemed issued on the 31st day pursuant to 24 VSA 4448(d). Modifications to a pending application by an applicant shall restart any applicable time limits, commencing upon the modification date.

On June 20, 2016 the application was placed on “hold” while the applicant worked with his engineering consultants to amend the plat to reflect required parking for the 27 Fletcher Place parcel, to confirm setbacks for the same, and to add the required language to the provided plat. Notes in the electronic project folder state: *Revised and amended plans received Friday morning, 9/23/2016.* The new material restarted the review period. With the revised plans, all three parcels were found to be compliant, and all three permits were approved on that date.

Affirmative finding.

Article 4: Zoning Maps and Districts

Section 4.4.4 Institutional District

(b) Dimensional Standards and Density

Table 4.4.4 -1 Dimensional Standards and Density

Districts	Max. Intensity	Max. Lot Coverage ¹	Building Setbacks ¹ (feet)			Max. Height ¹ (feet)
			Front ²	Side ³	Rear ³	
Institutional⁴	20 du/ac (24 du/acre with inclusionary req.)	40% (48% with inclusionary req.)	<u>Minimum:</u> 15-feet	10% of lot width <u>Min:</u> 5-ft <u>Max required:</u> 20-feet	25% of lot depth <u>Min:</u> 20-feet <u>Max required:</u> 75-feet	35'
80 Colchester Avenue ZP16-1400LL	No change to existing intensity of use.	7.5%	No change	Meets 5' minimum setback required for accessory structure	75' max achieved	No change

1 –Measurement of and exceptions to coverage, setback and height standards are found in Art 5.

2 –The calculation of the front yard setback shall be a percentage of lot width and depth or as defined and described in Art 5.

3 – Maximum allowable lot coverage, setbacks and building height in portions of this district may be modified by the provisions of the Institutional Core Campus Overlays in Sec. 4.5.2

Affirmative finding.

(c) Permitted and Conditional Uses

Not applicable. Permit application was to reorganize the property boundaries with adjacent parcels, not alter use(s).

Article 5: Citywide General Regulations

Part 2: Dimensional Requirements

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2. Required Frontage or Access

No change to frontage or principal access was included in the boundary line adjustment. Frontage remains as existing on Colchester Avenue; access via existing shared-use driveways serving 72 Colchester Avenue and 94 Colchester Avenue. The boundary line adjustment appended a portion of the rear of 27 Fletcher Place and 49 Fletcher Place. An existing access from Colchester Avenue between 96 and 106 Colchester Avenue formerly part of the 27 Fletcher Place parcel has been joined to the 80 Colchester Avenue parcel. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.4-1, above. **Affirmative finding.**

Section 5.2.4 Buildable Area Calculation

Although the property exceeds 2 acres (147,528 sq. ft.), it is not within the RCO, WRM, RM, WRL or RL zoning district. Not applicable.

Section 5.2.5 Setbacks

(b) Exceptions to Yard Setback Requirements

4. Accessory Structures and Parking Areas. Accessory structures no more than fifteen (15) feet in height, parking areas, and driveways may project into a required side and rear yard setback provided they are no less than five (5) feet from a side or rear property line where such a setback is required.

See Table 4.4.4-1, above. **Affirmative finding.**

Section 5.2.6 Building Height Limits

Not applicable.

Section 5.2.7 Density and Intensity of Development Calculations

The application included no change to the intensity of use. As 80 Colchester Avenue increased in size by the boundary line adjustment, there was no threat of new non-conformity for density.

Affirmative finding.

Part 3: Non-Conformities

Not applicable.

Section 5.4.8 Historic Buildings and Sites

No changes were proposed to the historic structure with the re-arrangement of property boundary lines. Not applicable.

Section 5.4.9 Brownfield Remediation

Not applicable.

Part 5: Performance Standards

Section 5.5.1 Nuisance Regulations

There is no identified conflict with this standard by relocation of property lines of 80 Colchester Avenue. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

Not applicable.

Section 5.5.3 Stormwater and Erosion Control

No development or ground disturbance was included with the lot line adjustment. Not applicable.

Section 5.5.4 Tree Removal

Not applicable.

Article 6: Development Review Standards

Part 1: Land Division Design Standards

These standards apply to all development subject to the provisions of this ordinance found in Article 10 Subdivisions or Article 11, Planned United Development involving the subdivision of land or an adjustment or reconfiguration of lot lines.

Section 6.1.2 Review Standards

a) Protection of Important Natural Features

No changes are proposed to natural features. The permit is to reassign the property parameters in conjunction with that of adjacent neighbors. Not applicable.

b) Block size and arrangement

No changes to the street blocks are included with the lot line adjustment. Not applicable.

c) Arrangement of lots

The size and arrangement of new lots shall reflect and perpetuate the existing development pattern of the surrounding neighborhood.

No new lots are being created. The lot line adjusted the shared boundary lines of adjacent parcels at 27 and 49 Fletcher Place.

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.

No new lot is created by the lot line adjustment. The required recording of the final plat/mylar will assure clear transfer of title.

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.

The existing interior lot lines begin perpendicular to the street; however, the overall land area and existing property lines prove irregular within the interior. The lot line adjustment of 80 Colchester Avenue absorbs the random and irregular interior property lines of 27 Fletcher Place, and create greater consistency with rear property line for lots fronting Fletcher Place. **Affirmative finding.**

d) Connectivity of streets within the city street grid

The lot line adjustment does not alter the connectivity of streets within the city street grid. **Affirmative finding.**

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 & construction details as provided by the department. of public works, and shall be dedicated to the city.

The lot line adjustment of 80 Colchester Avenue will not alter the connectivity of sidewalks, trails or natural systems. The uninterrupted greenscape north of 80 Colchester Avenue will not be impacted by the realignment of perimeter boundary lines of that lot.

Affirmative finding.

Article 7: Signs

Not applicable.

Article 8: Parking

The boundary line adjustment did not include any changes to the existing parking configuration for the building at 80 Colchester Avenue or the existing parking count; nor did it spur any increased parking requirement.

The two additional parking spaces approved by the DRB for the duplex use at 27 Fletcher Place, accessed via the applicant-owned access on Colchester Avenue were relocated to the Fletcher Place parcel as part of the boundary line adjustment (ZP16-1398LL.) [That permit for a change of use to a duplex is currently under appeal to the Vermont Superior Court, Environmental Division. The boundary line adjustment was configured conservatively to be compliant with parking requirements of 27 Fletcher Place whether the appeal is upheld or denied by that body.]

Affirmative finding.

Article 10: Subdivision Review

Section 10.1.5 Lot Line Adjustments

The intent of this section is to provide for an abbreviated review and approval process for the realignment of lot boundary lines between existing adjacent lots, including the merger of lots, where no additional lots are being created. In addition, a lot line adjustment shall include the addition and subtraction of vestigial alleys, as defined in Article 13, when being combined with an adjacent lot. A lot line adjustment shall not constitute a subdivision.

The request included three adjacent parcels, and three parcels remained after the lot line adjustment. No new lots were created. **Affirmative finding.**

Lot Line Adjustment Submission Requirements:

An applicant requesting review of a lot line adjustment shall submit the following documentation to the administrative officer:

- (1) A complete application form pursuant to the provisions of Art. 3 and signed by the property owner;*
- (2) A letter requesting review and approval of a lot line adjustment, giving the names and address of property owners;*
- (3) The applicable application fee; and,*
- (4) Two (2) copies of a lot line adjustment plat which shall include the following:*

The plat shall be prepared by a Vermont licensed land surveyor and indicate all lots that are proposed to be modified as a result of the proposed lot line adjustment. The survey shall be sufficient to clearly indicate the area, metes, bounds, and ties of each of the affected lots.

The survey shall include all structures and site improvements and delineate all building/structure setbacks, lot coverage, parking spaces and any other details as may be specified by the Administrative Officer.

The following additional language shall be printed on the plat:

“Approval of this lot line adjustment plat does not constitute the creation of a separate parcel or lot. It adjusts the physical location of the common boundary of the adjoining parcels or lots.

This lot line adjustment has been approved by:”

City of Burlington Administrative Officer/ Assistant Administrative Officer

Date: _____ Zoning Permit # _____

The application for a lot line adjustment included all of the above required submission documents for each of the involved parcels. The required language was added to the Boundary Line Adjustment Plat. **Affirmative finding.**

Completeness of Submission:

Upon receipt of a complete application, the administrative officer shall have no more than thirty (30) days to render a decision on the lot line adjustment application pursuant to the provisions of Section 3.2.5.

See Section 3.2.5, above.

Lot Line Adjustment – Administrative Decision:

The administrative officer shall have the authority to approve to deny an application for a Lot Line Adjustment as follows:

- 1. An application may be denied for good cause based upon substantial evidence including but not limited to:*

- A. Such cases where the proposed adjustment will result in a new lot being created;*

No new lots were created by the lot line adjustment of 80 Colchester Avenue.

- B. Such cases where the proposed adjustment will result in the creation of a non-conforming parcel or non-conforming buildings or structures or yard areas or any non-conforming dimensional standard;*

The proposed alignment does not create any non conforming parcel or non-conforming building or structures or yard areas or any non-conforming dimensional standard.

and,

- C. *Such cases where the proposed adjustment does not adequately address the applicable Land Division Design Standards of Art. 6.*

No proposed Land Division occurred as part of the lot line adjustment.

2. *Provided the adjustment does not create a non-conforming parcel, structure or nonconforming yard area or other dimensional non-conformity, or upon the issuance of a variance by the DRB, and upon submission of a plat per subsection (b) above, the administrative officer shall approve the proposal as presented or as modified.*

The administrative approval was based on compliance with the above standards.

All appeals of an administrative officer's decision shall be made pursuant to the applicable provisions of Article 12.

This application seeks to overturn the administrative decision, pursuant to Article 12.

Article 12: Variances and Appeals

Part 2: Appeals

Sec. 12.2.2 Appeals of Administrative Officer Decisions

(a) Notice of Appeal:

An appeal must be taken within fifteen (15) days after the date of decision or act appealed from, and is taken by filing a written notice of appeal with the administrative officer and the DRB.

The appeal was submitted to the Planning and Zoning Office within 15 days of the date of decision.

Such notice shall include:

1. *The name and address of the appellant;*
The appellants' names are listed, but only the address for their counsel is provided.
2. *A brief description of the property with respect to which the appeal is taken;*
The properties identified as 80 Colchester Avenue, 27 Fletcher Place and 49 Fletcher Place. The permits for the last two were not appealed.
3. *A reference to the regulatory provisions applicable to that appeal;*
The appeal references Article 10.1.5., which is actually **Section** 10.1.5, Lot Line Adjustments.
4. *The relief requested by the appellant;*
The appeal requests that the lot line adjustments be denied. No supporting reason or argument for the requested relief was provided, and therefore the appeal is deficient.

And

5. *The alleged grounds why such requested relief is believed proper under the circumstances.*

The appeal narrative asserts that the property owner is attempting to avoid the bearing of a potential zoning district change for 27 Fletcher Place. This assertion is irrelevant to issuance of the zoning permit, and makes reference to a differing property than the one subject to the appeal (80 Colchester Avenue.)

(b) Hearing within 60 Days:

The DRB shall set a date and place for a public hearing of an appeal under this ordinance, which shall be within sixty (60) days of the filing of the notice of such appeal with the administrative officer pursuant to (a) above. The board shall give public notice of the hearing in accordance with Section 2.6.2 hereof.

Staff reached out to the appellants to signal the lack of completeness of the appeal, giving opportunity to file paired appeals for the remaining involved permits (ZP16-1398 and ZP16-1399.) The action of the appellants to list the other property addresses on the appeal form suggested intent to include those properties. No further applications/appeals or fees were provided to the Planning and Zoning office. Staff then scheduled the DRB hearing date for December 6, 2016; within 60 days of the date of appeal: October 7, 2016.

Public notice of the hearing has been met. **Affirmative finding.**

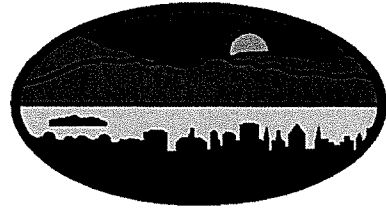
Section 12.2.5 Finality

Upon the failure of any interested person to appeal to the DRB or to the environmental court, all interested persons affected shall be bound by such decision or act of such administrative officer, such provisions or such decisions of the DRB, as the case may be, and shall not thereafter contest, either directly or indirectly, such decision or act, such provision, or such decision in any proceeding, including without limitation, any proceeding brought to enforce this ordinance.

The boundary line adjustment for 80 Colchester Avenue (ZP16-1400LL) was intricately and undisputedly involved with the boundary line adjustments of 27 Fletcher Place (ZP16-1398) and 49 Fletcher Place (ZP16-1399.) The latter 2 permits were not appealed; the boundary lines are now altered from their previous location. Per this standard, finality rules.

The boundary lines of 80 Colchester Avenue cannot be reverted or manipulated without affecting 27 Fletcher Place and 49 Fletcher Place, who now have final re-aligned boundaries. The appeal of the boundary line adjustment to Colchester Avenue cannot therefore overturn the administrative officer's decision relative to 27 or 49 Fletcher Place and ultimately, 80 Colchester Avenue.

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



ZONING PERMIT
CERTIFICATE OF APPROPRIATENESS

City of Burlington, Vermont
Department of Planning and Zoning

Application Date: 06/06/2016

Appeal Expiration Date: 10/08/2016

Project Location: 80 COLCHESTER AVENUE

District: I

Owner: Randall A. Miller

Ward: 1E

Address: 1201 SPEAR ST
S. BURLINGTON VT 05403

Tax ID: 045-4-018-000

Project Type: Institutional - Lot Line Adjustment

Project Description: Lot Line Adjustment for 80 Colchester Ave, 27 Fletcher Pl, and 49 Fletcher Pl.

Construction Cost:	\$0	Lot Size (Sq Ft):	147,528
Net New Habitable Sq Ft:	0.00	Net New # of Housing Units:	0
Existing % Lot Coverage:	23.20	Existing # of Parking Spaces:	14
Proposed % Lot Coverage:	7.50	Proposed # of Parking Spaces:	14
Net New % Lot Coverage:	-15.70	Required # of Parking Spaces:	5

Zoning Permit #: 16-1400LL

Decision By: Administrative

Level of Review: 3

Decision: Approved

See Conditions of Approval

Decision Date: September 23, 2016

Project File: NA

Zoning Administrative Officer

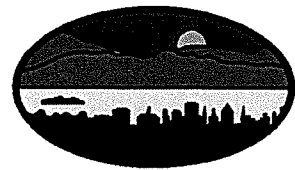
Review: Preliminary and Final Plat Review

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on October 8, 2016.

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$100.00	Yes	Date Paid: _____
Development Review Fee:	\$0.00	NA	Check # _____
Impact Fee:	Not Applicable		

Building Permit Required: **Yes**

Permit Received by: _____ Date: _____



City of
Burlington, Vermont
149 Church Street

Zoning Permit - COA Level III – Conditions of Approval

ZP #: 16-1400LL

Tax ID: 045-4-018-000

Issue Date: September 23, 2016

Decision: Approved

Property Address: 80 COLCHESTER AVENUE

Description: Lot Line Adjustment for 80 Colchester Ave, 27 Fletcher Pl, and 49 Fletcher Pl.

Project Permit Conditions:

1. The final plat/mylar shall be filed in the land records within 180 days of this decision. Failure to do so will render the final plat approval null and void.

Standard Permit Conditions:

1. **Other City, State or Federal Permits.** The owner is solely responsible for obtaining all other required City, state and federal approvals. Failure to do so may invalidate this Zoning Permit and result in enforcement actions.
Note: All projects receiving a Zoning Permit also require a Construction Permit or written confirmation that a Construction Permit is not required from Department of Public Works-Inspection Services Division (DPW-ISD). All construction permits must be closed out by way of approved inspections by DPW-ISD before issuance of a Unified Certificate of Occupancy (UCO) by the Code Enforcement Office as per Condition 3, below.
2. **Time Limits.** This zoning permit shall become invalid unless work or action authorized by the permit is commenced by **September 23, 2017**. The owner shall complete the approved project and obtain a UCO (combined Zoning and Building certificates of occupancy, still applicable even if a zoning or building permit was not required) by **September 23, 2018**, or be subject to enforcement actions.

These time limits are binding upon the owner unless one of the following apply: a) longer or shorter time limits are specifically imposed by a condition of approval; or b) the time limits are tolled by additional state or federal permitting for the project or by an appeal; or c) an extension of time has been granted. An extension of time must be requested in writing PRIOR to the expiration of the permit. If the owner has enacted the permit and it lapses, the owner may be responsible to obtain a new zoning permit, if required, which shall be subject to the current Comprehensive Development Ordinance (CDO).

3. **Unified Certificate of Occupancy (UCO):** It shall be unlawful to use or occupy (or allow the use or occupancy of) any land or structure or part thereof which has been created, changed, converted, or wholly or partly altered or enlarged in its use or structure without a UCO.

If the project is partially completed, meets “prior to issuance of a UCO” conditions of approval, meets all health and safety standards, and all municipal fees for the project are paid, a Temporary

Zoning CO may be requested and issued. **Upon completion of the project**, applicant shall request and obtain a Final UCO from the Code Enforcement Office (located at 645 Pine Street). Additional information on how to request and obtain this UCO is available at this office. **Failure to obtain a certificate of occupancy** places the property in violation of the CDO and is subject to enforcement.

In addition, **Failure to obtain a UCO within the time limits above is subject to** “after the fact” fees ranging from \$75 - \$1500 (in addition to the UCO fee).

4. **Project Modifications.** The project shall be completed as shown on the plans, which have been stamped “approved” and dated by the administrative officer. The project shall not deviate from the approved plans or conditions of approval without prior written approval from the administrative officer.
5. **Property Inspection.** By acceptance of this permit, the owner authorizes City Officials and/or their authorized representatives, access to the subject property for the purpose of observing work in progress, inspecting and/or measuring the property or improvements until such time the project has been issued a Final UCO.
6. **Completion and Maintenance of Improvements and Landscaping.** Owner or successor in interest is responsible for completing all improvements shown on approved plans. By acceptance of this permit, Owner agrees to maintain all improvements in a satisfactory condition. Any landscaping installed according to the approved plan which becomes diseased or dies shall be replaced by similar species and size no later than the first available planting season.
7. **Off-Site Drainage.** Issuance of this permit does not authorize the discharge of stormwater runoff or other surface drainage from the subject premises onto adjoining property or properties including but not limited to the public Right of Way.
8. **Errors.** The owner is solely responsible for the accuracy of all information contained in the Zoning Permit application. Any errors contained therein may invalidate the Zoning Permit and may result in enforcement action by the City.
9. **Transfer of Ownership. All zoning permits run with the land.** In the event of a transfer of ownership, partial or whole, of the subject premises, the transferee shall become permittee and subject to compliance with the terms and conditions of this permit.
10. **Violations/Penalties.** A violation of any of the conditions of this permit or of any provision of the CDO may result in enforcement actions, including but not limited to a penalty of up to two hundred dollars (\$200) per day, municipal tickets, and/or additional permitting fees.
11. **Incorporation and Reference of All Plans Presented.** This approval incorporates by reference all plans and drawings presented and all verbal representations by the applicant on the subject application to the extent that they are not in conflict with other stated conditions or regulations.
12. **For Properties Involved in Boundary Disputes.** Boundary disputes are not within the jurisdiction of the administrative officer or the Development Review Board. When an application is submitted and the boundary of the subject property is called into question, the boundary will be determined based upon the best evidence available, for instance a survey or other official document. If a permit is issued and contrary evidence is presented to the City after the fact, such as a survey or Superior Court ruling with respect to the boundary lines, the permit may be amended or revoked by the City. If the permit is amended or revoked, owner shall bear all costs to remedy the situation, including removal of the structure(s) if necessary, that is if the structure(s) is/are unable to meet the

requirements of the CDO and receive an amended permit in light of the actual boundary line.

13. **Damage to City Property.** The Owner is responsible for any damage to the City of Burlington's property, including but not limited to its right-of-way, sewer/water lines, etcetera, that occurs during the site improvements authorized by this permit. If damage occurs, the Owner shall restore the property to a condition equal to or better than the condition of the property prior to such damage.
14. **City Rights-of-Way and Ownership.** Permit approval does NOT authorize any work to be undertaken within the public ROW. Any work in the ROW can only occur with prior authorization by DPW and City Council, as required. Any work or improvements that are taken within the City's right of way does not diminish the City's ownership or authority regarding said right of way.
15. **Liquor License Required.** An approval of any use that includes the sale of alcoholic beverages is contingent upon the receipt of a liquor license from the City of Burlington or the State of Vermont, whichever is applicable.



Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415
Phone: (802) 865-7188
Fax: (802) 865-7195

www.burlingtonvt.gov/pz

RECEIVED

JUN - 6 2016

DEPARTMENT OF
PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 80 Colchester Ave.

PROPERTY OWNER*: EB von Turkovich, FJ von Turkovich
RA Miller

*If condominium unit, written approval from the Association is also required

APPLICANT: Jericho Management Company, LLC

POSTAL ADDRESS:

POSTAL ADDRESS: 300 Swift St.

CITY, ST, ZIP:

CITY, ST, ZIP: S. Burlington, VT 05403

DAY PHONE:

DAY PHONE: 578-2536

EMAIL:

EMAIL: fvonturkovich@fvtlaw.com

SIGNATURE:

SIGNATURE:

I am the owner. In addition, I duly authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.

Description of Proposed Project: Boundary line adjustment and merger.

Existing Use of Property: ☐ Single Family ☐ Multi Family: #__ Units ☒ Other: Office

Proposed Use of Property: ☐ Single Family ☐ Multi Family: #__ Units ☒ Other: Office

- Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled? Yes ☐ No ☒
(If yes, the Vermont Residential Building Energy Standards (VRBES) apply. Visit the P&Z Office, Public Service Board or PSB website for details)
- Will 400 sq ft or more of land be disturbed, exposed and/or developed? Yes ☐ No ☒
(If yes, you will need to submit the 'Erosion Prevention and Sediment Control Plan' questionnaire, with a site plan)
- For Single Family & Duplex, will total impervious area be 2500 sq ft or more? Yes ☐ No ☒
(If yes, you will need to submit the 'Stormwater Management Plan' questionnaire, with a site plan)
- Are you proposing any work within or above the public right of way? Yes ☐ No ☒
(If yes, you will need to receive prior approval from the Department of Public Works)

Estimated Construction Cost (value)*: \$ 0

(*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only: Zone: I Eligible for Design Review? 4 Age of House 1880 Lot Size 9294

Type: SN AW FC BA COA 1 COA 2 COA 3 CU MA VR HO SP DT MP

Check No. 9068 Amount Paid \$100. Zoning Permit # 16-1400LL

C:\Users\FVT Lenovo\Google Drive\FVT Files GD\Colchester Ave. Project\Permits\Boundary Adjustments\Cover Letter - 80 Colchester Ave.docx

FJ von Turkovich
300 Swift St.
S. Burlington, VT 05403

Randall A. Miller
1201 Spear St.
S. Burlington, VT 05403

EB von Turkovich
41 Brewer Parkway
S. Burlington, VT 05403

June 1, 2016

David White, Director
CITY OF BURLINGTON DEPARTMENT OF PLANNING AND ZONING
149 Church St., City Hall
Burlington, VT 05401 – 8415

Re: Boundary Line Adjustment
80 Colchester Ave.

Dear Mr. White:

We are writing to request approval of a boundary line adjustment between our property located at 80 Colchester Ave. and the following properties:

27 Fletcher Place
Owned by Edward B. von Turkovich, 72 Colchester Avenue LLC and Francis J. von Turkovich

and

49 Fletcher Place
Owned by Nancy Reid

The boundary line adjustment will entail the following:

- a. Elimination of the boundary between our property at 80 Colchester Ave. and the adjoining properties at 27 Fletcher Place and 49 Fletcher Place.

The following items required by the Department of Planning and Zoning pursuant to section 3.2.2 (e) of the Comprehensive Development Ordinance are also provided:

1. Completed application form signed by the property owners.

RECEIVED
JUN - 6 2016

DEPARTMENT OF
PLANNING & ZONING

2. Application fee in the amount of \$100.
3. Photographs of the subject property and neighboring properties.
4. Two copies of a lot line adjustment plat (with additional copy at 11 x 17 size) containing the information required under the ordinance.
5. Lot Line Adjustment Checklist.

We hereby designate Jericho Management Company, LLC to act as our agent to process all matters pertaining to this application.

Please contact us with any questions.

Thank you for your attention to this matter.

Sincerely,



Frank von Turkovich



Randall A. Miller

← RAM



Edward B. von Turkovich

← EBT

RECEIVED
JUN - 6 2016

DEPARTMENT OF
PLANNING & ZONING

RECEIVED
JUN - 6 2016

C:\Users\FVT Lenovo\Google Drive\FVT Files GD____ Colchester Ave. Project\Permits\Boundary Adjustments\Photos pertaining to Application of 80 Colchester Ave.docx

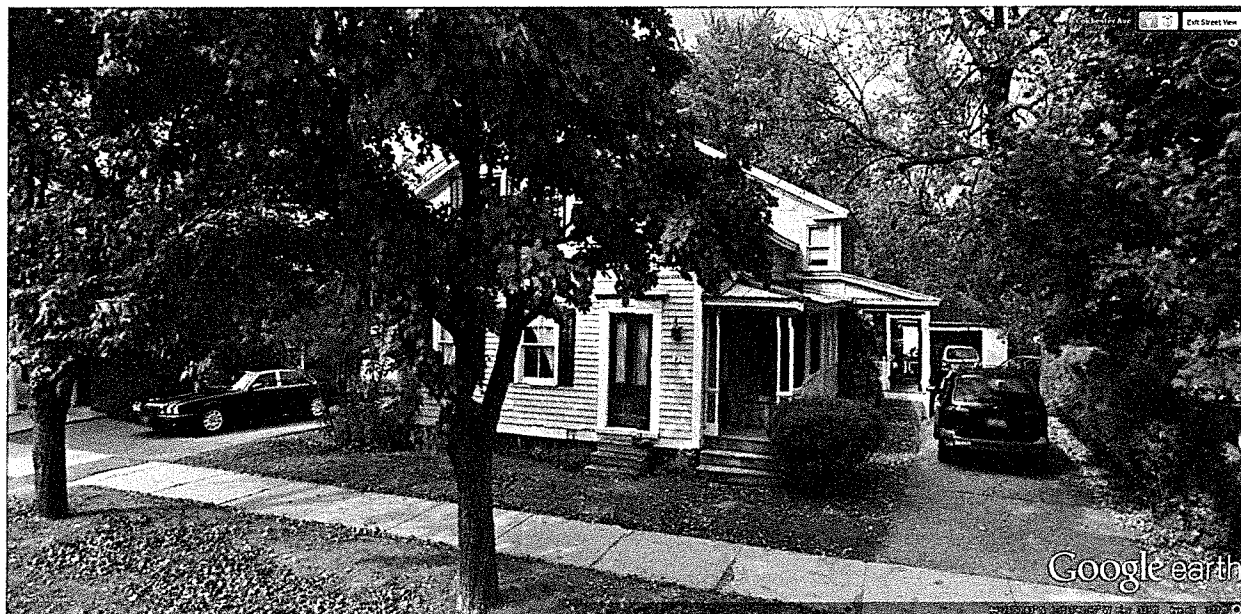
Photos pertaining to Application of 80 Colchester Ave.

DEPARTMENT OF
PLANNING & ZONING

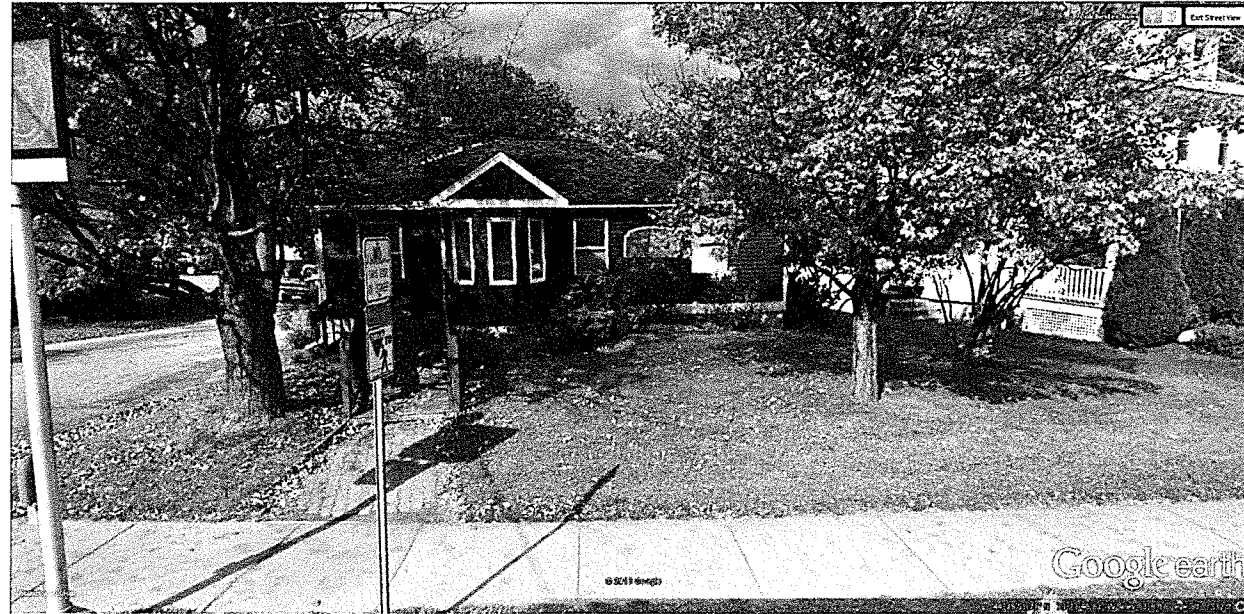
80 Colchester Ave.



72 Colchester Ave.



96 Colchester Ave.



RECEIVED
JUN - 6 2016

DEPARTMENT OF
PLANNING & ZONING



Department of Planning and Zoning

149 Church Street, City Hall

Burlington, VT 05401-8415

Phone: (802) 865-7188

Fax: (802) 865-7195

www.burlingtonvt.gov/pz

RECEIVED

OCT 07 2016

DEPARTMENT
PLANNING & ZONING

Appeal of an Administrative Decision Request

Use this form to appeal any Administrative Decision or Notice of Violation - See Sec. 12.2.2 of the Zoning Ordinance.

SUBJECT LOCATION ADDRESS: 27 Fletcher Place, 49 Fletcher Place
and 80 Colchester Avenue

Subject Property Owner: Frank von Turkovich

Appellant: Robert & Susan Butani

Agent/Representative: Lisa Sholkrot - Langrock, Sperry, & Wool, LLP

Mailing Address: 210 College St., Burlington, VT 05401

City, St, Zip: _____

Day Phone: 802-864-0217 Email: Lsholkrot@langrock.com

Appellant Signature: s/ Lisa Sholkrot/ES. Date: 10/7/16

In order for your request to be considered complete, **ALL** of the following information **must** be provided, as applicable:

- ☒ The Appeal fee of \$250;
- ☒ Description of the decision under appeal;
- ☒ Description of the property subject to the appeal;
- ☒ Reference to the regulatory provisions applicable to the appeal;
- ☒ Relief requested by the appellant;
- ☒ Alleged grounds why such requested relief is believed proper under the circumstances.

Office Use Only:

Check No. 213 Amount Paid \$250 Zoning Permit # 16-1400LL



Langrock Sperry & Wool, LLP
ATTORNEYS AT LAW

Hobart F. Popick
John L. Kellner

Peter F. Langrock
Mark L. Sperry
Michael W. Wool
Ellen Mercer Fallon
William B. Miller, Jr.

Christopher L. Davis
James W. Swift
Emily J. Joselson
Susan M. Murray
Alison J. Bell

Mitchell L. Pearl
Kevin E. Brown
Frank H. "Fritz" Langrock
F. Rendol Barlow
Devin McLaughlin

Lisa B. Shelkrot
Eric M. Knudsen
Sarah Gentry Tischler
Wanda Otero-Weaver
Erin Miller Heins

Michele B. Patton
Manisha Munshi
Sasha C. Conroy
Andrew J. Kestner
Avi J. Springer

October 7, 2016

RECEIVED
OCT 07 2016

DEPARTMENT OF
PLANNING & ZONING

Zoning Administrator
City of Burlington Planning & Zoning
City Hall
149 Church Street
Burlington, VT 05401

Re: 27 Fletcher Place, 49 Fletcher Place, and 80 Colchester Avenue

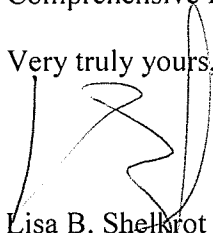
Dear Sir/Madam:

Please take notice that Robert and Susan Butani hereby appeal the Lot Line Adjustments that have been approved for 27 Fletcher Place, 49 Fletcher Place, and 80 Colchester Avenue.

The relevant regulatory provisions are the Land Division Standards in Article 6 of the Burlington Comprehensive Development Ordinance; and Article 10.1.5 of the Burlington Comprehensive Development Ordinance.

By way of this appeal, the Appellants request that approval of the lot line adjustments be denied. The initial application was modified twice before it was ultimately approved. Appellants have not been able to confirm that the third and final set of plans conformed in all respects to the requirements of Article 10.1.5. The landowners have not demonstrated that the newly configured lots comply with the Land Division Standards. Moreover, the lot lines are being adjusted in an effort to avoid the impact of 27 Fletcher Place being re-zoned to a residential district; using lot line adjustments to defeat zoning is an improper purpose and contravenes public policy and the intent of the Comprehensive Development Ordinance.

Very truly yours,


Lisa B. Shelkrot
lshelkrot@langrock.com
LBS:els

c. Burlington Development Review Board
683740.1

REPLY TO: Burlington Office • WEBSITE: www.langrock.com • EMAIL: attorneys@langrock.com

MIDDLEBURY: 111 S. Pleasant Street, P.O. Drawer 351, Middlebury, VT 05753-0351 • (802) 388-6356 • Fax: (802) 388-6149
BURLINGTON: 210 College Street, P.O. Box 721, Burlington, VT 05402-0721 • (802) 864-0217 • Fax: (802) 864-0137

A Limited Liability Partnership Including a Professional Corporation

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

Fax (802) 865-7195

Austin Hart
Brad Rabinowitz
Israel Smith
AJ LaRosa
Geoff Hand
Alexandra Zipparo
Wayne Senville
Jim Drummond, (Alternate)
Robert Purvee, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday December 6, 2016, 5:00 PM Contois Auditorium, City Hall, 149 Church Street, Burlington, VT Public Hearing Notice

- 1. 16-1400LL; 80 Colchester Ave (I, Ward 1E) Francis von Turkovich**
Appeal of an administratively approved lot line adjustment for 80 Colchester Ave, 27 Fletcher Place, and 49 Fletcher Place.
- 2. 17-0363CA; 485 Colchester Ave (NMU, Ward 1E) Stephen and Sharon Litwhiler**
Appeal of a zoning permit for an as-built site improvements such as parking layout, retaining wall, dumpsters, and walkways. Amends zoning permit 93-313.
- 3. 17-0548CU; 85 Lakeview Terrace (RM, Ward 3C) Jovial King**
Conditional use review of a change of use from an accessory apartment to B&B use.

Plans may be viewed in the Planning and Zoning Office, (City Hall, 149 Church Street, Burlington), 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 Planning and 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/pz/drdb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
<http://www.burlingtonvt.gov/PZ/>
Telephone: (802) 865-7188
(802) 865-7195 (FAX)

David E. White, AICP, Director
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, Senior GIS/IT Programmer/Analyst
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner *monell*
Date: December 6, 2016
RE: ZP17-0548CU, 85 Lakeview 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: ZP17-0548CU

Location: 85 Lakeview Terrace

Zone: RM Ward: 3C

Date application accepted: October 31, 2016

Applicant/ Owner: Peter Kamitses, Jovial King

Request: Change of use from single family residence with accessory apartment to single family residence with accessory apartment rented occasionally as one room Bed and Breakfast.

Background:

- **Zoning Permit 14-1300CA/CU;** Construct 2 story addition to existing single family home; remove existing shed and construct new accessory structure for accessory dwelling unit and storage. Approved August 2014.
- **Zoning Permit 08-267CA;** Enclose existing front porch and replace two attic windows at gable ends. Application **denied**, January 2008.
- **Zoning Permit 07-668CU;** Change of use from single family residence to bed and breakfast. Application **denied**, June 2007. (Not owner occupied.)
- **Zoning Permit** to erect a 14' x 16' open deck and railing on the rear of existing house; demolish existing porch except the roof. Approved April 1975.

Overview: 85 Lakeview Terrace is a single family home with a detached structure approved for an accessory unit. The owners wish to rent the accessory structure as a short term rental during periods that a family member is not there. As Burlington has no category for short term rental opportunities, these requests are reviewed as Bed and Breakfast use.

Applicable Regulations:

Appendix A (Use Table – All Zoning Districts), Article 3 (Applications, Permits, and Project Reviews), Article 4 (Zoning Maps and Districts), Article 5 (Citywide General Regulations), Article 8 (Parking), Article 13 (Definitions)

Recommendation: **Consent approval**, per the following findings and conditions:

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

I. Findings

Appendix A: Use Table – All Zoning Districts

Bed and Breakfast is a Conditional Use in the RM zoning district. Footnotes 4 and 6 of Appendix A apply to bed and breakfasts. Footnote #4 states: “*No more than 5 rooms permitted to be let in any district where bed and breakfast is a conditional use. No more than 3 rooms permitted to be let in the RL district.*” Footnote #6 states: “*Must be owner-occupied.*” The applicant proposes to rent out only 1 bedroom as a bed and breakfast rental. The owner currently occupies the property. **Affirmative finding as conditioned.**

Article 3: Applications, Permits and Project Reviews

Part 5: Conditional Use and Major Impact Review

Section 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;*

Converting an existing bedroom into a rental, bed and breakfast room will have minimal impact on public utilities, facilities and services. If the new use requires a state wastewater permit, applicant will be responsible for securing said permit. **Affirmative finding as conditioned.**

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 property is within an established residential neighborhood and a residential zoning district. The Medium Density (RM) zoning district is intended primarily for medium density residential development in the form of single detached dwellings and attached multi-family apartments. The RM zoning district has the potential to have up to 5 rental rooms (Footnote #4, Appendix A.) The conversion of one bedroom in a medium density residential neighborhood to rental lodging, in addition to the existing single family residence will have negligible import on traffic and circulation. It might be assumed that the resident of the accessory unit presented the same parking or traffic intensity as would the proposed renter.

The approval of a Bed and Breakfast rental room will **not** be considered a new dwelling unit. **Affirmative finding as conditioned.**

3. *The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;*

No greater impacts are anticipated than other residential uses in the area. **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;*

This parcel is located on Lakeview Terrace, which connects at both ends to North Avenue. The proposed rental of one bedroom would result in the requirement for one vehicle to the onsite parking, which has an existing requirement for 2 spaces for the single family home. Previous approval for the accessory unit required a single parking space for that use, in addition to the 2 for the single family home. The change of use will not increase traffic and circulation from the present residential demand of this property.

Affirmative finding.

5. *The utilization of renewable energy resources;*
Nothing within the application prevents the use of wind, solar, water, 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 application and resultant change in use will be required to meet all bylaws and city and state ordinances in effect at the time of decision. Specific to the proposed use the applicant will have to ensure compliance with state regulations regarding short-term B&B/Airbnb type rentals, including but not limited to payment of required rooms and meals taxes. **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;*
Not applicable. No changes to the site are proposed.
2. *Time limits for construction.*
There is no construction proposed.
3. *Hours of operation and/or construction to reduce the impact on surrounding properties.*
Not applicable. Hours of operation do not apply to the proposed Bed and Breakfast rental room.
4. *That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions,*
There are no enlargements or alterations proposed, as the Bed and Breakfast room will locate within an existing bedroom previously permitted as part of an accessory apartment.

However, should the applicant wish to add an additional Bed and Breakfast room(s), the change of use will require review and permitting under regulations in effect at that time. Both the accessory apartment and a one-bedroom Bed and Breakfast rental cannot occur at the same time, as each is a separate use requiring off site parking.
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.*
None identified.

Article 4: Zoning Maps and Districts

Section 4.4.5 Residential Districts

(a) Purpose

1. The Medium Density (RM) district is intended primarily for medium density residential development in the form of single family detached dwellings and attached multi-family apartments.

A bed and breakfast is proposed, and may be approved through the conditional use permit process.

Appendix A – Use Table, has 2 footnotes for Bed and Breakfast Use:

#4: *...no more than 5 rooms permitted to be let in any district where bed and breakfast is a conditional use.*

This is in a RM zone and application proposes one bedroom. **Affirmative finding as conditioned.**

#6: *Must be owner occupied.*

The applicants assert they live at the subject property. Further, in August 2014, the property was approved to have a one-bedroom accessory dwelling unit. Similar to bed & breakfasts, in order to have and maintain an accessory dwelling unit, Sec. 5.4.5 (a) CDO requires that the property owner reside on-site. **Affirmative finding as conditioned.**

(b) Dimensional Standards and Density

The density and intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.5-1 Minimum Lot Size and Frontage: RL, RL-W, RM and RM-W.

Minimum lot frontage for RM zoned properties is 30 feet. The property has approximately 51 feet of frontage. There are no minimum lot size requirements within the RM zone.

Table 4.4.5-2 Base Residential Density

The RM district is limited to 20 dwelling units per acre. As per Sec. 5.4.5 (a) CDO, “an accessory dwelling unit shall not be counted as a dwelling unit for the purposes of density calculations.” Bed and Breakfasts are considered short-term lodging, and are therefore not considered as a dwelling unit. The property is currently considered to have one dwelling unit,

and will continue to be considered as a one dwelling unit property should the Bed and Breakfast room be approved. **Affirmative finding.**

Table 4.4.5-3 Residential District Dimensional Standards

Not applicable. No new construction or alterations to existing site features are proposed.

(c) Permitted and Conditional Uses

An owner-occupied bed and breakfast use, up to 5 rooms in the RM zoning district, is a conditional use per Appendix. A. See Above.

(d) District Specific Regulations

1. Setbacks

A. Encroachment for residential driveways

Not applicable.

B. Encroachment into the Waterfront Setback

Not applicable. No development is proposed.

2. Height

No change. Not applicable.

3. Lot Coverage

A. Exceptions for Accessory Residential Features

Not applicable.

4. Accessory Residential Structures and Uses

Not applicable.

5. Residential Density

Not applicable.

6. Uses

A. Exception for Existing Neighborhood Commercial Uses

Not applicable.

7. Residential Development Bonuses

No bonuses are sought. Not applicable.

Article 5: Citywide General Regulations

Part 1: Uses and Structures

Section 5.1.1 Uses

(d) Conditional Uses

A conditional use is listed in any district where denoted by the letters "CU" in Appedix A – Use Table. Such uses may be permitted by the DRB only after review under the conditional use provisions provided in Article 3, Part 5, such further restrictions as the DRB may establish and such additional requirements as may be established by this ordinance such as but not limited to

dimensional and intensity limitations, performance and design standards, and parking requirements.

A Bed and Breakfast is a Conditional Use in Appendix A, Use Table, for the RM district. The project meets the two footnote requirements; see Sec. 4.4.5(c) above. **Affirmative finding.**

Section 5.1.2 Structures

Not applicable.

Part 2: Dimensional Requirements

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2 Required Frontage or Access

See Table 4.4.5-1 above. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.5-3 above. **Affirmative finding.**

Section 5.2.4 Buildable Area Calculation

The lot does not exceed 2 acres. Not applicable.

Section 5.2.5 Setbacks

No change. Not applicable.

Section 5.2.6 Building Height Limits

No change. Not applicable.

Section 5.2.7 Density and Intensity of Development Calculations

See Table 4.4.5-2 above. Not applicable.

Part 4: Special Use Regulations

Not applicable.

Article 8: Parking

Table 8.1.8-1 Minimum Off-Street Parking Requirements

In the Neighborhood Parking District, single family uses require 2 parking spaces, and Bed and Breakfast use require 1 space per room, in addition to the single family residence requirement. Section 5.4.5 (a) (4) requires 1 space for accessory dwelling units. The Bed and Breakfast rental room is the same as was previously approved for an accessory apartment, so the parking space dedicated to that use could now be utilized by the Bed and Breakfast need. 3 spaces remain on-site, as approved under ZP14-1300CA. **Affirmative finding.**

Article 13: Definitions

Bed and Breakfast: *An owner-occupied residence, or portion thereof, in which short-term lodging rooms are rented and where only a morning meal is provided on-premises to guests.*

The applicant has proposed 1 room to let in the bed and breakfast. **Affirmative finding as conditioned.**

***Owner:** Any person, firm, partnership, association, joint venture, corporation or other entity or combination of entities who alone, or jointly or severally with others hold(s) legal or equitable title to any real property.*

Per the ordinance, the owner (who must be listed on the deed) is required to be a resident of the bed and breakfast. **Affirmative finding as conditioned.**

***Owner Occupied:** Where owner occupancy is required by this ordinance, owner occupancy shall mean occupancy of premises by an owner for at least 50% of the year.*

As a bed and breakfast, an owner, whose name is on the title, is required to live on the premises at least 6 months of the year. **Affirmative finding as conditioned.**

II. Conditions of Approval

1. This approval is for a ONE-bedroom Bed and Breakfast use, in the place of the Accessory Apartment when not occupied. Both uses shall not occur simultaneously under this approval. The applicant will allow Code Enforcement to periodically confirm that the use is limited to the one-bedroom rental limitation. This may include review of web-based advertising, posted guest comments, or response to neighborhood complaint.
2. Approval of a one-bedroom Bed and Breakfast use will not constitute a new dwelling unit. The property remains a single family home with a one-bedroom Bed and Breakfast rental/Accessory Apartment.
3. Conditions relative to the accessory apartment approval (ZP14-1300CA) remain in effect for purposes of that use.
4. The subject property must be, and remain owner occupied as long as the Bed and Breakfast remains in operation.
5. It is recommended that guests' arrival and departures be limited to 7:00 am – 10:00 pm to minimize noise, traffic, and neighborhood nuisance.
6. All guest parking shall be on-site and off-street.
7. Regarding Standard Permit Condition #1 above, the applicant will have to ensure compliance with state regulations regarding Bed and Breakfast /short term rentals, including but not limited to payment of required rooms and meals taxes.
8. Any additional Bed and Breakfast room, or physical alteration, will require a new zoning permit, subject to regulations in effect at the time of permit application submittal.
9. The applicant/property owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state as required.
10. The applicant/property owner shall secure a state wastewater permit, should one be required for the proposal.
11. Standard Permit Conditions 1-15.

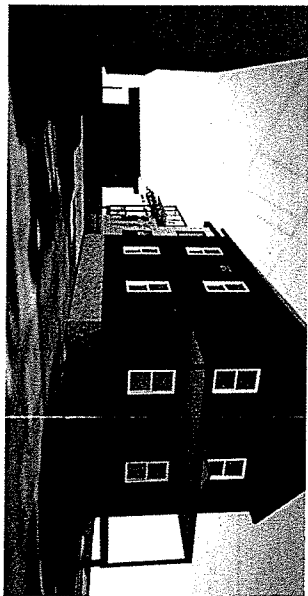
RECEIVED

OCT 31 2016

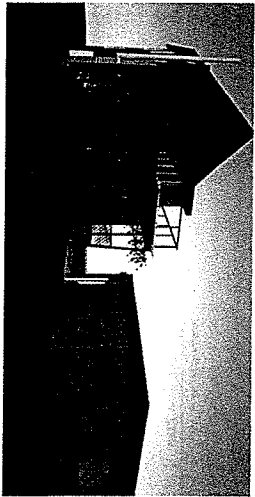
DEPARTMENT OF
PLANNING & ZONING

Proposed Site Plan
Scale: 1/16"=1'

Mother in law
apartment
(studio sized)



Zoned Residential Medium Density Allowable coverage: 40%	
Existing Coverage	
Lot	= 7,086sqft
House and Garage	= 1,060sqft
Driveway	= 708sqft
Total	= 1,768sqft 25% Coverage
Porch, Stairs, Decks	= 731sqft 10.3% Coverage
Proposed Coverage	
Existing	= 911sqft
Addition	= 384sqft
Accessory Dwelling/Shed	= 428sqft
Driveway	= 853sqft
Total w/ Proposed	= 2,576sqft 36% Coverage
Deck/Porch/Patio	= 358sqft 5%



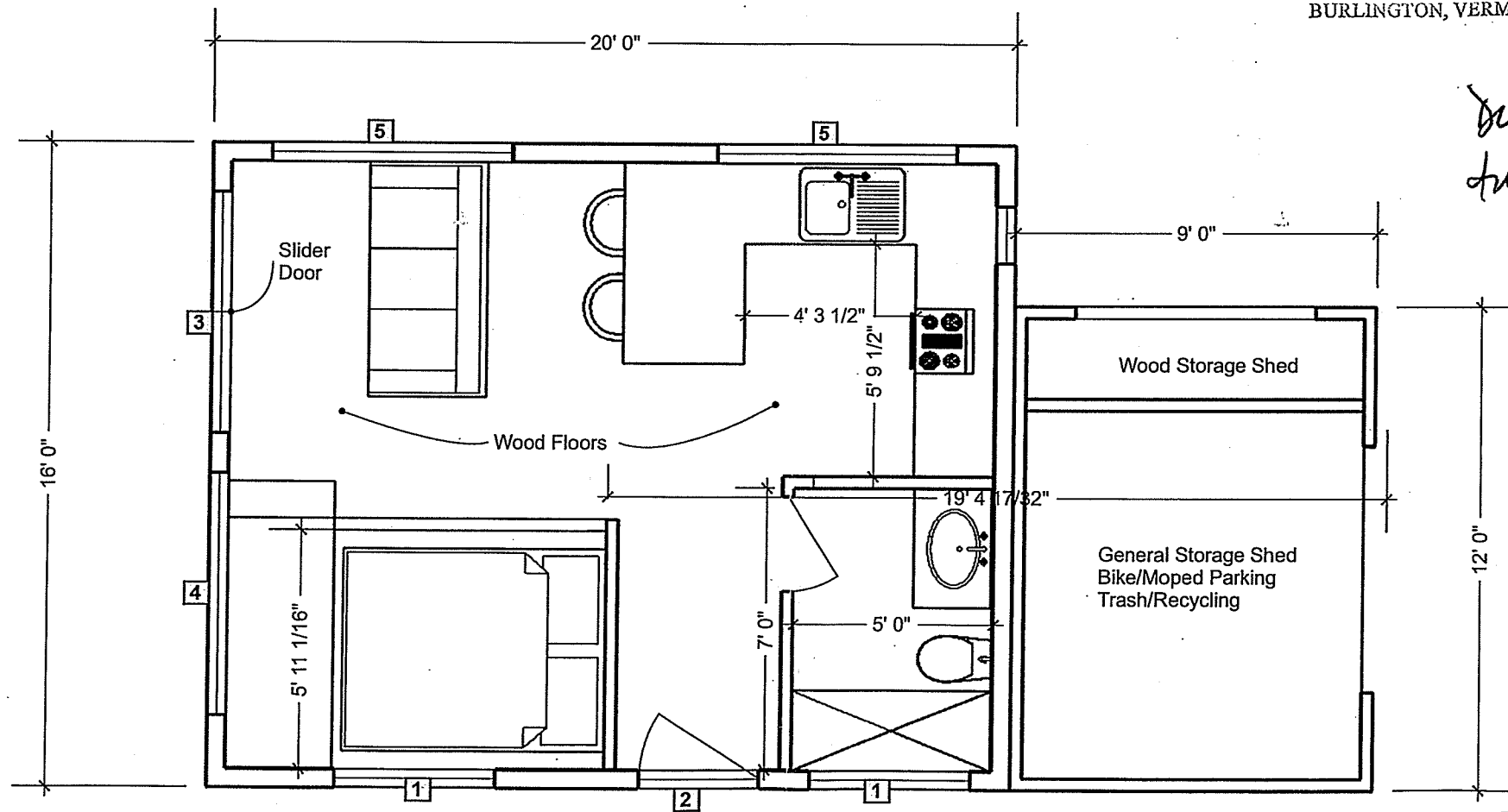
Window	Model #-Marvin Integrity Wood Ultrex	Rough Opening (WxH)	Notes
1	IAWN4919T -Single Unit Awning	4'1" x 1' 7 5/8"	x2
2	IIFD3065XR - Inswing French Door	3'1 5/16" x 6'8"	
3	ISPD6065OX - Sliding Patio Door	6'0" x 6'8"	
4	ITGL7248 - Double Glider	6' 1/2" x 4' 1/4"	
5	IAWN3723 2W - Double Awning	6'1" x 1'11 5/8"	x2

RECEIVED
AUG 08 2014

== NOTE == DEPARTMENT OF
PLANNING & ZONING
ANY MODIFICATIONS OR DEVIATIONS FROM THESE PLANS
REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION.
ALL ERRORS IN DIMENSIONS, PLANS OR DETAILING ARE
FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL
SIGNED *[Signature]* DATE 8/22/14
PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT
2P14-1300
CA/ku

*Dimensions of ADU.
Interior configuration
may differ.*



Guest Cabin Floor Plan
scale: 1/4"=1'

RECEIVED
OCT 31 2016
DEPARTMENT OF
PLANNING & ZONING

Steeple Chase Design Build
P.O. Box 1125
Montpelier, VT
802-999-6732
info@steeplechasedesign.com

ISSUE 08.5.14
PROJECT 85 Lakeview Terrace
Burlington, Vermont
DRAWN BY WLS

Guest Cabin
Floor Plan

Department of Planning and Zoning

149 Church Street

Burlington, VT 05401

<http://www.burlingtonvt.gov/PZ/>

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

David E. White, AICP, Director
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, Senior GIS/IT Programmer/Analyst
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: December 6, 2016
RE: ZP16-1262CA, 6-8 Proctor Place

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: ZP16-1262CA

Location: 6-8 Proctor Place

Zone: RL-W **Ward:** 5S

Date application accepted: November 9, 2016

Original application approval date: July 21, 2016.

Applicant/ Owner: Rebecca Grannis and Chapin Spencer

Request: Request to adjust location of replacement single family home on site to meet required setback from underground utilities. Request to consider the parcel a corner lot with front yards on Proctor Place and the northerly easement area, allowing different setbacks based on interpretation of access easement as a *front yard* rather than a *side yard*. Such an interpretation would also render the easterly boundary a *side yard* rather than a *rear yard*. New building elevations included.

Background:

- **Zoning Permit 16-1262CA;** replace existing mobile home and garage with new single family home and shed on a lot that has two existing single family dwellings. Approved July 2016.
- (6 Proctor Place – existing single family home.) **Zoning Permit ZP16-0020CA;** install replacement windows, new insulation and siding. Construct small rear addition with solar panels.

- Non-Applicability of Zoning Permit Requirements, **ZP07-563NA**, repair existing back porch. No change in size or materials (one of two single family dwellings on one lot.) April 2007.
- Permit 64-400; add 16' x16' room to house trailer. February, 1964. ("Rear of 6 Proctor Place, Mobile home.")



Overview: 6-8 Proctor Place is a single parcel with two separate dwelling units, a garage and shed. Although fronting on Proctor Place, the buildings are oriented toward the easement north of the parcel. Residential buildings include a stick-built residence (currently under renovation), and a manufactured home with a detached garage. The DRB approved demolition of the mobile home and garage, with replacement with a new stick built home July 21, 2016, profiting from retention of existing non-conforming setbacks.

A condition of that approval:

1. *Nothing in this approval shall affect in any way whatever rights may exist relative to the easements or rights-of-way for the municipal sewer line. If the site plan needs to be altered to accommodate the sewer line, the application must come back for either DRB or staff review as appropriate.*

Since that review and approval, the location of underground utilities (and identification of new utilities) have been more accurately defined; the required utility setbacks "pushing" the area for any proposed structure further north on the lot. The applicant asserts this new information will diminish the size of the structure she could rebuild, and therefore has presented a revised site plan to staff for review. She requests that the parcel be interpreted as a "corner lot", with the boundary line on the north deemed a *front yard*, allowing for a front yard setback rather than a side yard setback, and the easterly boundary line as a *side yard* rather than a rear yard, altering those required setbacks. This interpretation would also allow for greater building volume, as setback requirements change.

As previously reviewed, the identified front yard is that which fronts on Proctor Place (west boundary); the north and south boundaries side yards, and the easterly boundary a rear yard.

The Findings, below, reflect review of the revised site plan with the north boundary interpreted as a *side yard*. The applicant requests interpretation of the north boundary as a *front yard*, which would affect setbacks.

Recommendation: **Denial** of the reconfigured site plan, **denial** of a determination of the easement frontage a *front yard* and interpretation of the lot as a corner lot, per the following findings:

I. Findings

Article 4: Maps & Districts

Section 4.4.5 Residential Districts

(a) Purpose

2. *The Waterfront Residential Low Density (RL-W) district is intended primarily for low-density residential development in the form of single detached dwellings and duplexes. This district is typically characterized by a compact and cohesive development history. This district is distinguished from the Residential Low Density district by its proximity to Lake Champlain, and a greater consideration needed for views from the lake and stormwater runoff.*

(b) Dimensional Standards and Density

Table 4.4.5-1 Minimum Lot Size and Frontage: RL, RL-W, RM and RM-W

This is an existing parcel with two single family dwelling units. The structural replacement of one unit will replicate existing intensity of development. Lot size and frontage (on Proctor Place and the northerly easement area) will remain as existing. **Affirmative finding.**

Table 4.4.5-2 Base Residential Density

No change to existing. **Affirmative finding.**

Table 4.4.5-3 Dimensional Standards and Density

RL-W District	Max. Lot Coverage 35%	Building setbacks			Waterfront:	Max. Height 35'
		Front Ave. of 2 adjacent lots on both sides +/- 5'.	Side ³ Min: 10% of lot width, or average of 2 adjacent lots on both sides. Max 20'.	Rear Min: 25% lot depth, min. 20', max 75'	Min. 75' from the ordinary high water mark of Lake Champlain and the Winooski River	
Proposed development as amended	30.01%	No change to Proctor Place frontage. New home to be constructed east of existing dwelling as a replacement of mobile home.	No change to south setback. 10' setback on the north proposed which would meet 10% lot width requirement; however, porch encroaches into required side yard setback, and exceeds allowance afforded by ZAI 11-02. (Limited to width of structure.) Additionally, structure proposed as full 2 story at (non-conforming) garage area. See Non-conformities, below.	The revised site plan illustrates construction of 2 story dwelling within area of current garage. Although non-conformity to setback may be retained, (permissible under 5.3.5. (b.)), only the single family home may vertically expand; not the footprint area of accessory structure (garage.). See non-conformities, below. The parking area will retain the same degree of non-conformity relative to setback as the existing garage. Under requested interpretation of the easterly boundary as a side yard, there would be no rear yard.	No change.	Approx. 20' to the mid-line of the rise of the roof. Full side yard setback must be met as structure exceeds 15' in height. Porch exceeds allowance of ZAI 11-02 in width.

Footnote 4: *Additional setbacks from the lakeshore and other water features may be applicable per the requirements of the Section 4.5.4 Riparian and Littoral Conservation Overlay Zone. 6-8 Proctor Place falls within that overlay. See Section 4.5.4.*

Adverse finding.

Section 4.4.5 (c) Permitted and Conditional Uses

Single detached dwellings and Duplex are permitted uses in the RL-W zoning district, per Appendix A. This is a pre-existing lot with two single family residences. No change in use is proposed. **Affirmative finding.**

Section 4.4.5 (d) District Specific Regulations

1. Setbacks

A. Encroachment for Residential Driveways

This is an existing, developed lot with two single family homes. The mobile home has a detached garage and driveway that are proposed to be replaced with a new single family home and two parking spaces. The two parking spaces for this dwelling unit continue the same degree of non-conformity to setback that currently exists.

See Table 4.4.5-3, above.

B. Encroachment into the Waterfront Setback

Not applicable.

2. Height

See Table 4.4.5 -3, above. Section 5.3.5 (a) specifically prohibits the proposed vertical expansion in the area currently the location of an accessory structure (garage). See Non-Conformities, below. **Adverse finding.**

3. Lot Coverage

A. Exceptions for Accessory Residential Features

Relates to coverage bonus for specified amenities. Proposed coverage is within allowable limits. **Affirmative finding.**

4. Accessory Residential Structures and Uses

The proposed shed remains incidental and subordinate to the principal residential use. Coverage remains within limitations of the ordinance without separate calculation of bonus features. **Affirmative finding.**

5. Residential density

A. Additional Unit to Multi-family

Not applicable.

B. Additions to Existing Residential Structures

Not applicable.

C. Residential occupancy limits

In all residential districts, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13.

This is a requirement and condition of permit approval. **Affirmative finding as conditioned.**

6. Uses

This is not a neighborhood commercial use. Not applicable.

7. Residential Development Bonuses

No development bonuses are sought. Not applicable.

Section 4.5.4 Natural Resource Protection Overlay (NR) District

b) Areas Affected

Riparian and Littoral Conservation Zone which consists of all surface water and a corresponding upland buffer area, and specifically includes the following areas:

A. Uplands within 250 feet of the Lake Champlain lakeshore (measured at 100-feet above mean sea level) with the exception of that portion of the shoreline between the northern extent of the Interim Development Area north of the former Moran Generating Station and the most westerly extent of Roundhouse Point described as the “Urban Waterfront” in the 2000 Open Space Protection Plan;

B. Uplands within 250 feet horizontal distance measured from the top of the slope where the channel runs adjacent to a valley wall or high terrace, or top of the bank where the channel has access to its floodplain, of the Winooski River;

C. Uplands within 100 feet horizontal distance measured from the top of the slope where the channel runs adjacent to a valley wall or high terrace, or top of the bank, where the channel has access to its floodplain, of Engelsby Brook, Potash Brook or Centennial Brook; and,

D. Uplands within 50 feet horizontal distance measured from the top of the slope where the channel runs adjacent to a valley wall or high terrace, or top of the bank where the channel has access to its floodplain, of all other minor streams, or the mean shoreline of all other minor ponds.

The project area currently has approximately 1400 sf. of developed area within the “buffer” zone of the overlay zoning district. The proposal will replace approximately 1000 sf within the same buffer. As no new area is proposed to be introduced and structural area will diminish, the application does not trigger review under these standards. **Affirmative finding.**



Article 5: Citywide General Regulations

Section 5.1.2 Structures

(d) Accessory Residential Structures

The applicant has provided information about the proposed new shed. **Affirmative finding.**

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2 Required Frontage or Access

The lot has 98.30' of frontage on Proctor Place, but has deeded use of a 100' long easement for access along the northly property line. The applicant does not own the easement area, which is part of the 83 Central Avenue parcel. Deed language confirms allowance for ingress and egress within a defined easement area, which is not public. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.5-3 above.

Section 5.2.4 Buildable Area Calculation

The lot does not exceed the 2-acre threshold. Not applicable.

Section 5.2.5 Setbacks

(a) Setbacks required.

Unless otherwise authorized or specified under the district-specific provisions of Article 4, which shall be controlling over these provisions, a setback shall be provided between any proposed structures and/or site features, and the front, side and rear yard property lines as follows: (See Art. 13 for definitions of "setback" and "yard.")

1. Front yard. *In order to maintain the existing pattern of development along a given street, both a minimum and maximum front yard setback shall be maintained where required under Article 4.*
 - A. *The minimum front yard setback for any structure shall be the average of the front yard setback of principal structures in lawful existence as of the adoption of this ordinance on the two (2) neighboring lots on either side and within the same block and having the same street frontage.*

The existing westerly home on the 6-8 Proctor Place parcel establishes the front yard setback for Proctor Place. No change is proposed there. The easement area north of this parcel is not a Front yard as it does not front on a public right of way, is privately owned, and is not public.

- B. *The maximum front yard setback for any structure, if any is required, shall be a distance specified under the district-specific provisions of Article 4 permitted in addition to the minimum front yard setback specified above in order to allow for continued variation of the building pattern along the street.*

See Table 4.4.5-3, above. Zoning Administrative Interpretation (ZAI) 11-02 allows access to first floors to encroach within required setbacks, but not wider than the building façade. Even if interpreted as a Front Yard, the porch remains too wide to meet this setback exemption.

- C. *Lots having frontage on more than one public street shall maintain a front yard setback on each public street **except access alleys.***

The applicants seek to identify the parcel as a corner lot, with the easement area as a front yard for purposes of setback. This lot has frontage on only one public street: Proctor Place. The easement area is not a public right-of-way, and therefore cannot be determined to be a front yard. This standard specifically excludes access alleys, which is what borders the northerly property line.

2. Side yard. *The minimum side yard setback for any principal structure shall be as required under the provisions of Article 4. Where the side yard setback is expressed as a percent of the lot width, such width shall be measured parallel to the lot frontage. Alternatively, where provided for under Article 4, the minimum side yard setback may be the average of the correlating side yard setbacks (i.e. left or right) of principal structures in lawful existence as of the adoption of this ordinance on the four (4) neighboring lots (2 on either side) and within the same block having the same street frontage.*

The northerly boundary line has been determined to be the side yard, with a required 10% lot width for a setback. Averaging cannot be utilized as this is the only parcel on Proctor Place. The setback should be minimally 9.83, increasing as the lot becomes wider moving east. See Table 4.4.5-3, above.

The applicant's interpretation of the easement area as a front yard would render the easterly boundary line a side yard; allowing greater development potential with the accompanying 10' setback requirement. Determination of the easterly boundary as a side yard would also facilitate vertical expansion of the single family house within an area previously determined to be non-conforming to setback, in turn limiting vertical expansion to the existing single family home (not accessory structure area.)

3. Rear yard. *Minimum rear yard setback for any principal structure shall be as required under the provisions of Article 4. Where the side yard setback is expressed as percent of the lot width, such width shall be measured perpendicular to the lot frontage.*

The easterly boundary line has been determined to be a rear yard (not a side yard, as suggested by the applicant.) The existing non-conforming setbacks have been allowed to continue as along as they do not increase the level of non-conformity. Specific standards apply under Section 5.3.5, below.

(b)Exceptions to Yard Setback Requirements:

The following projections into required yard setbacks may be permitted subject to the standards of Article 6 to ensure compatibility with neighboring properties:

1. Abutting Building with Doors or Windows: *Where the façade of an existing adjacent principal building is within 5 feet of the common property line and has either doors or windows, a setback of 10-feet shall be required for any new development up to the height of the abutting building in any district where no setback is required.*

Not applicable.

2. Building and Site Features. *Eaves, sills, roof overhangs, cornices, steps to first floor entries, walkways, ramps for the disabled, fences, walls, and similar building and site features may project into a required yard setback.*

The proposed porch on the north encroaches into a required setback which might be acceptable under ZAI 11-02; however, it exceeds the width of the façade and therefore noncompliant.

It appears that building eave lines encroach into required utility setbacks on the south; acceptable under this standard.

First floor entry steps on the east elevation encroach into the rear yard setback (by staff determination) or side yard setback (interpretation of applicant) and may be acceptable under this provision; except they also appear to hinder the required parking space identified within that area.

3. Historic Building Features. *Features of a historic building such as porches, additions, entries, bays and porticos that have been removed may be replaced and may project into required yard setbacks subject to the following:*
 - A. *The structure is listed or eligible for listing on the State or National Register of Historic Places;*
 - B. *The building feature being replaced was a character defining feature of the primary structure, can be documented to have previously existed, and is being replaced within the original footprint; and,*
 - C. *The building feature replacement is completed in accordance with the standards for historic buildings contained in Sec. 5.4.8.*

Not applicable.

4. Accessory Structures and Parking Areas. *Accessory structures no more than fifteen (15) feet in height, parking areas, and driveways may project into a required side and rear yard setback provided they are no less than five (5) feet from a side or rear property line where such a setback is required.*

The revised plans propose to continue the setback non-conformity on the east for parking. See Section 5.3.5, below.

5. Swimming Pools. *Swimming pools and related features, but not including structures, may project into a required side or rear yard setback provided that the water's edge is no less than five (5) feet, and any apron less than two (2) feet, from any property line.*

Not applicable.

6. Shared Driveways. *Common or shared driveways and walkways along shared property lines and associated parking areas do not have to meet setback requirements along the shared property line.*

The easement is not on the 6-8 Proctor Place parcel, nor does it serve another property. Not applicable.

7. *Additional exceptions for nonconforming structures under Sec. 5.3.5.*

See 5.3.5, below.

Adverse finding.

Section 5.2.6 Building Height Limits

See Table 4.4.5-3 above.

Section 5.2.7. Density and Intensity of Development Calculations

This is an existing parcel with two single family homes. The proposal intends to duplicate that situation, with replacement of a mobile home. **Affirmative finding.**

Part 3: Non-Conformities

Section 5.3.5 Nonconforming Structures

Section 5.3.3 Continuation

Except as otherwise specific in this Article, any nonconformity which lawfully existed at the time of passage of the applicable provisions of this or any prior ordinance or any amendment thereto may be continued subject to the provisions of this Part.

Section 5.3.5 Nonconforming Structures

(a) Changes and Modifications:

Any change or modification to a nonconforming structure, other than to full conformity under this Ordinance, shall only be allowed subject to the following:

1. *Such a change or modification may reduce the degree of nonconformity and shall not increase the nonconformity except as provided below.*

*Within the residential districts, and subject to Development Review Board approval, **existing nonconforming single family homes** and community centers (existing enclosed spaces only) that project into side and/or rear yard setbacks may be vertically expanded so long as the expansion does not encroach further into the setback than the existing structure. Such expansion shall be of the existing nonconformity (i.e. setback) and shall:*

- i) *Be subject to conformance with all other dimensional requirements (i.e. height, lot coverage, density and intensity of development);*
- ii) *Not have an undue adverse impact on adjoining properties or any public interest that would be protected by maintaining the existing setbacks; and,*
- iii) *Be compatible with the character and scale of surrounding structures.*

Existing accessory buildings of 15 feet in height or less shall not exceed 15 feet tall as expanded.

The existing single family home (trailer) may continue to encroach into required setbacks AND be expanded vertically per this standard. The garage footprint may allow for replacement within that required setback to the same degree, however may not be expanded vertically as it is an accessory structure 15' in height or less, not a single family residence. The proposed plan includes development of a two story residence including vertical expansion within the existing garage footprint, which is specifically prohibited by this standard.

2. *Such a change or modification shall not create any new nonconformity;*

The vertical expansion of the garage footprint as part of a replacement home creates new non-conformity.

and,

3. *Such a change or modification shall be subject to review and approval under the Design Review provisions of Article 3, Part 4.*

A non-conforming residential structure may be enlarged up to the dimensional standards of the underlying zoning district, subject to review and approval by the DRB pursuant to Art. 3, Part 4 Design Review and Art. 3, Part 5 Conditional Use Review.

Adverse finding.

(b) Demolition

A nonconforming structure may be replaced by a new structure retaining the same degree of nonconformity as the original structure. This provision is limited to the existing dimensional nonconformity (i.e. setback, lot coverage, or height), and shall not expand the degree of nonconformity except as provided for in (a) above. [Vertical expansion in residential zoning districts.] The new structure shall be subject to conformance with all other dimensional requirements (i.e. setback, lot coverage, and height). Zoning permit application for the replacement structure shall be completed within 1 year of demolition of the nonconforming structure; failure to do so shall result in the loss of the ability to retain the nonconformity.

The application proposes the demolition/removal of the existing mobile home and garage. The replacement structure expands the existing non-conformity by adding 2 story habitable area within the footprint of the existing garage (accessory structure; see above.) Any replacement structure may retain the same degree of nonconformity as it relates to setbacks; but vertical expansion of accessory structures is expressed prohibited per Section 5.3.5 (a) 1., above.

The applicant requests that an interpretation be made that the parcel is a corner lot; therefore making the easterly boundary line a side yard requiring a setback 10% of lot width. Under that interpretation, the proposal is compliant.

The applicant has failed to seek alternatives with the changed circumstances: There remains the possibility of capturing the entire building footprint of the mobile home with additions, and vertically expanding in new construction. There is potential development area west of the current footprint that has not been utilized and could afford relief within the staff interpretation of front yards/setbacks.

By staff interpretation of yards and setbacks, **Adverse finding.**

Section 5.4.8 Historic Buildings and Sites

Not applicable.

Section 5.5.1 Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

Plans include a residential scale full cut-off exterior light fixture. **Affirmative finding.**

Section 5.5.3 Stormwater and Erosion Control

An Erosion Prevention and Sediment Control Plan has been forwarded to the City Stormwater staff for review and approval. Any conditions will require compliance post construction with the approved plan prior to issuance of any Certificate of Occupancy. **Affirmative finding as conditioned.**

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Section 6.2.2 Review Standards

(a) Protection of important natural features

There are no identified significant natural features. **Affirmative finding.**

(b) Topographical alterations

None proposed. **Affirmative finding.**

(c) Protection of important public views

There are no important public views from or through the property. **Affirmative finding.**

(d) Protection of important cultural resources

Not applicable.

(e) Supporting the use of alternative energy

Solar panels are proposed for the southerly roof. **Affirmative finding.**

(f) Brownfield sites

The property is not listed on the Vermont DEC Hazardous Waste Site. The mobile home shall be disposed of in a safe and legal manner. **Affirmative finding as conditioned.**

(g) Provide for nature's events

A Small Project Erosion and Sediment Control Plan has been submitted and is under review by the Stormwater Engineering team. **Affirmative finding as conditioned.**

No specific areas for snow storage have been identified on the site, however the driveway termini as well as the easement area provide logical places for snow storage. **Affirmative finding.**

(h) Building location and orientation

The new home will be oriented in the same manner as the existing; toward the north easement area, where ingress and egress are permissible. **Affirmative finding.**

(i) Vehicular access

The proposal will duplicate the existing condition of vehicular access off Proctor Place onto the deeded ingress easement area to the easterly driveway. Although the garage is proposed for removal, the tandem parking area is in the same location. **Affirmative finding.**

(j) Pedestrian access

There are no sidewalks on Proctor Place or the easement area. This is adjacent to the Burlington Bikepath, so pedestrian access continues to be available immediately at hand.

Affirmative finding.

(k) Accessibility for the handicapped

Accessibility is under the review of the building inspector. Typically, ADA access is not a requirement for single family homes. Vermont visitability standards may apply. **Affirmative finding.**

(l) Parking and circulation

The number of parking spaces will remain constant: There is currently one parking space for the westerly home, and two parking spaces have been associated with this residence. The proposal plans to replicate those two spaces as tandem spaces, retaining the same degree of setback as the existing garage. Confirmation is needed that the proposed entry to the first floor on the east side does not encumber the first parking space.

Vehicles utilize the 20' x 100 ft. easement as noted on the LaRose Survey for access.

Affirmative finding.

(m) Landscaping and fences

No information has been submitted about landscaping. Screening will be required to minimize the visibility of the Condensing unit on the west side. **Affirmative finding as conditioned.**

(n) Public plazas and open space

Not applicable.

(o) Outdoor lighting

See Section 5.5.2.

(p) Integrate infrastructure into the design

New utilities will be undergrounded. The location of the heat pump is identified on the west elevation; a mailbox is adjacent to the front door. The location of above ground utility connections is not visible on plans and should be. **The trash/recycling location remains visibly prominent on the westerly façade,** and will require a different location or creation of an area to adequately contain and screen the facilities.

Affirmative finding if conditioned.

Part 3, Architectural Design Standards

Section 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

At present the mobile home as a low profile; single story with several building additions. The applicant has provided a revised home design with a gable front orientation toward Proctor Avenue and eaves-front to the north and south. It is not dissimilar from the scale of the companion house to the west on the same lot, however encroaches into the easterly (rear) setback by virtue of the 2nd story. See Non-conformities, Section 5.3.5 (a), above. **Adverse finding.**

2. Roofs and Rooflines.

A gable roof plan is proposed, consistent with the existing garage and common to the companion house and other residences within the immediate neighborhood.

A porch is proposed on the north elevation which will assist in likely snowslide from the upper roof; however, the porch width exceeds the building façade and therefore in conflict with ZAI 11-02. **Adverse finding.**

3. Building Openings

Window openings shall maintain consistent patterns and proportions appropriate to the use. The window pattern should add variety and interest to the architecture, and be proportioned to appear more vertical than horizontal.

The broadest expanse of glazing is located on the south elevation which will provide the most benefit of passive solar gain. Windows are distributed around the structure, aligned more vertically than horizontally on the north and east as required by this standard. Greater consideration to the “balance” and arrangement of door and window openings across the building’s façade would calm the overall design.

The revised design has oriented the north elevation as a primary façade, when the street front is Proctor Place. That (westerly) elevation lacks an inviting presence, and includes support features (trash, recycling, condensing unit) better located in a less visible location and will require some method of screening.

Doors are provided on all four elevations.

Although the entry door on the east elevation may encroach into a required setback per ZAI 11-02, the entry stairs appear to encroach upon a required parking space. Pushing that parking space north may bump the 2nd space off the subject parcel. A scaled drawing ensuring retention of both parking spaces will be necessary to confirm compliance. **No finding possible.**

(b) Protection of Important Architectural Resources:

Not applicable.

(c) Protection of Important Public Views:

There are no public views from or through this site. Not applicable.

(d) Provide an active and inviting street edge:

The present situation is an aging manufactured home with multiple additions (one obscuring the front) and an older two car garage fronting the easement access. The proposed home will have a primary entrance clearly identifiable and welcoming from the access entrance; it will be

sheltered by a porch canopy supported by sections of tree trunk as columns. As noted, the porch may encroach into a required setback if it does not exceed the width of the façade – which it does.

The westerly elevation which does front the public right-of-way (Proctor Place) has equipment and trash/recycling deserving of relocation to a less visible location (preferred) or requiring a method of screening. **Adverse 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.

Proposed materials are Corten (metal) and cedar siding with cedar trim. Windows are proposed to be triple pane fiberglass. The roof is standing seam. All are considered of acceptable durability. **Affirmative finding.**

(f) Reduce energy utilization:

All new construction is required to 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. **Affirmative finding if conditioned.**

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.

Solar panels are proposed for the roof on the south elevation. **Affirmative finding.**

(g) Make advertising features complementary to the site:

Not applicable.

(h) Integrate infrastructure into the building design:

See 6.2.2. (p).

(i) Make spaces secure and safe:

All requirements for building and life safety code as defined by the building inspector and fire marshal shall be implemented. **Affirmative finding if conditioned.**

Article 8: Parking

Table 8.1.8-1 Minimum Off Street Parking Requirements

In the neighborhood parking district, two parking spaces are required for each dwelling unit. This is an existing, non-conforming site with the westerly residence having a single parking space, and the mobile home with two parking spaces within a garage. The garage is proposed to be removed. The two replacement parking spaces are intended to be in a tandem arrangement at

the current location of the garage. The existing number of parking spaces will be replicated in the new development; however, a first floor entry appears to be impeding one parking space. Measurements will need to be provided to assure 2 required parking spaces. **No finding possible.**

Section 8.2.5 Bicycle Parking Requirements

There is no requirement for bicycle parking for single family homes; however, provision for bicycle parking and storage for residents is broadly encouraged. Not applicable.

Article 9: Inclusionary and Replacement Housing

The dwelling unit intended for demolition will be replaced. **Affirmative finding.**

Article 13: Definitions:

Easement: *An acquired right of or upon the property of another for a specified purpose.*

6-8 Proctor Place has an easement for access across the 20' x 100' area north of that parcel. It is not open to the public, nor is it owned by the applicant or the municipality. It is a private easement for parking and access. It is not a street.

Frontage: *(see Article 5 for specific measurement calculations)*

- a. *Building: That portion of a building that faces a public street or right of way.*
- b. *Street: That dimension of the lot which abuts a public street or right of way.*

6-8 Proctor Place has a frontage on a public street, Proctor Place. There is a deeded easement to the 20' x 100' access on the north of the lot, which is not a public way.

Front Yard: *The full width of property along a street frontage and between the structure and the right of way.*

6-8 Proctor Place have a boundary line that fronts a public street (Proctor Place.) The owner holds an easement to an area to the north of the parcel which is not public. An interpretation of a Front Yard is intended to identify access to public streets, not easement areas over private property. The easement area is private, not intended for public use. This definition assumes public right-of-way.

Yard

- (a) *Yard, front: The area encompassing the full width of the lot and lying between the **street line of the lot** and the nearest line of the building.*

6-8 Proctor Place has 98.30' frontage on Proctor Place. This is the front yard. The northerly boundary line does not front on a street line; therefore not a front yard.

- (b) *Yard, rear: The area extending across the full width of the lot and lying between the rear lot line of the lot and the nearest line of the building. A rear yard has no street frontage, but may abut an alley.*

The easterly boundary line is the rear yard, and abuts an easement area. This definition demonstrates that proximity to an alley does not constitute a front yard.

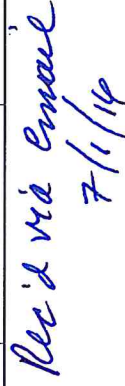
- (c) *Yard, side: The area between the side lot line of the lot and the nearest line of the building, and extending from the front yard to the rear yard, or, in the absence of either, to the front or rear lot lines. A side yard has no street frontage, but may abut an alley.*

The north and south boundary lines are interpreted as side yards (although this application proposes the north boundary as a front yard.) This definition also allows for a side yard to abut an access alley or easement without re-interpretation as a front yard.

Conditions of Approval, as approved July 21, 2016:

1. Residential occupancy limits are subject to the Functional Family definition of Article 13 and residential density provisions of the ordinance. Not more than 4 unrelated adults may occupy any unit.
2. The replacement structure shall be completed within 1 year of demolition of the nonconforming structure; failure to do so shall result in the loss of the ability to retain the nonconformity.
3. Unless specifically altered by the DRB, hours of construction are limited to M-F 7:00 am to 5:30 pm, with Saturday hours limited to interior work.
4. Information about the proposed shed shall be submitted and is subject to staff review and approval **prior to release of the zoning permit**. It shall meet a minimum 5' side yard setback. [Met 9/28/2016.]
5. An **Erosion Prevention and Sediment Control Plan** must be approved in writing by the City Stormwater staff.
6. A **landscaping plan** shall be required for review and approval by staff **prior to release of the zoning permit**. The plan shall include relocation of the trash/recycling containers to avoid conflict with the parking area and to minimize visibility; screening for the condensing unit, and any other landscaping or fencing proposed for the property. [Recommend trash and recycling areas moved to secondary façade or location out of visibility from easement area or Proctor Place; screening if appropriate.]
7. All new construction is required to 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.
8. The existing mobile home shall be disposed of in a safe and legal manner.
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.

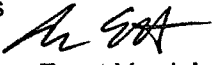




200 Main Street #3, Burlington, VT 05401
Tel. 802.495.0731 | Fax. 802.495.0889

Amy Escott, Esq.

MEMORANDUM
Attorney Client Privileged/Work Product Communication

To: Rebecca Grannis
From: Amy Escott, Esq. 
Re: 6-8 Proctor Place – Front Yard Analysis
Date: 10-20-16

Background:

Applicant has DRB approval to demolish and rebuild a single family residence on the property. The Applicant desires to build a 3-bedroom, energy efficient house to provide a quality housing unit in the City of Burlington. The zoning administrator's current interpretation of the regulations with respect to the front yard prohibits a vertical expansion of the area within the footprint of the existing garage. This limitation results in the loss of square footage required for a 3-bedroom residence. A two-bedroom home would limit the potential income from the unit to a point where it would likely not be economically feasible or prudent for the Applicant to re-build.

We believe it is in the best interests of both the City and the Applicant to have the existing trailer and garage demolished, and an energy efficient, economically viable housing unit constructed. We also believe it is within the scope of the DRB decision and the Burlington Comprehensive Development Ordinance (BCDO) to determine the east side of the property is the side yard with a 10 ft. setback vs. the rear yard with a 25 ft. setback. This would allow the existing residential structure to be enlarged up to dimensional standards of the underlying RL-W zoning district pursuant to Section 5.2.5 of the BCDO as there would be no encroachment into any setbacks limiting vertical expansion based on the footprint and height of the existing garage.

Issue:

Whether the property at 6-8 can be considered a corner lot with 2 front yards and, if so, whether the east side of the property would be subject to side yard setback instead of rear yard setback requirements?

Analysis:

The BCDO defines front yard as: "[t]he full width of property along a street frontage and between the structure and the right of way."

Street frontage is defined as "[t]hat dimension of the lot which abuts a public street or right of way."

Here, the subject lot has two sides with frontage, one that abuts Proctor Ave. and one that abuts the access right of way which spans the full length of the northern boundary

of the lot and also provides access to the back side of the neighboring lot to the east. The right of way could also be considered an “alley” which is defined as “[w]ays which provide access to the back or side of properties abutting on a street and used primarily for providing services to such properties.” An alley is considered a “street” under BCDO.

The subject lot could therefore be construed as a corner lot under the regulations, which is defined as “[a] lot abutting two (2) or more streets at their intersection.” In which case, it would be required to maintain 2 front yard setbacks. It would logically follow that since the existing houses and historical orientation of the structures face the ROW, that the area along the eastern boundary would be construed as the side yard and the rear yard would be to the rear of the houses. This is in keeping with the purpose of setbacks as outlined in Section 5.2.5 of the BCDO:

*Setbacks between buildings and property lines where required are intended to provide access to light and air, provide fire separation and access, **and maintain the existing neighborhood pattern of buildings and open spaces between them and to the street.***

To have the rear yard setback along the side of the buildings does not serve to maintain the existing neighborhood pattern and is awkward at best. A rear yard setback behind the houses and a side yard along the side of the proposed residence makes the most sense in light of the existing pattern. We believe such a finding to be consistent with the BCDO.

Conclusion:

A determination that the property is a corner lot and that the area along the eastern boundary is the side yard is within the authority of the zoning administrator and complies with both the DRB decision and the BCDO. This determination would also be consistent with the existing and historical orientation of the residences on the property, thereby maintaining the existing neighborhood pattern of buildings as the setback regulations intend. It would also allow the Applicant to construct a 3-bedroom housing unit under BCDO 5.2.5, furthering the goals of the City and proving economically viable for the Applicant.

ATTORNEY'S REPORT & OPINION ON TITLE

RECORD OWNER: Donna Lea Hathaway & Jennifer Lea Stoddert

PROPERTY DESCRIPTION: 6 Proctor Place, Burlington

Being all and the same lands and premises conveyed to Donna Lea Hathaway and Jennifer Lea Stoddert by Warranty Deed of Kenneth H. Brunell and Laurette A. Brunell dated July 15, 1992 and recorded in Volume 458, Page 56 of the City of Burlington Land Records.

Being Lot No. 1 as described and conveyed to Kenneth H. Brunell and Laurette A. Brunell by Warranty Deed of Julianne T. Gorman, Normand Masse and Laurette A. Brunell, dated October 20, 1980 and recorded in Volume 272 at Page 482 of the Land Records of the City of Burlington. Said Lot is described therein as follows:

“Lot No.1: A lot of land with buildings thereon situated on the easterly side of Proctor Place, the dwelling house thereon being known and designated as No. 6 on said Place, having a frontage of 100 feet and a depth of 100 feet.

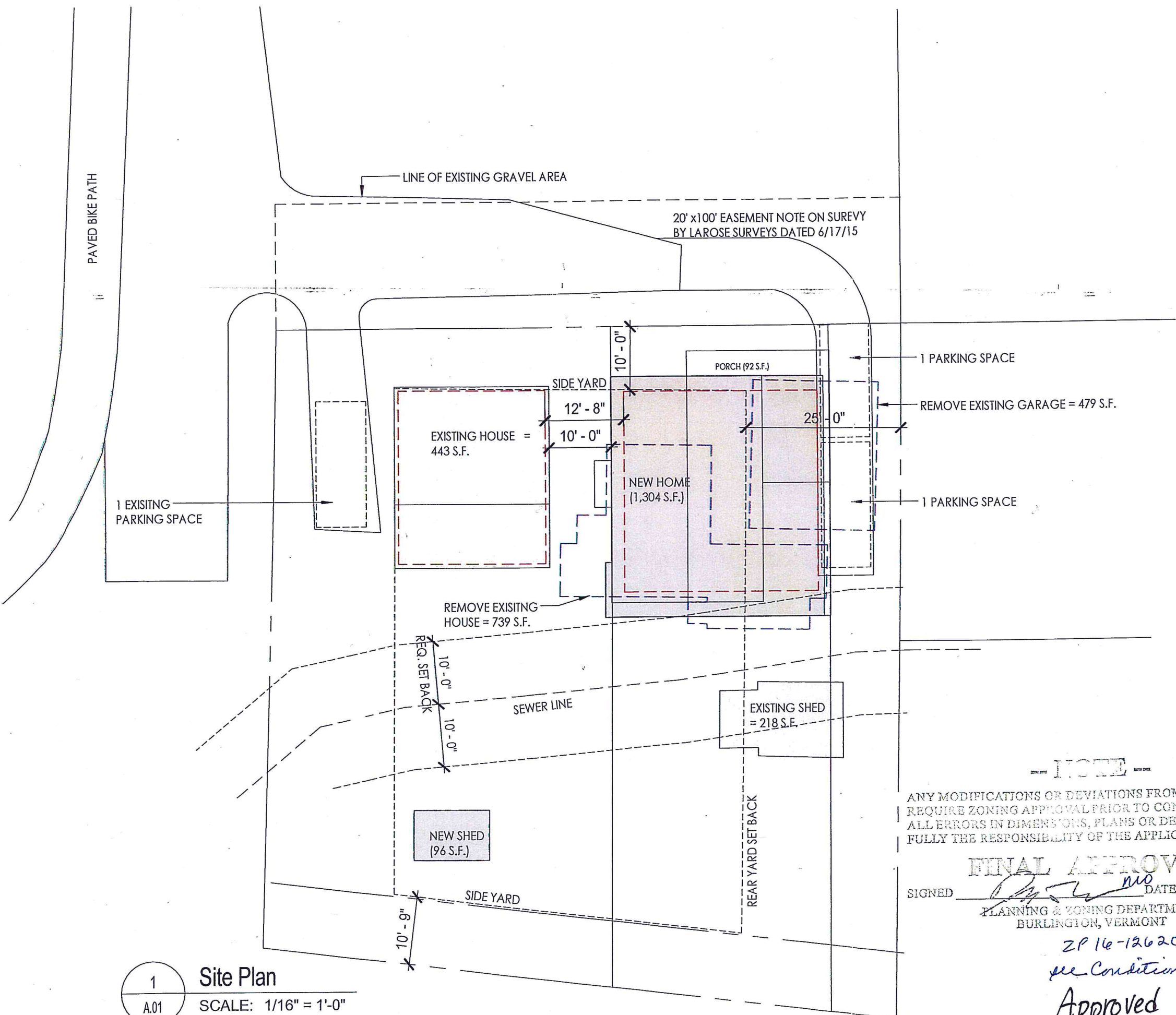
The above referenced distances are more or less.

Also included in this conveyance is an easement in common with Grantors, their heirs, successors or assigns for a right of way to provide ingress and egress from Proctor Place, so-called, to and from the within conveyed Lot. Said easement shall be over an existing driveway and shall be 20 feet wide by 100 feet long, and is more particularly described as follows:

Commencing at a point in the easterly sideline of said Proctor Place, said point is also the northwesterly corner of the within conveyed lot, and proceeding along the said easterly line of Proctor Place, so-called, a distance of 20 feet to a point; thence proceeding at an approximate right angle easterly along the northerly boundary line of lands now owned by Grantor herein, a distance of 100 feet to a point; thence proceeding southerly at an approximate right angle in and along a line which would be the extension of the westerly boundary of Grantors herein a distance of 20 feet to a point in the northerly boundary line of the within conveyed lot; thence proceeding westerly along said boundary line to a point in the easterly line of Proctor Place, said point being the point or place of beginning.

It is understood here in that Grantees shall be solely responsible for the maintenance, upkeep and snow plowing of the area within said easement.

It is further understood by Grantors herein and Grantees herein, their heirs, successors and assigns that Grantors herein, their heirs, successors and assigns shall also have the use of said right of way and no objects of any sort may be placed in said right of way which would not allow Grantors herein, their heirs, successors and assigns, the use of said right of way. Grantees herein shall have sole right to park vehicles on Right of Way, however, Grantees shall allow Grantors access if so requested by Grantors.”



ZONING DISTRICT: RL

MAX. LOT COVERAGE = 35%
+10 COVERAGE FOR PATIOS, DECKS PORCHES, TER

FRONT: AVE. OF 2 ADJACENT LOTS ON BOTH SIDE +
SIDE: 10% OF LOT WIDTH, BUT IN NO EVENT LESS TH
REAR: 25% OF LOT DEPTH, BUT IN NO EVENT LESS T

EXISTING LOT COVERAGE

EXISTING LOT SIZE: 10,513 S.F.

EXISTING LOT SIZE: 10,513 S.F.

HOUSE 1: 695 S.F.
HOUSE 2: 739.5 S.F.
GARAGE: 479 S.F.
PORCHES: 114 S.F.
SHED: 218 S.F.

DRIVEWAY: 306 S.F.

PROPOSED LOT COVERAGE = 2,551.5 S.F. = 24.3%

PROPOSED LOT COVERAGE

EXISTING LOT SIZE: 10,513 S.F.

HOUSE 1: 695 S.F.
HOUSE 2: 1,304 S.F.
EXISTING SHED: 218 S.F.
SHED: 96 S.F.
PORCH: 92 S.F.

DRIVEWAY: 666 S.F.

NOTE

ANY MODIFICATIONS OR DEVIATIONS FROM THESE PLANS
REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION.
ALL ERRORS IN DIMENSIONS, PLANS OR DETAILING ARE
FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL

SIGNED

PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT

2P 16-1262CA

see Condition #1

Approved Site Plan

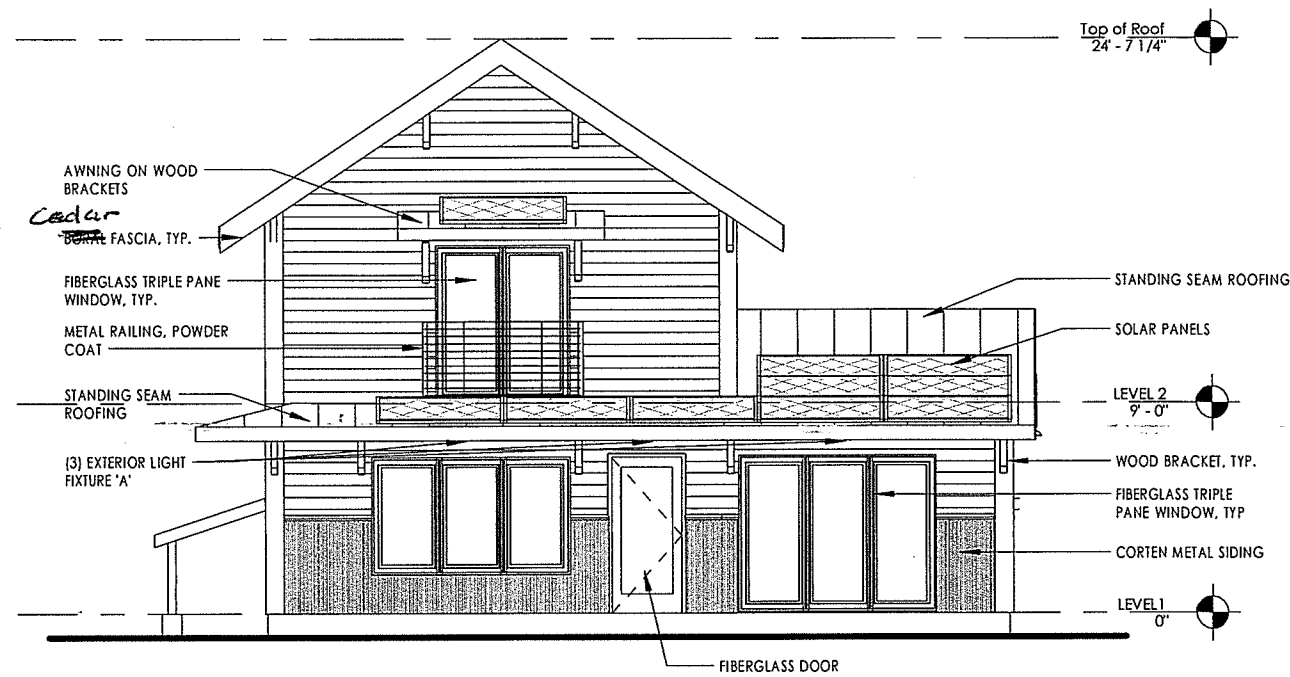
DRAWING KEY

EXISTING STRUCTURE
NEW HOME
PROPERTY LINE
SETBACK LINE

1
A.01
Site Plan
SCALE: 1/16" = 1'-0"

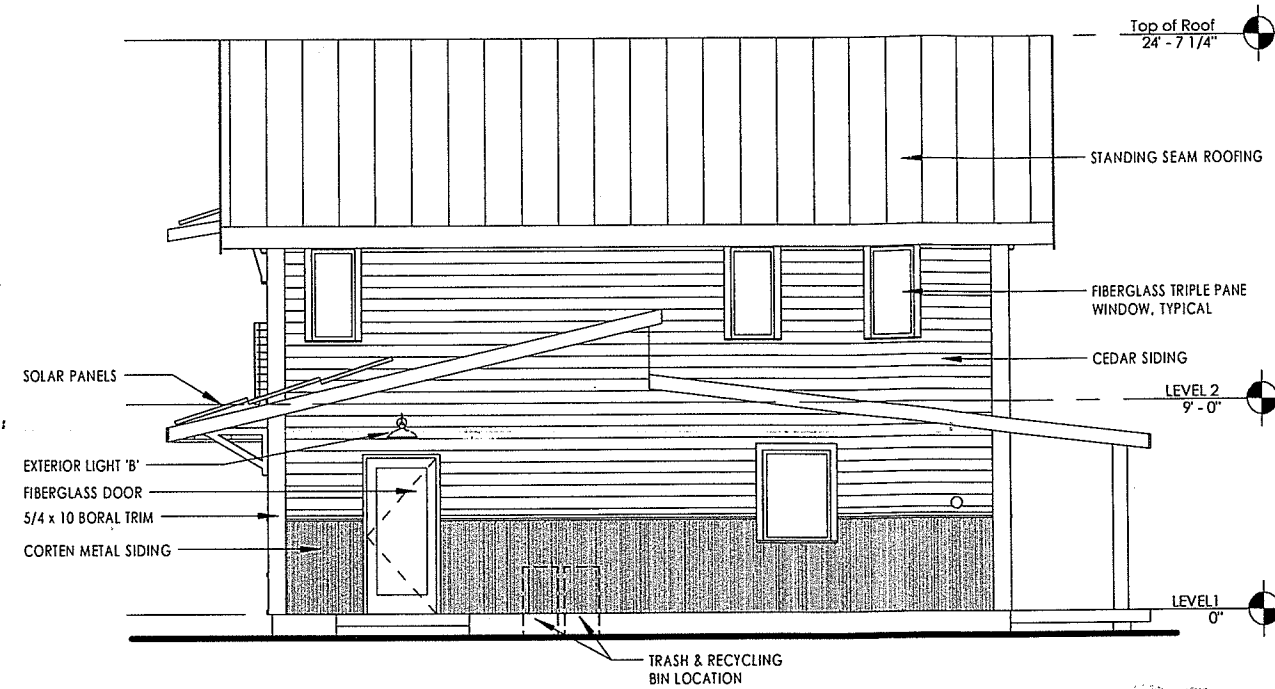
FOR PERMIT

DATE:

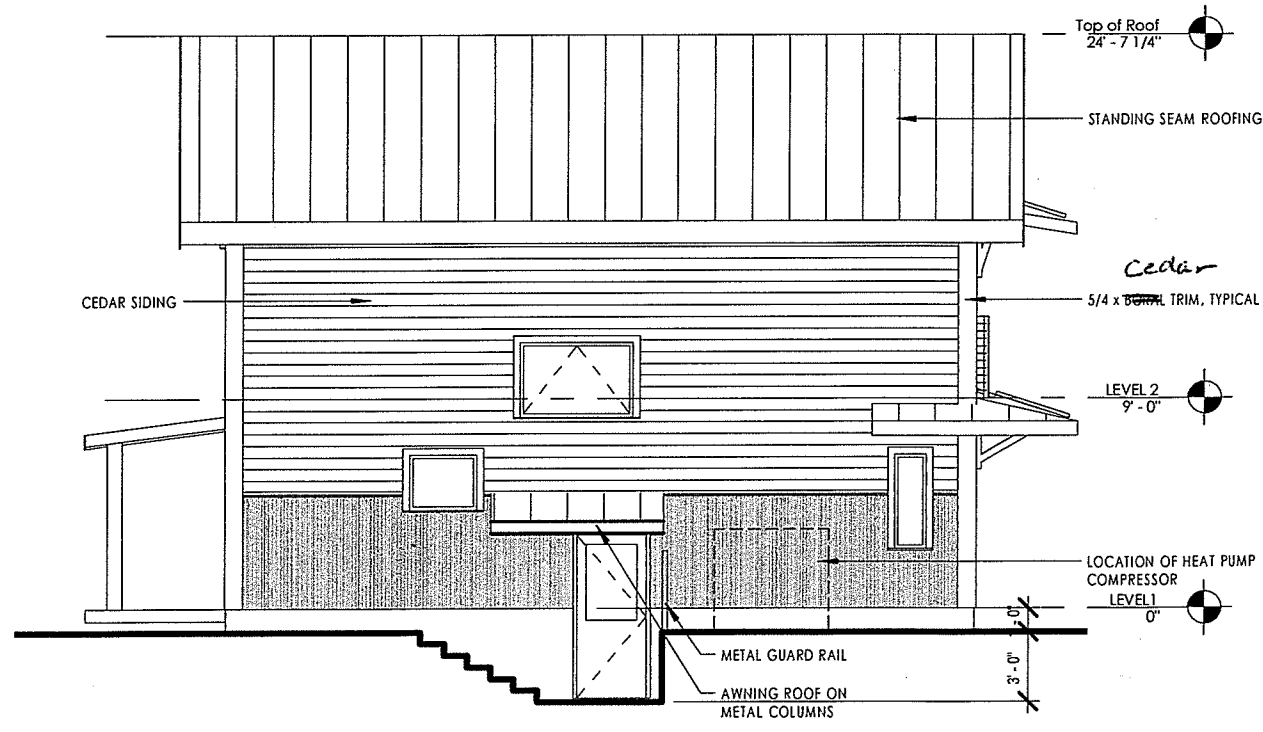


SOUTH ELEVATION

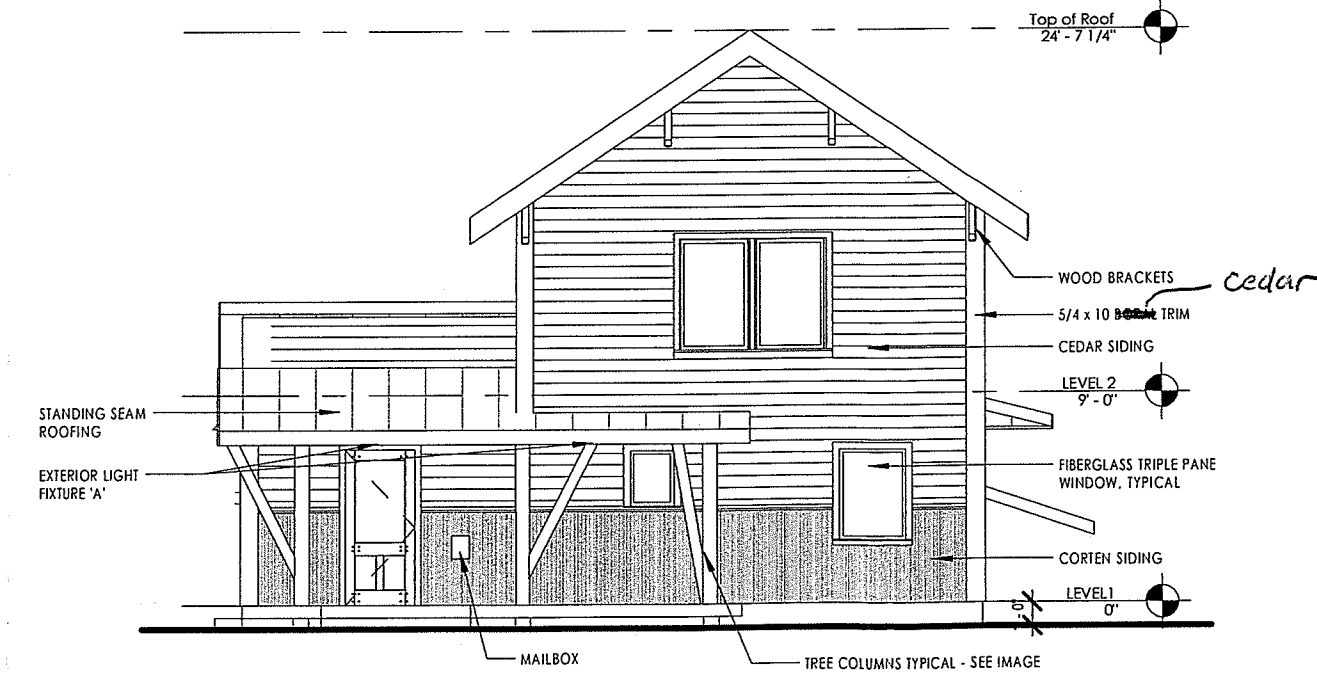
Glazing percentage: 23.4% with 2 windows in bedroom, 26.76% with 3 windows in bedroom



EAST ELEVATION

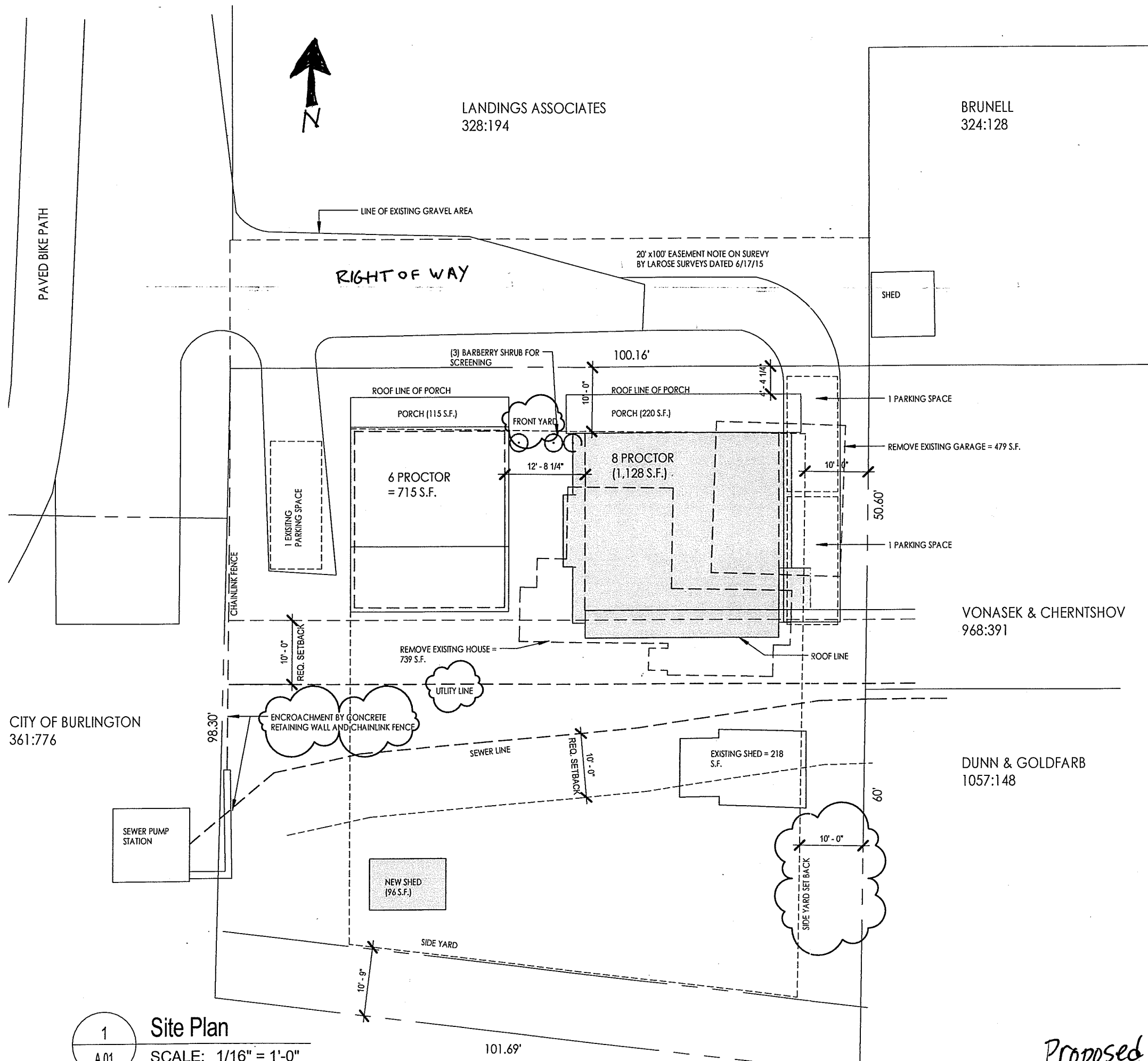


WEST ELEVATION



NORTH ELEVATION

Approved elevations



ZONING DISTRICT: RL

MAX. LOT COVERAGE = 35%
+10 COVERAGE FOR PATIOS, DECKS PORCHES, TERRACES.

FRONT: AVE. OF 2 ADJACENT LOTS ON BOTH SIDE +/- 5'-0"
SIDE: 10% OF LOT WIDTH, BUT IN NO EVENT LESS THAN 5'-0"
REAR: 25% OF LOT DEPTH, BUT IN NO EVENT LESS THAN 20'-0"

EXISTING LOT COVERAGE

EXISTING LOT SIZE: 10,513 S.F.

6 PROCTOR: 715 S.F.
PORCH: 115 S.F.
DRIVEWAY: 306 S.F.

8 PROCTOR: 739.5 S.F.
GARAGE: 479 S.F.
PORCHES: 114 S.F.
SHED: 218 S.F.

PROPOSED LOT COVERAGE = 2,686.5 S.F. = 25.5%

PROPOSED LOT COVERAGE

EXISTING LOT SIZE: 10,513 S.F.

6 PROCTOR: 715 S.F.
PORCH: 115 S.F.
SHED: 96 S.F.
DRIVEWAY: 306 S.F.

8 PROCTOR: 1,128 S.F.
PORCH: 220 S.F.
EXISTING SHED: 218 S.F.
DRIVEWAY: 360 S.F.

PROPOSED LOT COVERAGE = 3,158 S.F. = 30.01%

DRAWING KEY

	EXISTING STRUCTURE		EXISTING FOOTPRINT TO BE REMOVED
	NEW HOME		NEW FOOTPRINT
	PROPERTY LINE		
	SETBACK LINE		

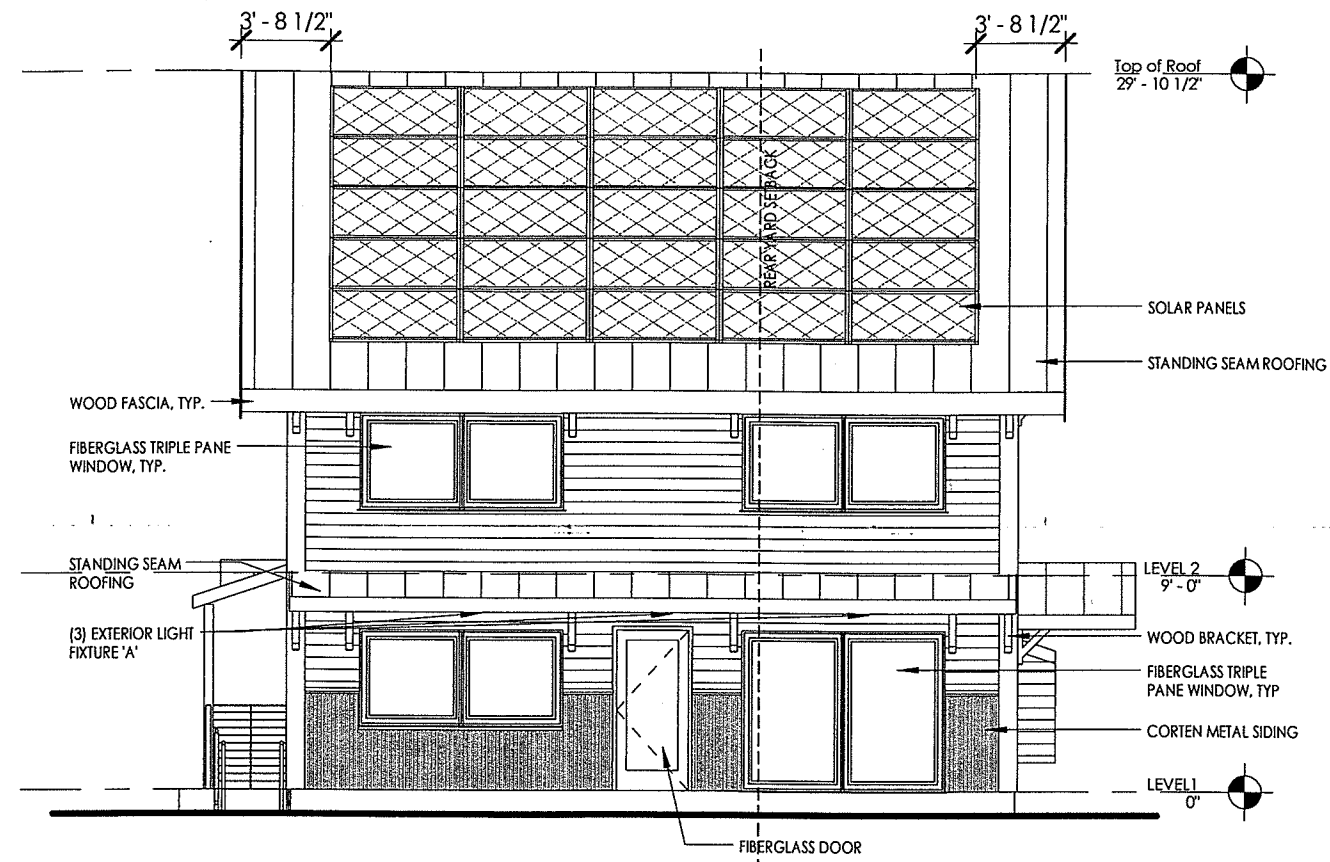
Site Plan

SCALE: 1/16" = 1'-0"

Proposed site plan

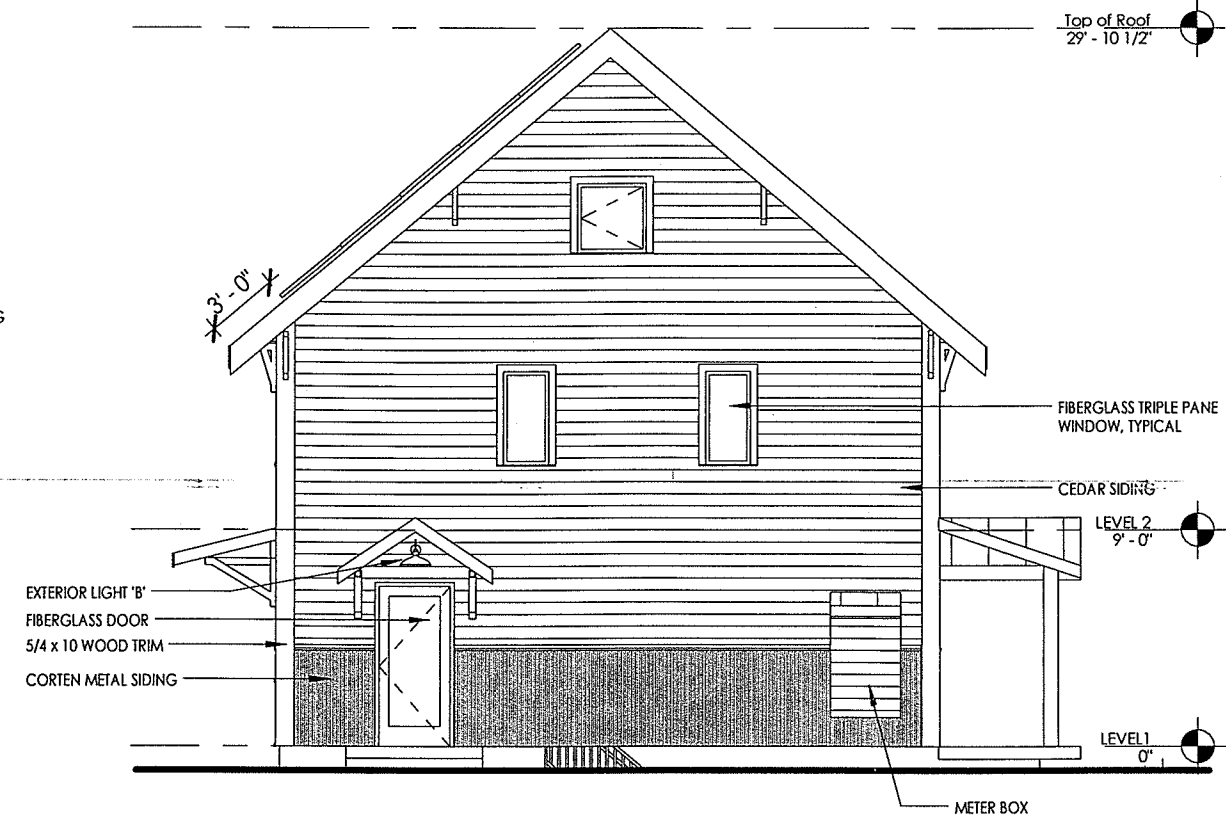
RECEIVED
NOV 09 2016

DEPARTMENT OF
PLANNING & ZONING

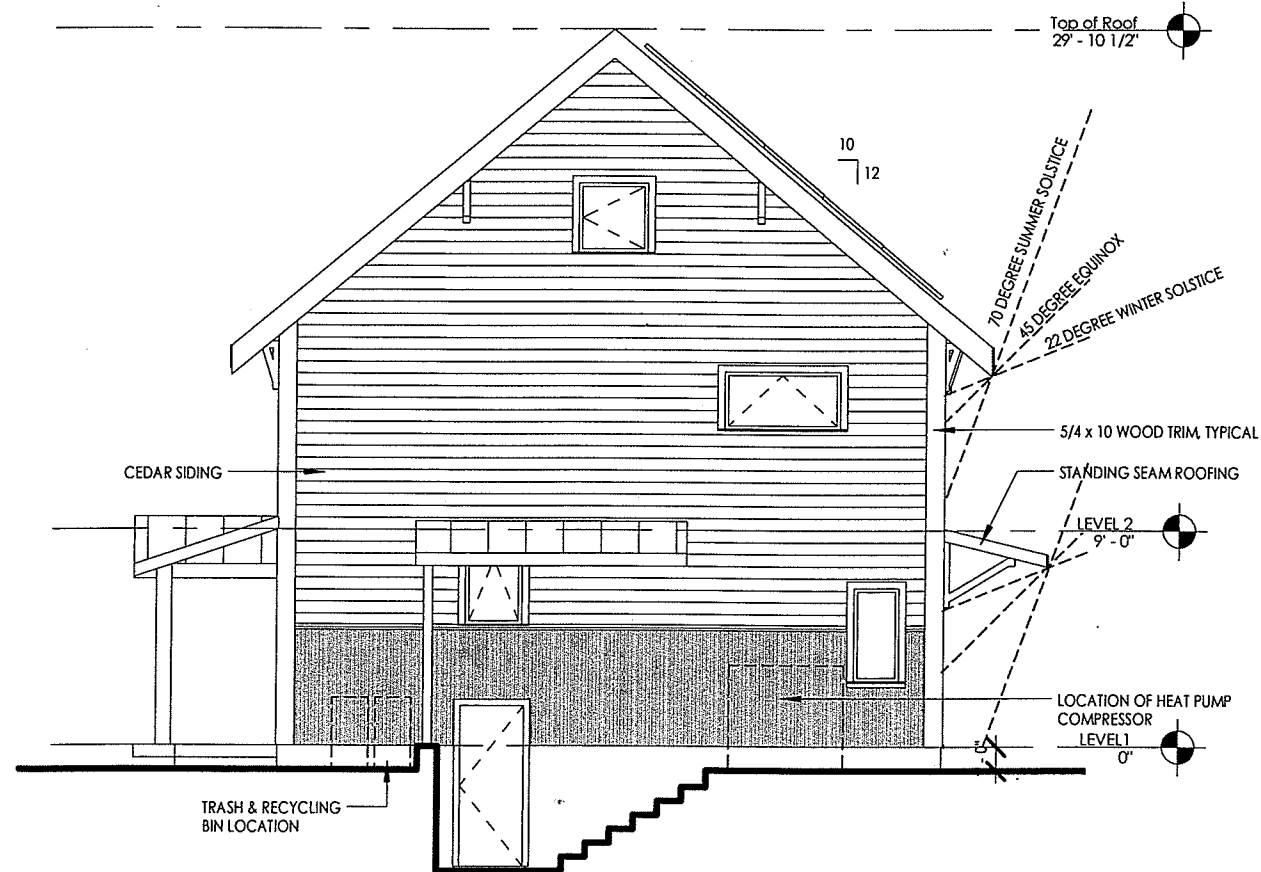


SOUTH ELEVATION

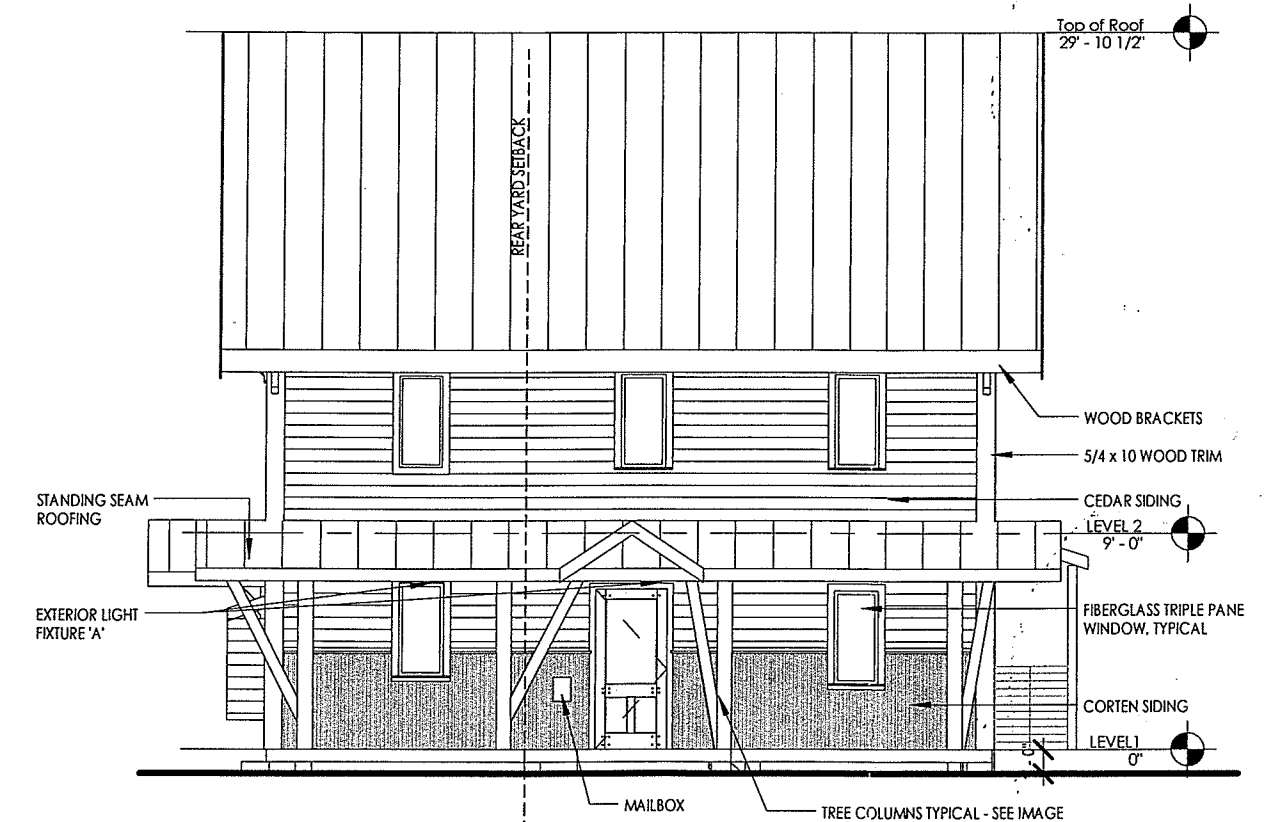
Glazing percentage: 26.6%



EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION

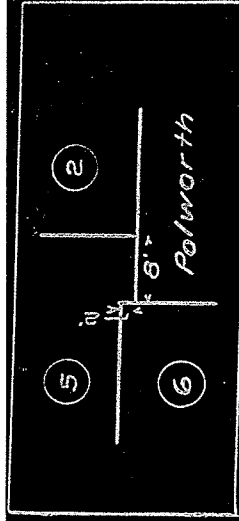
Glazing percentage: 9.5%

RECEIVED
SEP 28 2016
DEPARTMENT
PLANNING & ZONING



RECEIVED

Revised elevations



Notes:

Parcel (45) is not on this plan.

Shaded portions are owned by the Company.

Dimensions govern.

PLAN OF SUBDIVISION OF DWELLING PROPERTIES OF
THE QUEEN CITY COTTON COMPANY

AT
LAKESIDE, BURLINGTON, VERMONT
SURVEYED BY
H.M. McIntosh, C.E., Burlington, Vermont

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)
www.ci.burlington.vt.us/planning

David E. White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, Project Planner/GIS
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Associate Planner
Nic Anderson, Planning & Zoning Clerk
Elsie Tillotson, Administrative Assistant



ZONING ADMINISTRATIVE INTERPRETATION

ZAI-11-02 Entryways*

Reference:	<u>Exceptions to Yard Setback Requirements</u> <i>Burlington Comprehensive Development Ordinance</i> , Article 5, Sec.5.2.5 (b) 2.
Date:	June 9, 2011

Pursuant to the authority granted to the City's Zoning Administrative Officer under 24 V.S.A. Section 4448, and Article 3, Part 3 of the *Burlington Comprehensive Development Ordinance*, the following administrative interpretation is intended to ensure consistency and clarity in the interpretation and application of the *Burlington Comprehensive Development Ordinance*. Pursuant to Sec. 2.3.5 of the *Burlington Comprehensive Development Ordinance* any decision or act taken by the administrative officer may be appealed to the Development Review Board as specified under the requirements of Article 12.

The following interpretation and procedure is to be used regarding the applicability of the *Burlington Comprehensive Development Ordinance* relative to the permitting and allowance of what constitutes an allowable encroachment into a required yard setback for first floor entries. This interpretation shall apply for zoning permitting purposes only.

As provided below, first floor entries may project into a required yard setback provided:

1. The entryway shall provide access to the first floor only.
2. The width of the entryway shall not exceed the length of the building façade.
3. The depth of the entryway shall not exceed 8.0 feet.
4. The entryway may be enclosed or unenclosed, and if enclosed shall not be habitable, heated or insulated.
 - a. Upon any subsequent request to heat, insulate and otherwise make the entryway habitable, a new zoning permit shall be required and all applicable required yard setbacks that may be in effect at that time shall be met.



David E. White, AICP
Director of Planning & Zoning

* This Zoning Administrative Interpretation modifies and replaces ZIA-08-04.

RECEIVED

NOV 09 2016

ATTORNEY'S REPORT & OPINION ON TITLE

DEPARTMENT OF
PLANNING & ZONING

RECORD OWNER: Donna Lea Hathaway & Jennifer Lea Stoddert

PROPERTY DESCRIPTION: 6 Proctor Place, Burlington

Being all and the same lands and premises conveyed to Donna Lea Hathaway and Jennifer Lea Stoddert by Warranty Deed of Kenneth H. Brunell and Laurette A. Brunell dated July 15, 1992 and recorded in Volume 458, Page 56 of the City of Burlington Land Records.

Being Lot No. 1 as described and conveyed to Kenneth H. Brunell and Laurette A. Brunell by Warranty Deed of Julianne T. Gorman, Normand Masse and Laurette A. Brunell, dated October 20, 1980 and recorded in Volume 272 at Page 482 of the Land Records of the City of Burlington. Said Lot is described therein as follows:

"Lot No.1: A lot of land with buildings thereon situated on the easterly side of Proctor Place, the dwelling house thereon being known and designated as No. 6 on said Place, having a frontage of 100 feet and a depth of 100 feet.

The above referenced distances are more or less.

Also included in this conveyance is an easement in common with Grantors, their heirs, successors or assigns for a right of way to provide ingress and egress from Proctor Place, so-called, to and from the within conveyed Lot. Said easement shall be over an existing driveway and shall be 20 feet wide by 100 feet long, and is more particularly described as follows:

Commencing at a point in the easterly sideline of said Proctor Place, said point is also the northwesterly corner of the within conveyed lot, and proceeding along the said easterly line of Proctor Place, so-called, a distance of 20 feet to a point; thence proceeding at an approximate right angle easterly along the northerly boundary line of lands now owned by Grantor herein, a distance of 100 feet to a point; thence proceeding southerly at an approximate right angle in and along a line which would be the extension of the westerly boundary of Grantors herein a distance of 20 feet to a point in the northerly boundary line of the within conveyed lot; thence proceeding westerly along said boundary line to a point in the easterly line of Proctor Place, said point being the point or place of beginning.

It is understood here in that Grantees shall be solely responsible for the maintenance, upkeep and snow plowing of the area within said easement.

It is further understood by Grantors herein and Grantees herein, their heirs, successors and assigns that Grantors herein, their heirs, successors and assigns shall also have the use of said right of way and no objects of any sort may be placed in said right of way which would not allow Grantors herein, their heirs, successors and assigns, the use of said right of way. Grantees herein shall have sole right to park vehicles on Right of Way, however, Grantees shall allow Grantors access if so requested by Grantors."

RECEIVED
NOV 09 2016

DEPARTMENT OF
PLANNING & ZONING

To: Members of the Development Review Board

From: Rebecca Grannis

Re: Amendment to Zoning Permit # 16-1262CA - 8 Proctor Pl.

Date: November 8, 2016

Members of the Board and Planning and Zoning office,

I am submitting an amended site plan for your review. The items that have changed are the location of the front yard and thus the associated side and rear yard setbacks. My reasons for locating the front yard to the North of the Property are as follows:

Relevant Regulatory Provisions:

Article 13: Definitions Article Last Updated: March 31, 2016
Comprehensive Development Ordinance p. 13-20 City of Burlington, VT

Frontage: (See Article 5 for specific measurement calculations.)

a. **Building:** That portion of a building that faces a public street or right of way.

b. **Street:** That dimension of the lot which abuts a public street or **right of way**.

Front Yard: The full width of property along a street frontage and between the structure and the right of way. See Article 5 for specific measurement calculations.

When reading the definition above it clearly states in plain words that Frontage can be on a Public Street **OR** a right of way. The Northern boundary of Proctor Place is a Right of Way. I have included the first page of the title decision from the purchase of the property 2 years ago. You will see clearly stated in that document that the property comes with an easement for the purpose of providing a Right of Way on the Northern boundary.

In regards to the front yard, the "Front Yard" of Proctor Place cannot be on the Western side because there is no Public Street or Right of Way along the full width of the property. In fact along the entire Western boundary is a chain link fence that is set into a concrete curb that connects to the pump station owned by the City of Burlington Public Works Department. One can also see at the Northwest corner of the property a gate that used to close off access to the city parcel before the bike

path was built. Historically and currently there is no public property or access to 8 Proctor Place from the Western side. See attached pictures and letter from DPW.

Sec. 5.2.5 Setbacks

Setbacks between buildings and property lines where required are intended to provide access to light and air, provide fire separation and access, and maintain the existing neighborhood pattern of buildings and open spaces between them and to the street.

The three buildings on the property all face the Northern boundary and have relied upon the Right of Way to access both 6 and 8 Proctor Place for 60- 100 years. The requirements for set backs should conform to the longstanding and existing use and orientation of the buildings that are already there.

The new building that I wish to build will replace the existing single wide trailer. I purchased this property with 2 buildings and 5 bedrooms. I wish to rebuild the decrepit trailer and maintain the two buildings and 5 bedrooms that were on this property when I purchased it. If the front yard is to the west, the combination of the 25 ft. rear yard set back, the 20 ft. easement around the city sewer on the property, the 10 ft. side yard set back, and the 10 ft. spacing between the two buildings leaves me with a very small building foot print. If I was to take advantage of the current non-conformity, I would only be able to build one story within the rear yard set back. This would still be a very small house and I am unable to fit three bedrooms in the building with these constraints.

I request that the DRB review the amended site plan and determine that the Northern boundary of the property at 6-8 Proctor Place along the Right of Way is the lot Frontage.

Respectfully,
Rebecca Grannis

RECEIVED
NOV 09 2016
DEPARTMENT OF
PLANNING & ZONING

Mary O'Neil

From: on behalf of Rebecca Grannis <rgelfling@gmail.com>
Sent: Friday, November 11, 2016 8:11 AM
To: Mary O'Neil
Subject: Fwd: Fence
Attachments: fence in concrete curb of pump station.JPG

Mary, See the note below from Steve Roy at DPW in regards to the fence along the western boundary of 6-8 Proctor Place. I have also attached a photo of the fence. Could you please include this with the packet to the DRB for my amendment?

thank you so much. Don't blow away today. :)

Rebecca Grannis

802-860-7321(h)

802-310-6113(c)

----- Forwarded message -----

From: Steve Roy <SRoy@burlingtonvt.gov>
Date: Wed, Nov 9, 2016 at 3:30 PM
Subject: RE: Fence
To: Chapin Spencer <chapin.spencer@gmail.com>

Hi Chapin,

We could not find any plans for this pump station, however given the fact that an existing chain link fence was installed on our concrete retaining wall adjacent to your property my sense is that Burlington owns this fence. Feel free to contact me to discuss further.

Steve

Steve Roy, PE

Senior Water Resources Engineer

Burlington Public Works

53 Lavalley Lane

Burlington, VT 05401

T: 802.865.7258

F: 802.864.7653

Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.

From: Chapin Spencer [mailto:chapin.spencer@gmail.com]
Sent: Tuesday, November 08, 2016 7:25 AM
To: Steve Roy
Subject: Re: Fence

Hello Steve,

Yesterday Rebecca found that the concrete base under the fence runs the entire length of the Proctor Place boundary. There is also an old piece of gate and a gate post at the property line corner that appeared to block the entrance to the pump station.

A short email response about the likely installing entity of the fence is all that is needed. Thank you!

Chapin

On Mon, Nov 7, 2016 at 9:18 AM Chapin Spencer <chapin.spencer@gmail.com> wrote:

Hello Steve,

I have a question as a Burlington resident, and as I know you will, please treat my request as you normally would any Burlington resident. My family purchased 6-8 Proctor Place about two years ago. We are having a conversation with P&Z as it relates to the orientation of the lot and the designation of the front yard, side yard and rear yard as it relates to setbacks. The western side of the Proctor Place parcel has a fence along the boundary. The southern end of this fence is installed into the retaining wall for the pump station (see picture). Is there any record of whether this fence was installed by the City or the adjacent property owner? If not, given the way the fence is installed into the pump house retaining wall, do you have a professional opinion about whether the fence was installed by the City or the property owner?

Best,

Chapin

CHAPIN SPENCER

Home: 58 Conger Avenue, BTV 05401, 802-860-7321



Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

Fax (802) 865-7195

Austin Hart
Brad Rabinowitz
Israel Smith
AJ LaRosa
Geoff Hand
Alexandra Zipparo
Wayne Senville
Jim Drummond, (Alternate)
Robert Purvee, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday December 6, 2016, 5:00 PM Contois Auditorium, City Hall, 149 Church Street, Burlington, VT AMENDED AGENDA

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Public Hearing**
 - 1. **16-1400LL; 80 Colchester Ave (I, Ward 1E) Francis von Turkovich/
Robert and Susan Butani**
Appeal of an administratively approved lot line adjustment for 80 Colchester Av, 27 Fletcher Place, and 49 Fletcher Place. (Project Manager, Mary O'Neil)
 - 2. **17-0363CA; 485 Colchester Ave (NMU, Ward 1E) Stephen and Sharon Litwhiler/
Gregg Blasdel, Jennifer Koch & Kathleen Brisson**
Appeal of a zoning permit for an as-built site improvements such as parking layout, retaining wall, dumpsters, and walkways. Amends zoning permit 93-313.
(Project Manager, Scott Gustin)
 - 3. **17-0548CU; 85 Lakeview Terrace (RM, Ward 3C) Jovial C King**
Change of use from an accessory apartment to B&B use. (Project Manager, Mary O'Neil)
- V. **Certificate of Appropriateness**
 - 1. **17-0455CA; 57 South Williams St (RH, Ward 1E) Vermont Organization for Jewish
Education – Lubavitch**
Two level addition, 5500 sq. ft. to west side of existing building. New worship sanctuary on upper level with supporting spaces on lower level; new off street parking.
(Project Manager, Ryan Morrison)
 - 2. **16-1262CA; 8 Proctor Place (RL, Ward 5S) Rebecca Grannis and Chapin Spencer**
Request to amend DRB approval for replacement of existing mobile home and garage with new single family home and shed.
(Project Manager, Mary O'Neil)
- VI. **Other Business**
- VII. **Adjournment**

Plans may be viewed in the Planning and Zoning Office, (City Hall, 149 Church Street, Burlington), 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 Planning and 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/pz/drbb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

The programs and services of the City of Burlington are accessible to people with disabilities.

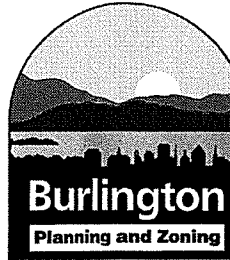
Individuals who require special arrangements to participate are encouraged to contact the Department of Planning & Zoning at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188 (TTY users: 865-7142).

Printed on 100% Recycled Paper

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

*David White, AICP, Director
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk
vacant, Department Secretary*



TO: Development Review Board
FROM: Scott Gustin *[Signature]*
DATE: December 6, 2016
RE: 17-0363CA; 485 Colchester Ave

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: NMU Ward: 1E

Owners/Appellants: Steven & Sharon Litwhiler / Greg Blasdel, Jennifer Koch, Randall & Kathleen Brisson

Request: Appeal of administrative zoning permit 17-0363CA issued for as-built site improvements such as parking layout, retaining wall, dumpsters, and walkways (amends zoning permit 93-313).

Overview:

The appellants are appealing issuance of zoning permit 17-0363CA. That permit approved a number of as-built site changes with work originally associated with zoning permit 93-313 issued in January 1993 for demolition of a single family home and construction of revised parking and related site features.

The appeal cites three alleged problems with zoning permit 17-0363CA:

- Incorrect site plan with misrepresentation of referenced and cited survey
- Misuse of space cited in deeded right-of-way
- Change of use from green space to parking

Recommendation: **Uphold zoning permit approval** based on the following findings and conditions:

I. Findings:

Zoning permit 93-313 was approved January 14, 1993 for demolition of an existing single family home with associated site/parking revisions to the originally approved restoration of mixed use (8 units) building on the corner of Colchester Avenue and Barrett Street. This permit was enacted, but no certificate of occupancy was sought until February 2014. Upon inspection by the Code Enforcement Office, a number of site discrepancies from the zoning permit approval were noted. These discrepancies pertained to parking layout, landscaping, dumpster enclosure, and replacement retaining walls. The discrepancies exceeded what could be approved "as-built" under the original zoning permit 93-313. A certificate of occupancy inspection failure letter was issued to the

property owners March 14, 2014. The property owners were given the options to bring the site into compliance with zoning permit 93-313 or seek a new zoning permit to approve the site changes.

The property owners elected to pursue a new zoning permit. They met with Planning & Zoning and Code Enforcement staff a number of times to discuss what needed to be incorporated in the new zoning permit application. They were advised to use the approved site plan associated with zoning permit 93-313 as the basis for a revised plan, as the new zoning permit application was to address changes thereto. The property owners expressed reservations about the accuracy of the northerly property boundaries. They were advised that use of a boundary survey or the tax parcel boundaries could also be acceptable. The zoning permit application was ultimately submitted September 20, 2016.

Zoning permit application 17-0363CA contained a site plan based largely on the site plan approved with zoning permit 93-313 and depicted the differences. The northerly property boundaries differed from those shown in zoning permit 93-313 but approximated the tax parcel boundaries. It is important to note that the site plan associated with zoning permit 93-313 is not a boundary survey. The appellants, however, have submitted a boundary survey from May 8, 1990 that appears to be consistent with the boundaries depicted in the zoning permit 93-313 site plan.

Planning & Zoning staff reviewed the permit application and made corrections to the property size and related lot coverage percentages based on Assessor's data. The property is located in the NMU zone. As such, there are no minimum setback requirements that pertain to the application. Lot coverage is compliant (73.8% of 80% maximum permissible) with the Assessor's parcel data or the 1990 boundary survey (74.3%). Sufficient parking is provided for the onsite uses. Zoning permit 17-0363CA was approved October 3, 2016 with the following conditions (in addition to standard conditions 1-15):

1. Parking calculations in this zoning permit are based on the following: 7 dwelling units, 1 office unit (625 sf), and 1 take-out/delivery restaurant (1,203 sf).
2. The boundary lines depicted in the approved site plan are approximate only.

An appeal of the zoning permit was filed October 17, 2016 within 15 days as required. As noted above, the appeal makes three allegations:

- Incorrect site plan with misrepresentation of referenced and cited survey
- Misuse of space cited in deeded right-of-way
- Change of use from green space to parking

The first allegation appears to have merit. The other two do not insofar as the city's zoning standards are concerned.

Utilization of tax parcel boundaries in zoning permit applications is commonplace. Use of boundary surveys is preferred but not required. Tax parcel maps are reasonably accurate but approximate. Boundary surveys are more definitive. In this case, the tax map was used as the basis for the northerly property boundaries (whether it's an exact replication is not clear). Tax map data puts the parcel area at 17,539 sf. As noted previously, the applicants disagreed with the northerly boundaries depicted in the approved 1993 site plan. Instead of providing a boundary survey, the applicants chose the approximate representation of the tax map. In their appeal, the appellants have provided a May 8, 1990 boundary survey that appears to be the basis for the

approved 1993 site plan. The boundary survey puts the parcel area at 17,424 sf. While most site features remain unaffected by use of this survey, including the lone parking space noted below, a section of retaining wall may be problematic. The retaining wall (timber, at that time) is noted in the 1990 survey, the 1993 site plan, and the most recent 2016 site plan. According to the 1990 and 1993 plans, a section of the retaining wall crosses onto 495 Colchester Avenue and 5 Mill Street. Its replacement with concrete block requires a zoning permit – and was approved in zoning permit 17-0363CA and represented as entirely on 485 Colchester Avenue. In light of the 1990 survey provided by the appellants, it appears that separate zoning permits are needed for 495 Colchester Avenue and 5 Mill Street for the concrete block retaining wall. Alternatively, the wall may be altered and moved entirely onto 485 Colchester Avenue. In either event, a revised site plan based on the 1990 survey is needed.

The deeded right-of-way is a private arrangement between property owners and has no bearing on the city's zoning standards.

The change of green space to parking was effectively approved in the zoning permit. The area in question is depicted as a single parking space adjacent to the "ROW" notation just south of 495 Colchester Avenue and 5 Mill Street. While not represented in the site plan as a change from green to parking, the site plan denotes the subject area as a parking space and is accounted for in lot coverage. Given the NMU zone, there are no minimum setbacks. This lone parking space is not necessary for meeting minimum onsite parking requirements. While this single parking space is something of an oddity, it is not precluded by lot coverage, setbacks, or other site requirements of the Comprehensive Development Ordinance. Access to this parking space would require utilization of the private ROW. However, as stated above, use of this ROW is between the affected property owners.

In summary, the as-built site changes reflected in zoning permit 17-0363CA are compliant with the standards of the Comprehensive Development Ordinance. High lot coverage allowance and zero minimum setback requirements result in compliance based on either the tax parcel map or the boundary survey. Importantly, however, the site plan must be revised to reflect the parcel boundaries as depicted in the 1990 boundary survey. If portions of the retaining wall do indeed extend onto 495 Colchester Avenue and/or 5 Mill Street, additional zoning permits or revisions to the retaining wall are required.

II. Recommended Motion:

Uphold issuance of zoning permit 17-0363CA with the additional pre-release condition:

1. Prior to release of the zoning permit, a revised site plan shall be provided that incorporates the property boundaries depicted in the May 8, 1990 boundary survey by Vermont Land Surveyors. In the event that site features extend beyond the boundaries of the subject property, a separate zoning permit for the adjoining property shall be required. Alternatively, the site features shall be adjusted to be entirely on 485 Colchester Avenue.

RECEIVED
OCT 17 2016

October 16, 2016

To: The Burlington Department of Planning and Zoning

DEPARTMENT OF
PLANNING & ZONING

From: Property Owners: Brisson (495 Colchester Ave), Blasdell/Koch (6 Mills Street)

Re: Appeal to Stephen and Sharon Litwiler's Parking Permit Request on currently Green Space bordering abutting properties

We request that you consider the following three areas of concern regarding the addition of a parking space in the small area that is currently serving as Green Space preventing erosion. These are outlined as:

- I. Incorrect site plan with misrepresentation of referenced and cited survey.
- II. Misuse of space cited in deeded right of way.
- III. Change of Use from Green Space to parking

- I. Enclosed, please find Exhibit A, B and C showing misrepresentation of land area.

Exhibit A: Litwiler's present sketch request dated received by Planning and Zoning on Sept. 19, 2016. This plan is based on Exhibit B.

Exhibit B: Shelter Design Inc.'s 1993 Site Plan received by Planning and Zoning on Sept. 19, 2016. This plan **MISREPRESENTS** information from Exhibit C.

Exhibit C: Represents the Peter Hayden survey used as a basis for the Litwiler's site plans and recently accepted by the Board for Brisson Properties project at 495 Colchester Avenue.

Exhibit D: Photos with correct boundaries shown in red tape using pipe markers from the Peter Hayden Survey.

Clearly, the measurements for a parking area are misrepresented in the Shelter Design's Plan.

- II. Please refer to **Exhibit E**, the Warranty Deed from Book 126, p. 229 outlining the use of the Right of Way agreement granting access to piece of land in question.
 - a. This allowed access to the land and to a building that no longer exists, to use specifically to back vehicles out of the building and enter/exit through the right of way. In no way does it state a parking space or access to a parking space.
 - b. The agreement also clearly states shared financial responsibility of costs of maintenance, snow and rubbish removal and cost of cleaning catch basin, none of which the Litwilers have exercised since their ownership.

RECEIVED

OCT 17 2013

DEPARTMENT
PUBLIC WORKS

III. Zoning Change of Use from Green Space to Parking could violate 2 Codes. (Please see attached pictures)

- a. According to Code 20-156, parking is prohibited on lawns or yards in residential districts. The Brissons and Blasdel/Koch abutting owners have maintained the current green space for the past number of years.
- b. Since no drainage design was used when the concrete retaining wall was installed, this green space provides necessary protection from erosion and silt entering the catch basin (**code violation**). Please refer to pictures showing run-off and seepage from the wall (owned by the Litwilers) onto abutting properties.

We, respectfully, request that the Planning and Zoning Board not allow a parking space on the Green Space that abuts both our properties.

Thank you for your time and consideration.

Randall and Kathleen Brisson

R. Brisson
Kathleen Brisson

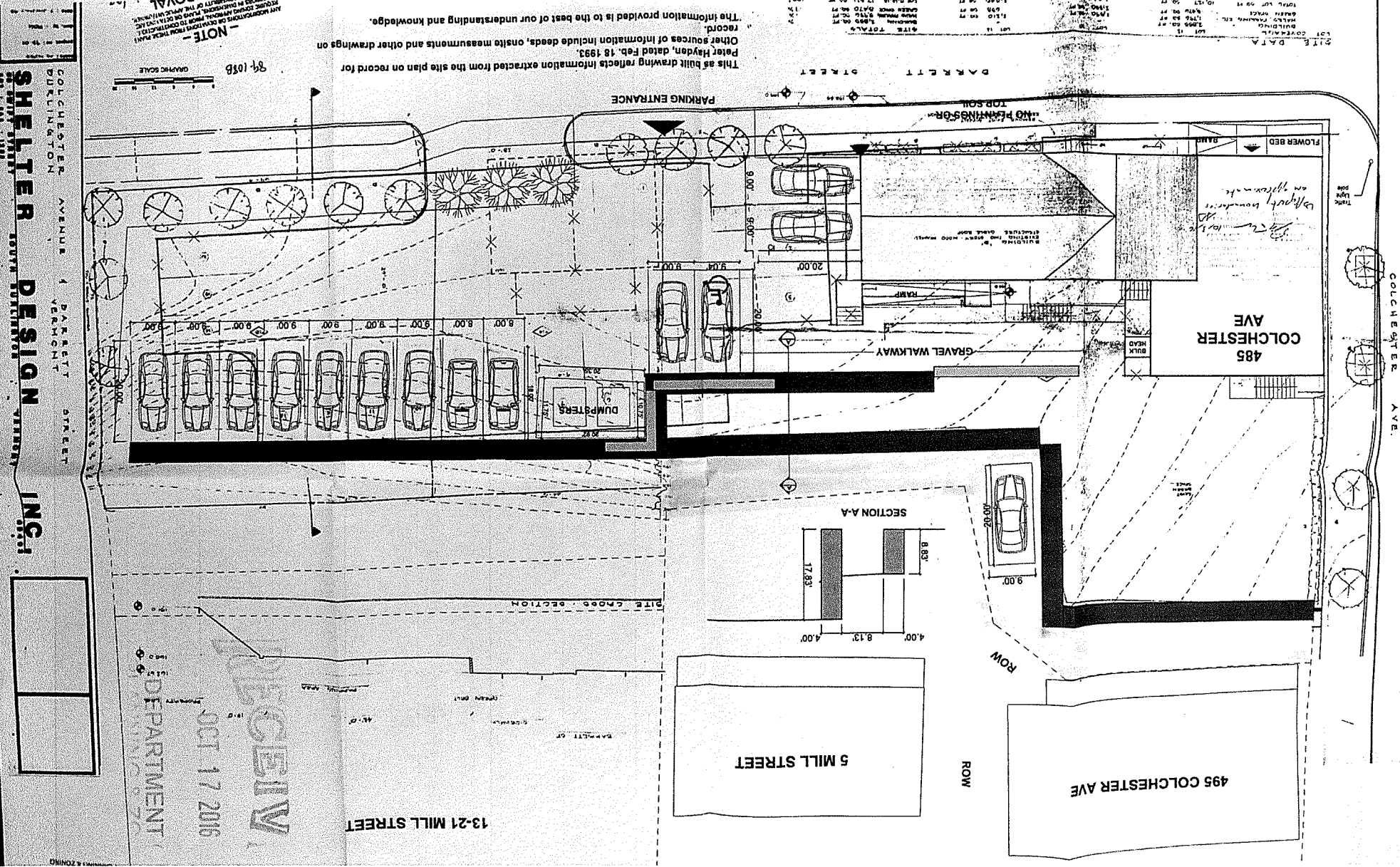
Dated, 10/16/16

Gregg Blasdel and Jennifer Koch

Gregg Blasdel
Jennifer Koch

NOTE -

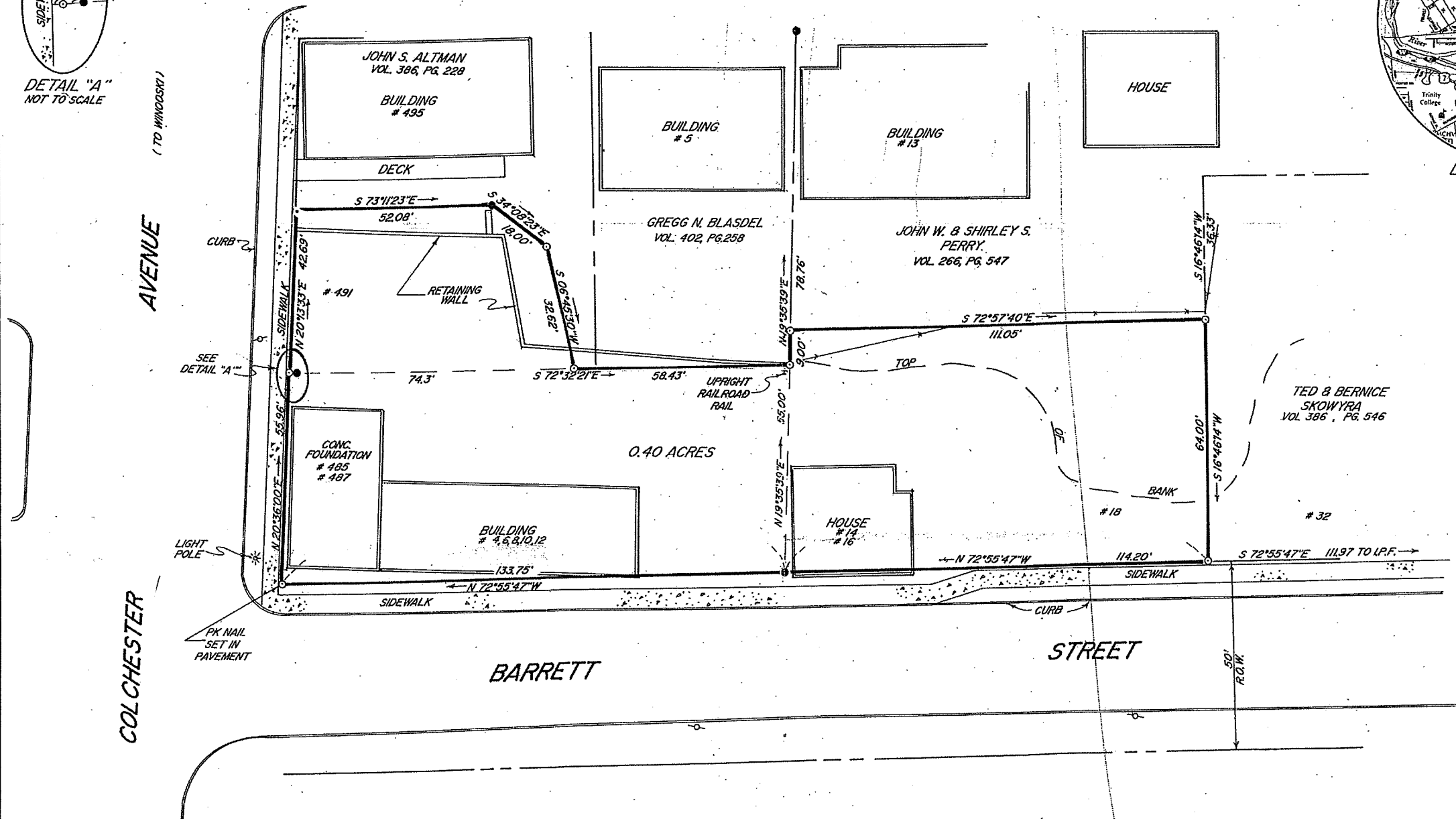
This as built drawing reflects information extracted from the site plan on record for Peter Hayden, dated Feb. 18 1993.
Other sources of information include deeds, onsite measurements and other drawings on record.
The information provided is to the best of our understanding and knowledge.

[illegible]

DETAIL "A"
NOT TO SCALE



**DEPARTMENT OF
PLANNING & ZONING**



IRON PIPE FOUND
IRON PIPE SET
WIRE FENCE
POWER POLE
CALCULATED:
PROPERTY CORNER

1. PROPERTY SHOWN ACQUIRED BY H.E. PETER HAYDEN AS FOLLOWS:
NO. 14, 16 & 18 BARRETT ST. VOL. 405, PG. 662
9/15/89
NO. 4, 6, 8, 10, 12 BARRETT ST. AND NO. 485,
487 & 491 COLCHESTER AVE. VOL. 390, PG. 648 11/02/88
CITY OF BURLINGTON LAND RECORDS.
2. REFER TO PLAN OF PROPERTY OF SARKIS BOYAJIAN BY HOAG STONE & ASSOCIATES DATED AUGUST 1946 RECORDED VOL. 127, PG. 97 CITY OF BURLINGTON LAND RECORDS.

I CERTIFY THIS PLAT IS BASED
UPON DEED RESEARCH, EXISTING
FIELD EVIDENCE, A TOTAL STATION
SURVEY AND INFORMATION GIVEN
BY PETER HAYDEN.

BOUNDARY SURVEY FOR
H.E. PETER HAYDEN
485 & 491 COLCHESTER AVENUE
AND
10 - 18 BARRETT STREET
BURLINGTON, VERMONT

VERMONT LAND SURVEYORS
PALMER COMPANY, LTD.
4050 WILLISTON RD.
SO. BURLINGTON, VERMONT 05403

SCALE: 1 INCH = 20 FEET



DATE: MAY 8, 1990

SURVEYED: B. HOLDEN, T. LEMIEUX

DRAWN: . TIMOTHY LEMIEUX

CHECKED: MARK WARD

JOB #

90-40

COLCHESTER AVE

BARRETT STREET

SITE CROSS SECTION

COLCHESTER AVENUE 4 BARRETT STREET
BURLINGTON VERMONT

SHELTER DESIGN INC.
89 SWIFT STREET
BURLINGTON VERMONT 05403

SITE DATA

LOT COVERAGE	LOT 15	LOT 16	LOT 17	SITE TOTALS
BUILDING	2,085 SQ. FT.	-	-	BUILDING 2,085 SQ. FT. 16%
WALKS, PARKING, ETC.	1,795 SQ. FT.	1,910 SQ. FT.	2,310 SQ. FT.	WALKS/PARKING 5,105 SQ. FT. 40%
GREEN SPACE	5,476 SQ. FT.	655 SQ. FT.	655 SQ. FT.	GREEN SPACE 6,186 SQ. FT. 48%
TOTAL LOT SQ. FT.	10,127 SQ. FT.	4,542 SQ. FT.	2,965 SQ. FT.	LOT 15+16+17 17,634 SQ. FT. 100%

TOTAL COVERAGE 51%
ZONED: C-1 COMMERCIAL
PARKING: PROPOSED 10
DETAIL: 1,000 SQ. FT. REQUIRED: 11 SPACES
RESIDENCE: 0 UNITS * 1,000 SQ. FT. * 11 SPACES

LANDSCAPE LEGEND

KEY	COMMON NAME	BOTANICAL NAME	SIZE
A	QUAC. AND OR. SHROBBERY	SYRINGA VULGA (SHRUB) AND	3" DIAM.
B	QUAC. BLOSSOM	LAUREL	7" DIAM.
C	BURNING BUSH	RED-TIDED	2" DIAM.
D	BIRCH, WHITE OR. OLIVER	RED-TIDED	2" DIAM.
E	BARBERRY BUSH	RED-TIDED	2" DIAM.

SITE PLAN

SCALE: 1" = 10' 0"
NOTE: OWNER AND GENERAL CONTRACTOR SHALL VERIFY ALL PROPERTY LINES AND DETAILS PRIOR TO THE START OF CONSTRUCTION. NO RECORDS OR BASIS ON GENERAL INFORMATION IT IS NOT A PROPERTY LINE SURVEY. ALL PROPERTY LINES ARE ASSUMED.



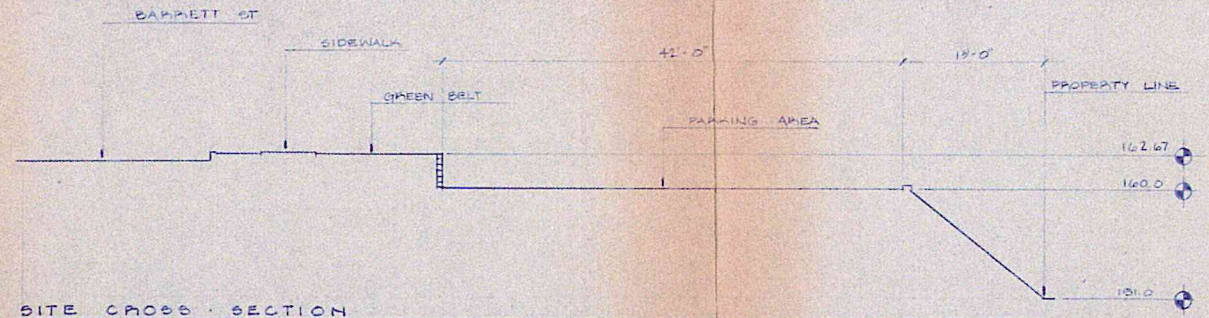
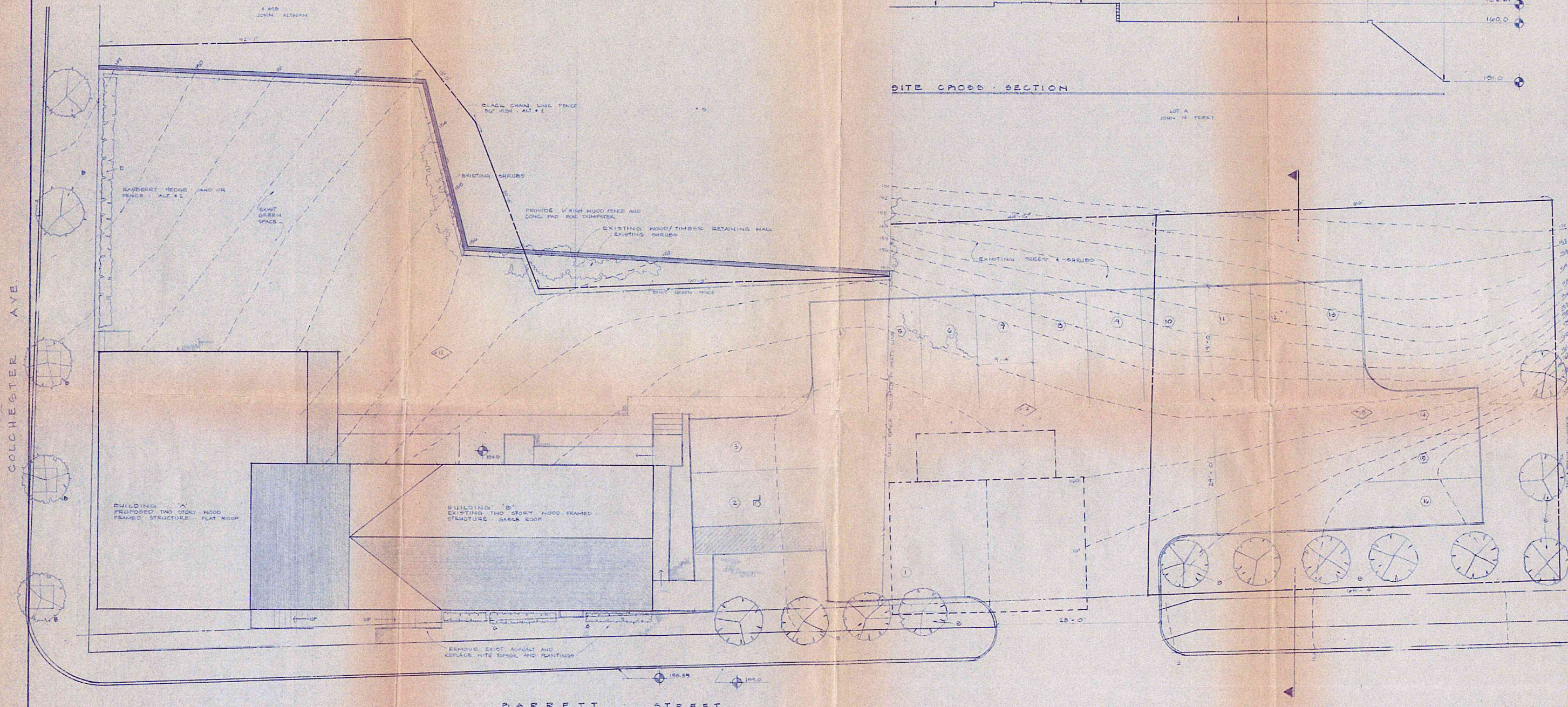
89-108B

- NOTE -
ANY MODIFICATIONS OR DEVIATIONS FROM THESE PLANS
REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION.
ALL ERRORS IN DIMENSIONS, PLANS OR DETAILS ARE
FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL

SIGNED: *[Signature]* DATE: 2/18/93
PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT

S-1



SITE DATA

LOT	COVERAGE	LOT 12	LOT 10	LOT 14	SITE TOTALS
BUILDING	2,855 SQ. FT.	-	-	-	BUILDING 2,855 SQ. FT.
WALKS, PARKING, ETC.	1,796 SQ. FT.	1,990 SQ. FT.	2,210 SQ. FT.	655 SQ. FT.	WALKS/PARKING 5,996 SQ. FT.
GREEN SPACE	5,476 SQ. FT.	2,356 SQ. FT.	2,348 SQ. FT.	-	GREEN SPACE 3,470 SQ. FT.
TOTAL LOT SQ. FT.	10,127 SQ. FT.	4,346 SQ. FT.	2,154 SQ. FT.	-	LOT 12+10+14 17,321 SQ. FT.

LANDSCAPE LEGEND

KEY	COMMON NAME	BOTANICAL NAME	SIZE
A	LEAD AND OR ENSEMBERS	SYRINGA VULGA (SYRINGA SARAO)	3'0" HEIGHT
B	2'400 BILORA	LALEVIEW	7'31" H
C	BURNING BUSH	"COMPACTUS"	4'0" O.C. - 12' HIGH
D	BIRCH WHITE OR SILVER		1'35" H
E	BARBERRY HEDGE		5'0" O.C. - 10' HIGH

SITE PLAN

89-1088

- NOTE -
 ANY MODIFICATIONS OR DEVIATIONS FROM THESE PLANS
 REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION.
 ALL ERRORS IN DIMENSIONS, PLANS OR DETAILING ARE
 FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL
 SIGNED: *[Signature]* DATE: 2/18/93
 PLANNING & ZONING DEPARTMENT
 BURLINGTON, VERMONT

COLCHESTER AVENUE & BARRETT STREET
 BURLINGTON, VERMONT

scale: AS NOTED
 project no: 98-0
 drawn by: POG
 date: 7 JANUARY
 revisions: (1) JANUARY

6-1

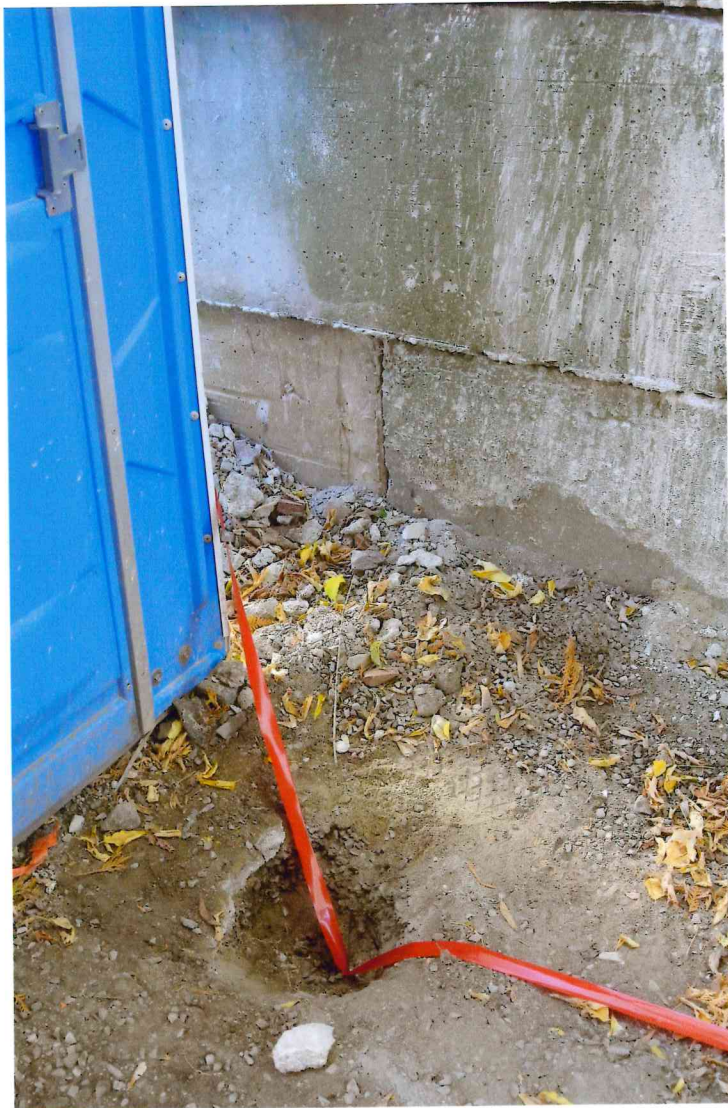
Exhibit D: Photos with correct boundaries shown in red tape using pipe markers from the Peter Hayden Survey.



001179018

DEPARTMENT OF
PLANNING & ZONING

Exhibit D: Photos with correct boundaries shown in red tape using pipe markers from the Peter Hayden Survey.





various photos of water flow from wall during rain storm...water flow onto property and into catch basin...resulting silt and winter seepage from ...



17 2016

DEPARTMENT OF
PLANNING & ZONING



various photos of water flow from wall during rain storm...water flow onto property and into catch basin...resulting silt and winter seepage from , , , beneath the wall



RECEIVED

17 2010

DEPARTMENT OF



various photos of water flow from wall during rain storm...water flow onto property and into catch basin...resulting silt and winter seepage from



10/12/17
10/12/17
10/12/17

DEPARTMENT OF
PLANNING

Zoning Change of Use from Green Space to Parking could violate 2 Codes. (Please see attached pictures)



General view of south wall and west wall



Please refer to **Exhibit E**, the Warranty Deed from Book 126, p. 229 outlining the use of the Right of Way agreement granting access to piece of land in question.

490 333

WARRANTY DEED

③
MB

Received
and recorded in Vol. 490 19 9-16 at 2:30 P. M
of Burlington Land Records. on Page
Vermont Property Transfer Tax 32 V.S.A. Chap. 231
-ACKNOWLEDGEMENT-
Return, Certificate & Payment Received
Attest: *Ruth S. Stokes*
Ruth S. Stokes, City Clerk

KNOW ALL PERSONS BY THESE PRESENTS, that, I, SCOTT D. MANSFIELD
Burlington in the County of Chittenden and State of Vermont,
hereinafter Grantor, in the consideration of Ten and More Dollars
paid to my full satisfaction by STEPHEN AND SHARON LITWHILER of
Burlington in the County of Chittenden and State of Vermont,
hereinafter Grantees, by these presents, do freely GIVE, GRANT,
CONVEY AND CONFIRM unto the said Grantees, STEPHEN AND SHARON
LITWHILER, husband and wife, as tenants by the entirety, and their
heirs and assigns forever, a certain piece of land in Burlington in
the County of Chittenden and State of Vermont, described as
follows, viz:

Being two parcels of land with all improvements thereon
and being more particularly described as follows:

Being all and the same lands and premises conveyed to
Scott D. Mansfield by Limited Warranty Deed of Vermont
Federal Bank, FSB, dated February 9, 1993 and of record
in Volume 474, Pages 727-28 of the City of Burlington
Land Records and being more particularly described
therein as follows:

"Being two lots of land with all buildings thereon,
situated on the northeast corner of the intersection of
Colchester Avenue and Barrett Street, the buildings
thereon being known and designated as 485 Colchester
Avenue and 10-12 Barrett Street.

Parcel No. 1: A lot of land with all buildings thereon
situated on the northeast corner of the intersection of
Colchester Avenue and Barrett Street, the business and
apartment block thereon being known as Nos. 485-487
Colchester Avenue and Nos. 4-6-8-10-12 Barrett Street.
Said land is bounded on the west by Colchester Avenue; on
the south by Barrett Street, and is supposed to have a
frontage of 55 feet on said Colchester Avenue, a uniform
width of 55 feet, a frontage of 135 feet on Barrett
Street, and a uniform length of 135 feet.

Parcel No. 2: A lot of land situated on the easterly
side of Colchester Avenue, the garage building formerly
thereon being known as No. 491 Colchester Avenue, said
lot having a frontage thereon of 42.69 feet, a north line
of 52.08 feet, a rear or east line which runs

RECEIVED
OCT 17 2016
DEPARTMENT OF
PLANNING & ZONING

southeasterly for 18 feet, and then turns at an included angle of $140^{\circ} 33'$, then runs southerly 30 feet and a south line of 74.3 feet. Being the same land and premises (indicated as No. 491 Colchester Avenue) shown on a Plan of property of Sarkis Boyajian recorded in Volume 127 at Page 97 of the Burlington City Land Records. Included herein is a right of way to the rear of said premises to and from Mill Street (formerly known as Dubuc Lane) together with a right to back vehicles out of the building on said lane; also the right of ingress and egress to land along the north side of the herein premises for snow removal and rubbish removal and maintenance of the building on the herein land. And said land and premises are subject to the agreement that the owners thereof shall share the expense of cleaning out the catch basin whenever the same must be cleaned out, said expense to be shared with owners now or formerly of adjoining property, Sarkis Boyajian and Pariz Boyajian.

Being all and the same land and premises conveyed to Vermont Federal Bank, FSB by Warranty Deed in Lieu of Foreclosure from H.E. Pater Hayden dated November 25, 1992, of record in Volume 468 at Pages 622-633 of the Land Records of the City of Burlington. Also being all and the same lands and premises conveyed to H.E. Peter Hayden by Warranty Deed of Julia K. Melanson dated October 31, 1988, of record in Volume 390 at Page 648 of the Land Records of the City of Burlington.

Reference is hereby made to the above-mentioned instruments, the records thereof, and the references therein contained, all in further aid of this description."

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantees, STEPHEN AND SHARON LITWHILER, husband and wife, as tenants by the entirety and their heirs and assigns, to their own use and behoof forever;

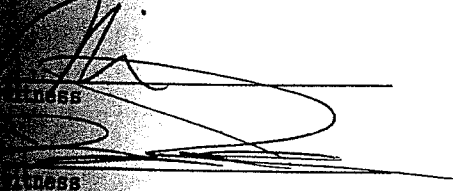
And I the said Grantor for myself and my heirs, executors and administrators, do covenant with the said Grantees and their heirs and assigns, that until the ensealing of these presents I am the sole owner of the premises, and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE; except as above stated and except current real estate taxes, municipal assessments and condominium charges, if applicable, on the herein conveyed real estate which shall be

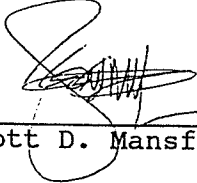
490 335

dated as of the date of this deed or the delivery hereof,
whichever shall occur later, and the Grantees herein shall be
liable for same thereafter; and I do hereby engage to WARRANT AND
defend the same against all lawful claims whatsoever, except as
above-stated.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 31
day of August, 1993.

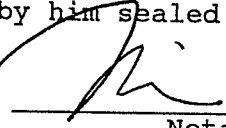
IN THE PRESENCE OF:


Witness


Scott D. Mansfield L.S.

STATE OF VERMONT
FINDEN COUNTY, SS.

At Burlington, in said County and State, this 31 day of
August, 1993, personally appeared Scott D. Mansfield and he
acknowledged this instrument, by him sealed and subscribed, to be
his free act and deed.

Before me, 
Notary Public

commission expires: 2/10/95

November 21, 2016

To: City of Burlington Development Review Board

Re: Request to reconsider decision to allow grandfathered nonconformity for 135 Hayward

We are writing to request that the Development Review Board reconsider its decision to grant the appeal of adverse zoning determination relative to duplex or triplex status for 135 Hayward St. The case was first heard on Tuesday, Oct 18, 2016 and the board held a special deliberative session on Monday, Oct 24, 2016.

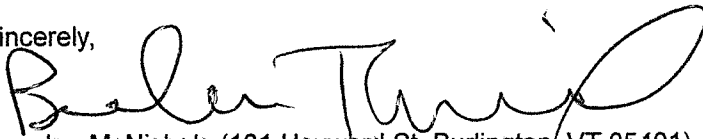
We believe that when the board heard the (admittedly confusing) case, it was not presented the full set of the facts. We further believe that, after hearing new evidence listed below, the picture will become much less confusing and the board will likely come to a different conclusion in the matter. The new evidence consists of at least the following items:

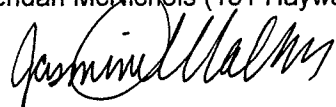
1. Signed affidavit from Danielle Patterson, who was a resident of the property at the time of the fire, and can provide information about the number of units at the property.
2. Signed affidavit from Edmund Spang, who was a resident of the property at the time of the fire, and can provide information about the number of units at the property.
3. The official Fire Marshal's report (prepared by Barry J. Simays, Fire Marshal for the Burlington Fire Department), which was a result of visual inspection of the burned property and interviews with both residents and owners of the property and states the number of units.
4. Documentation from US Postal Service declaring the number of separate mail deliveries to the property.
5. Photographic evidence confirming the number of mailboxes on the property.
6. Copy of the Burlington Free Press story about the fire at the property that states the number of units at the property.
7. Screenshot of marketing copy from the last time the property was sold taken from the website Zillow.com that states the number of units.

We hope that the DRB is convinced that it would be worth reviewing the above pieces of evidence to ensure that a correct decision is made with a more complete set of facts. However, if the DRB declines to reopen the case, we would like to ask that the 30-day appeal period be extended to allow for an appeal to the Vermont Superior Court Environmental Division. An extension is necessary due to an apparent clerical error in which the official DRB decision was not mailed in a timely manner to interested parties who testified at the original hearing.

Thank you for taking the time to consider this request.

Sincerely,

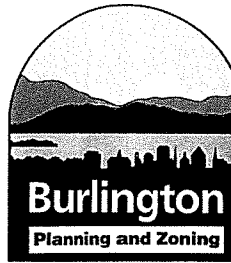

Brendan McNichols (131 Hayward St, Burlington, VT 05401)


Jasmine Walker (132 Hayward St, Burlington, VT 05401)

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk



TO: Development Review Board
FROM: Ryan Morrison
DATE: December 6, 2016
RE: 17-0455CA; 57 South Williams 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: RH Ward: 1E

Owner/Applicant: Vermont Organization for Jewish Education – Chabad of Vermont / Stewart Construction

Request: A two-level addition of approximately 5,500 sf to the west side of the existing building, to provide a new worship sanctuary on the upper level, with supporting spaces on the lower level, with new off-street parking, landscaping, and erosion prevention. Project also proposes a parking waiver.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking)

Background Information:

The applicant is requesting approval of a two-level addition to the existing Chabad Jewish Community Center, with associated off-street parking, landscaping, and erosion prevention. The supporting facilities on the lower level will include a library room, a small chapel, and offices. Washrooms will be included on both levels and be handicap accessible. The addition will not be internally connected to the existing facility.

The projected occupancy of the new addition is to be 100 occupants, with moveable seating and tables. 25 additional parking spaces will be added to the existing parking lot.

The existing building, constructed in 1884, is listed in both the State and National Register of Historic Places. It is listed as a contributing resource in the Main Street – College Street Historic District (National Register). Section 5.4.8 therefore applies.

The Design Advisory Board reviewed this application on November 9, 2016 and unanimously recommended the following:

1. The mechanical unit on the north side of the addition be indicated on the site plan, and that it be adequately screened with existing or proposed landscaping or screening; and

2. That approval be given to share parking off-site on neighboring property(s) in order to increase green space on-site.

Previous zoning actions for this property are noted below.

- **Zoning Permit 91-407;** Installation of sorority letters as signage on front façade of structure. Letters to measure 3'x6' overall. To be placed no higher than 12' above grade or the ceiling of the first floor, whichever is less. Approved June 5, 1991.
- **Zoning Permit 94-219;** Change of use from a 44 bed sorority to a membership club/church house. No exterior changes or signage included in this proposal. Approved November 9, 1993.
- **Zoning Permit 96-019;** Installation of a nonilluminated parallel sign, measuring 2.5H x 5.5L, for the existing fraternity. Approved July 18, 1995.
- **Zoning Permit 97-598;** Construction of a rear addition behind the rehabilitated former fraternity for a total of 26 residential units. Approved July 10, 1997.
- **Zoning Permit 97-071MA;** Review under Major Impact Development and Inclusionary Housing for a residential project consisting of 26 units. Approved June 16, 1997.
- **Zoning Permit 99-008CU;** Conditional use to convert an existing non-conforming use into a dormitory. Approved November 16, 1998.
- **Zoning Permit 99-046;** Conversion of the existing fraternity into a dormitory with a religious component. Proposal includes renovations to the existing structure. Any additions to the structure are under a separate permit. Approved July 23, 1998.
- **Zoning Permit 99-008A-CU;** Amend conditions of approval of November 2, 1998 to allow for an expanded parking area for the approved uses. Approved September 11, 2000.
- **Zoning Permit 00-656;** Amend previously approved phase 1 site plan to include construction of a handicapped access ramp on the south side of the existing dormitory with a religious component. Approved June 27, 2000.
- **Zoning Permit 09-573CA;** Rebuild entry railing, steps and porch floor, to amend previous permit. Approved June 4, 2009.
- **Non-Applicability of Zoning Permit 10-0298NA;** Interior work, no change of use. Approved September 23, 2009.
- **Zoning Permit 10-0306CA;** Replace existing sidewalk and railings, add lighting. Approved October 21, 2009.
- **Zoning Permit 10-1016CA;** Convert some dorm space to an apartment. Also install dryer and hood vents on outside wall. No site changes proposed. Approved June 11, 2010.
- **Non-Applicability of Zoning Permit 13-0931NA;** Addition of three bathrooms, interior work only. Approved April 11, 2013.

Recommendation: Certificate of Appropriateness Approval as per, and subject to, the following findings and conditions.

I. Findings

Article 3: Applications, Permits, and Project Reviews

Part 3, Impact Fees

Section 3.3.2 Applicability

Any new development or additions to existing buildings which result in new dwelling units or in new nonresidential buildings square footage are subject to impact fees as is any change of use which results in an added impact according to Section 3.3.4.

Impact fees shall apply. From information submitted by the applicant, the following draft calculation is offered:

SF of Project	5,644	
<u>Offices & Other</u>		
Department	Rate	Fee
Traffic	0.658	3,713.75
Fire	0.193	1,089.29
Police	0.341	1,924.60
Parks	0.407	2,297.11
Library	0.000	0.00
Schools	0.000	0.00
Total	1.599	\$ 9,024.75

Affirmative finding as conditioned.

Section 3.3.8 Time and Place of Payment

(b) Existing Buildings: *Impact fees must be paid... if a building permit is required, within thirty (30) days of issuance of the building permit.* **Affirmative finding as conditioned.**

Article 4: Zoning Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(5) Residential High Density (RH)

The Residential High Density (RH) district is intended primarily for high density attached multi-family residential development. Development is intended to be intense with high lot coverage, large buildings, and buildings located close together. Parking is intended to be hidden either behind or underneath structures.

The subject property is located in the RH zone. A 'Place of Worship' in the RH zone is listed as a permitted use in Appendix A – Use Table – All Zoning Districts. **Affirmative finding.**

(b) Dimensional Standards and Density

The density and intensity of development, dimensions of building lots, the height of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.5-1 Minimum Lot Size and Frontage: RL, RL-W, RM and RM-W

Footnote 2: *There are no minimum lot size or frontage requirements in the RH District.*
Not applicable.

Table 4.4.5-2 Base Residential Density High Density: RH 40 units/acre

59,626 / 43,560 (acre) = 1.368 acres.

8 units / 1.368 = 5.85 units per acre; well below the 40 unit/acre requirement. **Affirmative finding.**

Table 4.4.5-3 Residential District Dimensional Standards

Maximum Lot Coverage – 80%

Setbacks: Front – Average of 2 adjacent lots on both sides +/- 5 feet; Side – 10% of lot width or ave. of side yard setback of 2 adjacent lots on both sides, maximum of 20'; Rear – 25% of lot depth but in no event less than 20', maximum of 75'.

Maximum Height – 35 feet

The finished project will result in 54% in total lot coverage. No change to the front setback is proposed. The 143' wide lot results in a minimum side yard setback requirement of 14.3'. The smallest side yard setback for both the existing building and proposed addition is 24'. The 372' deep lot results in a minimum rear yard setback of 93'; however it will be the maximum setback requirement of 75' that will apply. The addition will be setback approximately 176' from the rear property line. Maximum building height of the addition will be 28' 3 1/2". **Affirmative finding.**

(c) Permitted & Conditional Uses

'Place of Worship' is listed as a permitted use in the RH zoning district. **Affirmative finding.**

(d) District Specific Regulations

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable.

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) above.

Sec. 5.4.8 Historic Buildings and Sites

(b) Standards and Guidelines:

The following development standards, following the Secretary of the Interior's Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions.

or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

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 use of the existing building will remain as is – a Jewish Community Center, which includes a synagogue, preschool, as well as 8 apartments. Uses within the new addition will be associate to the community center.

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.*

No alterations to the existing structure are proposed. With the proposed addition, the character of the property will remain consistent with the overall use. The addition will house uses associated with the existing Jewish Community Center/synagogue. The proposed addition, which will be attached to the rear of the existing historic building, has been designed to be sensitive to the existing building's character without overwhelming the scale and massing of the overall structure.

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.*

No conjectural features are proposed.

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

The only alteration to the existing historic structure will be the attachment of the proposed addition to the rear. The rest of the structure will remain unchanged.

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

The existing historic structure will not be altered as a result of this proposal; with the exception of the attachment of the new addition to the existing building's rear.

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.*

There are no plans for any repair or replacement work to take place on the existing structure.

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.*

None proposed.

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

None identified.

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 new addition is compatible, and inferior to, the size, scale and character of the existing historic structure. Materials differ from those on the existing structure. The 2.5 story, 5x 2 bay, brick veneer historic structure dominates the street edge. In fact, with the addition being located at the rear of the existing structure, it will be difficult to view from the public street. The addition will have a gable roof, running in a line consistent with the directional length of the overall structure. The historic structure consists of various features, including a double peaked, hip roofed main block, five chimneys with corbelled caps, a main entry sheltered beneath a projecting entry porch fronted by an oversized, gable parapet with feet and an arched, stone faced portal. Windows are both paired and single, all 1/1 sliding sash with segmentally arched top sash, projecting marble sills, and segmental arched, rockfaced stone arches. A one story, shed roofed porch on the south side also exists.

The new addition will consist of a common bond brick rainscreen siding on the south and west facing, 2nd level facades. The 2nd level north façade will have color metal rainscreen siding. The new roof material will be metal standing seam. As designed, the historic integrity of the property will remain undamaged.

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.*

It would be possible to remove the proposed new addition, however unlikely.

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. **Affirmative finding.**

Sec. 5.5.2, Outdoor Lighting

The proposed site plan (sheet C-2) and the 'Upper Level' plan (sheet SK-1) show the location of 4 proposed freestanding, outdoor area, LED light fixtures. Fixture locations are noted in front of the main entrance (2), and one each to the east and west of the main entrance, along the north side of the expanded parking area. Cutsheets have been provided for the freestanding lights, and depict acceptable cutoff lighting fixtures. Recessed lighting under the building's eaves is proposed as well, and should be adequately 'cutoff'. The freestanding lights are acceptably mounted at approximately 12'. The uniformity ratios (maximum : average illumination) are acceptable. The submittal includes a photometric plan for the freestanding lights, which shows illumination levels above the 4.0 maximum footcandle allowance in 2 locations at the front of the main entrance. However, under subsection (f), LED lighting can be considered an exception to the lighting

regulations of Section 5.5.2. Specifically, LED lighting is listed as one example of new technology that has energy saving properties, and is encouraged.

With regard to the recessed lighting, the applicant will need to submit information demonstrating compliance with Sec. 5.5.2 (f) (9) – Lighting of Building Facades. Specifically, the lighting of building facades may be allowed for buildings of religious or cultural significance, subject to 6 requirements listed therein. **Affirmative finding as conditioned**

Sec. 5.5.3, Stormwater and Erosion Control

The proposal will see an increase of 7,500 sf in impervious surfaces. The applicant proposes to construct a stormwater detention basin on the western edge of the property to reduce runoff. Catch basins will be located in the rear of the parking area, and to the north of the proposed playground location, and will route stormwater to the stormwater detention pond in the rear of the property.

An erosion prevention and sedimentation control plan has been submitted (sheet C-3), and identifies erosion control matting in areas of soil disturbance on steeper sections of the property. **(Affirmative finding)**

Article 6: Development Review Standards:

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

The property does not contain any important natural features as identified in the Open Space Protection Plan or as outlined in Sec. 4.5.4, *Natural Resource Protection Overlay Districts*.

Affirmative finding.

(b) Topographical alterations

The site has a steady east-to-west downslope, with an elevation ranging from 308' to 280' above sea level. The project will see an excavated area for the new building addition's footprint. Expansion of the existing parking area, to accommodate a total of 36 onsite parking spaces, is also proposed. Overall, the entire parking area will be paved with asphalt. Additional grading will occur immediately to the west of the expanded parking area to create a smoother downslope to the future stormwater detention basin/pond. **Affirmative finding.**

(c) Protection of important public views

There are no significant public views from or through the subject property. The proposed construction will not adversely impact any identified public view corridor. **Affirmative finding**

(d) Protection of important cultural resources

The existing building is listed on both the National and State Registers of Historic Places, and is a contributing resource in the Main Street – College Street Historic District. Under Sec. 5.4.8, new additions to historic buildings are to be constructed in a manner that will preserve historic materials, features, and spatial relationships that characterize the property. The new work will differentiate from the historic building, and be compatible with the historic materials, features, size, scale, proportion, and massing. See Sec. 5.4.8 above. **Affirmative finding.**

(e) Supporting the use of alternative energy

The applicant proposes to place photovoltaic panels on the addition's south-facing rooftop. **Affirmative finding.**

(f) Brownfield sites

The property is not an identified brownfield. **Affirmative finding.**

(g) Provide for nature's events

Overall, the project will see a total lot coverage of 22,600 sf, a 6,600 sf increase to the existing 16,000 sf of lot coverage (from 26.8% to 37.9%). Currently, stormwater runoff at the eastern portion of the lot drains to the property lines, all other runoff drains to the backyard where there is room for infiltration. With the proposed building addition and expanded parking area, impervious area will increase. The applicant proposes to construct a stormwater detention basin on the western edge of the property to reduce runoff.

On the addition's south side, facing the parking area, the main entrance vestibule will provide a sheltered entrance. Two secondary entrances, one each on the north and south sides of the upper level are also proposed. The only shelter for the lower, ground level entrance is the roof overhang, approximately 23 ft above. Ample room remains onsite for seasonal snow storage. **Affirmative finding.**

(h) Building location and orientation

The new addition will locate on the rear of the existing building. It will be difficult to see from South Williams Street. The main entrance to the addition will face the parking area to the south. Also on the south wall of the addition is an ADA accessible entrance door that provides direct access to an internal elevator. **Affirmative finding.**

(i) Vehicular access

As with existing conditions, vehicular access will be provided from South Williams Street. The site currently has a driveway that wraps around the existing building, with two access curb cuts onto South Williams Street. The proposal will see the removal of the northernmost driveway, which is currently only used for exit purposes. The southernmost driveway entrance will continue to serve the property. Parking spaces line the south side of the driveway. Additional parking spaces will locate on the opposite side of the driveway, adjacent to the existing building and proposed addition. A distance of 20 ft separates these parking rows. Turnaround space will be provided at the rear of the driveway/parking area. **Affirmative finding.**

(j) Pedestrian access

Pedestrian access to the existing, primary building is provided via a walkway from the public sidewalk to the front entrance. The existing building has additional accesses on the south side that are accessed by pedestrians from the driveway/parking area. The current proposal will see a new walkway between the driveway/parking area and the existing/new building. The new walkway will be elevated above the driving surface. **Affirmative finding.**

(k) Accessibility for the handicapped

A pair of handicap parking spaces is depicted near the primary building entrance, and secondary entrance that happens to provide direct access to the internal elevator. Entries into the building appear to be at-grade. It is the applicant's responsibility to comply with all applicable ADA requirements. **Affirmative finding.**

(l) Parking and circulation

Parking spaces and circulation aisles appear to be dimensionally compliant. Parking spaces are 9' X 20', and circulation isles are 20' wide allowing for 10' wide travel lanes. Back-up distance is slightly substandard at 20', whereas 24' is the standard for 90-degree spaces. Some variation from this standard is permissible per Sec. 8.1.11, *Parking Dimensional Requirements*.

Curbing is proposed along all edges of the parking area. Landscaping along the periphery also serves to delineate the boundaries of the parking and circulation area.

The proposed parking lot will require shade trees. This criterion establishes a target of 30% shading of the parking area with new shade trees. At least 1 shade tree for every 5 parking spaces is required. Overall the parking lot will contain 36 parking spaces and will require 8 shade trees. As proposed, 10 new trees will be planted around the parking lot. Minimum caliper size at the time of planting must be 2.5" – 3.5." As proposed, caliper size is compliant. A mature canopy diameter of at least 25' is needed. Canopy information provided denotes compliance, and the applicant has provided a parking lot shading analysis, depicting 31% shading at maturity.

Bike parking information has been provided. A 12-space bike rack will be provided amid the southern row of vehicular parking, across from the existing building's side entrance. Enclosed long term bike parking facilities will need to be provided, along with associated shower and locker facilities. **Affirmative finding.**

(m) Landscaping and fences

A comprehensive landscaping plan has been submitted and encompasses a diversity of plantings. Some vegetation will be removed as a result of this proposal. However, the applicant has submitted a landscape plan intended to create a continuous green space that stretches across the west side of the property and wraps to the north and south to connect neighboring green spaces. New plantings will help to screen surface parking from the neighboring property. It will also be used to create a "park like feel" to the property. Species and planting size information have been provided. **Affirmative finding**

(n) Public plazas and open space

No public plazas or open spaces are included in this proposal. **Affirmative finding**

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

All new utility lines must be buried. A heat-pump system is proposed that will have an outdoor mechanical unit. The location of this unit, as well as any other mechanical units, must be identified on the site plan. Mitigating and screening measures must be taken to minimize auditory and visual impacts from the public street and adjacent properties. A trash/recycling area is identified on the site plan at the rear of the parking area. This area will have to be enclosed on 4 sides so as to prevent blowing trash, and screened from public view. **Affirmative finding as conditioned**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The proposed addition is approximately a 1/3 of the size of the existing building. Additionally, because it will be attached to the rear of the existing 2 ½ story, 96' deep structure, it will be difficult to view from the public street. The proposed scale of the overall structure, including the proposed addition, will be within the context of other existing buildings in the area, particularly the multifamily buildings located on either side of the subject property. At a height of 28' 3 ½" above the south side grade, the 2-story addition will be approximately half the height of the existing structure. The overall building, including the proposed addition, is quite small in size when compared to the nearby apartment complexes. **Affirmative finding**

2. Roofs and Rooflines

The addition will have a gable roof, topped with standing seam metal roofing. The proposed gable roof differs from the double peaked, hip roof of the existing structure. Photovoltaic panels are also proposed to locate on the southern roof face. **Affirmative finding**

3. Building Openings

The proposed addition exhibits two fenestration patterns. The upper level fenestration includes tall casement/awning window styles in a manner consistent with that of a community gathering space or place of worship. The lower level fenestration includes a mix of awning and double-hung windows in a manner consistent with that of a daylight basement mixed-use space. Fenestration throughout is appropriately scaled and suited to its intended purpose. The addition's front entry is a projecting, non-insulated vestibule, walled with ¼ inch glazing, and aluminum clad doors. A split staircase inside the vestibule will provide access to both levels. **Affirmative finding**

(b) Protection of important architectural resources

See 6.2.2 (d) above. The existing building is listed on both the National and State Registers of Historic places, and is a contributing resource in the Main Street – College Street Historic District. No alterations will occur to the existing historic structure by way of this permit. Under Sec. 5.4.8, new additions to historic buildings are to be constructed in a manner to preserve historic materials, features, and spatial relationships that characterize the property. The new work will differentiate from the historic building, and be compatible with the historic materials, features, size, scale, proportion, and massing. See Sec. 5.4.8 above. **Affirmative finding**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

The addition is locating at the rear of the existing building. No changes to the street edge are proposed. Not applicable.

(e) Quality of materials

Exterior cladding will consist of common bond brick rainscreen on the south and west facades of the upper level, and color metal rainscreen siding on the north façade. Cladding on the lower level will consist of a lightweight concrete finish. The roof will be a standing seam metal roof. The application does not specify the type of exterior cladding that will be used above the secondary

entrances on the upper level. It appears that it will be color metal rainscreen. The applicant proposes aluminum clad wood awning windows on the upper floor, and a mix of aluminum clad wood awning and double-hung windows on the lower floor. The proposed materials are acceptable for new construction. **Affirmative finding**

(f) Reduce energy utilization

As noted previously, the applicants are seeking to utilize energy efficient technologies for heating and cooling. A heat pump is included in the proposal. Additionally, the applicant proposes to install photovoltaic panels on the south-facing rooftop. Current city and state energy efficiency standards must be adhered to. **Affirmative finding**

(g) Make advertising features complimentary to the site

The elevation drawing depicts a sign over the main entrance vestibule. It is noted on the plans that this sign will require a separate zoning permit. The sign appears to comply with signage regulations of Article 7. **Affirmative finding as conditioned**

(h) Integrate infrastructure into the building design

The project plans do not depict mechanical unit locations. The submittal includes spec sheets for a heat pump. Heat pump mechanical units are typically located outside. The applicant must locate the unit in a location and manner that both mitigates and screens its auditory and visual impact from neighboring properties and the public street. All new utility lines will have to be buried. **Affirmative finding as conditioned**

(i) Make spaces safe and secure

All building entries will be illuminated. Adherence to applicable building codes will be required. **Affirmative finding as conditioned**

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The property is located in the Neighborhood Parking District. The applicant has provided a parking management plan that tallies the total number of spaces needed based on the various uses within the property.

Use	Number/size	Spaces Required / Use	Total Spaces Req'd
Apartments	8 units	2	16
Office Space	956 sf	2 / 1,000 sf	2
Preschool > 20 children (per 2 employees)	33 children / 10 staff	1 plus 1 per 5 children	12
Synagogue	80 seats	1 / 4 seats	20
Library	485 sf	1.3 / 1,000 sf	1
Total new parking spaces required			51

The proposed site plan includes 36 parking spaces. The applicant is requesting the DRB to consider a parking waiver, as allowed under Sec. 8.1.15 (below). **Affirmative finding**

Sec. 8.1.15, Waivers from Parking Requirements/Parking Management Plans

Parking waivers cannot exceed 50% of the required number of parking spaces. The applicant has provided a parking management plan in support of a 17-space parking waiver. This plan relies on shared parking spaces, the fact that Orthodox Sabbath Laws generally preclude members of the synagogue from driving on the Sabbath, and the availability of off-site parking across South Williams Street. A CCTA bus stop is located approximately 600 feet from the property, making public transportation another option for access to the property. Required onsite bike parking facilities will be provided.

The parking management plan asserts that the apartments require their parking spaces (16) to be available at all times. Other business and events occur at specific times. The preschool operates weekdays from 8am to 5pm. The Rabbi and his staff have weekday hours from 9am to 4pm. The weekly Sabbath brings the whole congregation together for worship. However, the members of the synagogue walk to the building rather than drive their cars. Other events, such as adult education classes, are held in the afternoons or evenings, generally from 7pm to 8:30pm. When considering shared parking, the parking management plan reasonably demonstrates how the various uses can effectively use the 36 parking spaces.

As for all parking waivers, the applicant should be prepared to report back to the Department of Planning & Zoning every year for 3 years following construction with a summary of actual parking demands. **(Affirmative finding as conditioned)**

Sec. 8.2.5, Bicycle Parking Requirements

A bike rack will be provided along the south property line, near the existing building's side entry. The rack can hold 12 bikes. The minimum number of short term bike parking spaces required is just 5. Enclosed long term bike parking facilities will have to be provided as part of the development, with associated shower and locker facilities. Based on the various uses, the minimum number of long term bike parking spaces required is 5 spaces. The number of interior long term spaces is not evident. Confirmation of at least 5 spaces, and 1 shower/changing facility, is needed. **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. **Within 30 days of issuance of the building permit**, impact fees based on the net new building square footage shall be paid to the Department of Planning & Zoning or to the Clerk / Treasurer's Office.
2. **Prior to release of the zoning permit**, revised project plans shall be submitted, subject to staff review and approval. Revisions shall contain:
 - a. The mechanical unit proposed to locate on the north side of the addition, with associated screening;
 - b. Confirmation of, or plans for, at least 5 compliant long-term bike parking spaces on the property;
 - c. Cutsheets for the exterior recessed lighting below the eaves; and
 - d. Full screening of the trash/recycling area.

3. **Prior to release of the zoning permit**, the applicant shall receive written verification of adequate wastewater capacity from the Department of Public Works.
4. **Report back every year for the next 3 years with information on parking demand/data.**
5. Final approval of the post-construction stormwater management system and the erosion prevention and sediment control plan by the city's stormwater program staff is required.
6. A State of Vermont wastewater permit is required.
7. All new utility lines shall be buried.
8. It is the applicant's responsibility to comply with all applicable ADA requirements.
9. All new construction is required to 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.
10. Any signage will require a separate sign permit.
11. Standard Conditions 1-15.



Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415
Phone: (802) 865-7188
Fax: (802) 865-7195

www.burlingtonvt.gov/pz

RECEIVED
OCT 06 2016

DEPARTMENT OF
PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 57 South Williams Street

PROPERTY OWNER*: Vermont Organization for Jewish Education - Chabad of Vermont

*If condominium unit, written approval from the Association is also required

APPLICANT: Stewart Construction

POSTAL ADDRESS: 57 South Williams Street

CITY, ST, ZIP: Burlington, VT 05401

DAY PHONE: (802) 658-5770

EMAIL: chabadofvt@gmail.com

SIGNATURE: y. Bor

I am the owner. In addition, I duly authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.

POSTAL ADDRESS: 24 Pearl Street

CITY, ST, ZIP: Essex Junction, VT 05452

DAY PHONE: (802) 879-0500 Don Stewart

EMAIL: info@stewart-construction.com

SIGNATURE: [Signature]

Description of Proposed Project: The Project is to be a two-level addition of approximately 5500 square feet to the west side of the existing building. It is to provide a new worship sanctuary on the upper level, with supporting spaces on the lower level, with new off-street parking, landscaping, and erosion prevention.

Existing Use of Property: ☐ Single Family ☐ Multi Family: #___ Units ☐ Other: Religious Activity

Proposed Use of Property: ☐ Single Family ☐ Multi Family: #___ Units ☐ Other: Religious Activity

- **Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled?** Yes ☒ No ☐
(If yes, the Vermont Residential Building Energy Standards (VRBES) apply. Visit the P&Z Office, Public Service Board or PSB website for details)
- **Will 400 sq ft or more of land be disturbed, exposed and/or developed?** Yes ☒ No ☐
(If yes, you will need to submit the 'Erosion Prevention and Sediment Control Plan' questionnaire, with a site plan)
- **For Single Family & Duplex, will total impervious area be 2500 sq ft or more?** Yes ☒ No ☐
(If yes, you will need to submit the 'Stormwater Management Plan' questionnaire, with a site plan)
- **Are you proposing any work within or above the public right of way?** Yes ☐ No ☐
(If yes, you will need to receive prior approval from the Department of Public Works)

Estimated Construction Cost (value)*: \$ 1,800,000.00

(*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only: Zone: R4 Eligible for Design Review? 4 Age of House 1884 Lot Size 5962

Type: SN___ AW___ FC___ BA___ COA 1___ COA 2 ☒ COA 3___ CU___ MA___ VR___ HO___ SP___ DT___ MP___

Check No. 017826 Amount Paid \$3710 Zoning Permit # 14-0455A

RECEIVED
OCT 05 2016

DEPARTMENT OF
PLANNING & ZONING

Chabad of Vermont
Synagogue and Jewish Center
57 South Williams Street
Burlington, Vermont

This project proposes to construct a two-level addition to the existing facilities at 57 South Williams Street creating a new sanctuary space on the upper level, with support facilities on the lower level, including a library room, small chapel, and support offices. Both levels will have washroom facilities and will be handicap accessible. The addition will not be internally connected to the existing facility.

The existing facilities will not change in the scope of this project. Existing spaces may be renovated at a later date.

The projected Occupancy of the new addition is to be 100 occupants, with moveable seating and moveable tables. The additional parking requirements for this assembly occupancy is to be 25 cars in addition to the current number of cars allowed.

The Drawings Included are the following:

SK-1 through SK-8 – Architectural Design
C-1 through C-5 – Civil Engineering Design
Landscape Plan
Stormwater Details
Miscellaneous Cut Sheets and Material Specifications

The following are some current photographs of 57 South Williams Street



Williams Street Entrance

RECEIVED

OCT 06 2016

DEPARTMENT OF
PLANNING & ZONING



Current Side Entrance

RECEIVED
OCT 06 2016

DEPARTMENT OF
PLANNING & ZONING



Current Rear of Building – South Elevation



Current Rear Slope of Site

RECEIVED
OCT 06 2016

DEPARTMENT OF
PLANNING & DEVELOPMENT

ELVORON CPL

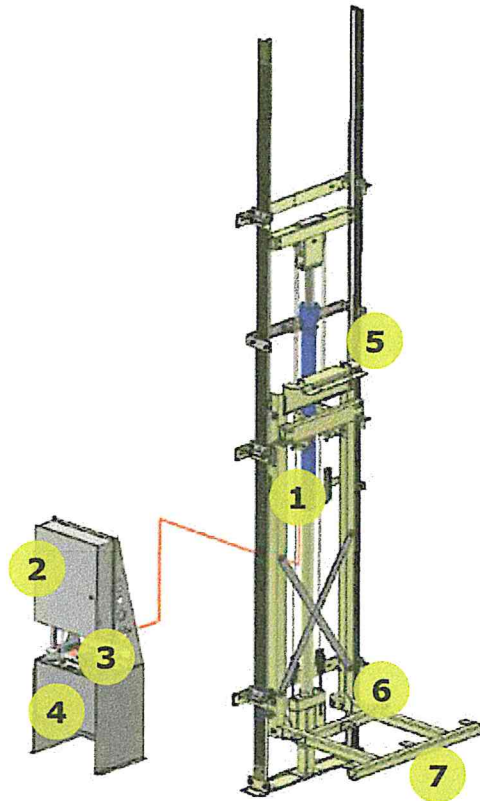
COMMERCIAL PLATFORM LIFT



Vertical platform lift with a full height cab



DRIVE SYSTEM



- 1** 1:2 Cable Hydraulic Drive
- 2** Computerized (PLC) controller has an emergency backup power system for lowering in the event of power failure.
- 3** Two-speed hydraulic control valve provides smooth, comfortable starting and stopping.
- 4** Submersed hydraulic pump and motor ensures quiet operation.
- 5** Sturdy 8 lbs per foot elevator guide rail system ensures a smooth, quiet ride
- 6** Heavy duty cantilevered car support sling provides capacity of up to 1,400 lbs (635 kg).
- 7** Recommended pit depth is 9-1/4" (235 mm). Higher capacity and wider cars require a 12" (305mm) pit depth.

WALL FINISHES

Laminate



Melamine



RECEIVED
OCT 06 2016
DEPARTMENT

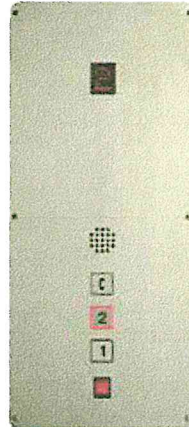
FINISHES

Entrance Doors



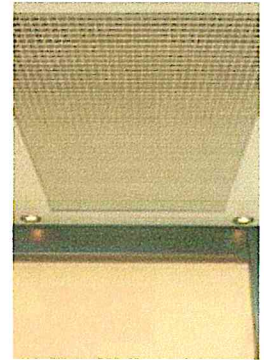
The CPL is equipped with fire rated swing doors that are fitted with electro-mechanical interlocks. This allows the doors to open only when the car is at the landing. The doors also include a vision panel and UL listed 2-speed closer with adjustable back-check cushioning (meets ADA requirements). Optional power door operators are also available. CPL doors are supplied with a primer finish.

Car Operating Panels (COP)



All CPL cars are controlled by constant pressure button operation as required by national safety codes. The COP includes a digital floor display, floor selection buttons and emergency stop alarm/button. Floor selection buttons can be fitted with numbers or letters. Ensure passenger safety and security with an optional hands-free telephone.

Ceiling & Lighting



The CPL features a unique egg crate style ceiling as required by national safety codes. The perimeter of the ceiling is fitted with 4 low voltage L.E.D. lamps that illuminate automatically.

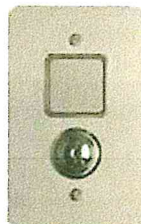
Handrails



Brushed
Stainless Steel

All CPL cars are equipped with one handrail on the control wall. Additional handrails can be mounted for extra passenger safety.

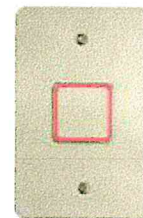
Keyed Hall Station



Brushed
Stainless Steel

For increased safety and security, an optional key switch allows the entire elevator to be deactivated. Key switches can be custom designed to deactivate only certain hall stations or to control access to certain floors.

Hall Stations



Brushed
Stainless Steel

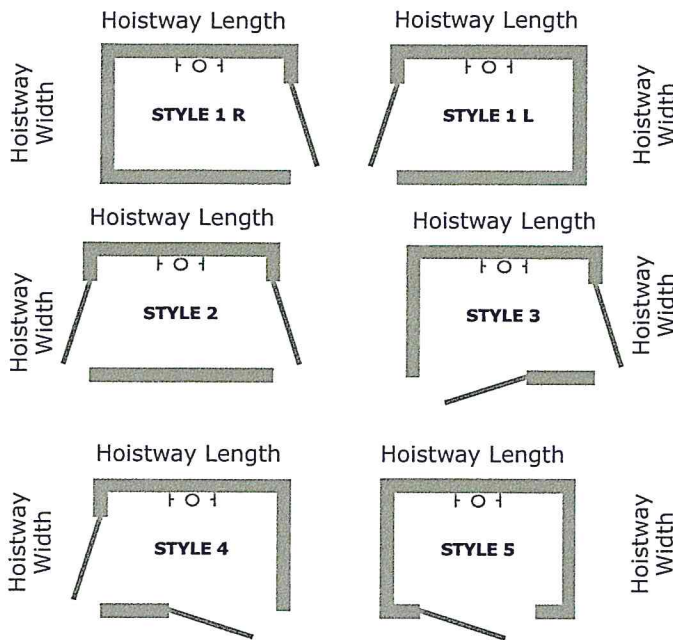
Hall station buttons illuminate when pushed. The push buttons are made of stainless steel for maximum durability.

RECEIVED
OCT 06 2016

DEPARTMENT OF
PLANNING & ZONING

ENTRY & EXIT CONFIGURATIONS

Vertical Platform Lifts Warning: Local code authorities may have a limit on travel, capacity, car sizes and speed. Contact Garaventa Lift before starting your project.



SPECIFICATIONS

Rated Load: Standard 750 lbs (340 kg) or 1,000 lbs (455 kg) | Optional 1,400 lbs (635 kg)

Speed: 30 ft/min (0.15 m/s) nominal speed | Optional 36 ft/min (0.18 m/s)

Power Supply: Elevator: Standard 208 VAC 3 phase | Optional 230 VAC single phase | Lighting: 110 VAC single phase, 15 amps

Safety Features: Emergency battery lowering | Emergency manual lowering valve | Safety brake system | Automatic bi-directional floor levelling | Emergency stop and alarm button in car | Final limit switch

Travel Range: CSA B355: 23 ft (7.0 meters) | A18.1: 14ft (4.2 meters) | Optional (where permitted) 50 ft (15.2 meters)

Code Compliance: ASME A18.1 | CSA B355 & B613

Popular Options: Automatic door operators | Integrated hands free telephone | Custom car finishes | Additional handrails | Buffer springs (increases your pit depth)

Warranty: 2 year standard warranty | Optional additional 5 year extended warranty (7 years)

HOISTWAY DIMENSIONS

	Style 1L & 1R	Style 2	Style 3 & 4	Style 5
Car Size - 36 x 60				
Hoistway Width	53 3/4	53 3/4	54 3/8	54 3/8
Hoistway Length	63 5/8	61 1/4	66 1/8	66 1/4
Car Size - 42 x 60				
Hoistway Width	59 3/4	59 3/4	60 3/8	60 3/8
Hoistway Length	67 5/8	69 1/4	70 1/8	66 1/4
Car Size - 48 x 60				
Hoistway Width	65 3/4	65 3/4	66 3/8	66 3/8
Hoistway Length	67 5/8	69 1/4	70 1/8	66 1/4

For design assistance:

(800) 663-6556 | garaventlift.com

© Garaventa Lift. As we are continuously improving our products, specifications outlined in this brochure are subject to change without notice. Due to the nature of the printing process, colors shown in the brochure may not be an accurate representation of the actual product.

37158-O-PB-EN



RECEIVED
OCT 06 2016

Authorized Garaventa Lift Representative
DEPARTMENT OF
PLANNING & ZONING

RECEIVED

OCT 06 2016

DEPARTMENT OF
PLANNING & ZONING



United States ▾

For Customers

Locate a Sales Office

Product Literature

Search



TRANE

PRODUCTS AND SYSTEMS

CONTROLS

SERVICES

PARTS & SUPPLIES

MARKETS

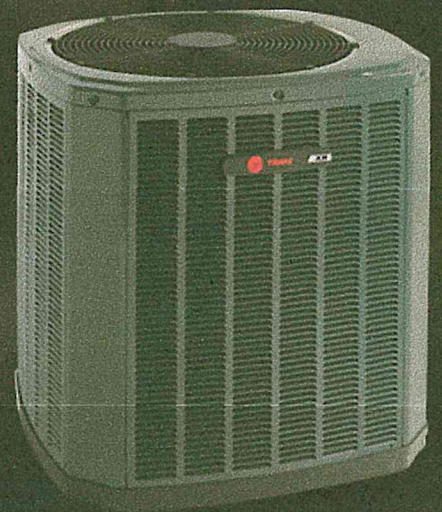
ABOUT US



> Products and Systems > Equipment > Unitary > Split Systems > Split Systems 1.5 to 5 Tons

Split Systems

1.5 to 5 Tons



Overview

Tech Specs

Literature

Resources



Locate Your Sales
Office



Locate a Parts Store

4TWR3	018, 024, 030, 036, 042, 048, 060	1-phase	▶ Cooling
4TWR5	018, 024, 030, 036, 042, 048, 049, 060, 061	1-phase	
4TWR6	024, 036, 048, 060	1-phase	
4TWR7	024, 036, 048, 060	1-phase	
4TWB4	018, 024, 030, 036, 042, 048, 060	1-phase	
2TWB3	018, 024, 030, 036, 042, 048, 060	1-phase	

Split System Air Handlers



Split Systems Cooling



Split System Furnaces



Split System Coils



Related



Equipment



Controls



Services



Education & Training

RECEIVED
OCT 08 2013
DEPARTMENT OF
PLANNING & ZONING

PARKING MANAGEMENT PLAN

**ADDITION TO THE CHABAD JEWISH COMMUNITY CENTER
57 SOUTH WILLIAMS STREET
BURLINGTON, VERMONT**

57 South Williams Street is a historic single family home that was converted to a fraternity by the addition of a 3 story, 5400sf addition. Chabad uses it as a community center, including a preschool, synagogue, offices and apartments. The building also supports student and adult education.

The addition, which will consist of a larger synagogue, additional offices, accessibility space, a library and some alternate meeting space will not substantially alter the current use of the building. The addition is not internally connected to the existing building.

The breakdown of the current use and the new use is as follows, with explanations:

CURRENT USE	SIZE	NEW USE	SIZE
<u>Preschool</u>	4683sf	<u>Preschool</u>	4683sf

The preschool currently uses the entire lower level of the building, except for mechanical spaces, circulation areas, and a laundry. It will continue to occupy the same space.

<u>Synagogue</u>	40 occupants/663sf	<u>Synagogue</u>	80 occupants/3175sf
------------------	--------------------	------------------	---------------------

The new synagogue space includes a larger worship area, storage, bathrooms, a small kitchen, and an area for communal eating.

<u>Offices</u>	438sf	<u>Offices</u>	956sf
----------------	-------	----------------	-------

There are currently 4 small offices in the original single family home, all on the 1st floor. They will remain as office. There will be 2 new offices, totaling 518sf on the 1st floor of the addition.

<u>Apartments</u>	8 apartments/4464sf	<u>Apartments</u>	8 apartments/4464sf
-------------------	---------------------	-------------------	---------------------

The 2nd and 3rd floors of the original single family home have been converted to apartments. No changes are planned.

<u>Education</u>	1638sf	<u>Education</u>	1638sf
------------------	--------	------------------	--------

The current education space is used once or twice per week for classes, either after school or in the evening. It occupies the 2nd floor of the addition. No changes are planned.

CURRENT USE	SIZE	NEW USE	SIZE
<u>Library</u>	0sf	<u>Library</u>	485sf

The library is currently in the synagogue. It will have a stand alone space on the 1st floor of the addition.

<u>Daily Chapel</u>	0sf	<u>Daily Chapel</u>	785sf
---------------------	-----	---------------------	-------

Twice weekly congregants gather to pray together. Currently they meet in the synagogue. The Chapel area will be on the 1st floor.

Multi purpose room	0sf	Multi purpose room	663sf
--------------------	-----	--------------------	-------

The existing synagogue space will be used seasonally for summer programs and special workshops.

A) CALCULATION OF PARKING SPACES REQUIRED

CURRENT REQUIREMENTS

Use	Number/use	Spaces required/use	Total
Apartments	8	2	16
Office	less than 1000sf	2 per 1000sf	2
Preschool	33 children	1, plus 1 per 5 children	8
Synagogue	40 seats	1 per 4 seats	10
Total current parking spaces required			34

NEW REQUIREMENTS

Use	Number/use	Spaces required/use	Total
Apartments	8	2	16
Office	956sf	2 per 1000sf	2
Preschool	33 children	1, plus 1 per 5 children	8
Synagogue	80 seats	1 per 4 seats	20
Library	1.3	1.3	1

Total new parking spaces required

~~52~~ ~~51~~ per PM

*Though the Office requirement is based on 1000sf/2 people, they have 5 offices.

**In discussions with the Preschool staff they indicated 10 was a normal number of staff on duty during the day.

B) PARKING USE NARRATIVE

The apartments require their parking spaces to be available at all times. All other events at the community center occur at specific times:

- The preschool operates weekdays from 8am to 5pm. It has no evening, weekend, holiday, or special event functions
- The Rabbi and his staff have weekday hours from 9am to 4pm, excluding Saturday, the Sabbath Day.
- The weekly Sabbath brings the whole congregation together for worship. However, according to Orthodox Sabbath Laws, the members of this synagogue walk to the building rather than drive their cars.
- Special events such as adult education classes are held in the afternoon or evenings, generally from 7pm to 8:30pm.

The new site plan shows ^{36 - pm}~~37~~ onsite parking spaces but ^{51 - pm}~~52~~ spaces are required.

C) ANALYSIS OF ANTICIPATED PARKING DEMAND

The statutory parking requirements do not take into account that the community center is used by different groups at different times. The building is used on a daily basis by the people living in the apartments. It is used during weekday hours by the preschool and their employees and the office staff. Some weekday mornings people gather briefly for prayer. Weeknights and weekends, when the preschool staff and office employees are not on site, other activities take place.

Weekends, particularly the Sabbath, when the members of the synagogue gather, do not have the parking requirements normally associated with a place of worship because attendees walk to Chabad. This allows the parking lot to serve all the needs of those permitted to park on site.

There is also a very substantial amount of parking available directly across the street from Chabad, within 200' of their building. The UHC (part of the University of Vermont Medical Center) parking area is available for neighborhood use. UHC parking is very busy from 7am to 5pm weekdays but virtually deserted at all other times. UHC security has given written permission to Chabad to use the available parking anytime except during weekday business hours.

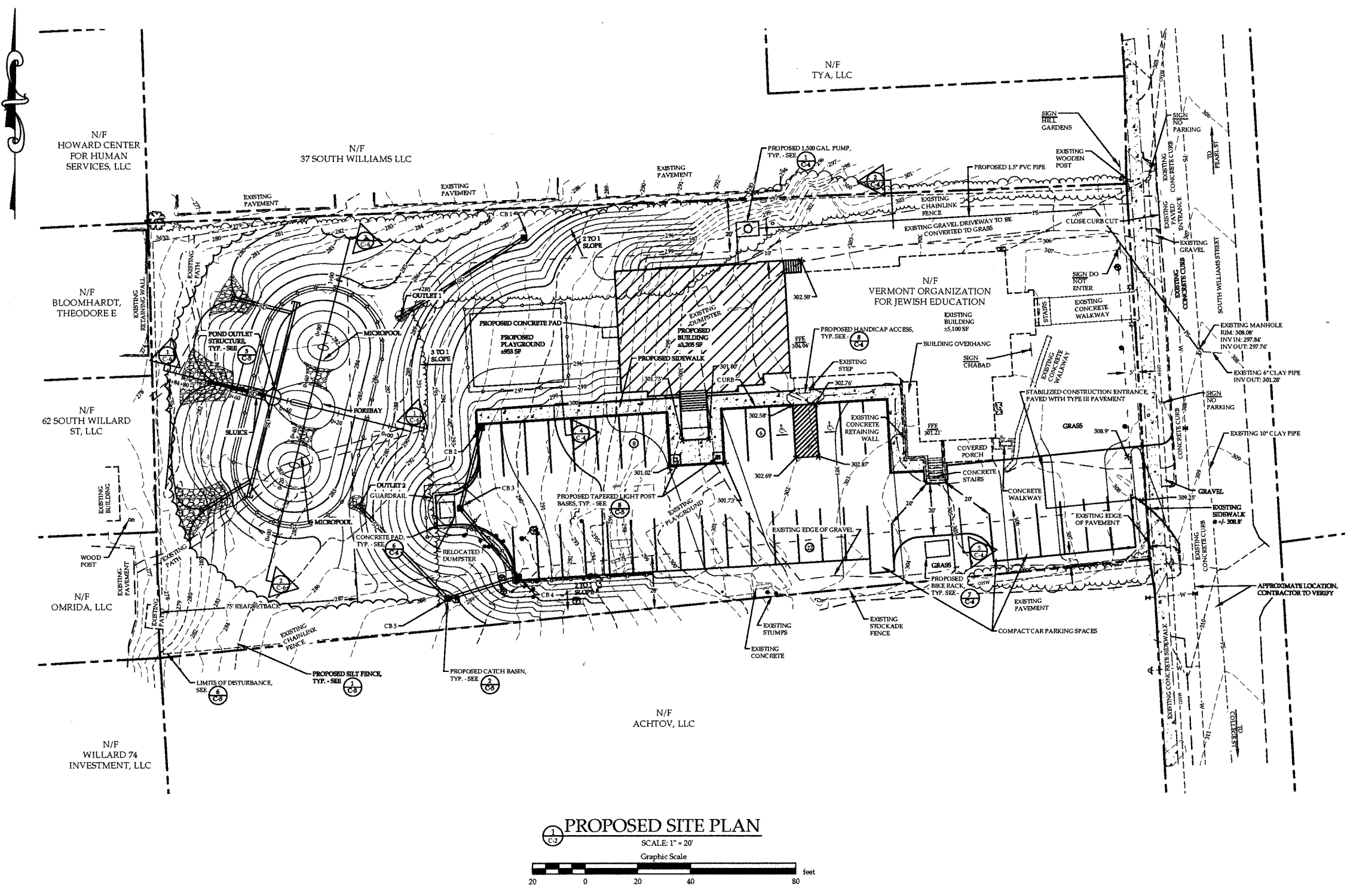
D) STRATEGIES TO REDUCE PARKING IN THE FUTURE

Chabad's parking needs will not grow substantially in the future. If there is an increase in the number of Sabbath attendees, they will still be walking to the synagogue. UHC has more parking available during potentially peak meeting times than can be utilized by Chabad.

CCTA public transportation also serves this area. The closest bus stop to Chabad is at Pearl and Williams Street, about 600' from the building. It is served by bus routes 2 and 9.

Bicycle parking is included on the site plan. Increased bicycle parking is possible in the green spaces adjacent to the parking areas. (See Bicycle Rack Study SK-10)





STORMWATER DRAINAGE SUMMARY							
FROM STRUCTURE	RIM	INV. OUT	TO STRUCTURE	INV. IN	DISTANCE	PIPE DIA.	SLOPE
CB 1	288.5	286.4	OUTLET 1	286.0	55.4	1'-0"	0.07
CB 2	296.0	289.7	CB 3	289.4	31.7	1'-0"	0.02
CB 3	296.0	289.3	CB 4	289.0	54.3	1'-0"	0.07
CB 4	288.0	288.9	CB 5	288.0	28.3	1'-0"	0.01
CB 5	289.5	288.3	OUTLET 2	288.0	60.0	1'-0"	0.01

RECEIVED
10/19/2016
DEPARTMENT OF
PLANNING & ZONING

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 09/14/16

REVISION: 11/01/16 - REVISED PER CLIENT COMMENTS

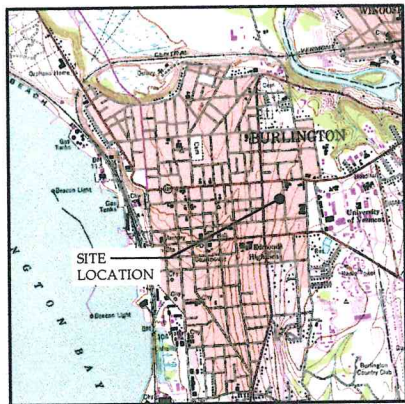
PROPOSED SITE PLAN
 LUBAVITCH OF VERMONT
 57 SOUTH WILLIAMS STREET
 BURLINGTON, VT 05401

RUGGIANO
 Engineering, Inc.
 5 LAKE STREET
 ST. ALBANS, VERMONT 05478
 PHONE: (802) 244-1234 FAX: (802) 244-1235

PROJECT NO.: 16022
 DRAWN BY: NJC
 CHECKED BY: SHR
 SCALE: 1" = 20'
 SHEET NO.: C-2

LIST OF DRAWINGS

C-1 EXISTING CONDITIONS PLAN
C-2 PROPOSED SITE PLAN
C-3 EPSC PLAN
C-4 DETAILS
C-5 DETAILS
C-6 PROFILE VIEWS



SITE LOCATION MAP
NOT TO SCALE

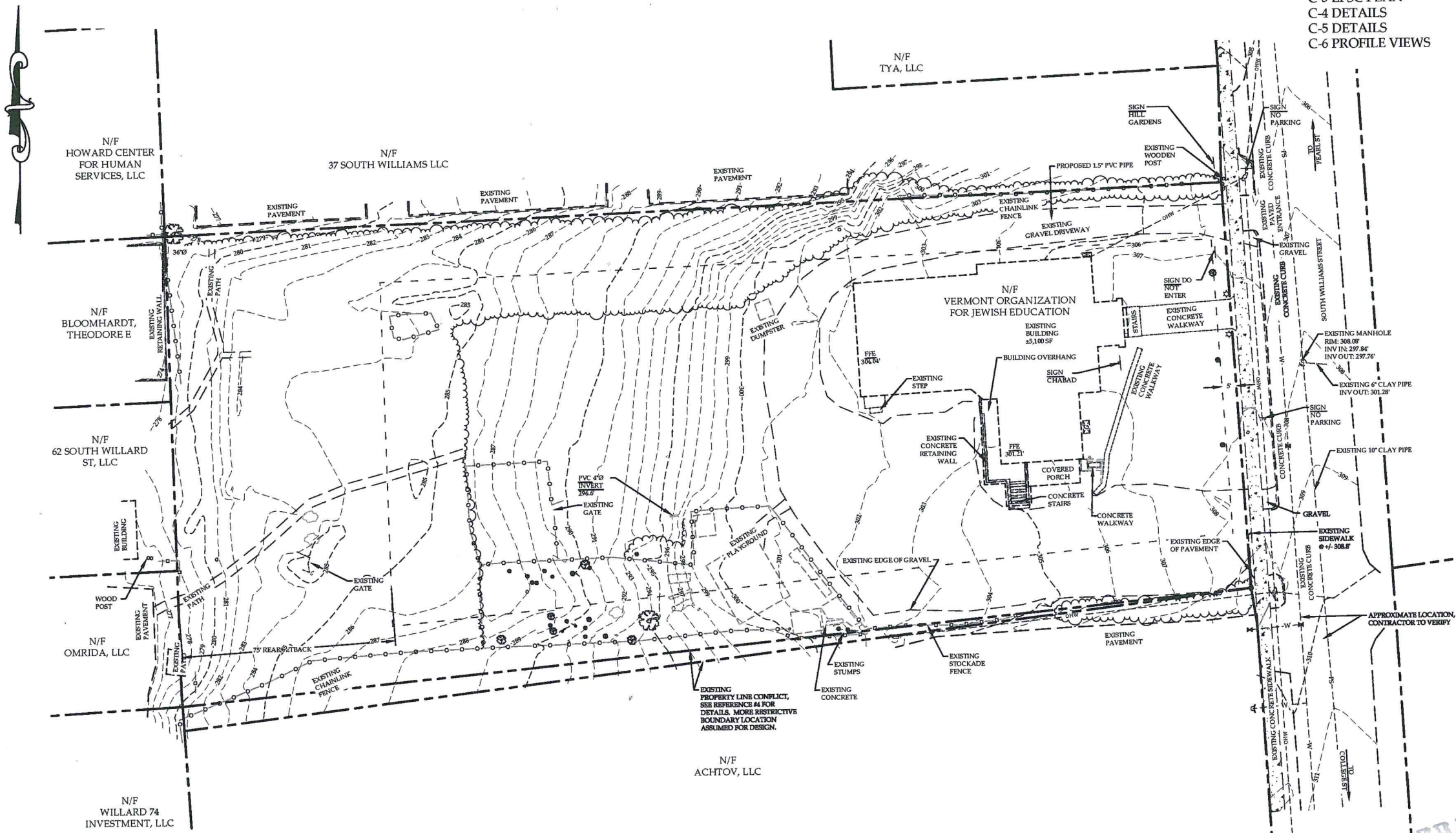
PURPOSE OF PLAN:
- PROPOSED ±3205 S.F. CHABAD EXPANSION PROJECT
OWNER OF RECORD:
- VERMONT ORGANIZATION FOR JEWISH EDUCATION - LUBAVITCH

NOTES:
LOT SIZE:
TOTAL EXISTING IMPERVIOUS AREA: ±1.53 ACRES (±57,731 SF)
TOTAL EXISTING LOT COVERAGE: ±28%
TOTAL PROPOSED IMPERVIOUS AREA: ±0.52 ACRES (±22,600 SF)
TOTAL PROPOSED LOT COVERAGE: ±39%
PROPOSED AREA OF LAND DISTURBANCE: ±0.76 ACRES (±33,000 SF)
ZONING DISTRICT: RESIDENTIAL HIGH DENSITY (DESIGN REVIEW DISTRICT OVERLAY)
MAXIMUM LOT COVERAGE: 80%
PROPOSED - EXISTING LOT COVERAGE: ±39%

SETBACKS:
FRONT: AVERAGE OF 2 ADJACENT LOTS ON BOTH SIDE ±5 FEET
SIDE: 10% OF LOT WIDTH OR AVERAGE OF SIDE YARD SETBACK OF 2 ADJACENT LOTS ON BOTH SIDES. MAX REQUIRED: 20 FEET
REAR: 25% OF LOT DEPTH, MIN: 20 FT, MAX: 75 FT
MAX BUILDING HEIGHT: 35 FEET

PARKING REQUIREMENTS:
NEIGHBORHOOD PARKING DISTRICT: NO MORE THAN 50% OF THE TOTAL REQUIRED PARKING SHALL BE PROVIDED AT A DISTANCE GREATER THAN 600 FEET FROM THE SITE IS INTENDED TO SERVE.
PROPOSED PARKING: 36 SPACES

LEGEND
N/F
ELEVATION BENCHMARK
EXISTING CONCRETE MONUMENT
IRON PIPE / REBAR FOUND
EXISTING GATE/WATER VALVE
EXISTING SIGN
EXISTING UTILITY POLE & GUY WIRE
EXISTING HYDRANT
EXISTING SEWER MANHOLE
EXISTING TREES / TREE STUMPS
EXISTING PROPERTY LINE
EXISTING BUILDING
PROPOSED BUILDING
EXISTING SETBACK LINE
EXISTING WOVEN WIRE/CHAINLINK FENCE
EXISTING STOCKADE FENCE
EXISTING TREE LINE
PROPOSED TREE LINE
EXISTING OVERHEAD WIRES
EXISTING CONTOUR
EXISTING ELECTRIC METER
EXISTING GAS METER
EXISTING METAL POST
EXISTING LIGHT POLE
PROPOSED PRESSURE SEWER LINE
PROPOSED CONTOUR
EXISTING HYDRANT
PROPOSED STORMWATER DRAIN
EXISTING WATER LINE
EXISTING PRESSURE SEWER LINE
PROPOSED CHAIN LINK FENCE



PLAN REFERENCES:
1) TOPOGRAPHIC INFORMATION AND SITE FEATURES WERE RECEIVED ELECTRONICALLY AND WERE PREPARED BY BUTTON PROFESSIONAL LAND SURVEYORS ON JULY 7, 2016.
2) APPROXIMATE LOCATIONS OF PROPERTY BOUNDARIES OBTAINED ELECTRONICALLY FROM THE VERMONT CENTER FOR GEOGRAPHIC INFORMATION WEBSITE.
3) ADDITIONAL TOPOGRAPHIC INFORMATION WAS ACCESSED ELECTRONICALLY FROM THE VERMONT CENTER FOR GEOGRAPHIC INFORMATION.
4) ADDITIONAL PROPERTY BOUNDARIES OBTAINED ELECTRONICALLY FROM BUTTON SURVEYORS PLAT TITLED "VERMONT ORGANIZATION FOR JEWISH EDUCATION-LUBAVITCH", DATED 08/29/16.

NOTES:
1) THIS DRAWING IS NOT A BOUNDARY SURVEY PLAT. BOUNDARY LINE INFORMATION SHOWN IS BASED ON PLAN REFERENCES #1 AND IS THE PROPERTY LINES, EASEMENTS AND OTHER REAL PROPERTY DESCRIPTIONS PROVIDED ON THIS DRAWING ARE FOR ILLUSTRATION PURPOSES ONLY. THEY DO NOT DEFINE LEGAL RIGHTS OR MEET LEGAL REQUIREMENTS FOR A LAND SURVEY AS DESCRIBED IN V.S.A. TITLE 27, SECTION 1403 AND SHALL NOT BE USED IN LIEU OF A SURVEY AS THE BASIS OF ANY LAND TRANSFER OR ESTABLISHMENT OF ANY PROPERTY RIGHT.
2) THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING AND DETERMINING THE LOCATION, SIZE, AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO THE START OF CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES OR UTILITIES FOUND INTERFERING WITH THE PROPOSED CONSTRUCTION. APPROPRIATE REMEDIAL ACTION SHALL BE TAKEN BEFORE PROCEEDING WITH THE WORK.
3) THIS TOPOGRAPHIC SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF "DIG SAFE" MARKINGS. UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND ARE NOT WARRANTED TO BE EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT "DIG SAFE" BEFORE ANY EXCAVATION OR OTHER DISTURBANCE OF THE GROUND.

EXISTING CONDITIONS PLAN
SCALE: 1" = 20'
Graphic Scale
20 0 20 40 80 feet

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 09/14/16

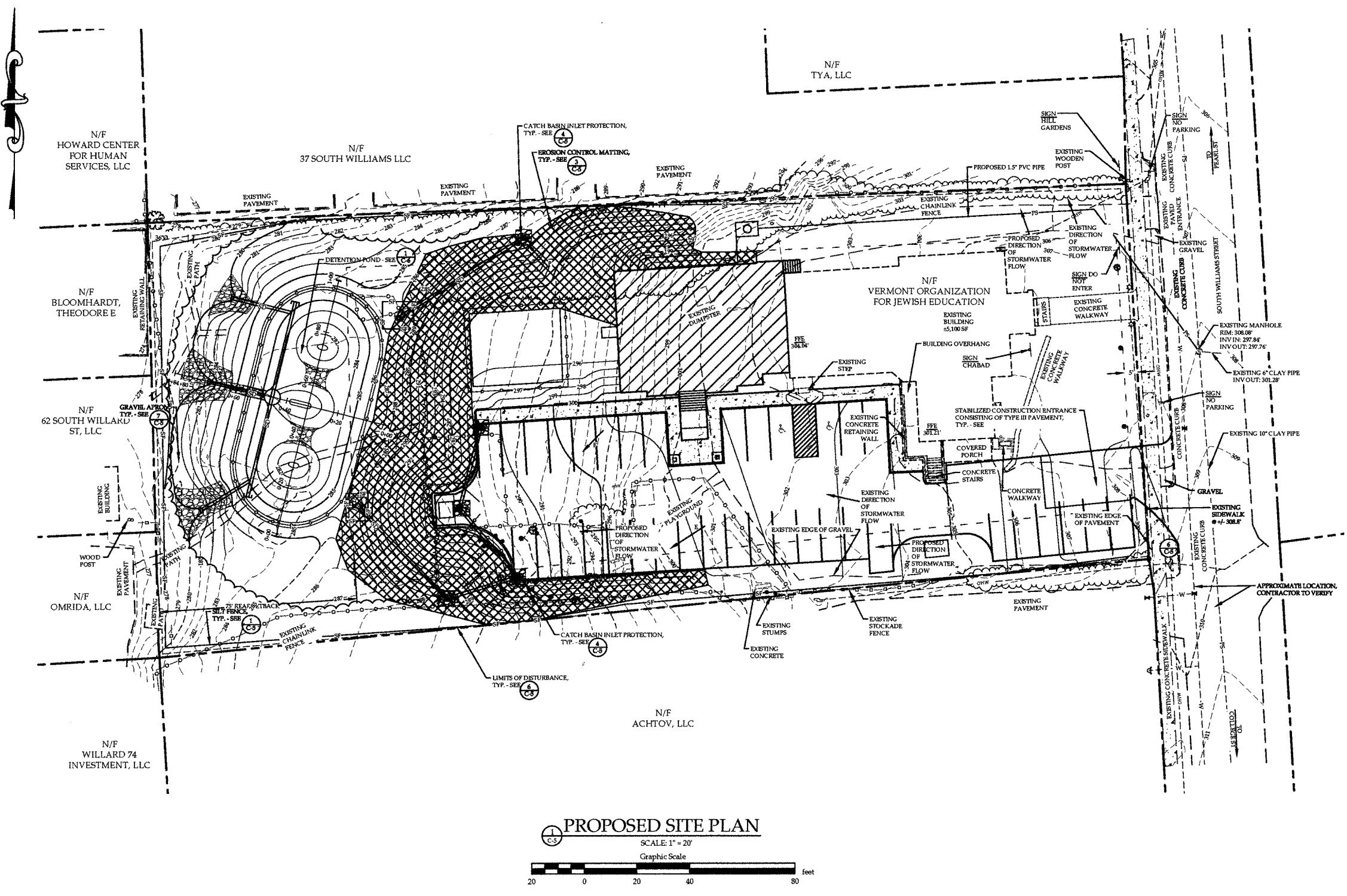
RECEIVED
NOV 09 2016
DEPT. OF PUBLIC WORKS
PLANNING & ZONING

EXISTING CONDITIONS PLAN
LUBAVITCH OF VERMONT
57 SOUTH WILLIAMS STREET
BURLINGTON, VT 05401

RUGGIANO Engineering, inc.
5 LAKE STREET
ST. ALBANS, VERMONT 05478
PHONE: (802) 524-9700

PROJECT NO.: 16022
DRAWN BY: NJC
CHECKED BY: SHR
SCALE: 1" = 20'
DATE: 07/19/16

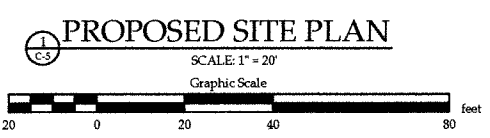
SHEET
C-



- EROSION CONTROL NOTES**
1. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT DAILY INSPECTION OF ROADWAYS AND SWEEPING AS NECESSARY OCCURS.
 2. SILT FENCE WILL BE INSTALLED PRIOR TO THE START OF ANY CONSTRUCTION.
 3. DISTURBED AREAS WILL BE COVERED AS SOON AS POSSIBLE WITH EROSION CONTROL MATTING WHERE INDICATED, FOLLOWING THE MANUFACTURERS GUIDELINES TO STAPLE THE MATTING DOWN. DISTURBED AREAS THAT ARE NOT INDICATED TO RECEIVE EROSION CONTROL MATTING WILL BE COVERED AS SOON AS POSSIBLE WITH STRAW OR OTHER APPROVED MULCHING MATERIAL AS NECESSARY.
 4. CATCH BASINS WILL BE PROTECTED AS SHOWN IN (CS)
 5. DPW WILL BE CONTACTED TO SCHEDULE A STABILIZATION INSPECTION WHEN SITE WORK IS FINISHED AND STABILIZATION MEASURES HAVE BEEN INSTALLED.

RECEIVED
10/16/09 2009
DEPARTMENT OF
PLANNING & ZONING

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 09/14/16



**EROSION PREVENTION AND
SEDIMENT CONTROL PLAN**
LUBAVITCH OF VERMONT
57 SOUTH WILLIAMS STREET
BURLINGTON, VT 05401

RUGGIANO
Engineering, Inc.
5 LAKE STREET
ST. ALBANS, VERMONT 05478
PHONE: (802) 251-7200 FAX: (802) 251-7201

PROJECT NO.16022
DRAWN BYNJC
CHECKED BYSHR
SCALE1" = 20'
DATE10/16/09

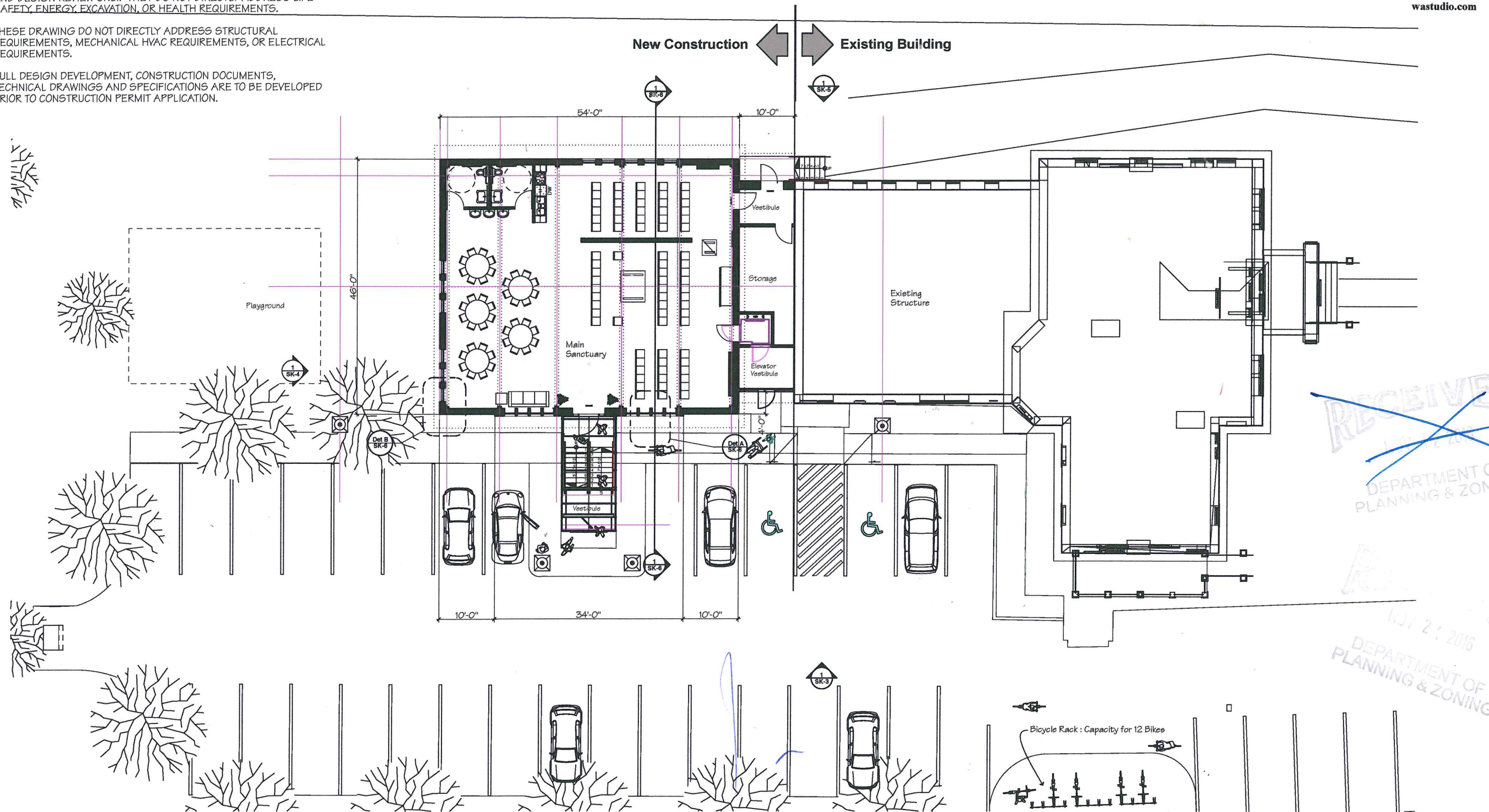
SHEET NO.
C-3

THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT
AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE
SAFETY ENERGY EXCAVATION, OR HEALTH REQUIREMENTS.

THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL
REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL
REQUIREMENTS.

FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.

Wolfstein
ARCHITECTURE
100 Church Street
Burlington, Vermont 05401
802-864-8334
wastudio.com



Chabad Expansion Project

**Lubavitch
of
Vermont**

**57 South William Street
Burlington, Vermont
05401**



DRAWN BY: EW
SCALE: 1/8" = 1'-0"
DATE: Monday, November 21, 2016

SHEET TITLE

LIPID LEVELS

SK-I

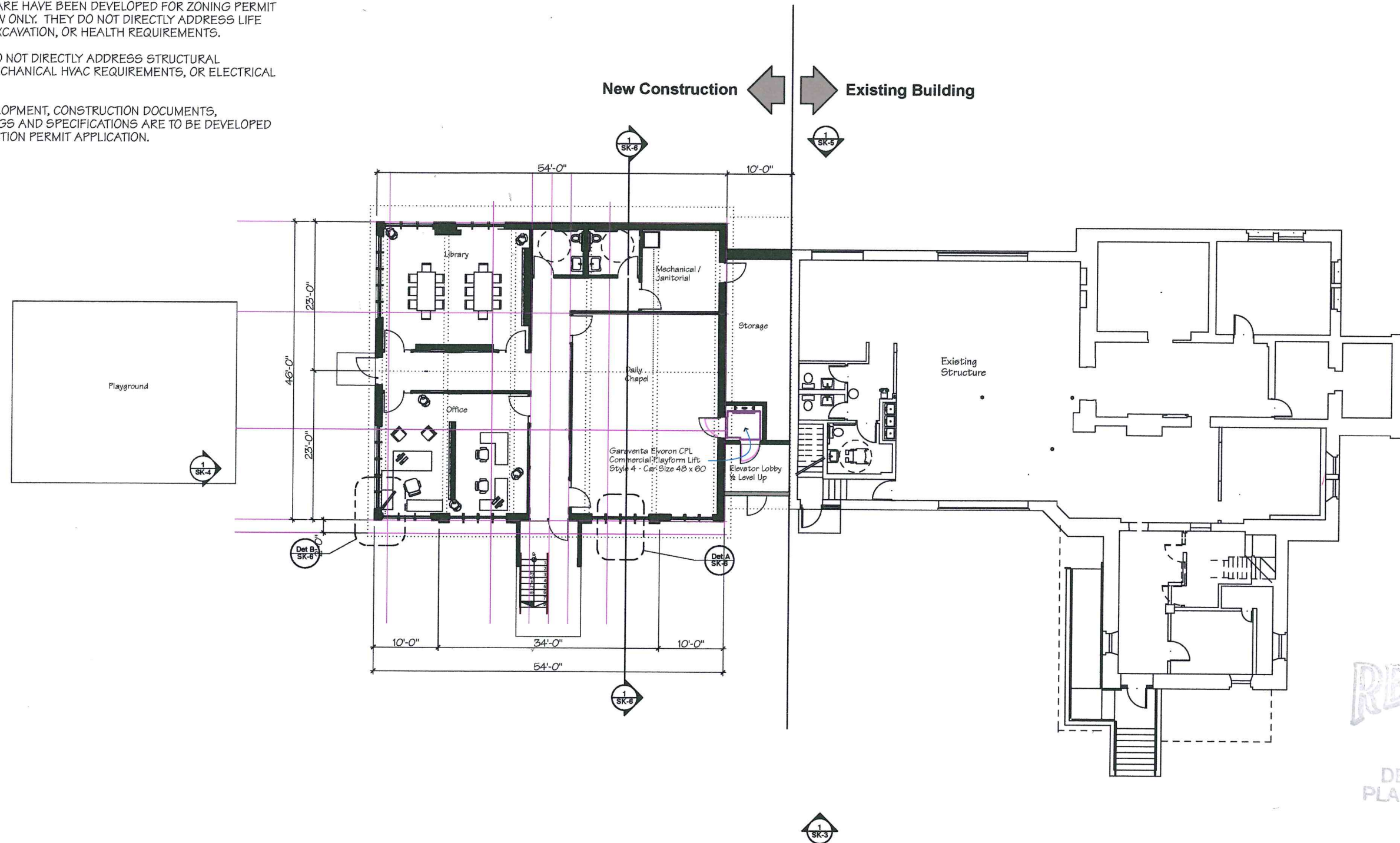
DESIGN STUDIES NOT FOR CONSTRUCTION

THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.

Wolfstein
ARCHITECTURAL
100 Church Street
Burlington, Vermont 05401
802-864-8334
wastudio.com



K20161610 - Chabad Synagogue Studies Design Version 2 Chabad Master - 2016 - Study P - Rev2.dgn

**Chabad
Expansion
Project**

**Lubavitch
of
Vermont**

**57 South William Street
Burlington, Vermont
05401**



PROJECT NO: **1610**

DRAWN BY: EW
SCALE: 1/8" = 1'-0"
DATE: Wednesday, November 9, 2016

SHEET TITLE

SK-2

DESIGN STUDIES NOT FOR CONSTRUCTION

THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

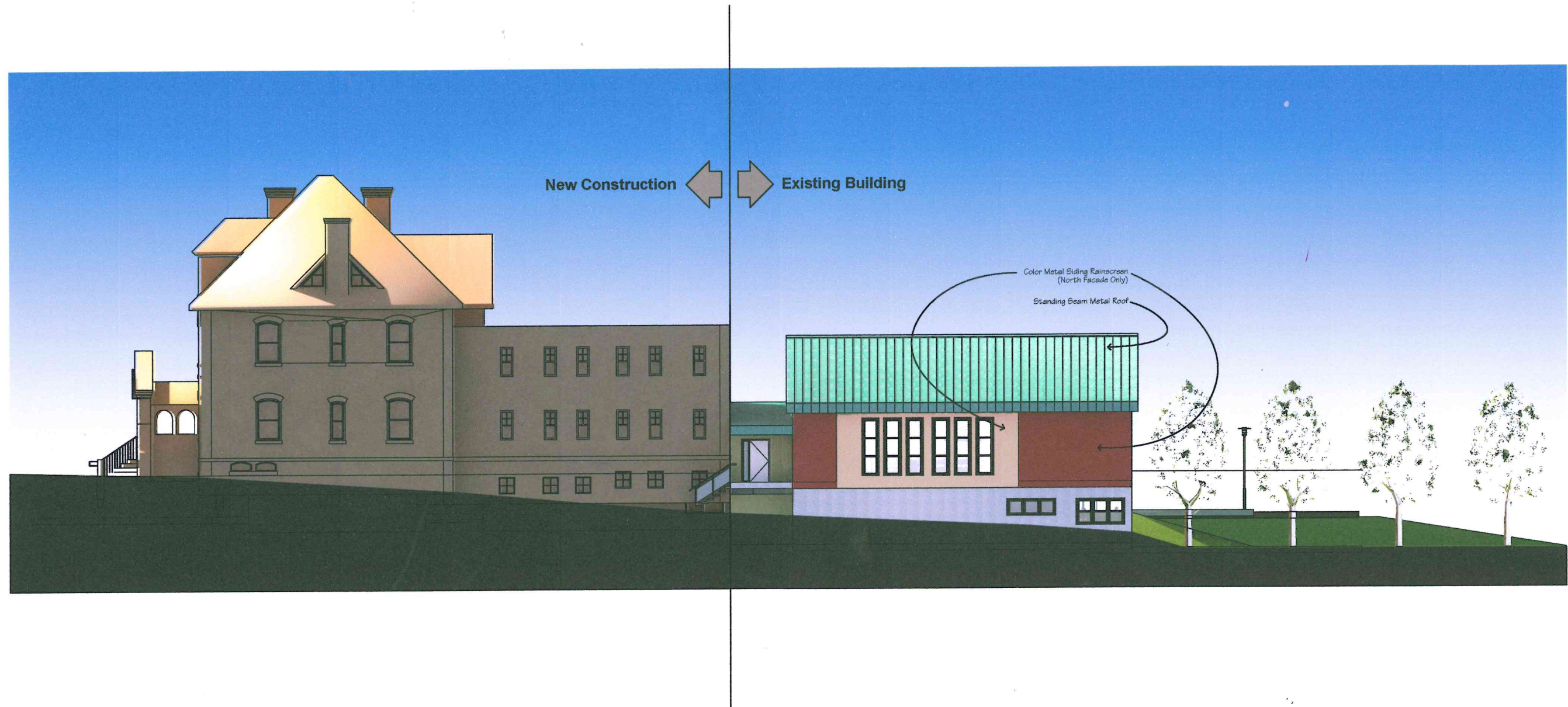
THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.

RECEIVED
OCT 06 2016

DEPARTMENT OF
PLANNING & ZONING

Wolfstein
ARCHITECTURE
100 Church Street
Burlington, Vermont 05401
802-864-8334
wastudio.com



**Chabad
Expansion
Project**

**Lubavitch
of
Vermont**

**57 South William Street
Burlington, Vermont
05401**

PROJECT NO: **1610**

DRAWN BY: EW
SCALE: 1/8" = 1'-0", 1:0.39
DATE: Thursday, October 6, 2016

SHEET TITLE
NORTH ELEVATION

SK-5

Version N Rev. 6 - Issued for Zoning

DESIGN STUDIES
NOT FOR CONSTRUCTION

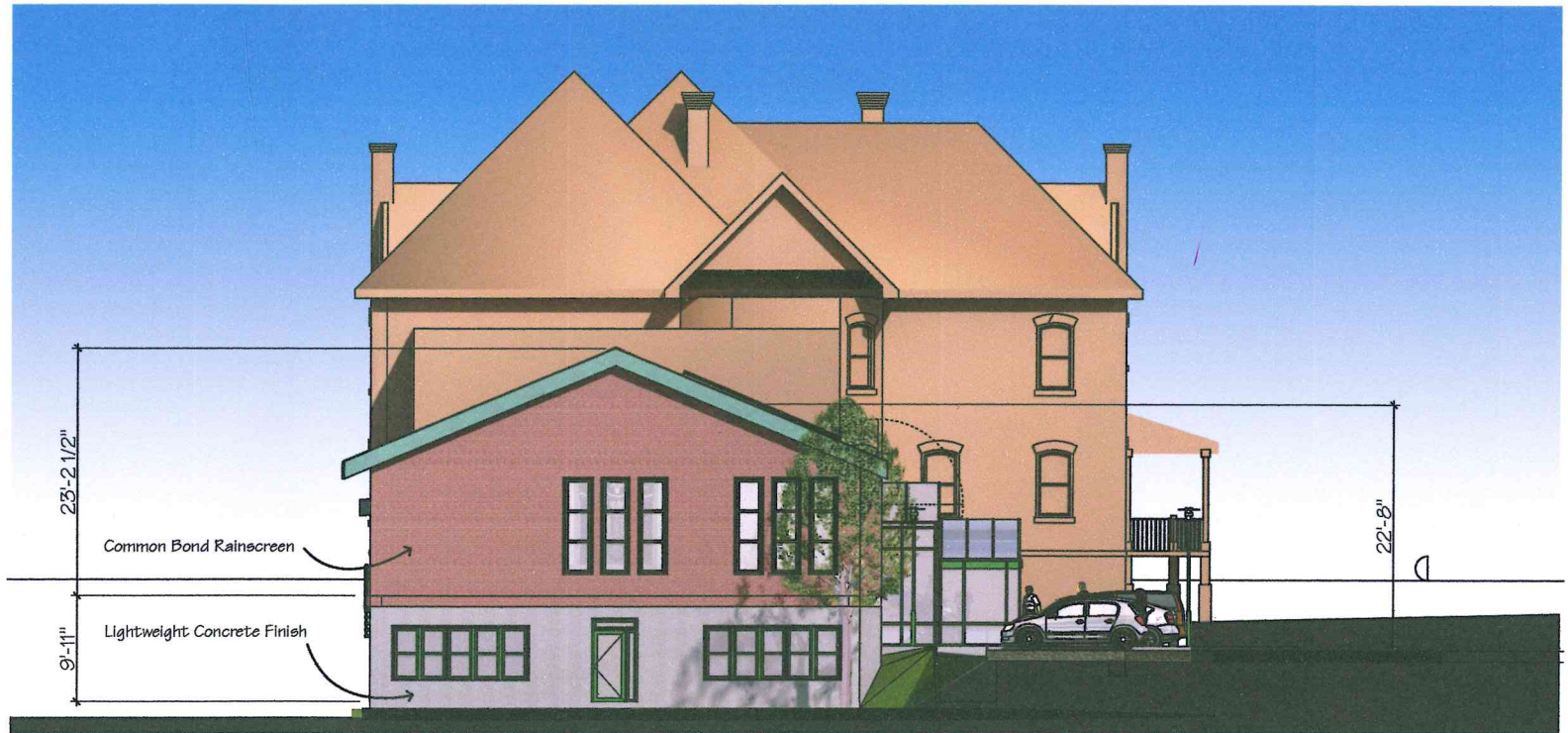
THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.



Section 1-1
Scale: 1/8" = 1' - 0"



RECEIVED
OCT 06 2016

DEPARTMENT OF
PLANNING & ZONING

Wolfstein
ARCHITECTURE
100 Church Street
Burlington, Vermont 05401
802-864-8334
wastudio.com

**Chabad
Expansion
Project**

**Lubavitch
of
Vermont**

**57 South William Street
Burlington, Vermont
05401**

PROJECT NO: **1610**

DRAWN BY: EW
SCALE: 1/8" = 1'-0", 1:0.50
DATE: Thursday, October 6, 2016

SHEET TITLE
WEST ELEVATION

SK-4

Version N Rev. 6 - Issued for Zoning

DESIGN STUDIES NOT FOR CONSTRUCTION

THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

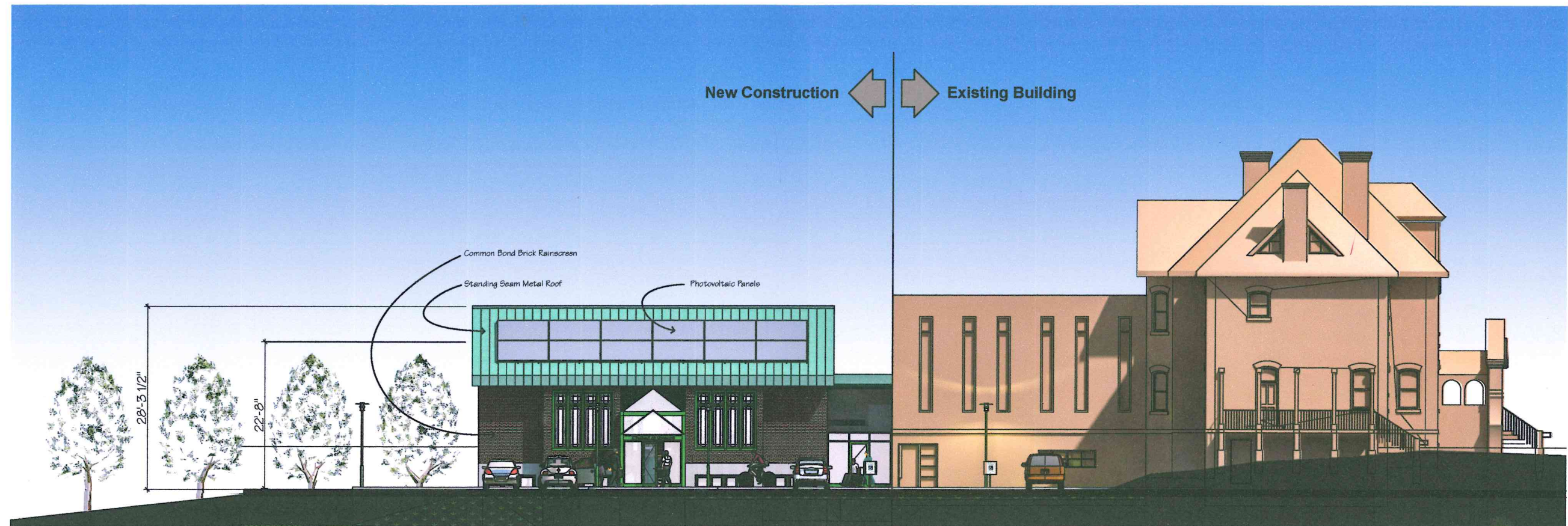
THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.

RECEIVED
OCT 06 2016

DEPARTMENT OF
PLANNING & ZONING

Wolfstein
ARCHITECTURE
100 Church Street
Burlington, Vermont 05401
802-864-8334
wastudio.com



EW\2016\1610 - Chabad Synagogue\Chabad Master - 2016 - Study\NAC20-Rev6.dgn

**Chabad
Expansion
Project**

**Lubavitch
of
Vermont**

**57 South William Street
Burlington, Vermont
05401**

PROJECT NO: **1610**

DRAWN BY: EW
SCALE: 1/8" = 1'-0", 1:0.40
DATE: Thursday, October 6, 2016

SHEET TITLE
SOUTH ELEVATION

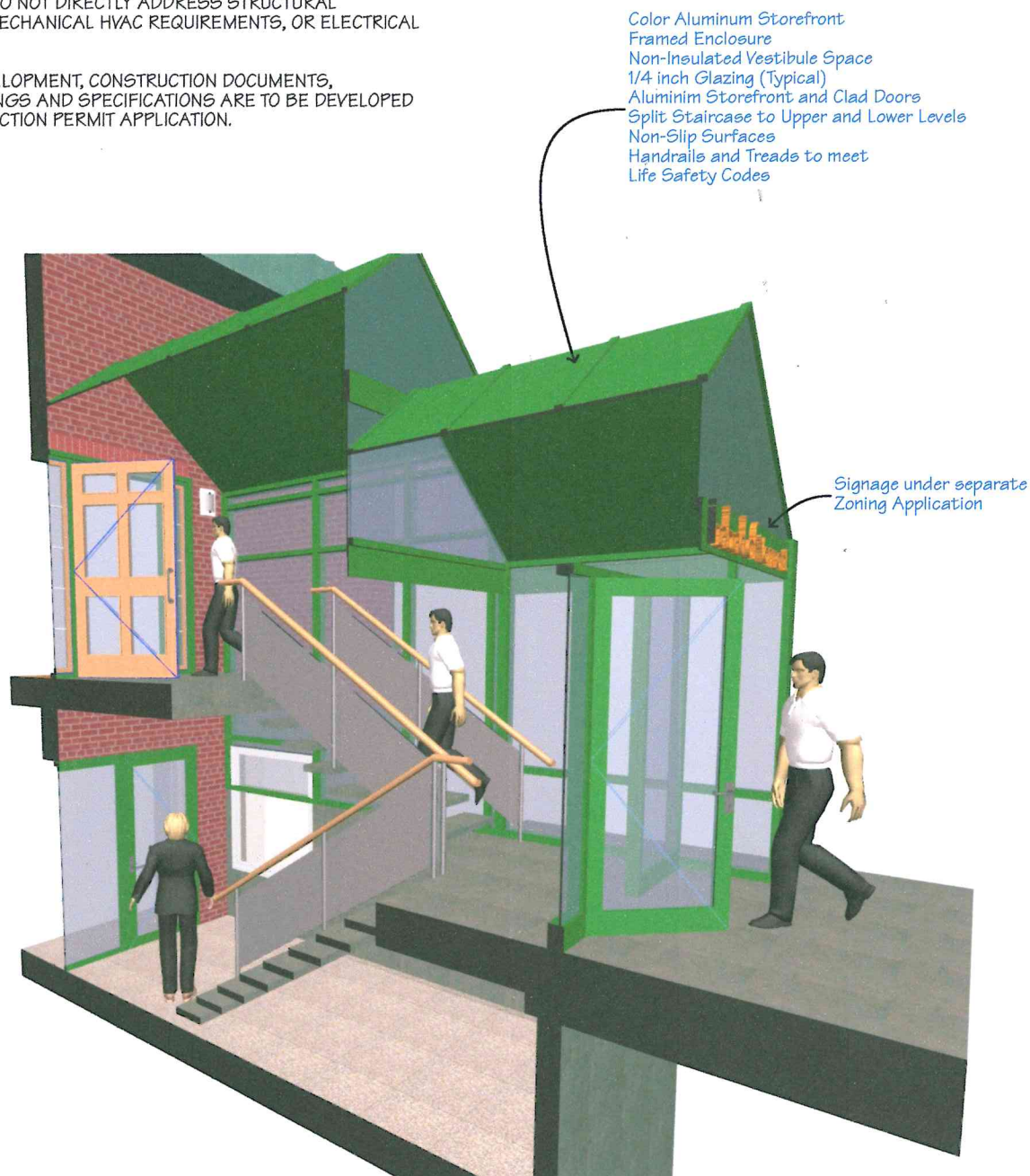
SK-3
Version N Rev. 6 - Issued for Zoning

DESIGN STUDIES NOT FOR CONSTRUCTION

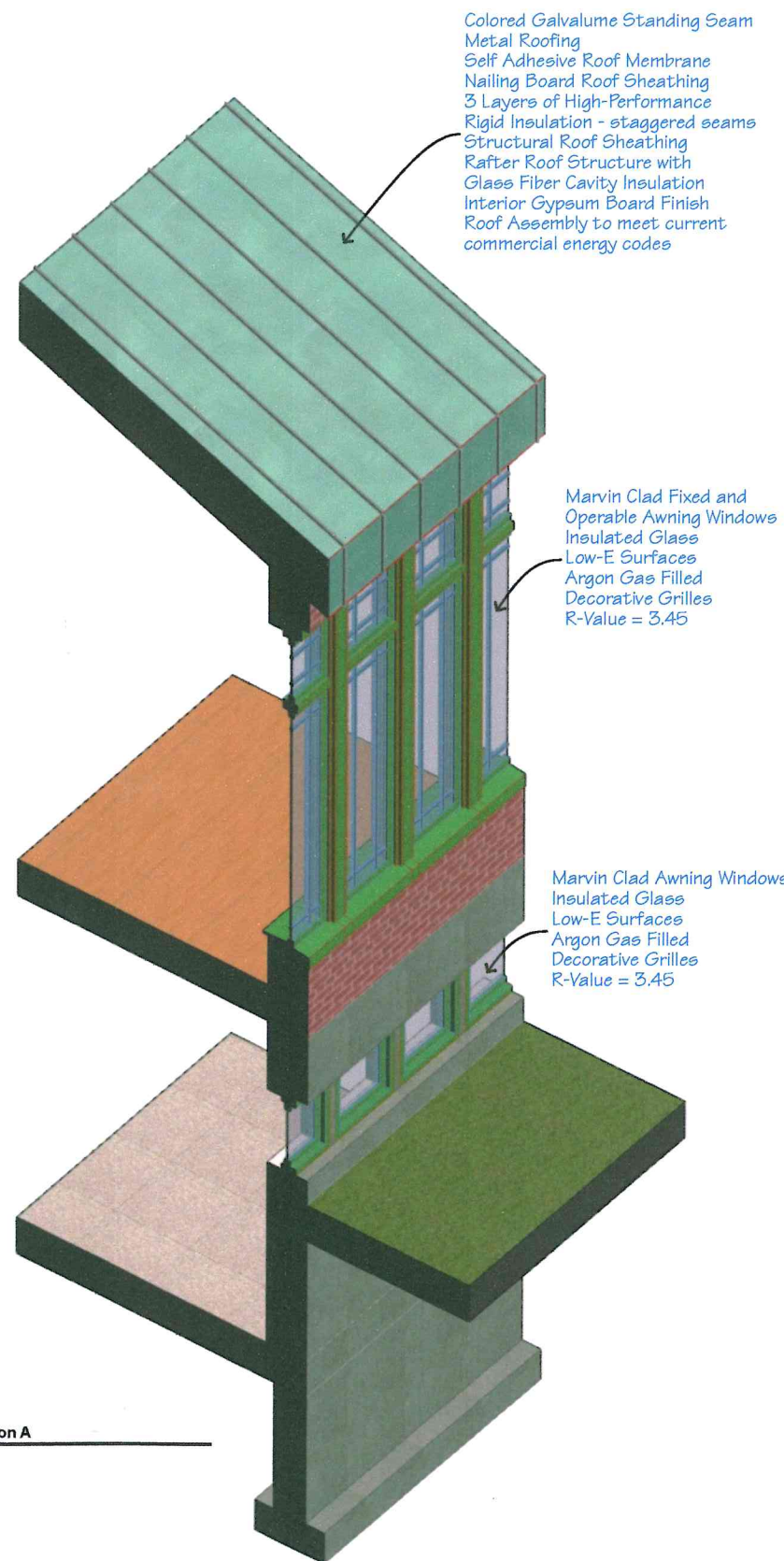
THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

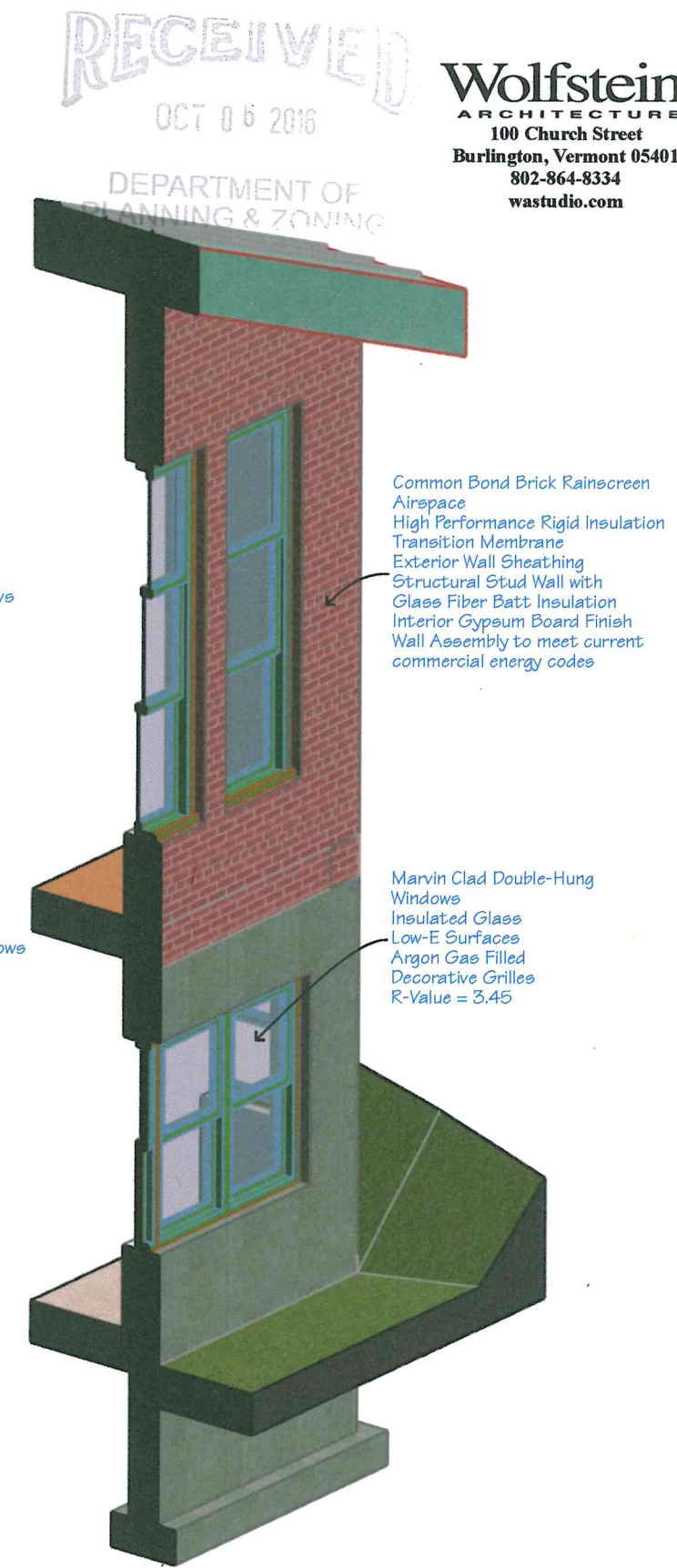
FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.



3D Vestibule Detail Section
Scale:



3D Detail Section A
Scale:



3D Corner Detail Section B
Scale:

**Chabad
Expansion
Project**

**Lubavitch
of
Vermont**

**57 South William Street
Burlington, Vermont
05401**

PROJECT NO: **1610**
DRAWN BY: EW
SCALE: 1/8" = 1'-0", 1:105.57,
DATE: Thursday, October 6, 2016
SHEET TITLE
DESIGN SECTIONS

SK-6

Version N Rev. 6 - Issued for Zoning

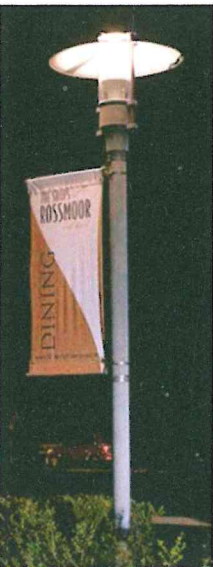
DESIGN STUDIES
NOT FOR CONSTRUCTION

THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

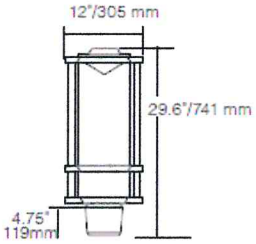
THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.

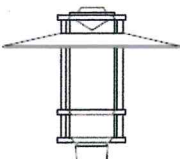
Fixture: SP1-STR-Y5-32LED-4K-550



DIMENSIONS

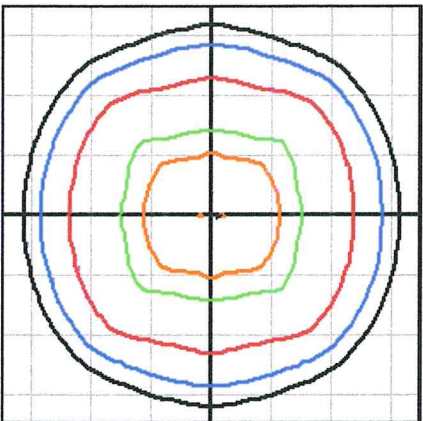


SP1
HEIGHT: 29.6 7/741mm
WEIGHT: 42 lbs



Straight Hood (STR)
DIA: 31.5 7/801mm
EPA: 1.08

Chabad SK-1 Partial Plan



Mounting Height = 12ft

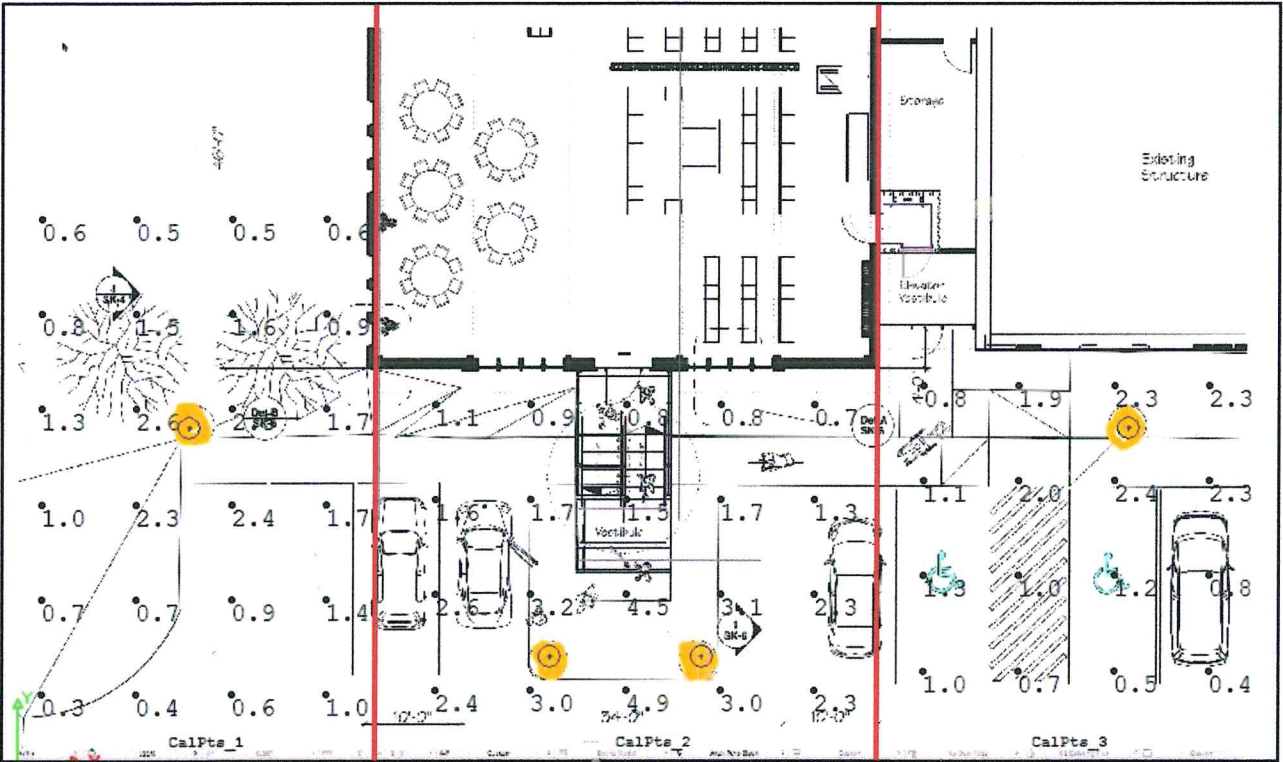


Table with 2 columns: Characteristics and Type VS. Rows include IES Classification, Longitudinal Classification, Lumens Per Lamp, Total Lamp Lumens, Luminaire Lumens, Downward Total Efficiency, Total Luminaire Efficiency, Luminaire Efficacy Rating (LER), Total Luminaire Watts, Ballast Factor, Upward Waste Light Ratio, Max. Cd., Max. Cd. (<90 Vert.), Max. Cd. (At 90 Deg. Vert.), Max. Cd. (80 to <90 Deg. Vert.), and Cutoff Classification (deprecated).

Table with 4 columns: LCS Zone, Lumens, %Lamp, and %Lum. Rows include various lighting zones (FL, FM, FH, FVH, BL, BM, BH, BVH, UL, UH) and a Total row, followed by a BUG Rating row.

Statistics window for Project 1 showing Calc Pts 1, 2, and 3 with Illuminance (Fc) data including Average, Maximum, Minimum, and Avg/Min values.

02/2016/1610 - Chabad Synagogue/Zoning/Chabad Master - 2016 - Study P - Rev03.pdf

Chabad Expansion Project

Lubavitch of Vermont

57 South William Street
Burlington, Vermont
05401

PROJECT NO: 1610
DRAWN BY: EW
SCALE: 1:0.44
DATE: Monday, November 21, 2016
SHEET TITLE

SK-1

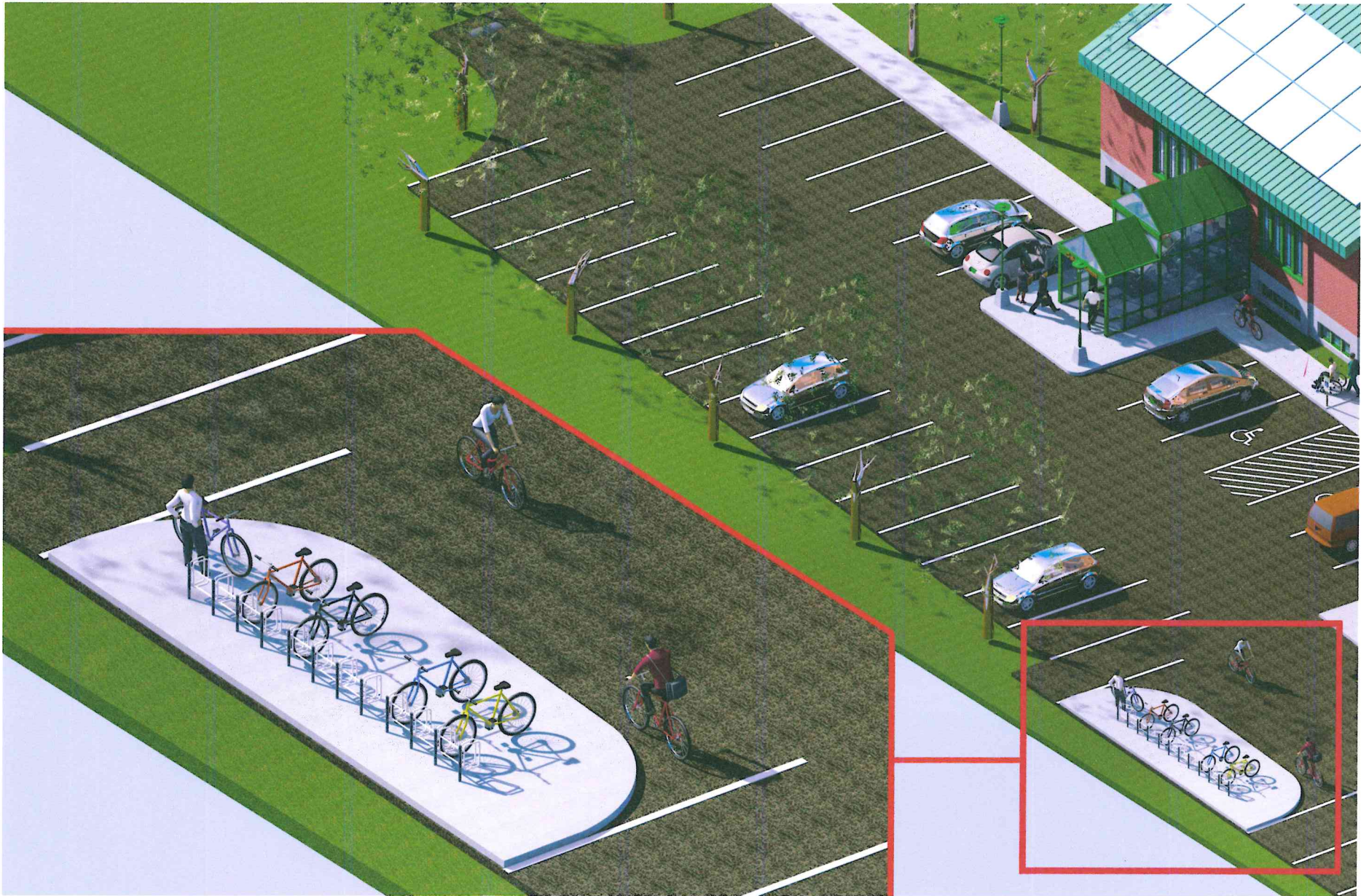
DESIGN STUDIES NOT FOR CONSTRUCTION

THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.

Wolfstein
ARCHITECTS
100 Church Street
Burlington, Vermont 05401
802-864-8334
wastudio.com



RECEIVED
NOV 21 2016
DEPARTMENT OF
PLANNING & ZONING

0161610 - Chabad Synagogue/Zoning/Chabad Master - 2016 - Study P - Rev03.pdf

**Chabad
Expansion
Project**

**Lubavitch
of
Vermont**

**57 South William Street
Burlington, Vermont
05401**

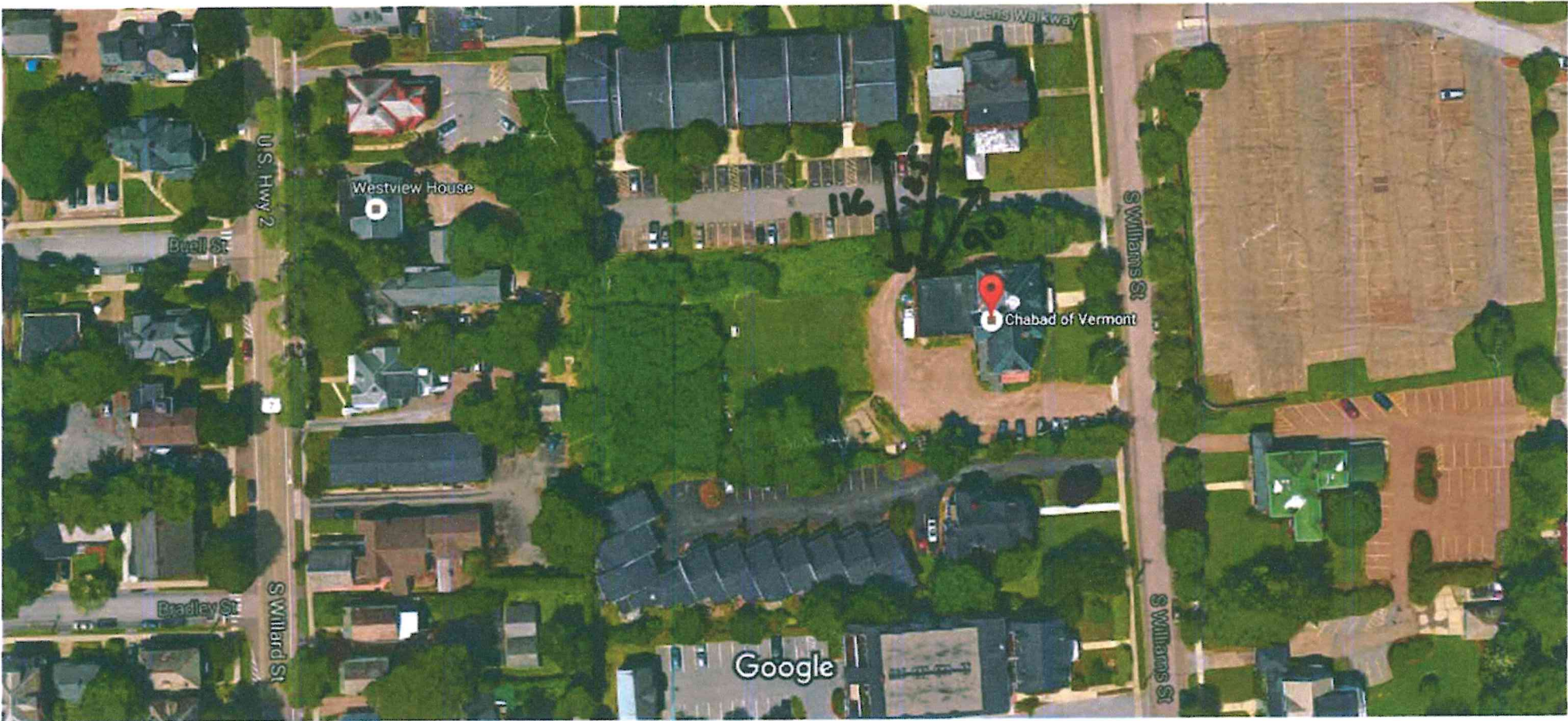
PROJECT NO: **1610**
DRAWN BY: EW
SCALE: 1:0.64
DATE: Monday, November 21, 2016
SHEET TITLE

SK-10

11/10/2016

Chabad of Vermont - Google Maps

Google Maps Chabad of Vermont



Imagery ©2016 Google, Map data ©2016 Google 50 ft

RECEIVED
11.21.2016
DEPT. OF...

DESIGN STUDIES
NOT FOR CONSTRUCTION

THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.

Wolfstei
ARCHITECTU
100 Church Street
Burlington, Vermont 05
802-864-8334
wastudio.com



RECEIVED
NOV 09 2016
DEPARTMENT OF
PLANNING & ZONING

020161610 - Chabad Synagogue/Studio/Design Version P/Chabad Master - 2016 - Study P - Rev2.dgn

Chabad
Expansion
Project

Lubavitch
of
Vermont

57 South William Street
Burlington, Vermont
05401

PROJECT NO: 1610
DRAWN BY: EW
SCALE: 1:1.08, 1:1.05
DATE: Wednesday, November 9, 2016
SHEET TITLE

SK-2

[illegible]

ASTM A53 SCHEDULE 40 STEEL PIPE
(2.375" OD X .154 WALL), HYDRAULICALLY
BENT WITH A MANDRIL, HOT-DIPPED
GALVANIZED AFTER FABRICATION

52 3/8"

2 3/8"

9 5/8"

32 7/8"

35 1/4"

"RIBBON RACK"
RB 07 OR EQUIVALENT
5 STALL BICYCLE RACK

SLOPE FINISHED CONCRETE
AWAY FROM PIPE COLUMN, TYP.

FINISH GRADE

10 1/4" TYP.

8" DIAMETER
SONOTUBE, TYP.

5'-6" MIN. TYP.

GRANULAR BACKFILL,
COMPACTED

CROSS COUNTRY

PAVED GRAVEL

UNCLASSIFIED BACKFILL

MOUND TOPSOIL AS REQUIRED TO COMPENSATE FOR SETTLING

MATCH EXISTING ROAD, DRIVEWAY OR PARKING LOT SECTION OR REFER TO PAVEMENT SECTION DETAIL FOR NEW CONSTRUCTION

TRENCH WIDTH AS REQUIRED

VARIABLE

16"

10"

SELECT BACKFILL WITH NO STONES LARGER THAN 3"

SEWER PIPE - SEE PLAN, PROFILE AND SPECS. FOR TYPE AND SIZE

3/4" CRUSHED STONE BEDDING MATERIAL

NOTES:

- 1) ALL DISTURBED CROSS-COUNTRY AREAS SHALL BE RESTORED WITH 4" TOPSOIL, SEED, FERTILIZER AND MULCH IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS. THE CONTRACTOR SHALL MAINTAIN EROSION CONTROL, WATER ETC. UNTIL A VIABLE STAND OF GRASS HAS BEEN ESTABLISHED TO THE SATISFACTION OF THE ENGINEER.
- 2) THE CONTRACTOR SHALL PROVIDE SHORING OR TAPER SIDING ALL TRENCHES DEEPER THAN 4 FT. DURING CONSTRUCTION IN ACCORDANCE WITH V.O.S.H.A. STANDARDS.
- 3) THE CONTRACTOR SHALL PROVIDE AND COORDINATE ALL NECESSARY TRAFFIC CONTROLS IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
- 4) WHERE TRENCHING IN UNSTABLE SOILS THE TRENCH BOTTOM SHALL BE OVEREXCAVATED AND STABILIZED USING MIRAF (OR APPROVED EQUIVALENT) GEOTEXTILE FABRIC AND 6" CRUSHED STONE. WET TRENCHES SHALL BE DEWATERED PRIOR TO INSTALLING BEDDING MATERIAL.

10'-0" UNLESS OTHERWISE NOTED ON PLAN

5" CLEAR

SLOPE 1/4 IN. PER FT.

2" CLEAR COVER

1/2"

6" MIN.

PAVEMENT & SUBBASE PER TYPICAL PARKING AREA DETAIL

5" THICK CONCRETE SLAB, 3500 PSI CONCRETE, BROOM FINISH

WWF 6 x 6 WT 4 x WL 4

12" CRUSHED STONE OR GRAVEL, COMPACTED

Diagram illustrating a standard parking space with a 10' x 24' yellow tactile dome warning device. The diagram shows the following components and specifications:

- STANDARD PARKING SPACE STRIPING PAINTED WHITE**
- BOLLARD WITH H.C. PARKING SIGN SEE**
- CONCRETE SIDEWALK**
- SLOPE CONCRETE AWAY FROM BUILDING 1/8" PER FOOT**
- 10' x 24' YELLOW TACTILE DOME WARNING DEVICE AS REQUIRED BY AMERICANS WITH DISABILITY ACT ACCESSIBILITY GUIDELINES AND CODE REQUIREMENTS**
- A.D.A. HANDICAP RAMP (TYP.)**
- BOLLARD PAINTED YELLOW (TYP.)**
- 1:10 MAX SLOPE**
- BOLLARD WITH H.C. PARKING SIGN**
- 5'-0" MIN.**
- CONCRETE SIDEWALK**
- BOLLARDS TO BE SET BEHIND CURB WITHIN CONCRETE WALK (TYP.)**
- PAVEMENT 2'-0" MIN.**
- PAVEMENT 9'-0" MIN.**
- ACCESS AISLE**
- 8'-10"**
- 5'-0" MIN.**
- 10'-0"**



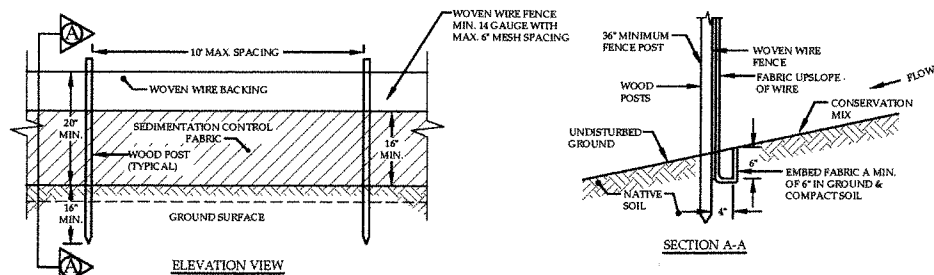
PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 09/14/16

DETAILS
LUBAVITCH OF VERMONT
57 SOUTH WILLIAMS STREET
BURLINGTON, VT 05401

PROJECT NO.....16022
DRAWN BY.....NJC
CHECKED BY.....SHR
SCALE.....AS NOTED

SHEET NC

C-



CONSTRUCTION SPECIFICATIONS:

SILT FENCING WILL BE APPLIED TO THE SITE SO THAT THERE WILL BE 100 FEET OF FENCING FOR EVERY 1/4 ACRE OF DISTURBED UPGRADIENT AREA.

THE GEOTEXTILE FABRIC SHALL MEET THE DESIGN CRITERIA FOR SILT FENCES, OF THE VERMONT STANDARDS AND SPECIFICATIONS FOR EROSION PREVENTION AND SEDIMENT CONTROL, PREPARED BY THE STATE OF VERMONT DEPT. OF ENVIRONMENTAL CONSERVATION, DATED 2006.

WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES. WIRE FENCE REINFORCEMENT REQUIRED WITHIN 100 FT UPSLOPE OF RECEIVING WATERS.

FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24\"/>

WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTR-X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.

PREFABRICATED UNITS SHALL BE GEOPAB, ENVIROFENCE, OF APPROVED EQUIVALENT.

THE FABRIC SHALL NOT EXTEND MORE THAN 30\"/>

THE TRENCH SHALL BE BACKFILLED AND THE SOIL COMPACTED OVER THE FILTER FABRIC.

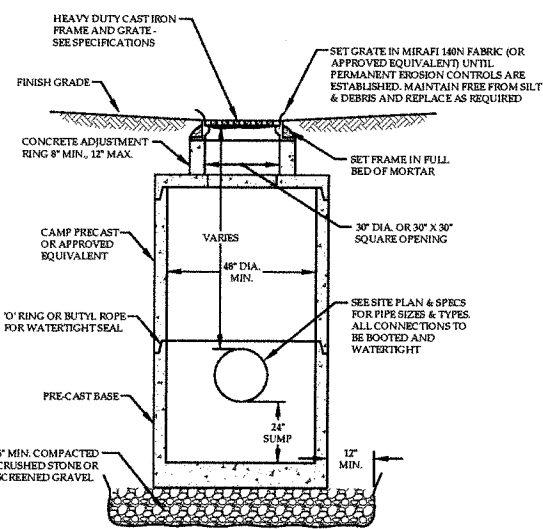
FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL, AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.

SHOULD THE FABRIC DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER STILL BE NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY.

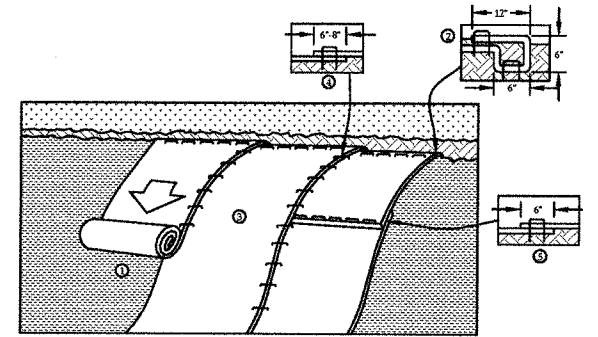
SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN THEY REACH APPROXIMATELY ONE-THIRD THE HEIGHT OF THE BARRIER.

ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED, SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDED.

1
C-S
SILT FENCE DETAIL
NOT TO SCALE



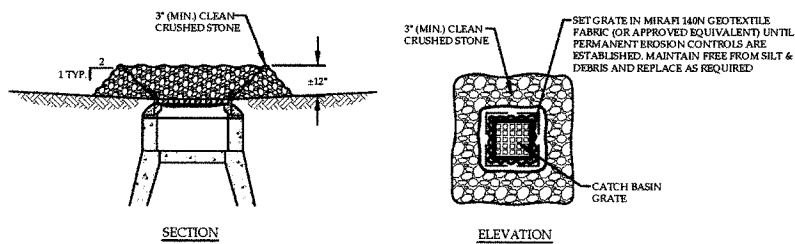
2
C-S
TYPICAL CATCH BASIN
NOT TO SCALE



NOTES:

- 1) PREPARE SOIL BEFORE INSTALLING EROSION CONTROL BLANKET (ECB) INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER AND SEED.
- 2) BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE ECB IN A 6\"/>

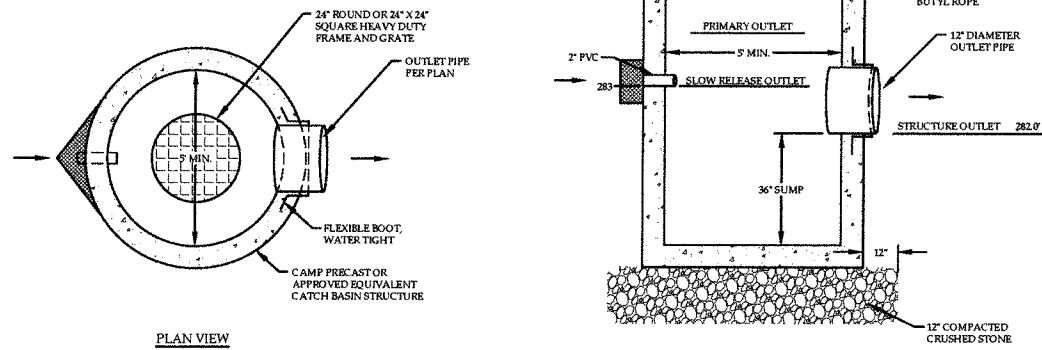
3
C-S
EROSION CONTROL BLANKET - SLOPE INSTALLATION
NOT TO SCALE



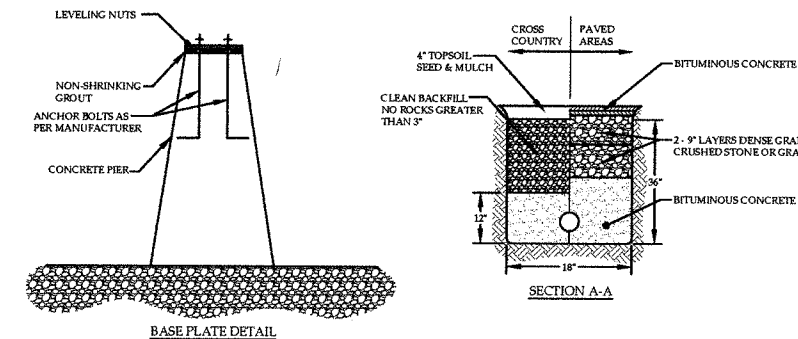
NOTE:

INLET PROTECTION SHALL REMAIN IN PLACE UNTIL PAVEMENT IS INSTALLED OR VEGETATION IS ESTABLISHED TO THE SATISFACTION OF THE ENGINEER.

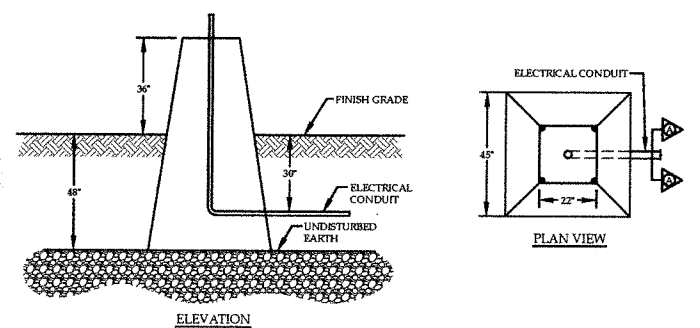
4
C-S
CATCH BASIN INLET PROTECTION, STONE TYPE
NOT TO SCALE



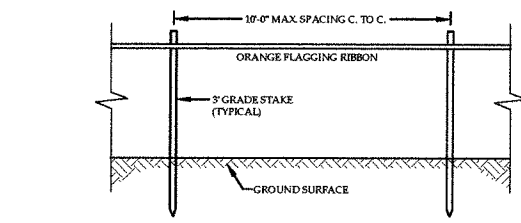
5
C-S
POND OUTLET STRUCTURE
NOT TO SCALE



BASE PLATE DETAIL



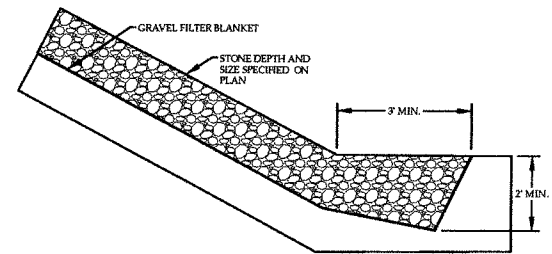
8
C-S
TYPICAL YARD LIGHT FOUNDATION
NOT TO SCALE



NOTE:

CONSTRUCTION FENCE SHALL BE USED WHERE THE PROPOSED DISTURBANCE IS WITHIN 100\"/>

6
C-S
LIMITS OF DISTURBANCE DEMARCATION
NOT TO SCALE



7
C-S
RIP-RAP SLOPE PROTECTION
NOT TO SCALE

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 09/14/16

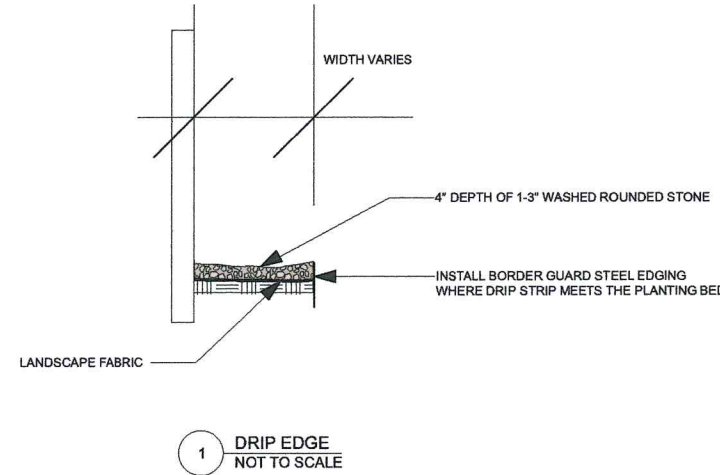
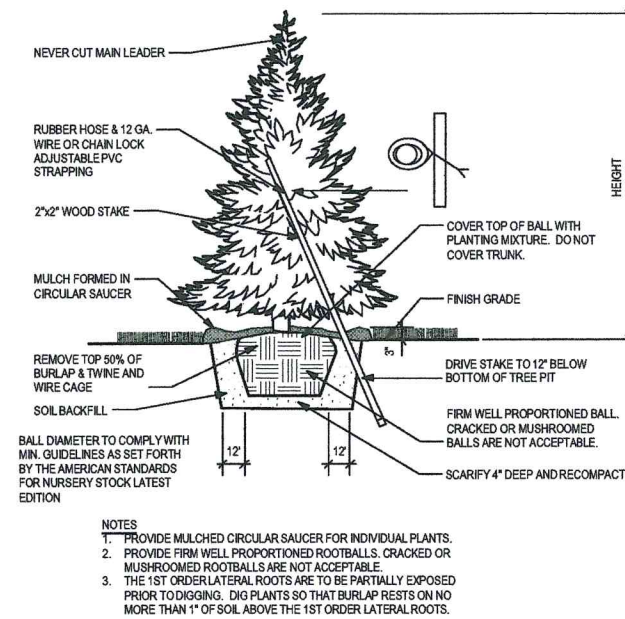
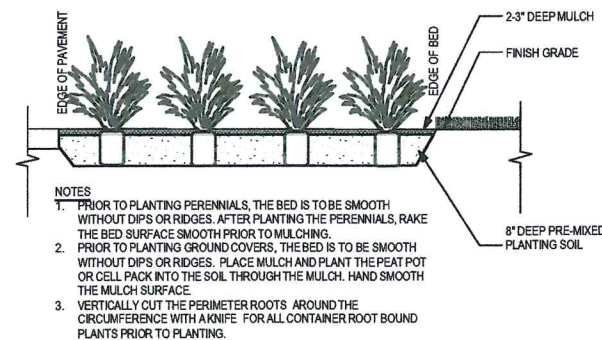
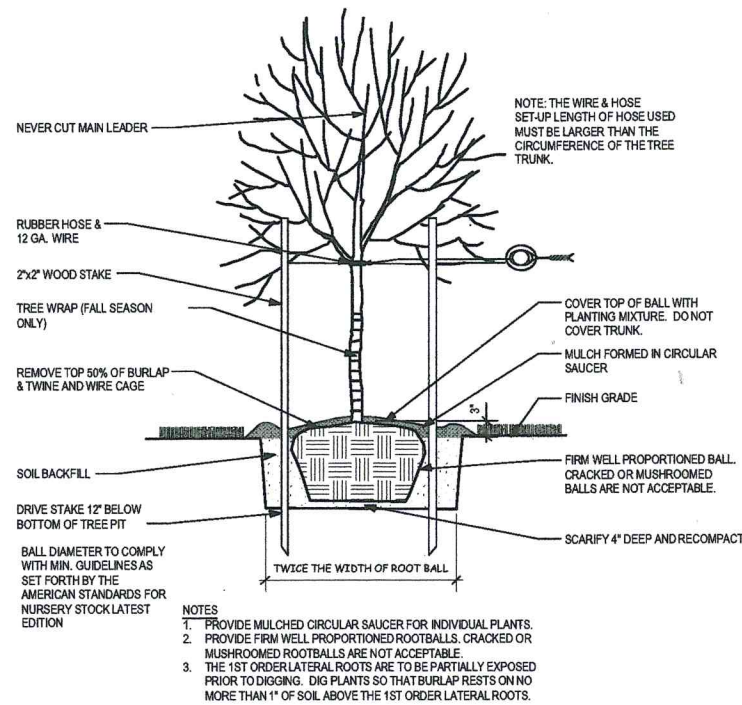
REVISION: 11/01/16 - REVISED PER CLIENT COMMENTS

DETAILS
LUBAVITCH OF VERMONT
57 SOUTH WILLIAMS STREET
BURLINGTON, VT 05401

RUGGIANO
engineering, inc.
5 LAKE STREET
ST. ALBANS, VERMONT 05478

PROJECT NO. 16022
DRAWN BY: NJC
CHECKED BY: SHR
SCALE: AS NOTED

SHEET NO. C-5



NOTES:
Seed Mixtures: Include the following wildflowers and grasses.

ZONE A - Detention Basin Seed Mix
WILDFLOWERS: Nodding Pink Onion / Red Milkweed / New England Aster / White False Indigo / Wild Senna / Joe Pye Weed / Boneset / Dogtooth Daisy / Ox Eye Sunflower / Wild Iris / Blue Flag Iris / Prairie Blazingstar / Dense Blazingstar / Cardinal Flower / Great Blue Lobelia / Monkeyflower / Bergamot / Wild Quinine / Smooth Penstemon / Yellow Coneflower / Black Eyed Susan / Green Headed Coneflower / Sweet Black Eyed Susan / Brown Eyed Susan / Common Arrowhead / Ohio Goldenrod / Stiff Goldenrod / Tall Meadowrue / Blue Vervain / Ironweed / Culver's Root / Golden Alexanders
GRASSES & SEDGES: Blue-joint Grass / Bebb's Sedge / Bottlebrush Sedge / Porcupine Sedge / Awn Fruited Sedge / Fox Sedge / Canada Wild Rye / Virginia Wild Rye / Common Rush / Dark Green Bulrush / Woolgrass

ZONE B - Rain Garden Seed Mix
WILDFLOWERS: Nodding Pink Onion / Red Milkweed / New England Aster / White False Indigo / Pale Indian Plantain / Wild Senna / Canada Tick Trefoil / Joe Pye Weed / Boneset / Dogtooth Daisy / Ox Eye Sunflower / Wild Iris / Blue Flag Iris / Prairie Blazingstar / Dense Blazingstar / Great Blue Lobelia / Bergamot / Yellow Coneflower / Black Eyed Susan / Sweet Black Eyed Susan / Brown Eyed Susan / Rosinweed / Cupplant / Prairie Dock / Ohio Goldenrod / Stiff Goldenrod / Tall Meadowrue / Blue Vervain / Ironweed / Culver's Root / Golden Alexanders
GRASSES: Big Bluestem / Bebb's Sedge / Bottlebrush Sedge / Porcupine Sedge / Awn Fruited Sedge / Fox Sedge / Canada Wild Rye / Virginia Wild Rye / Switchgrass / Dark Green Bulrush / Indiangrass / Prairie Cordgrass / Annual Rye

Install both zones at no less than 1/4 pound per 1,000 square feet.

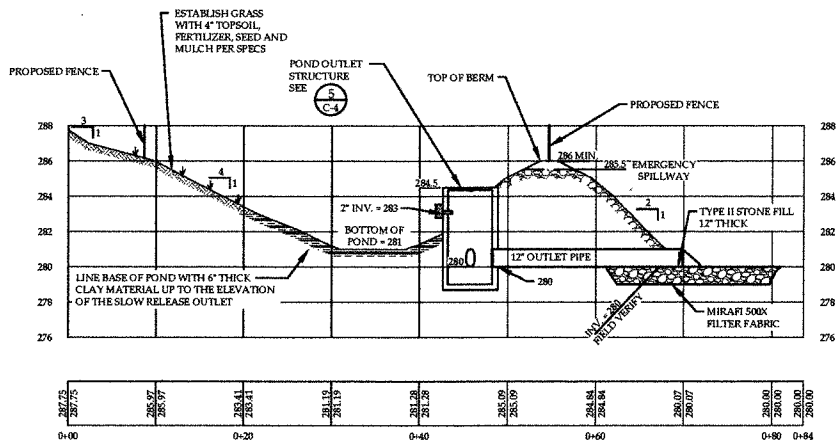
Seed Mixes available at Prairie Nursery
[www.prairienursery.com]
See "Seed Mix Establishment Guide" for further planting recommendations.

Seed all other areas with Conservation Seed Mixture (typical)

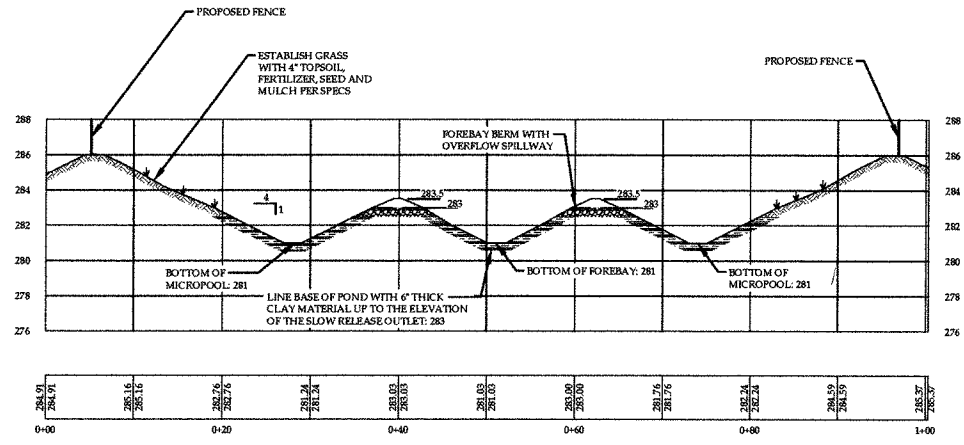
RECEIVED
NOV 09 2016
DEPARTMENT OF PLANNING & ZONING

NOTES:
THE POND SHOULD BE REGULARLY INSPECTED FOR BUILD-UP OF SEDIMENT. SEDIMENT SHOULD BE REMOVED WHEN GREATER THAN A 6" DEPTH HAS ACCUMULATED.
VEGETATION SHALL BE MAINTAINED IN ALL AREAS THAT DO NOT RECEIVE RIP RAP, PAVEMENT OR CONCRETE. PROPER SEDIMENT CONTROL SHALL BE PLACED AND MAINTAINED DURING CONSTRUCTION ACTIVITIES TO MINIMIZE THE AMOUNT OF SEDIMENT REACHING THE POND.
ALL EROSION AND SEDIMENT CONTROLS SHOULD BE INSPECTED ON A REGULAR BASIS AND AFTER ANY SIGNIFICANT STORM EVENT AND REPAIRED AS NECESSARY. INSTALL ADDITIONAL EROSION CONTROL, SUCH AS STONE CHECK DAMS, RIP RAP, ETC. AS REQUIRED.

DETENTION POND SUMMARY								
	POND BOTTOM	2" CPV OUTLET	OVERFLOW GRATE	EMERGENCY SPILLWAY	TOP OF BERM	Q1 ELEVATION	Q10 ELEVATION	QVA
ELEVATION	281	283	284.5	285.5	286	283.81	284.61	283.22



1
C-5
DETENTION POND PROFILE A-A
HORIZONTAL SCALE: 1" = 10'
VERTICAL SCALE: 1" = 5'
Graphic Scale
10 0 10 20 40 feet



2
C-6
DETENTION POND PROFILE B-B
HORIZONTAL SCALE: 1" = 10'
VERTICAL SCALE: 1" = 5'
Graphic Scale
10 0 10 20 40 feet

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 09/14/16

RECEIVED
NOV 09 2016
DEPARTMENT OF
PLANNING & ZONING

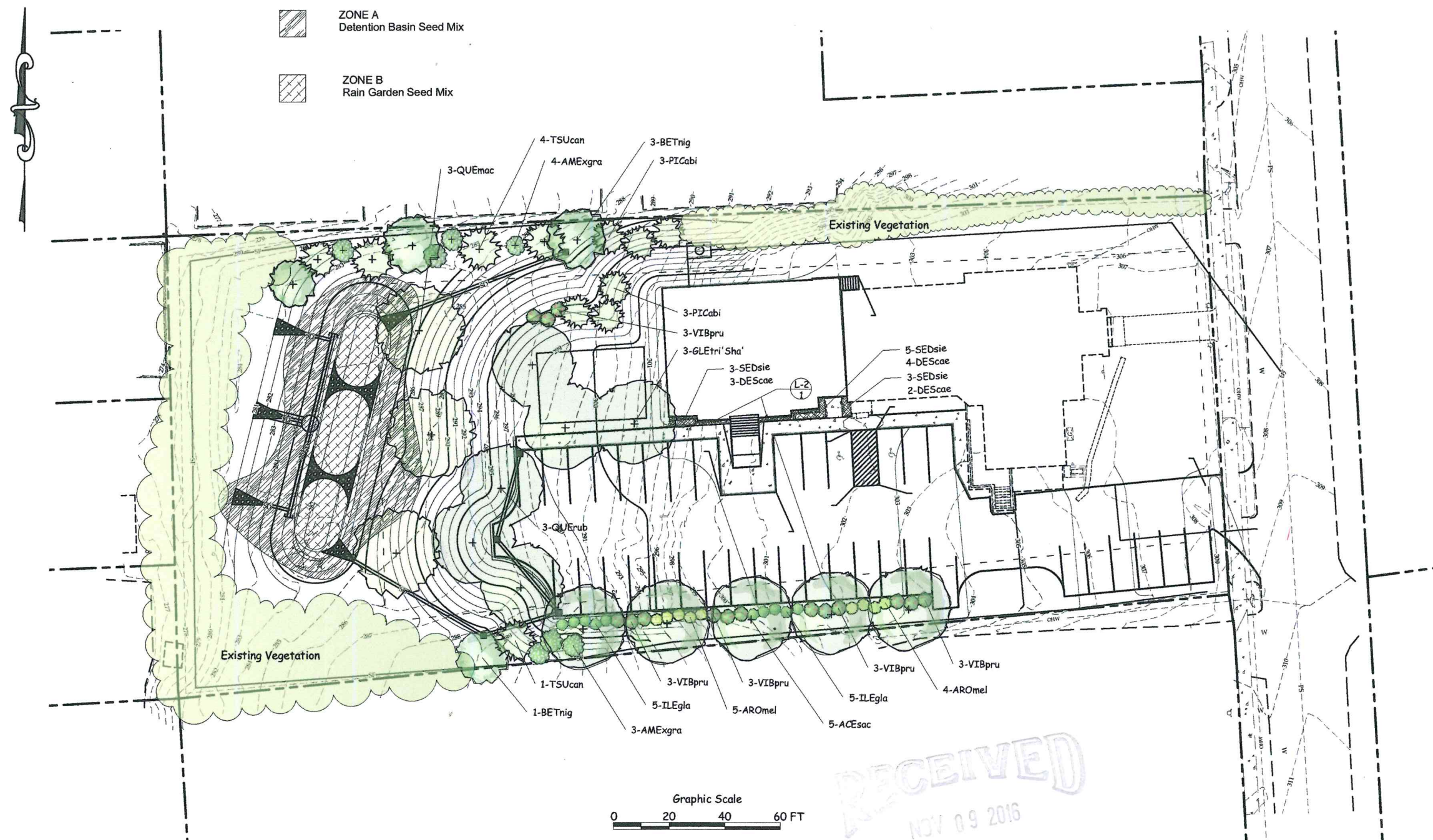
REVISION: 11/01/16 -REVISED PER CLIENT COMMENTS

PROFILE VIEWS
LUBAVITCH OF VERMONT
57 SOUTH WILLIAMS STREET
BURLINGTON, VT 05401

RUGGIANO
Engineering, Inc.
5 LAKE STREET
ST. ALBANS, VERMONT 05478
PHONE: (802) 244-0722 FAX: (802) 244-0723

PROJECT NO.16022
DRAWN BYNJC
CHECKED BYSHR
SCALEAS NOTED

SHEET NO.
C-6

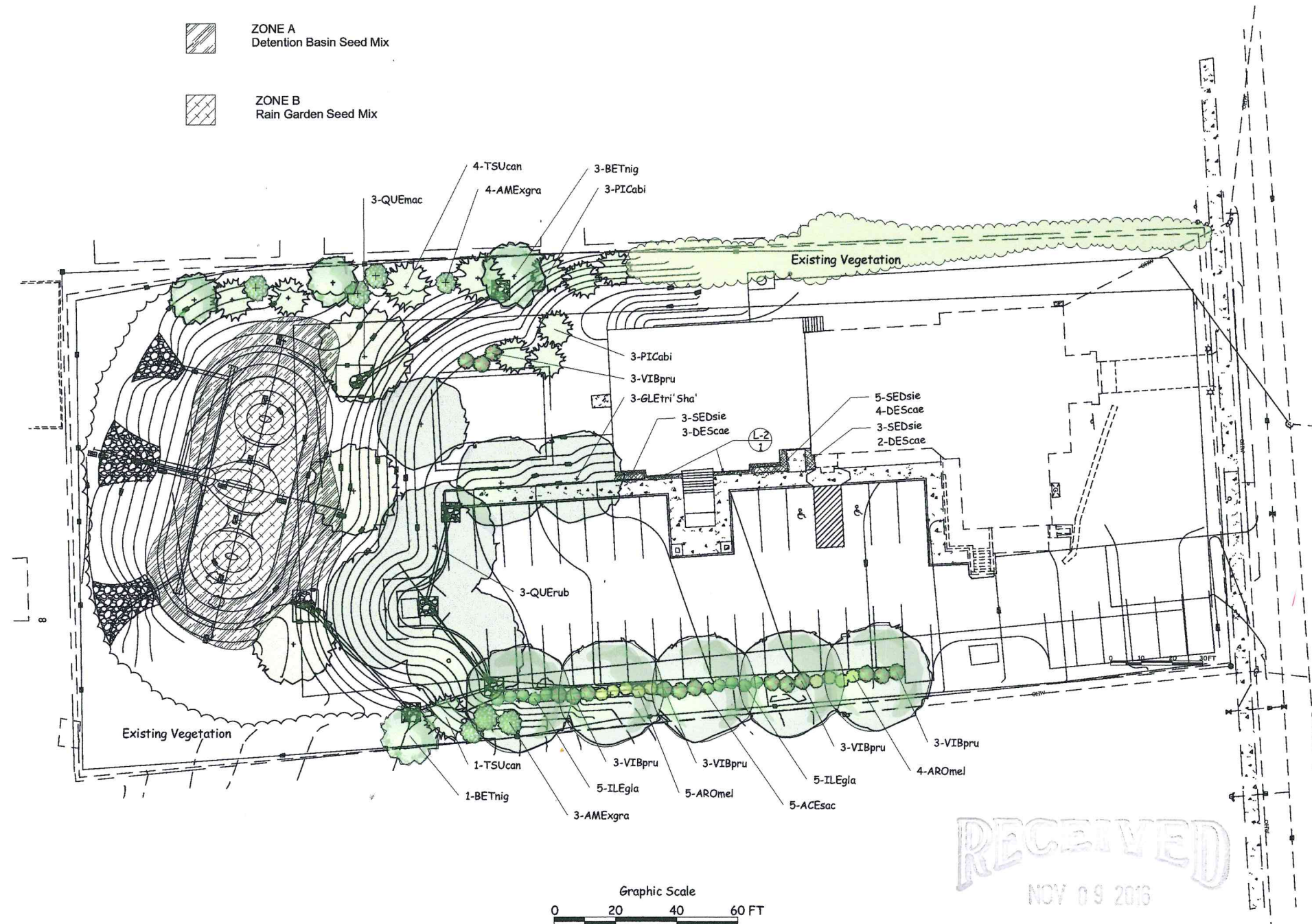


Landscape Concepts and Objectives:

This sustainable landscape plan will be achieved by using native plant species appropriately spaced to allow for healthy growth to maturity. The landscape plan will also provide the following functions and benefits:

- A contiguous green space is designed to stretch across the west side of the property wrapping north and south to connect to neighboring green spaces.
- We are recommending replacing the monoculture of black locusts that will be removed during construction, for plant species that support a higher number of Lepidoptera species that will help diversify the habitat making for a richer ecosystem.
- The landscape plan will give an overall park like feel to the property.
- Shrub plantings will be provided on the south side of the new parking to provide a screen for headlights.
- We recommended the planting of eight native shade trees adjacent to the new parking lot.
- Screen plantings along the north and south property lines are designed to replace existing plants that would be removed or potentially damaged during construction.
- Installation of an evergreen screen on the north side of the playground space is designed as a wind break and visual barrier.
- The shade trees surrounding the proposed playground will provide summer shade.
- Additional shade trees are recommended between the parking lot and the proposed detention pond to help with erosion control and obstructing views from the new addition.
- Native wildflower planting are designed to help beautify the detention pond, provide erosion control and provide nectar

Planting Schedule						
Count	ID	Common Name	Scientific Name	Unit	Mature Height	Mature Spread
Trees						
5	ACEsac	Sugar Maple	Acer saccharum	2.5-3"	35 - 50 ft	20 - 35 ft
7	AMExgra	Apple Serviceberry	Amelanchier x grandiflora	5'-6"	10 - 15 ft	7 - 12 ft
4	BETnig	River Birch Multi	Betula nigra	10-12'	35 - 50 ft	20 - 35 ft
3	GLEtri'Sha'	Shademaster Honeylocust	Gleditsia triacanthos inermis 'Shademaster'	2.5-3"	50 - 80 ft	> 35 ft
6	PICab	Norway Spruce	Picea abies	6-7'	35 - 50 ft	20 - 35 ft
3	QUEmac	Burr Oak	Quercus macrocarpa	2.5-3"	80 - 100 ft	> 35 ft
3	QUErub	Northern Red Oak	Quercus rubra	2.5-3"	50 - 80 ft	> 35 ft
5	TSUcan	Canadian Hemlock	Tsuga canadensis	8'-10'	35 - 50 ft	20 - 35 ft
Shrubs						
9	AROMel	Black Chokeberry	Aronia melanocarpa	3 gal	3 - 5 ft	4 - 7 ft
10	ILEgla	Shamrock Holly	Ilex glabra 'Shamrock'	3 gal	3 - 5 ft	4 - 7 ft
15	VIBpru	Black Haw Stagbrush	Viburnum prunifolium	7 gal	10 - 15 ft	7 - 12 ft
Herbaceous						
9	DEScie	Golden Tufted Hair Grass	Deschampsia caespitosa 'Goldtau'	#1	12 - 18 in	12 - 24 in
11	SEDSie	October Daphne	Sedum sieboldii	4"	< 12 in	< 12 in

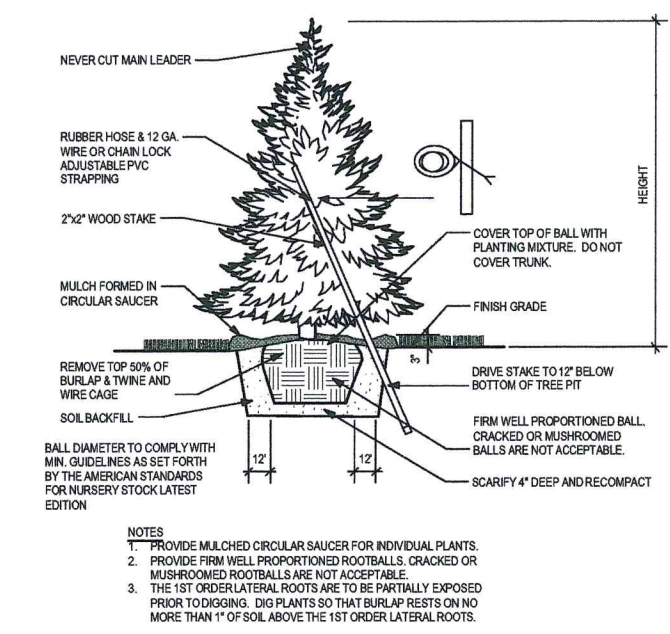
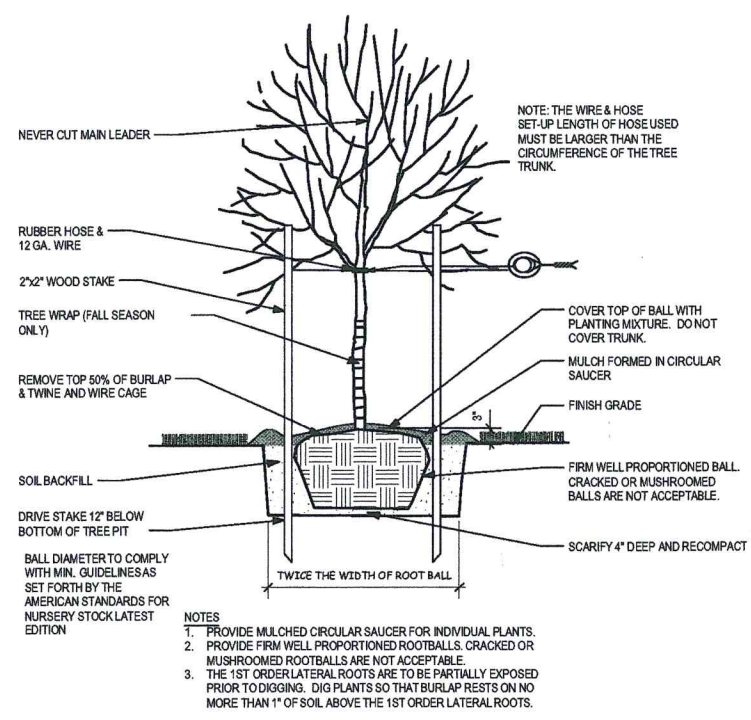


Landscape Concepts and Objectives:

This sustainable landscape plan will be achieved by using native plant species appropriately spaced to allow for healthy growth to maturity. The landscape plan will also provide the following functions and benefits:

- A contiguous green space is designed to stretch across the west side of the property wrapping north and south to connect to neighboring green spaces.
- We are recommending replacing the monoculture of black locusts that will be removed during construction, for plant species that support a higher number of Lepidoptera species that will help diversify the habitat making for a richer ecosystem.
- The landscape plan will give an overall park like feel to the property.
- Shrub plantings will be provided on the south side of the new parking to provide a screen for headlights.
- We recommended the planting of eight native shade trees adjacent to the new parking lot.
- Screen plantings along the north and south property lines are designed to replace existing plants that would be removed or potentially damaged during construction.
- Installation of an evergreen screen on the north side of the playground space is designed as a wind break and visual barrier.
- The shade trees surrounding the proposed playground will provide summer shade.
- Additional shade trees are recommended between the parking lot and the proposed detention pond to help with erosion control and obstructing views from the new addition.
- Native wildflower planting are designed to help beautify the detention pond, provide erosion control and provide nectar

Planting Schedule						
Count	ID	Common Name	Scientific Name	Unit	Mature Height	Mature Spread
Trees						
5	ACEsac	Sugar Maple	Acer saccharum	2.5-3"	35 - 50 ft	20 - 35 ft
7	AMExgra	Apple Serviceberry	Amelanchier x grandiflora	5'-6"	10 - 15 ft	7 - 12 ft
4	BETnig	River Birch Multi	Betula nigra	10-12'	35 - 50 ft	20 - 35 ft
3	GLEtri'Sha'	Shademaster Honeylocust	Gleditsia triacanthos inermis 'Shademaster'	2.5-3"	50 - 80 ft	> 35 ft
6	PICab	Norway Spruce	Picea abies	6-7"	35 - 50 ft	20 - 35 ft
3	QUEmac	Burr Oak	Quercus macrocarpa	2.5-3"	80 - 100 ft	> 35 ft
3	QUErub	Northern Red Oak	Quercus rubra	2.5-3"	50 - 80 ft	> 35 ft
5	TSUcan	Canadian Hemlock	Tsuga canadensis	8'-10'	35 - 50 ft	20 - 35 ft
Shrubs						
9	AROMel	Black Chokeberry	Aronia melanocarpa	3 gal	3 - 5 ft	4 - 7 ft
10	ILEgla	Shamrock Holly	Ilex glabra 'Shamrock'	3 gal	3 - 5 ft	4 - 7 ft
15	VIBpru	Black Haw Stagbrush	Viburnum prunifolium	7 gal	10 - 15 ft	7 - 12 ft
Herbaceous						
9	DEScae	Golden Tufted Hair Grass	Deschampsia caespitosa 'Goldtau'	#1	12 - 18 in	12 - 24 in
11	SEdsie	October Daphne	Sedum sieboldii	4"	< 12 in	< 12 in



- ZONE A
Detention Basin Seed Mix
- ZONE B
Rain Garden Seed Mix

NOTES:

Seed Mixtures: Include the following wildflowers and grasses.

ZONE A - Detention Basin Seed Mix

WILDFLOWERS: Nodding Pink Onion / Red Milkweed / New England Aster / White False Indigo / Wild Senna / Joe Pye Weed / Boneset / Dogtooth Daisy / Ox Eye Sunflower / Wild Iris / Blue Flag Iris / Prairie Blazingstar / Dense Blazingstar / Cardinal Flower / Great Blue Lobelia / Monkeyflower / Bergamot / Wild Quinine / Smooth Penstemon / Yellow Coneflower / Black Eyed Susan / Green Headed Coneflower / Sweet Black Eyed Susan / Brown Eyed Susan / Common Arrowhead / Ohio Goldenrod / Stiff Goldenrod / Tall Meadowrue / Blue Vervain / Ironweed / Culver's Root / Golden Alexanders

GRASSES & SEDGES: Blue-joint Grass / Bebb's Sedge / Bottlebrush Sedge / Porcupine Sedge / Owl Fruited Sedge / Fox Sedge / Canada Wild Rye / Virginia Wild Rye / Common Rush / Dark Green Bulrush / Woolgrass

ZONE B - Rain Garden Seed Mix

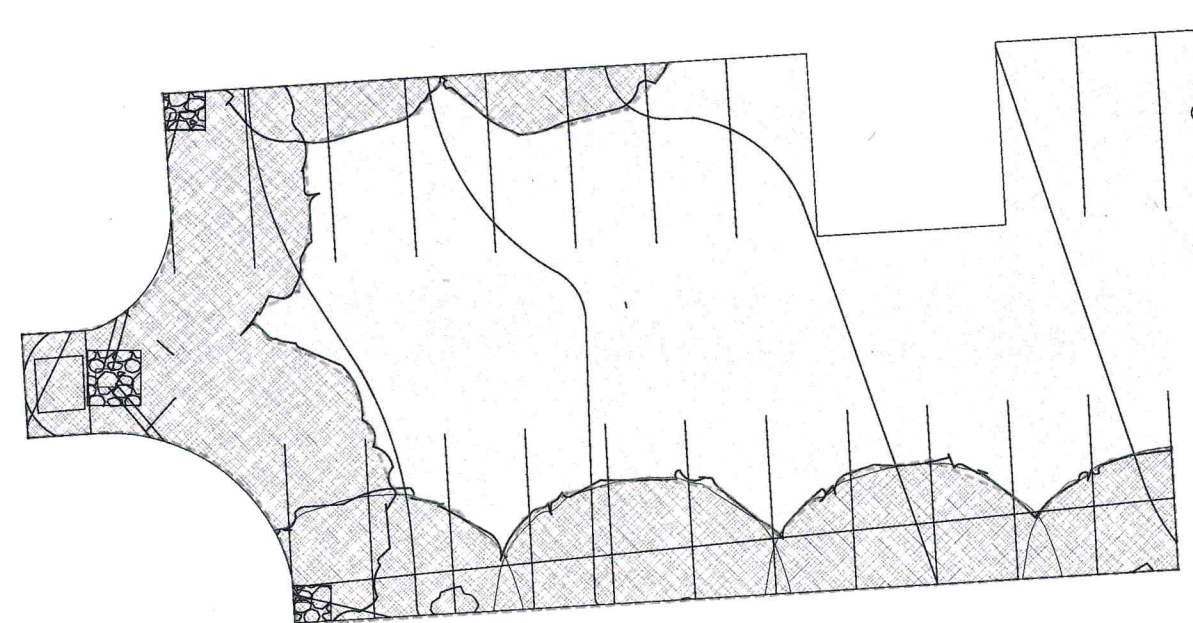
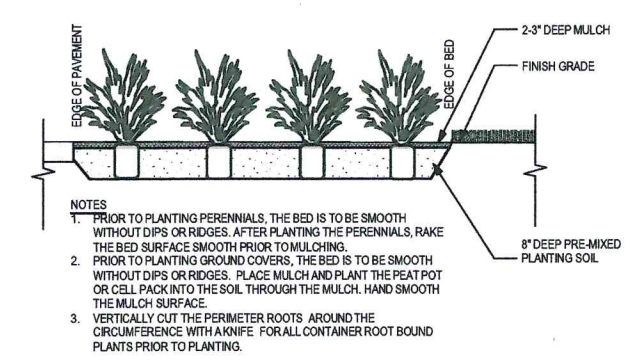
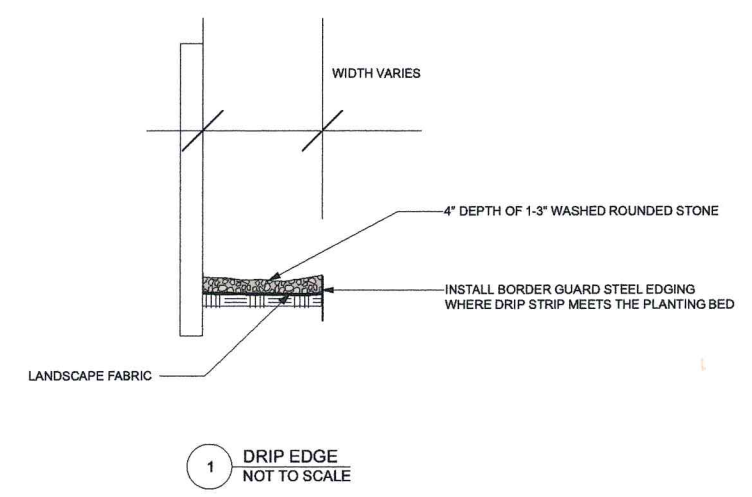
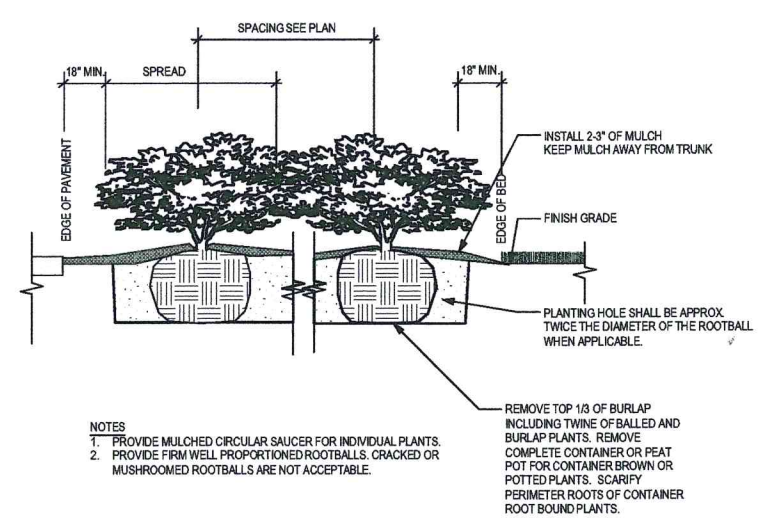
WILDFLOWERS: Nodding Pink Onion / Red Milkweed / New England Aster / White False Indigo / Pale Indian Plantain / Wild Senna / Canada Tick Trefoil / Joe Pye Weed / Boneset / Dogtooth Daisy / Ox Eye Sunflower / Wild Iris / Blue Flag Iris / Prairie Blazingstar / Dense Blazingstar / Great Blue Lobelia / Bergamot / Yellow Coneflower / Black Eyed Susan / Sweet Black Eyed Susan / Brown Eyed Susan / Rosinweed / Cupplant / Prairie Dock / Ohio Goldenrod / Stiff Goldenrod / Tall Meadowrue / Blue Vervain / Ironweed / Culver's Root / Golden Alexanders

GRASSES: Big Bluestem / Bebb's Sedge / Bottlebrush Sedge / Porcupine Sedge / Owl Fruited Sedge / Fox Sedge / Canada Wild Rye / Virginia Wild Rye / Switchgrass / Dark Green Bulrush / Indiangrass / Prairie Cordgrass / Annual Rye

Install both zones at no less than 1/4 pound per 1,000 square feet.

Seed Mixes available at Prairie Nursery
[www.prairienursery.com]
See "Seed Mix Establishment Guide" for further planting recommendations.

Seed all other areas with Conservation Seed Mixture (typical)



SHADE ANALYSIS

New Parking (25 Spaces) = Approximately 7,500 sqft

Shade Tree Coverage at Maturity= Approximately 2,330 sqft or 31%

DESIGN
Drawn
Checked
NS

Revision Description and Date:
11/7/2016

Landscape Details
Chabad of Vermont
57 South Williams Street
Burlington, VT 05401

Sheet Title
Client / Project

Ginkgo Design
Smart Landscape Solutions
PO Box 8262
Essex, VT 05451
(802) 857-5104



Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/PZ/DRB

Phone: (802) 865-7188

Fax (802) 865-7195

Austin Hart
Jonathan Stevens
Brad Rabinowitz
Geoff Hand
Israel Smith
A. J. LaRosa
Alexandra Zipparo
Jim Drummond (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday December 6, 2016 at 5:00 p.m. SUPPLEMENTAL INFORMATION

1. 17-0455CA; 57 South Williams Street (RH, Ward 1E) Vermont Organization for Jewish Education – Chabad of Vermont / Stewart Construction

A two-level addition of approximately 5,500 sf to the west side of the existing building, to provide a new worship sanctuary on the upper level, with supporting spaces on the lower level, with new off-street parking, landscaping, and erosion prevention.

1. Email from Nathan Callas, dated November 30, 2016, confirming total lot coverage of 36.4%
2. Updated plans submitted Dec. 5, 2016
 - a.) Sheet C-2 – Proposed Site Plan
 - b.) Sheet L-1 – Landscape Plan
 - c.) Sheet SK-1 – Upper Level Plan
 - d.) Sheet SK-2 – Lower Level Plan
 - e.) New Sheet SK-11 – Exterior Wall Photometrics
3. Recessed Lighting Cut Sheets

Ryan Morrison

From: Nathan Callas <Nathan@shrugg.com>
Sent: Wednesday, November 30, 2016 4:09 PM
To: Ryan Morrison
Cc: Edward Wolfstein
Subject: RE: Impervious calculation confirmation

Ryan,

The dumpster and driveway in the "existing and proposed" section were both already added up. Because the existing dumper is being moved and the existing driveway is either being replaced with impervious or is being removed, the numbers that I originally had were correct.

Thus that last column would be:

Existing and Proposed: based on a lot size of 59,626 sf

Driveway/Parking: 12000 sf (20.1%)
Sidewalk/Walkways: 1900 sf(3%)
Structures: 7724 sf (13%)
Dumpster: 80 sf (.1%)

Existing and Proposed Total: 21,704 sf (36.4%)

Please let me know if there are any issues with this.

Thanks,

Nathan Callas

5 Lake Street
St. Albans, Vermont 05478
Tele: (802)524-9300
Email: Nathan@shrugg.com
www.Ruggianoengineering.com

From: Ryan Morrison [<mailto:rmorrison@burlingtonvt.gov>]
Sent: Tuesday, November 29, 2016 10:41 AM
To: Edward Wolfstein
Cc: Nathan Callas
Subject: RE: Impervious calculation confirmation

One other thing – please confirm that my edits below in the 'existing and proposed' are accurate. Thanks!

Ryan Morrison, CFM
Associate Planner
City of Burlington
802-865-7190

"Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act."

From: Ed Wolfstein [<mailto:ed.wolfstein@gmail.com>] **On Behalf Of** Edward Wolfstein

Sent: Tuesday, November 22, 2016 9:15 AM

To: Ryan Morrison <rmorrison@burlingtonvt.gov>

Subject: Fwd: Impervious calculation confirmation

Hi Ryan.

Here are the updated calculation for the Chabad Project.

Thanks.

- Ed.

Existing:

Driveway/Parking: 10297 sf (0.24 ac)

Sidewalk/Walkways: 420 sf (0.01 ac)

Structures: 5000 sf (0.11 ac)

Dumpster: 30 sf (0.001 ac)

Existing Total: 15747 sf (0.36 ac)

Proposed:

Driveway/Parking: 12000 sf (0.27 ac)

Sidewalks/walkways: 1480 sf (0.03 ac)

Structures: 2724 sf (0.06 ac)

Dumpers: 80 sf (0.002 sf)

Proposed Total: 16284 sf (0.37 ac)

Existing and Proposed: based on a lot size of 59,626 sf

Driveway/Parking: ~~12000 (0.27 ac)~~ – 22,297 sf (37.4%)

Sidewalk/Walkways: 1900 sf ~~(0.04 ac)~~ (3%)

Structures: 7724 sf ~~(0.18 ac)~~ (13%)

Dumpster: ~~80 sf (0.002 ac)~~ 110 sf (.02%)

Existing and Proposed Total: ~~21,704 sf (0.49 ac)~~ 32,031 sf (54%)

Please let me know if there are any issues.



FEATURES & SPECIFICATIONS

INTENDED USE — Typical applications include corridors, lobbies, conference rooms and private offices.

CONSTRUCTION — Durable square metal reflectors retained by torsion springs.

Galvanized steel mounting/plaster frame; galvanized steel junction box with bottom-hinged access covers and spring latches.

Vertically adjustable mounting brackets with commercial bar hangers provide 3-3/4" total adjustment.

Two combination 1/2"-3/4" and four 1/2" knockouts for straight-through conduit runs. Capacity: 8 (4 in, 4 out). No. 12 AWG conductors, rated for 90°C.

Accommodates 12"-24" joist spacing.

Passive cooling thermal management for 25°C standard; high ambient (40°C) option available. Light engine and drivers are accessible from above or below ceiling.

Max ceiling thickness 1-1/2".

OPTICS — LEDs are binned to a 3-step SDCM; 80 CRI minimum.

LED light source concealed with diffusing optical lens.

General illumination lighting with 1.0 S/MH and 55° cutoff to source and source image.

Self-flanged anodized reflectors in specular, semi-specular, or matte diffuse finishes. Also available in white and black painted reflectors.

Self-flanged anodized reflectors in specular, semi-specular, or matte diffuse finishes.

ELECTRICAL — Multi-volt (120-277V, 50/60Hz) eldoLED 0-10V dimming drivers mounted to junction box, 10% or 1% minimum dimming level available.

0-10V dimming fixture requires two (2) additional low-voltage wires to be pulled.

70% lumen maintenance at 50,000 hours.

LISTINGS — Certified to US and Canadian safety standards. Damp location standard (wet location, covered ceiling optional).

WARRANTY — 5-year limited warranty. Complete warranty terms located at

www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx

Note: Actual performance may differ as a result of end-user environment and application.

All values are design or typical values, measured under laboratory conditions at 25 °C.

Specifications subject to change without notice.



A+ Capable options indicated by this color background.

ORDERING INFORMATION

Lead times will vary depending on options selected. Consult with your sales representative.

DEPARTMENT OF PLANNING & ZONING

LDN6SQ					PLANNING & ZONING					
Series	Color temperature		Lumens ¹		Aperture/Trim Color				Finish	
LDN6SQ 6" square	27/	2700K	05	500 lumens	LS6	Downlight	AR	Clear	LSS	Semi-specular
	30/	3000K	10	1000 lumens	LSW6	Wallwash	WR ²	White	LD	Matte diffuse
	35/	3500K	15	1500 lumens			BR ²	Black	LS	Specular
	40/	4000K	20	2000 lumens						
			25	2500 lumens						
			30	3000 lumens						
			40	4000 lumens						
			50	5000 lumens						

Voltage		Driver	Options		NPS80EZER ⁶	
MVOLT	Multi-volt	EZ10 eldoLED 10% 0-10V	SF ⁴	Single fuse	nLight [®] dimming pack controls 0-10V eldoLED drivers. ER controls fixtures on emergency circuit.	
120	120V	EZ1 eldoLED 1% 0-10V	TRW ⁵	White painted flange	HAO	High ambient option
277	277V		TRBL ⁵	Black painted flange	CP	Chicago Plenum
347 ³	347V		ELR	Battery pack (remote)	WL	Wet location
			EL	Battery pack	RRL	RELOC [®] -ready luminaire connectors enable a simple and consistent factory installed option across all ABL luminaires. Refer to RRL for complete nomenclature. Available in RRLA, RRLB, RRLAE, and RRLC125.
			NPS80EZ ⁶	nLight [®] dimming pack controls 0-10V eldoLED drivers.		

Notes

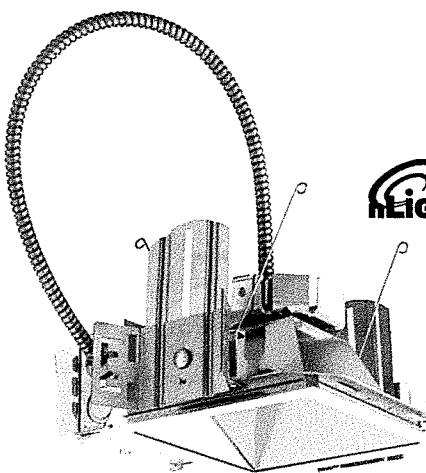
- Overall height varies based on lumen package; refer to dimensional chart on page 10.
- Not available with finishes.
- Not available with emergency options.
- 120V only.
- Available with clear (AR) reflector only.
- Must specify voltage 120V or 277V.

Catalog Number
Notes
Type

LDN6SQ

6" Square

New Construction Damp Location



RECEIVED

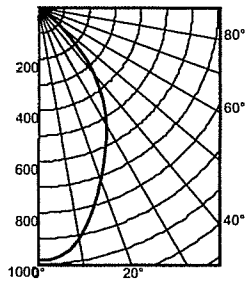
DEC 05 2016

LDN6SQ

PHOTOMETRY

Distribution Curve Distribution Data Output Data Coefficient of Utilization Illuminance Data at 30" Above Floor for a Single Luminaire

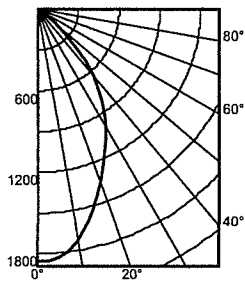
LDN6SQ 35/10 LS6AR, input watts: 11.99, delivered lumens: 1064, LM/W = 88.74, spacing criterion at 0= 0.96, test no. ISF 31035P34.



Ave Lumens	Zone Lumens	% Lamp	pf pc pw	80%			20%			50%			50% beam - 47.3"	10% beam - 86.5"
				50%	30%	10%	50%	30%	10%	50%	30%	10%		
0 985	0° - 30° 603.4	56.7	0	119	119	119	116	116	116	111	111	111		
5 974	0° - 40° 875.8	82.3	1	110	107	105	108	105	103	104	102	100		
15 819	0° - 60° 1060.6	99.7	2	101	97	93	100	96	92	96	93	90		
25 617	0° - 90° 1063.4	99.9	3	94	88	84	92	87	83	89	85	82		
35 439	90° - 120° 0.0	0.0	4	87	80	76	85	80	75	83	78	74		
45 210	90° - 130° 0.0	0.0	5	80	74	69	79	73	69	77	72	68		
55 19	90° - 150° 0.2	0.0	6	74	68	63	74	67	63	72	67	62		
65 2	90° - 180° 0.5	0.1	7	69	63	58	69	62	58	67	62	58		
75 1	0° - 180° 1064.0	*100.0	8	65	58	54	64	58	53	63	57	53		
85 0	*Efficiency		9	60	54	50	60	54	50	59	53	49		
90 0			10	57	50	46	56	50	46	55	50	46		

Initial FC		50% beam - 47.3"		10% beam - 86.5"	
Mounting Height	Center Beam	Diameter	FC	Diameter	FC
8.0	32.6	4.8	16.3	10.3	3.3
10.0	17.5	6.6	8.8	14.1	1.8
12.0	10.9	8.3	5.5	17.9	1.1
14.0	7.5	10.1	3.7	21.6	0.7
16.0	5.4	11.8	2.7	25.4	0.5

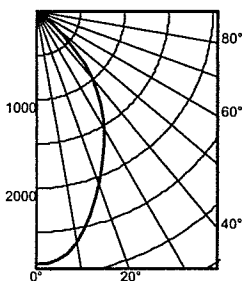
LDN6SQ 35/20 LS6AR, input watts: 23.16, delivered lumens: 2006.1, LM/W = 86.61, spacing criterion at 0= 0.96, test no. ISF 31035P28.



Ave Lumens	Zone Lumens	% Lamp	pf pc pw	80%			20%			50%			50% beam - 47.3"	10% beam - 86.5"
				50%	30%	10%	50%	30%	10%	50%	30%	10%		
0 1858	0° - 30° 1137.8	56.7	0	119	119	119	116	116	116	111	111	111		
5 1837	0° - 40° 1651.4	82.3	1	110	107	105	108	105	103	104	102	100		
15 1544	0° - 60° 1999.7	99.7	2	101	97	93	100	96	92	96	93	90		
25 1163	0° - 90° 2005.1	99.9	3	94	88	84	92	87	83	89	85	82		
35 828	90° - 120° 0.0	0.0	4	87	80	76	85	80	75	83	78	74		
45 395	90° - 130° 0.0	0.0	5	80	74	69	79	73	69	77	72	68		
55 35	90° - 150° 0.4	0.0	6	74	68	63	74	67	63	72	67	62		
65 3	90° - 180° 1.0	0.1	7	69	63	58	69	62	58	67	62	58		
75 1	0° - 180° 2006.1	*100.0	8	65	58	54	64	58	53	63	57	53		
85 0	*Efficiency		9	60	54	50	60	54	50	59	53	49		
90 0			10	57	50	46	56	50	46	55	50	46		

Initial FC		50% beam - 47.3"		10% beam - 86.5"	
Mounting Height	Center Beam	Diameter	FC	Diameter	FC
8.0	61.4	4.8	30.7	10.3	6.1
10.0	33.0	6.6	16.5	14.1	3.3
12.0	20.6	8.3	10.3	17.9	2.1
14.0	14.0	10.1	7.0	21.6	1.4
16.0	10.2	11.8	5.1	25.4	1.0

LDN6SQ 35/30 LS6AR, input watts: 35.06, delivered lumens: 3088.7, LM/W = 88.09, spacing criterion at 0= 0.96, test no. ISF 31035P25.



Ave Lumens	Zone Lumens	% Lamp	pf pc pw	80%			20%			50%			50% beam - 47.3"	10% beam - 86.5"
				50%	30%	10%	50%	30%	10%	50%	30%	10%		
0 2860	0° - 30° 1751.7	56.7	0	119	119	119	116	116	116	111	111	111		
5 2829	0° - 40° 2542.5	82.3	1	110	107	105	108	105	103	104	102	100		
15 2377	0° - 60° 3078.8	99.7	2	101	97	93	100	96	92	96	93	90		
25 1790	0° - 90° 3087.1	99.9	3	94	88	84	92	87	83	89	85	82		
35 1274	90° - 120° 0.0	0.0	4	87	80	76	85	80	75	83	78	74		
45 608	90° - 130° 0.0	0.0	5	80	74	69	79	73	69	77	72	68		
55 54	90° - 150° 0.7	0.0	6	74	68	63	74	67	63	72	67	62		
65 5	90° - 180° 1.6	0.1	7	69	63	58	69	62	58	67	62	58		
75 2	0° - 180° 3088.7	*100.0	8	65	58	54	64	58	53	63	57	53		
85 1	*Efficiency		9	60	54	50	60	54	50	59	53	49		
90 0			10	57	50	46	56	50	46	55	50	46		

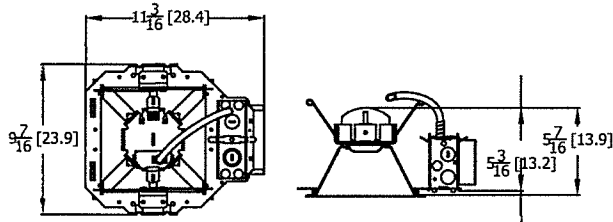
RECEIVED
DEC 05 2016

DEPARTMENT OF
PLANNING & ZONING

LDN6SQ

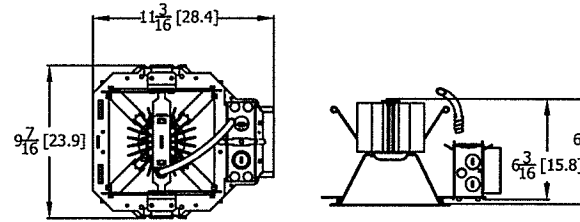
* All dimensions are inches (centimeters) unless otherwise noted.

LDN6SQ 1500 LUMEN



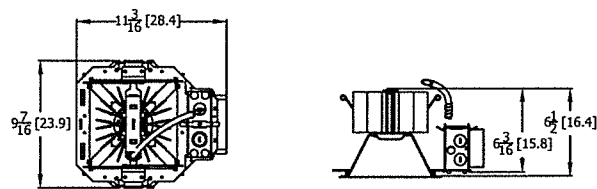
Aperture: 6-1/4 (15.9) Square
 Ceiling Opening: 7-1/8 (18.1) Square
 Overlap trim: 7-1/2 (19.1) Square

LDN6SQ 3000 LUMEN



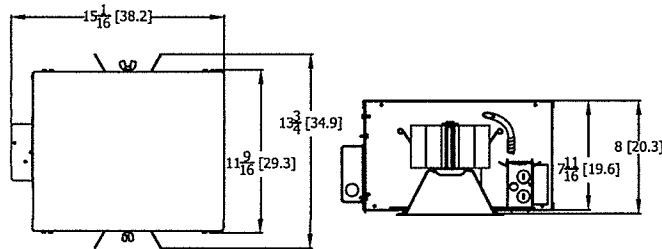
Aperture: 6-1/4 (15.9) Square
 Ceiling Opening: 7-1/8 (18.1) Square
 Overlap trim: 7-1/2 (19.1) Square

LDN6SQ 5000 LUMEN



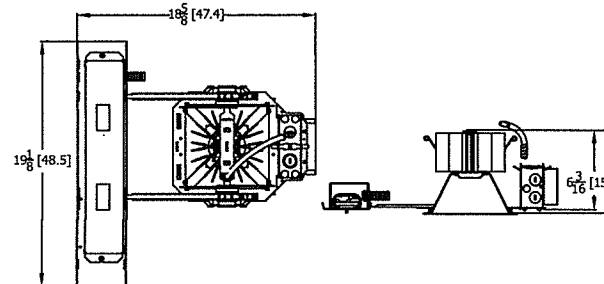
Marked Spacing: 24 x 24 x 10
 Aperture: 6-1/4 (15.9) Square
 Ceiling Opening: 7-1/8 (18.1) Square
 Overlap trim: 7-1/2 (19.1) Square

LDN6SQ CP



Marked Spacing Above 3000 Lumens: 24 x 24 x 10
 Aperture: 6-1/4 (15.9) Square
 Ceiling Opening: 7-1/8 (18.1) Square
 Overlap trim: 7-1/2 (19.1) Square

LDN6SQ EL-ELR



Marked Spacing Above 3000 Lumens: 24 x 24 x 10
 Aperture: 6-1/4 (15.9) Square
 Ceiling Opening: 7-1/8 (18.1) Square
 Overlap trim: 7-1/2 (19.1) Square

LDN6SQ			
Target Lumen	Lumens @ 3500K	Wattage	LPW
500	658.5	7.6	86.6
1000	1064.0	12.0	88.6
1500	1546.0	19.1	80.9
2000	2006.2	23.2	86.4
2500	2553.0	30.2	84.5
3000	3088.7	35.1	87.9
4000	3818.0	46.9	81.4
5000	4738.9	57.3	82.7

EL/ELR AVAILABILITY/COMPATIBILITY - INITIAL LUMENS			
Lumen package	Watts	Initial lumens EL/ELR	Emergency LED driver
600	12	500	PS1050
1000	18	575	PS1050
1500	26	640	PS1050
2000	35	690	PS1050

LUMEN OUTPUT MULTIPLIERS - FINISH			
	Clear (AR)	White (WR)	B
Specular (LS)	1.0	N/A	
Semi-specular (LSS)	0.950	N/A	
Matte diffuse (LD)	0.85	N/A	
Painted	N/A	0.87	

LUMEN OUTPUT MULTIPLIERS - CCT				
	2700K	3000K	3500K	4000K
80CRI	0.950	0.966	1.000	1.025

Notes

- Tested in accordance with IESNA LM-79-08.
- Tested to current IES and NEMA standards under stabilized laboratory conditions.
- CRI: 80 typical.

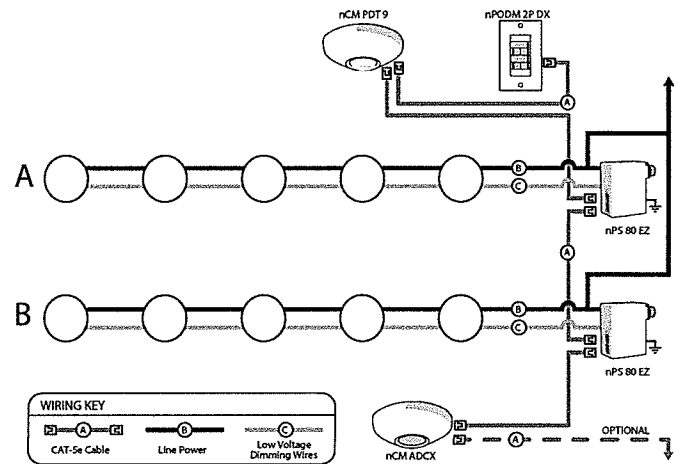
RECEIVED
 DEC 05 2016

DEPARTMENT OF
 PLANNING & ZONING

LDN6SQ

ADDITIONAL DATA

COMPATIBLE 0-10V WALL-MOUNT DIMMERS		
MANUFACTURER	PART NO.	POWER BOOSTER AVAILABLE
Lutron®	Diva® DDTV	
	Diva® DVSCTV	
	Nova T® NTFTV	
	Nova® NFTV	
Leviton®	AWSMT-7DW	CN100
	AWSMG-7DW	PE300
	AMRMG-7DW	
	Leviton Centura Fluorescent Control System	
	IllumaTech® IP7 Series	
Synergy®	ISD BC	RDMFC
	SLD LPCS	
	Digital Equinox (DEQ BC)	
Douglas Lighting Controls	WPC-5721	
Entertainment Technology	Tap Glide TG600FAM120 (120V)	
	Tap Glide Heatsink TGH1500FAM120 (120V)	
	Oasis OA2000FAMU	
Honeywell	EL7315A1019	EL7305A1010 (optional)
	EL7315A1009	
HUNT Dimming	Preset slide: PS-010-IV and PS-010-WH	
	Preset slide: PS-010-3W-IV and PS-010-3W-WH	
	Preset slide, controls FD-010: PS-IFC-010-IV and PS-IFC-010-WH-120/277V	
	Preset slide, controls FD-010: PS-IFC-010-3W-IV and PS-IFC-010-3W-WH-120/277V	
	Remote mounted unit: FD-010	
Lehigh Electronic Products	Solitaire	PBX
PDM Electrical Products	WPC-5721	
Starfield Controls	TR61 with DALI interface port	RT03 DALI.net Router
WattStopper®	LS-4 used with LCD-101 and LCD-103	



nLight® Control Accessories: Order as separate catalog number. Visit www.sensorswitch.com/nLight for complete listing of nLight controls.			
WallPod stations	Model number	Occupancy sensors	Model number
On/Off	nPODM [color]	Small motion 360°, ceiling (PIR / dual tech)	nCM 9 / nCM PDT 9
On/Off & Raise/Lower	nPODM DX [color]	Large motion 360°, ceiling (PIR / dual tech)	nCM 10 / nCM PDT 10
Graphic Touchscreen	nPOD GFX [color]	Wide view (PIR / dual tech)	nWV 16 / nWV PDT 16
Photocell controls	Model number	Wall Switch w/ Raise/Lower (PIR / dual tech)	nWSX LV DX / nWSX PDT LV DX
Dimming	nCM ADCX	Cat-5 cables (plenum rated)	Model number
		10', CAT5 10FT	CAT5 10FT J1
		15', CAT5 15FT	CAT5 15FT J1

A+ Capable Luminaire

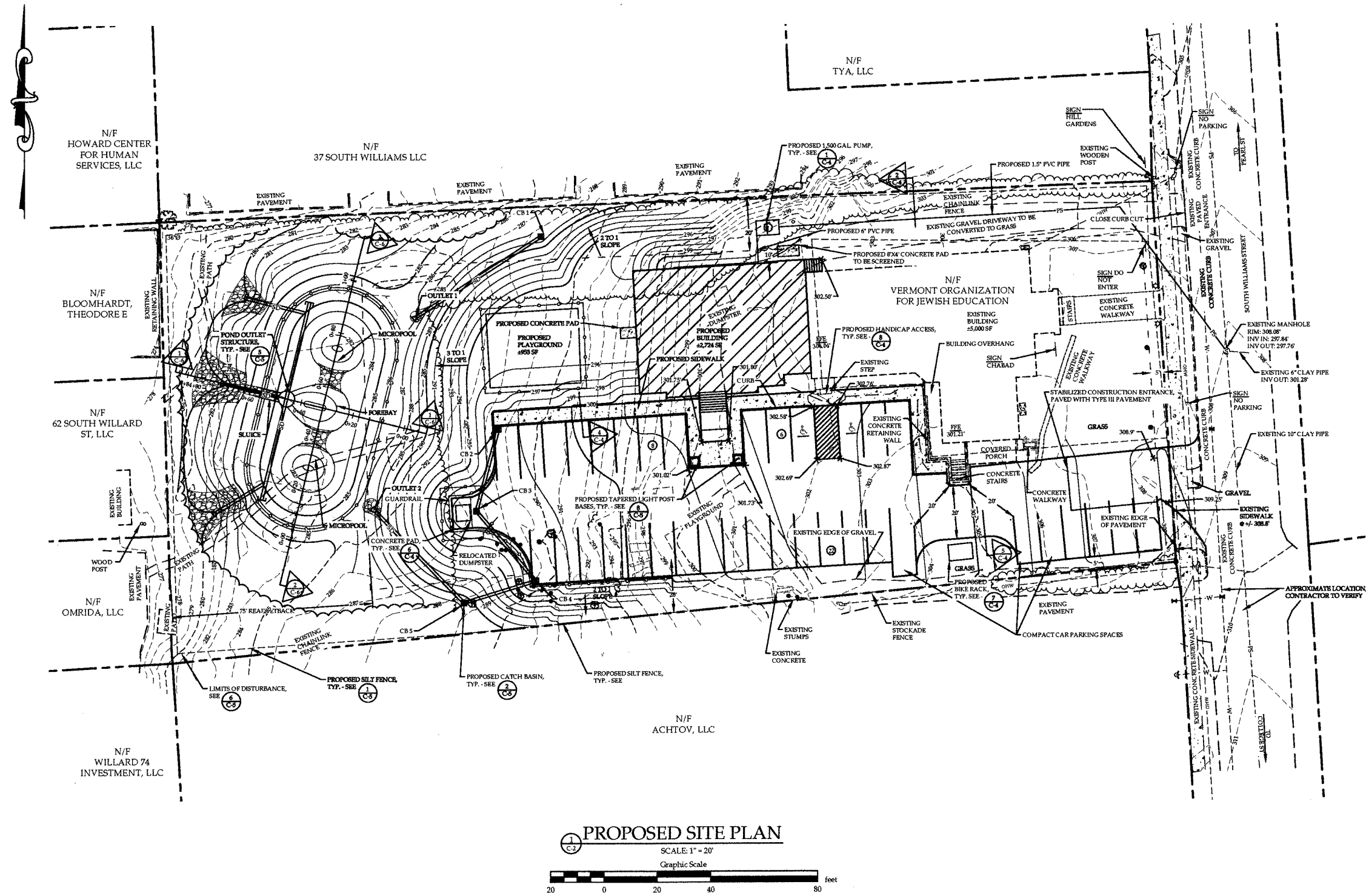
This item is an A+ capable luminaire, which has been designed and tested to provide consistent color appearance and out-of-the-box control compatibility with simple commissioning.

- All configurations of this luminaire meet the Acuity Brands' specification for chromatic consistency
- This luminaire is part of an A+ Certified solution for nLight® control networks when ordered with drivers marked by a shaded background*
- This luminaire is part of an A+ Certified solution for nLight control networks, providing advanced control functionality at the luminaire level, when selection includes driver and control options marked by a shaded background*

To learn more about A+, visit www.acuitybrands.com/aplus.

*See ordering tree for details

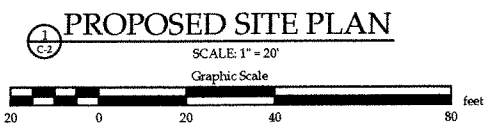
RECEIVED
DEC 05 2016



STORMWATER DRAINAGE SUMMARY							
FROM STRUCTURE	RIM	INV. OUT	TO STRUCTURE	INV. IN	DISTANCE	PIPE DIA.	SLOPE
CB 1	288.5	286.6	OUTLET 1	286.3	55.4	1'-0"	0.01
CB 2	298.0	289.7	CB 3	289.4	31.7	1'-0"	0.02
CB 3	298.1	289.3	CB 4	289.0	34.3	1'-0"	0.01
CB 4	298.4	288.9	CB 5	288.8	25.3	1'-0"	0.01
CB 5	297.5	285.5	OUTLET 2	284.1	60.4	1'-0"	0.01

RECEIVED
DEC 05 2016
DEPARTMENT OF
PLANNING & ZONING

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 09/14/16



REVISION: 12/02/16 - ADDED CONCRETE PAD FOR MECHANICAL UNIT
REVISION: 11/11/16 - MINOR CHANGES
REVISION: 11/01/16 - REVISED PER CLIENT COMMENTS

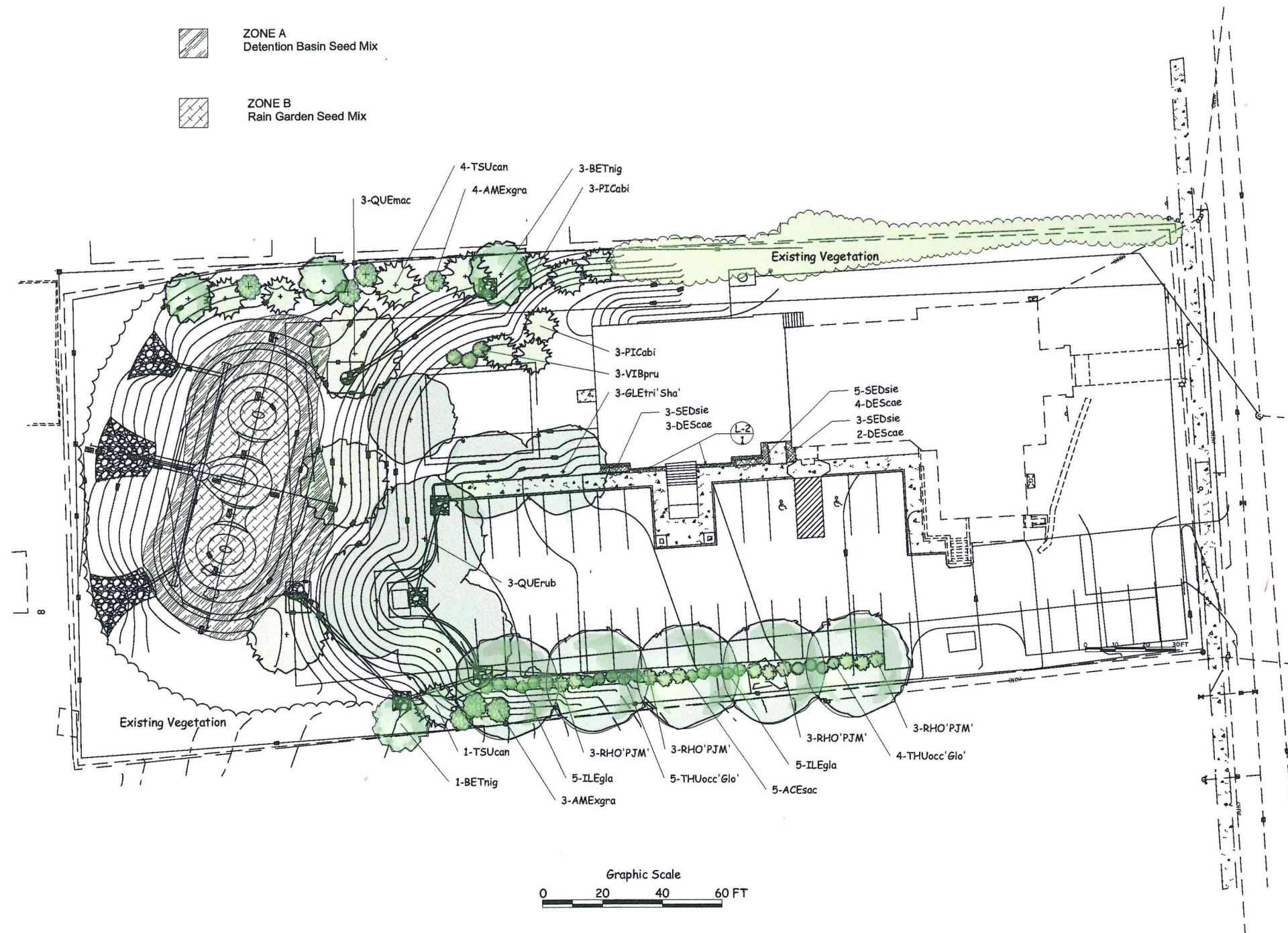
PROPOSED SITE PLAN
CHABAD OF VERMONT
SOUTH WILLIAMS STREET
BURLINGTON, VT 05401

RUGGIANO
Engineering, Inc.
5 LAKE STREET

PROJECT NO. 16022
DRAWN BY: NJC
CHECKED BY: SHR
SCALE: 1" = 20'

SHEET NO. C-2

RECEIVED
DEC 05 2016
DEPARTMENT OF
PLANNING & ZONING



Landscape Concepts and Objectives:

This sustainable landscape plan will be achieved by using native plant species appropriately spaced to allow for healthy growth to maturity. The landscape plan will also provide the following functions and benefits:

- A contiguous green space is designed to stretch across the west side of the property wrapping north and south to connect to neighboring green spaces.
- We are recommending replacing the monoculture of black locusts that will be removed during construction, for plant species that support a higher number of Lepidoptera species that will help diversify the habitat making for a richer ecosystem.
- The landscape plan will give an overall park like feel to the property.
- Shrub plantings will be provided on the south side of the new parking to provide a screen for headlights.
- We recommended the planting of eight native shade trees adjacent to the new parking lot.
- Screen plantings along the north and south property lines are designed to replace existing plants that would be removed or potentially damaged during construction.
- Installation of an evergreen screen on the north side of the playground space is designed as a wind break and visual barrier.
- The shade trees surrounding the proposed playground will provide summer shade.
- Additional shade trees are recommended between the parking lot and the proposed detention pond to help with erosion control and obstructing views from the new addition.
- Native wildflower plantings are designed to help beautify the detention pond, provide erosion control and provide nectar.

Planting Schedule						
Count	ID	Common Name	Scientific Name	Unit	Mature Height	Mature Spread
Trees						
5	ACEsac	Sugar Maple	Acer saccharum	2.5-3"	35 - 50 ft	20 - 35 ft
7	AMExgra	Apple Serviceberry	Amelanchier x grandiflora	5'-6'	10 - 15 ft	7 - 12 ft
4	BETnig	River Birch Multi	Betula nigra	10-12'	35 - 50 ft	20 - 35 ft
3	GLEtri'Sha'	Shademaster Honeylocust	Gleditsia triacanthos inermis 'Shademaster'	2.5-3"	50 - 80 ft	> 35 ft
6	PICab	Norway Spruce	Picea abies	6-7'	35 - 50 ft	20 - 35 ft
3	QUEmac	Burr Oak	Quercus macrocarpa	2.5-3"	80 - 100 ft	> 35 ft
3	QUErub	Northern Red Oak	Quercus rubra	2.5-3"	50 - 80 ft	> 35 ft
5	TSUcan	Canadian Hemlock	Tsuga canadensis	8'-10'	35 - 50 ft	20 - 35 ft
Shrubs						
10	ILEgla	Shamrock Holly	Ilex glabra 'Shamrock'	3 gal	3 - 5 ft	4 - 7 ft
12	RHO'PJM'	PJM Rhododendron	Rhododendron 'PJM'	5 gal	3 - 5 ft	4 - 7 ft
9	THUocc'Glo'	Globe Arborvitae	Thuja occidentalis 'Globosa'	3 gal	3 - 5 ft	4 - 7 ft
3	VIBpru	Black Haw Stagbrush	Viburnum prunifolium	7 gal	10 - 15 ft	7 - 12 ft
Herbaceous						
6	REF	Golden Thread Leaf	Thalictrum aquilegifolium 'Goldthread'	#1	12 - 18 in	12 - 24 in



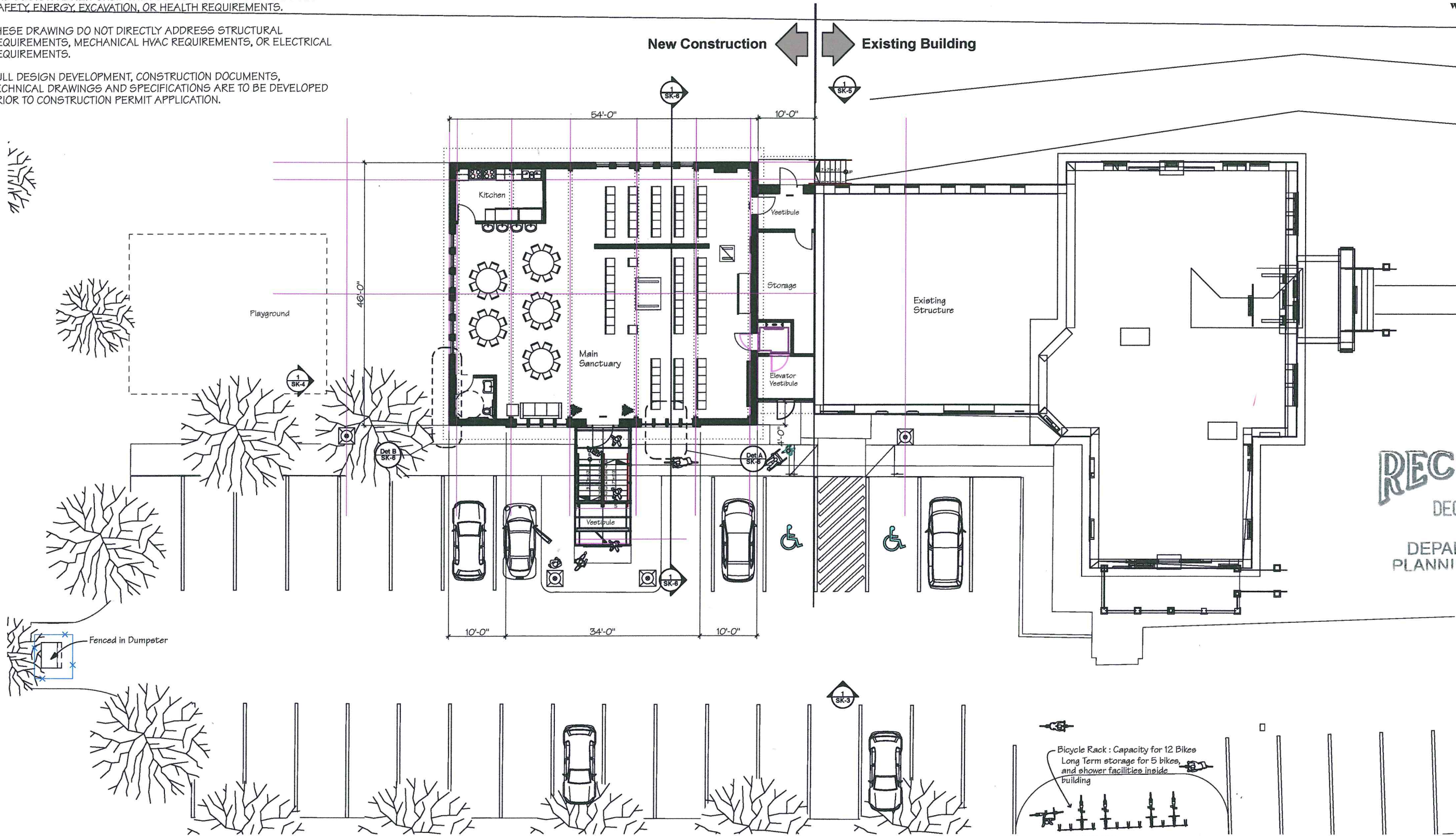
DESIGN STUDIES
NOT FOR CONSTRUCTION

THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.

Wolfstein
ARCHITECTURAL
100 Church Street
Burlington, Vermont 05401
802-864-8334
wastudio.com



RECEIVED
DEC 05 2016
DEPARTMENT OF
PLANNING & ZONING

M20161610 - Chabad Synagogue/Studio/Design Version R1/Chabad Master - 2016 - Study P - Rev4.dgn

Chabad
Expansion
Project

Lubavitch
of
Vermont

57 South William Street
Burlington, Vermont
05401



SK-1

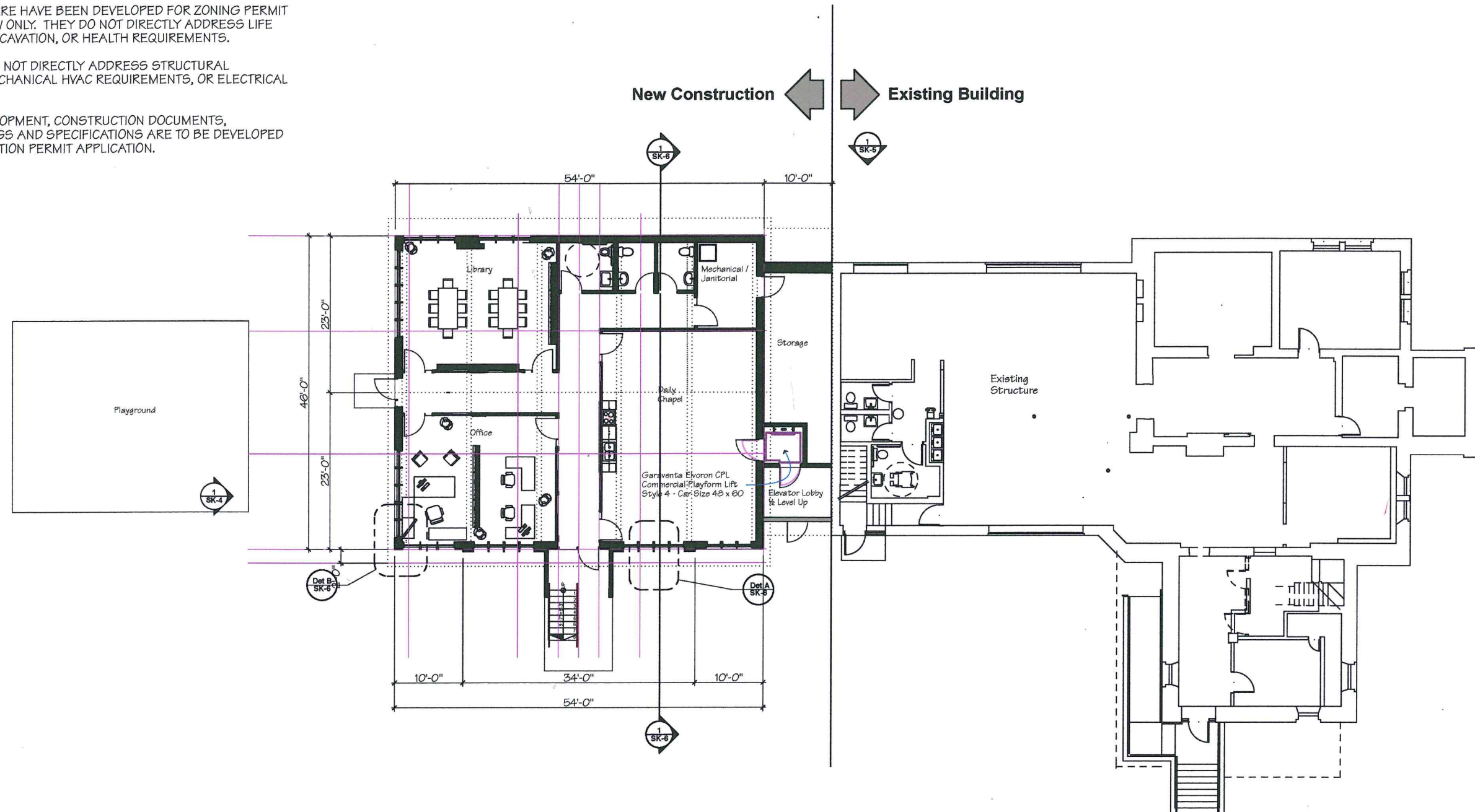
DESIGN STUDIES NOT FOR CONSTRUCTION

THESE DRAWINGS HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

THESE DRAWINGS DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.

Wolfstein
ARCHITECTS
100 Church Street
Burlington, Vermont 05401
802-864-8334
wastudio.com



RECEIVED
DEC 05 2016

DEPARTMENT OF
PLANNING & ZONING

**Chabad
Expansion
Project**

**Lubavitch
of
Vermont**

**57 South William Street
Burlington, Vermont
05401**



PROJECT NO: **1610**

DRAWN BY: EW
SCALE: 1/8" = 1'-0"
DATE: Friday, December 2, 2016

SHEET TITLE

SK-2

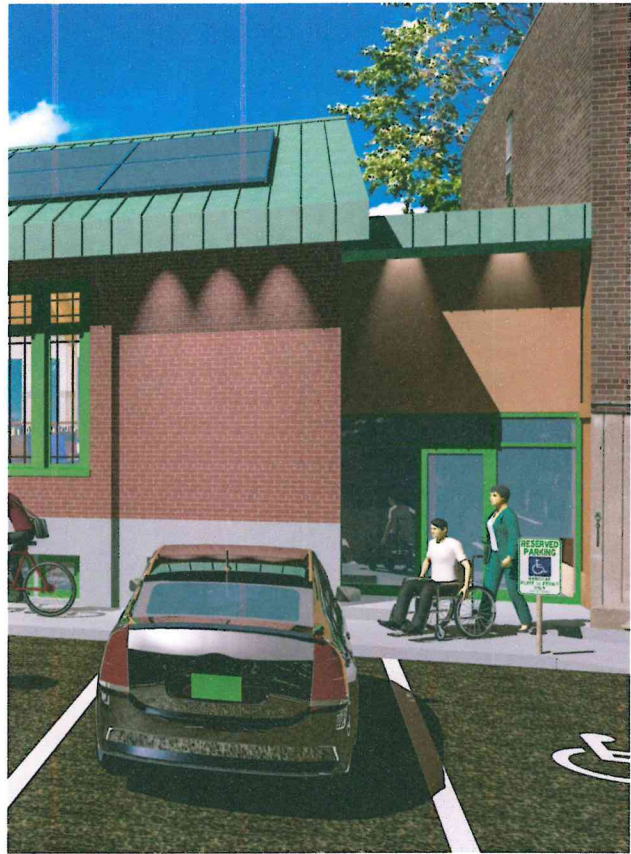
A20161610 - Chabad Synagogue Studies Design Version PCHabed Master - 2016 - Study P - Rev4.dgn

DESIGN STUDIES
NOT FOR CONSTRUCTION

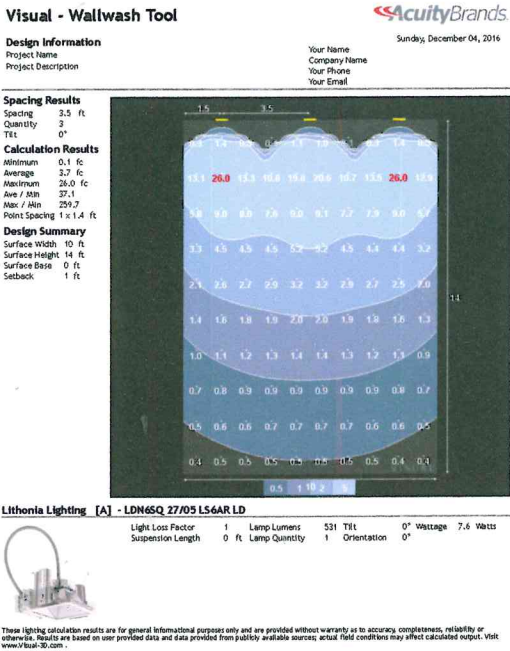
THESE DRAWINGS ARE HAVE BEEN DEVELOPED FOR ZONING PERMIT AND DESIGN REVIEW ONLY. THEY DO NOT DIRECTLY ADDRESS LIFE SAFETY, ENERGY, EXCAVATION, OR HEALTH REQUIREMENTS.

THESE DRAWING DO NOT DIRECTLY ADDRESS STRUCTURAL REQUIREMENTS, MECHANICAL HVAC REQUIREMENTS, OR ELECTRICAL REQUIREMENTS.

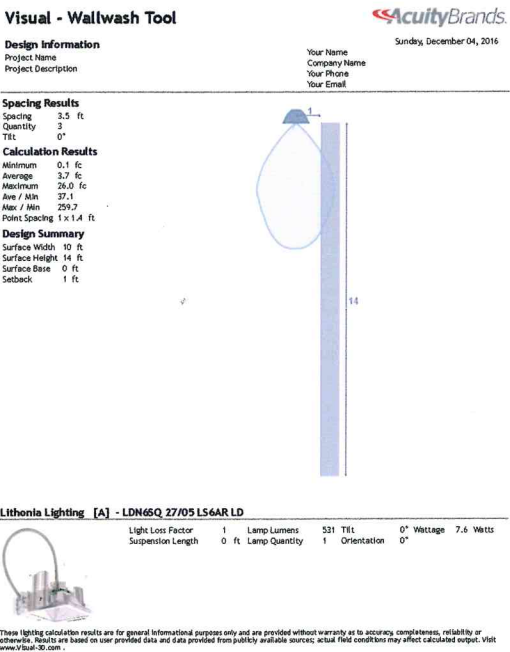
FULL DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, TECHNICAL DRAWINGS AND SPECIFICATIONS ARE TO BE DEVELOPED PRIOR TO CONSTRUCTION PERMIT APPLICATION.



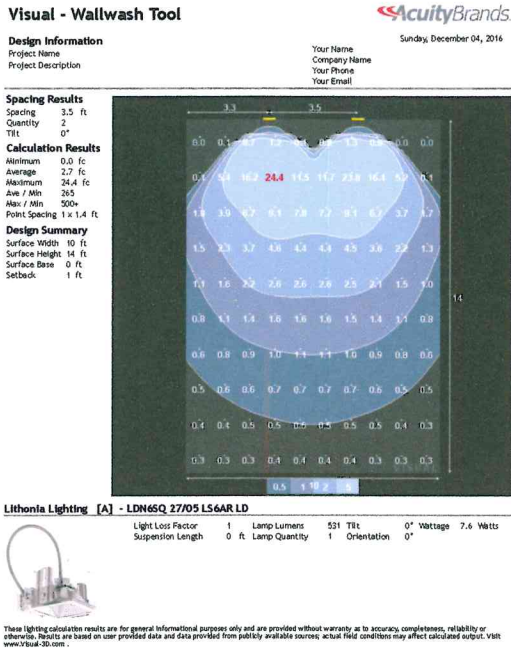
1 Partial South Elevation



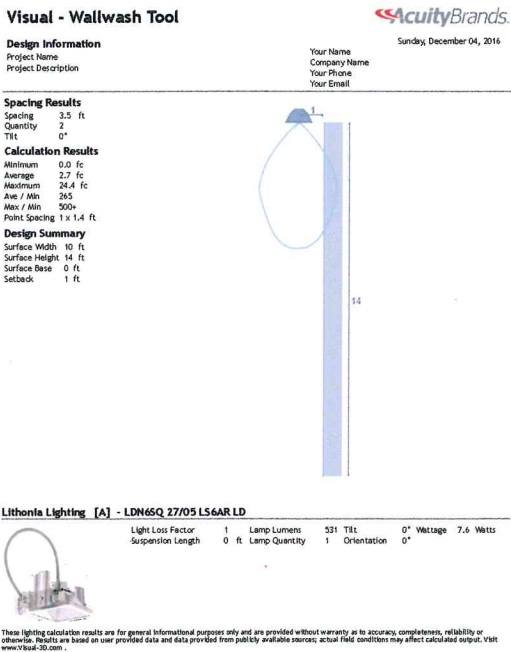
2 Wall Photometric Data (3 Luminaires)



3 Wallwash Section (3 Luminaires)



4 Wallwash Photometric Data (2 Luminaires)



5 Wallwash Section (2 Luminaires)



6 Exterior Lighting Design Study - Night Axonometric

RECEIVED

DEC 05 2016

DEPARTMENT OF
PLANNING & ZONING

SK-11

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

Fax (802) 865-7195

Austin Hart
Brad Rabinowitz
Israel Smith
AJ LaRosa
Geoff Hand
Alexandra Zipparo
Wayne Senville
Jim Drummond, (Alternate)
Robert Purvee, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday December 6, 2016, 5:00 PM

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT

Minutes

Board Members Present: Austin Hart, Brad Rabinowitz, Geoff Hand, Israel Smith, Alexandra Zipparo, Wayne Senville, Robert Purvee (Alt), Jim Drummond (Alt)

Board Members Absent:

Staff Present: Scott Gustin, Mary O'Neil, Ryan Morrison, Anita Wade

I. Agenda

No changes to the Agenda. 135 Hayward Street presented under Other Business.

II. Communications

Board accepts all supplemental communications.

III. Minutes

IV. Public Hearing

1. 16-1400LL; 80 Colchester Ave (I, Ward 1E) Francis von Turkovich/ Robert and Susan Butani

Appeal of an administratively approved lot line adjustment for 80 Colchester Av, 27 Fletcher Place, and 49 Fletcher Place. (Project Manager, Mary O'Neil)

A.Hart and G.Hand recused.

M.O'Neil: applicant has asked for a postponement until January. This is up to the applicant and the appellant for postponement.

M.Brock: said it was fine to go forward at this point.

B.Rabinowitz: swears in applicant and appellant.

M.Brock: the appellants' representative for the 3 properties in lot line adjustment.

B.Rabinowitz: asks if 3 applications were filed.

M.O'Neil: yes.

M.Brock; said the application is incomplete specific to 80 Colchester, but also about 20 Fletcher Pl, and 47 Fletcher Pl, in addition to 80 Colchester Ave.

B.Rabinowitz: asks staff if application is incomplete.

M.O'Neil: no boundary line adjustment stands alone, and all are interrelated. An appeal should include each parcel.

W.Senville: asked staff if applicant was informed that the appeal was not accurate.

M.O'Neil: yes, the appeal was attached with one address, only, though the intent seemed to be for all properties. Notification was sent by email.

M.Brock: the email was in context of a continuance and after a conversation with the City that it was not incomplete according to Kim Sturtevant.

W.Senville: we don't have this in the record.

M.Brock: I wouldn't expect you to. The merits of the issue regarding 27 Fletcher Pl is that the property that adjoins 31 Fletcher Pl is two single family homes close to 27 Fletcher Pl. The request for a duplex conversion and was not appealed to the Environmental Board. The parking for duplex conversion was approved offsite, but parking has since been moved.

B.Rabinowitz: this is not consistent with the application.

M.Brock: this is not appropriate use of the application process in respect to a single parcel.
 B.Rabinowitz: looking only at the lot line adjustment now.
 M.Brock: duplex parking plan for 27 Fletcher was part of lot line adjustment.
 B.Rabinowitz: none of the parking plan is in the packet.
 M.O'Neil: lot line adjustment is done in a conservative manner for a duplex.
 M.Brock: there is confusion about staff focus on 80 Colchester and not 27 Fletcher Place.
 B.Rabinowitz: what are you appealing?
 M.Brock: the basis for the appeal is the inconsistency with prior permit approvals and anticipated zoning changes affecting 27 Fletcher PI and complying with lot line adjustments as stated in the ordinance, 10.1.5.
 B.Rabinowitz: what is your disagreement?
 M.Brock: staff did not address 27 Fletcher PI with adequate information about creating a nonconforming lot and a lot line adjustment.
 M.O'Neil: this demonstrates compliance according to the approved plans.
 B.Rabinowitz: it would be good to have the specifics about your objections.
 M.Brock: the information is insufficient to make this comment.
 W.Senville: inconsistency in regard to CDO changes?
 M.Brock: from districts I to RL and the lot line adjustments.
 W.Senville: where does it determine in code for DRB to have this authority?
 M.Brock: the specific authority within DRB.
 A.Zipparo: we follow the ordinance accord to the VT League of Cities and Towns guidelines.
 B.Rabinowitz: we will hear from the applicant.
 F.vonTurkovich: I am one of owners of property in question. I question the timeliness of this appeal. Fees were paid and processed for all the properties, and I believe this is in full compliance. The appeal was submitted at the last hour of the last day, which is frustrating. Filing an appeal in a timely fashion, is one thing. The Board should dismiss this appeal.
 W.Senville: if the Board agrees with all or some of the filing, would staff redraft the findings based on the merits of the appeal?
 M.O'Neil: this is seen as an incomplete appeal for not encompassing all properties.
 I.Smith: questions the original application.
 W.Senville: question on the Oct 7th letter.
 M.O'Neil: the appeal for the lot line was for only one. There are permits issued for 29, 47 and 80 and only one was submitted. This is not a complete appeal. Provided email correspondence between attorney/appellant and Kim Sturtevant.
 B.Rabinowitz: please provide the letter at deliberative session.
 A.Zipparo: inquiry regarding an example of a similar project.
 M.O'Neil: UVM, 2 lot line adjustments and 2 appeals.
 B.Rabinowitz: closed public hearing.

**2. 17-0363CA; 485 Colchester Ave (NMU, Ward 1E) Stephen and Sharon Litwhiler/
 Gregg Blasdel, Jennifer Koch & Kathleen Brisson**

Appeal of a zoning permit for an as-built site improvements such as parking layout, retaining wall, dumpsters, and walkways. Amends zoning permit 93-313.
 (Project Manager, Scott Gustin)

G.Hand recused from item.

A.Hart: asks parties and applicant to be sworn in.

S.Gustin: discussed how this zoning permit was meant to capture discrepancies since 1993. In 2014, there was a zoning permit to address discrepancies for parking, retaining walls, and layout. Discrepancies between parcel layout and tax map. This was approved under NMU standards. Three allegations were brought forth: a deeded ROW not part of the zoning permit; a green space with no change and coverage compliant; and a boundary dispute. Zoning stays out of boundary disputes and feels the appellants producing a survey is better route. A boundary survey is preferred over tax map.

B.Rabinowitz: was property in compliance in 1993?

S.Gustin: previous application was under appeal and the new application was to capture discrepancies.

R.Brisson: distributes materials to Board.

Issue of one parking space is in question. The appeal is to 1) to correct the 'as built' on the site survey; 2) to address the planning concern and parking violation in the ROW; 3) change of use for green space and runoff. Shows a sketch of the parking space as an 'as built' but area never was improved or maintained in the ROW. This is not a boundary dispute. Need to have it correctly sited by Board.

K.Brisson: there is a concern for safety at this spot. Parking was not initially contemplated.

A.Hart: we cannot enforce terms and agreements. The Board cannot resolve this.

K.Brisson: there is no way to turn around.

A.Hart: no access parking space is not needed by applicant.

K.Brisson: we would be in agreement if not including parking. Showed the parking space approved in the original permit.

R.Brisson: no parking space in 1993 for that spot, not an 'as built' for parking as before.

S.Gustin: they have submitted 1993 application but do not have the permit. Discusses where a parking space could go with zero setbacks.

A.Hart: the Board cannot discuss the easement and nor stormwater discharge.

A.Hart: questions about survey tax map and portion of the retaining wall.

R.Brisson: asking for an accurate description and how much property is there to work with?

A.Hart: retaining wall is on the wrong side.

R.Brisson: there are a lot of issues.

S.Litwhiler: said the issues of the area that was green space and parking. Said he has photos of the gravel. This isn't used all the time, but have used it from time to time. Shows photos to the Board.

A.Hart: asks how often the parking space is used.

S.Litwhiler: we have one company car, but don't use it that often. Hands out materials to Board.

Currently there is green space where someone planted a green space.

BRabinowitz: asks about location of parking space.

S.Litwhiler: there is always an extra space. Shows deeded ROW in hand.

A.Hart: rights to this access is outside the Board's review.

S.Litwhiler: do not agree with site plan and boundary lines for this concrete wall. Originally wood retaining wall. We could not put up the wall without permission of other property owners.

B.Rabinowitz: asking if the wall that was built is on or off the property line.

S.Litwhiler: the old wood wall was on Scott's land and it's still there.

Sharon.Litwhiler: before the neighbor the bought property, he had the previous owner sign an affidavit saying the wall was on our property.

A.Hart: a lot rides on where property line is. The Board looks at whether there are changes to size, boundaries, or setbacks and not about who it belongs to. Does the boundary affect green space?

Sharon.Litwhiler: we don't know.

A.Hart: staff made a decision that development of the property meets and complies with the zoning ordinance.

Sharon.Litwhiler: it was there when we came. We had someone check it out.

Steve.Litwhiler: it was 16 or 17 feet high and we tiered it back 9 feet to stabilize.

I.Smith: questions staff about original plan showing no parking space and then if it showed up initially in 2016.

S.Gustin: yes, that is correct.

Sharon Litwhiler: surveyors said they wanted to use the Hayden survey. Mark Ward did not record the survey until we said it was okay to record it. Mark became ill and we never had it reworked.

G.Blasdel: I planted grass because the water off their property puts silt into storm drain. Three different surveys shows all same monuments.

A.Hart: consistent with the Ward survey?

G.Blasdel: yes

A.Hart: closed public hearing.

3. **17-0548CU; 85 Lakeview Terrace (RM, Ward 3C) Jovial C King**
Change of use from an accessory apartment to B&B use. (Project Manager, Mary O'Neil)

M.O'Neil: recommends for consent agenda.

Applicant: okay as consent item.

W.Senville: asks for public hearing to ask questions.

Applicant: mother in law uses occasionally for a weekend to a month.

W.Senville: potential B&B?

Applicant: yes.

W.Senville: will accessory units be used as B&B?

M.O'Neil: not to my knowledge. Daily use is exclusive to one or the other. The accessory unit has to have a primary unit.

A.Zipparo: will breakfast be served for B&B?

M.O'Neil: yes.

Applicant: we use accessory unit for family and friends.

B.Rabinowitz: closed public hearing.

V. **Certificate of Appropriateness**

1. **17-0455CA; 57 South Williams St (RH, Ward 1E) Vermont Organization for Jewish Education – Lubavitch**

Two level addition, 5500 sq. ft. to west side of existing building. New worship sanctuary on upper level with supporting spaces on lower level; new off street parking.
(Project Manager, Ryan Morrison)

A.Hart: swears in applicant and interested parties. Mentions that the Board has not had a chance to look at supplemental materials.

E.Wolfstein: asks if new materials were reviewed.

A.Hart: haven't seen materials just submitted.

E.Wolfstein: added drawings to address staff issues, pertaining to lighting, bike parking and number of storage spaces inside the building. Confirms lot coverage.

A.Hart: asks applicant if he wants to add to supplement that was discussed by staff.

E.Wolfstein: open for public comments and questions.

W.Senville: asks how much space in the existing building, sq. ft. and parking.

E.Wolfstein: no changes in old building. The new addition is separate entity with separate entrance and address. Parking is combined lot with 51 spaces. Will be a lot offering 36 spaces with more green spaces.

W.Senville: asks if combines office space.

Applicant: offices are small.

A.Hart: question for staff about density of other uses on property.

R.Morrison: density is particular to residential units.

W.Senville: parking waiver requests formal agreement with UVM.

Applicant: busiest once a week on Saturday and occasionally Sunday. UAC is more than happy to share with neighbors most likely on a weekend, since members walk to synagogue for services.

W.Senville: do you have a formal agreement with UFC?

Applicant: spoke with staff about a formal agreement.

A.Hart: asks if occupants are members of the community, attendees, or unrelated tenants.

E.Wolfstein: could be both and could be students, no restrictions.

A.Hart: questions parking.

G.Hand: stormwater basin question.

Applicant: it's a dry pond.

G.Hand: questions the discharge downhill.

S.Pressario: align pipes to disperse the flow. The pond is designed for 10 yr. storm and completely drains in 1 year rate. Trying to direct away from properties.

Applicant: the NPA neighbor was entirely satisfied.

B.Rabinowitz: questions on stormwater management.

R.Morrison: State of VT wastewater requirements are what the stormwater staff will review.

G.Hand: may want to consider a fence for the pond.

A.Zipparo: questions the parking on Saturday and Sunday. What about funeral?

Applicant; defers to Rabbi.

Rabbi: there hasn't been a funeral for quite a while. If too large of crowd went somewhere else During the week, it is not the same crowd as the weekend.

Applicant: parking lot overlaps. There are adult education classes with some cars in lot but day care is gone.

A.Hart: opens hearing to interested parties.

P.Bloomhart; owns an apartment building at 54 So Willard directly downhill from project. Current lot is large and vacant absorbing stormwater, but disturbed by the solution to disburse water to other properties. DPW has not made a determination about this plan. Their pond is directly adjacent to ours and not sure how much water is absorbed. Would like to hear from staff. Over the years, there's been a problem with students and others to using the property as a cut through. Encourage fencing and signage to discourage this use.

G.Hand: experience with runoff now.

P.Bloomhart: continual problem with erosion on both sides of driveway.

A.Hart: where is erosion problem coming from?

P.Bloomhardt: we don't know.

Neighbor; plans show slope is a 2 to 1 elevation. This is a steep slope to extend parking. The southern side has concerns about runoff and wants to know if slope is acceptable. Mentioned 9' foot elevation.

A.Hart: is 9 ft. of fill coming in?

Neighbor: yes, though concern about headlights going into second floor units of bedrooms for south and north side. Asking for a guardrail around parking lot to block lights. Possible to change plantings from trees to evergreens for light blockage on boundary lines.

S.Bushor; Ward 1 Councilperson. Asks how many parking spaces exist presently on site and how many are being added? Pleased with parking management plan and alternatives to covering the green space. Wondered if the number could be less than 36 spaces, because there are people who live there, plus offers protection for preschool children. Other concerns with retention pond, slope, protection for screening for neighbors and as the last property of green space.

G.Hand: asks about existing parking spaces.

R.Morrison: not sure on the actual spaces laid out.

Applicant: looked at what was permitted. Think it had 19 spaces and we're adding 17 spaces for 36 altogether. Impervious lot coverage is 28%, which is revised to 36%. Dramatic improvement and utilization of space with children's play area which is fenced.

B.Rabinowitz: questions the circulation where children exit.

Applicant: on southwest side of the building.

B.Rabinowitz: the entry is in the way and need to walk around.

Applicant: will not have to walk into parking lot or across a road.

Fencing will keep people from walking through lot. There will be less inclination to walk up the hill. Landscaping has been updated to provide additional screening from lights.

S.Ruggiano: all drainage is directed by curbing into stormbasin.

A.Hart: there are neighbor concerns with erosion.

S.Ruggiano: there is less water with the design.

A.Hart: asked about the 9' ft elevated parking

S.Ruggiano: she is correct due to ADA parking

B.Rabinowitz: building is split level and elevator doesn't connect to anything else.

D.Stewart: can access other areas with elevator.

B.Rabinowitz: having a separate ADA entrance from the other entrances is unusual.

W.Senville: questions about the parking area, and adding 17 spaces.

D.Stewart: new parking will be along the border. Describes parking area to the west.
W.Senville: additional parking constructed is 17 spaces and not 36.
D.Stewart: that is correct and there will not be as much impervious area.
A.Zipparo: questions if a teaching garden is possible for green space to give hands on experience.
D.Stewart: the issue is the slope in many areas, otherwise might be possible.
A.Zipparo: asks about reducing parking.
S.Ruggiano: we are at 50% allowable parking.
A.Hart; closed public hearing.

2. 16-1262CA; 8 Proctor Place (RL, Ward 5S) Rebecca Grannis and Chapin Spencer
Request to amend DRB approval for replacement of existing mobile home and garage with new single family home and shed.
(Project Manager, Mary O'Neil)

A.Hart: swears in applicants and interested parties.
M.Aloisi; architect for project. Explained the sewer line was missing in original plan and placed into new site plan. Pushed the house back 4ft and moved design into second story. With footprint trying to get three bedrooms, but there are constraints with two front yards and two sideyards.
A.Escott: attorney for the applicant discussed front yard setbacks and street frontage. Handed out parcel maps reference guide to Board.
R.Grannis: spoke of the frontage of the property, private ROW and easement access.
A.Hart: asks if there is access on the public and on the private street.
M.Aloisi: frontage is only 24 feet on Proctor Place.
R.Grannis: entire boundary is obstructed to the west by city chain link fence.
A.Hart: city ordinance is requires frontage on public streets.
G.Hand: questions if the ROW is devoted to public use?
R.Grannis: we have an easement to use for access and with the neighbor.
M.Aloisa: doesn't meet requirements for public ROW.
W.Senville: confusion over the ordinance and who has access to alley.
A.Ascot: consider ROW as a private.
G.Hand: how do we relate the definition of a street or an alley with definition of lot frontage?
A.Hart: the precedent of a private ROW as front yard may be dangerous precedent to set.
G.Hand: there is an ambiguity in definitions. Trying to figure out the definition of a street.
M.ONeil: this is part of someone else's property and need for it to be conforming lot and lot coverage.
G.Hand: reads definitions for street and public right of way.
R.Grannis: can build in existing footprint with one story.
I.Smith: the exiting footprint forms an encroachment.
M.ONeil: the CDO would allow this.
Neighbor: house faces the ROW. It is an older structure from 1860 and part of the layout of this neighborhood. Proctor PI never had any homes built on it, since it was access to the pump station. The home faces the right of way. This wasn't access to the back of the house but access front of the house. What was created was not about the ROW. Suggests considering this as a corner lot and develop in a pattern that makes sense.
J.Dunn: looked at plans and is supportive of project. Doesn't see how this sends us down a slippery slope.
A.Churba: completely in favor of project. Set back further back would be fine, even with two stories.
Ken Brillo; neighbor in area about 24 years, emphasis that this home predates all homes in area and all streets. The house and garage face north, which is consistent and that's were property should develop.

A.Hart: describes two types of streets, a public street or a right of way.
K.Sturtevant; need to review case law on this topic for deliberative session.
A.Ascot; already examples of precedent, one being 117 Deforest Heights.
I.Smith: proposed site plan questions.
M.Aloisa: speaks of encroachment of setbacks.
A.Hart: closed public hearing and requested a submission of additional information.
M.Aloisa: mentioned this would be provided information tomorrow.

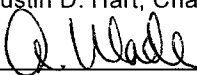
VI. Other Business

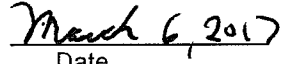
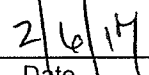
17-0455CA; 135 Hayward Street (RL, Ward 5), reconsideration.

A.Hart: asking Kim's guidance. This is not noticed for a new hearing, only whether we should reconsider this for a public hearing and get into new information and evidence.
W.Senville: asks about the application's time extension.
K.Sturtevant: under state statute need to reconsider and reopen hearing. Quotes the case and reasoning behind this as new evidence. Parties are considering reopening.
A.Hart: evidence that could have been offered and perhaps not something to be encouraged.
S.Gustin: neighbors said Board has no authority over this decision.
K.Sturtevant: a decision from this Board can be presented to the court.
S.Gustin: this needs to be filed within 30 days.
A.Hart: we don't have authority to expand on an environmental decision.
G.Hand: if we did take another action, it would be separate event.
I.Smith: asks about affidavits from parties.
B.McNichols, and J.Walker, both spoke at initial hearing.
B.McNichols: questions on pieces of evidence presentation.
J.Walker: not aware of it as a renter.
B.McNichols: did receive a notice.
A.Hart: we have your letter.
J.Walker: we did pass some information to you, but did not want to file information
Attorney: opposes motion to reconsider, since the evidence predates the hearing. A continuance could have been requested. Both individuals could have submitted at that time and submitted additional information to receive different outcome. The fire report is no final report at this time.
D.Patterson: a reference was presented at the hearing and should have had the affidavit. What the Fee Press wrote after the fire should have no bearing on this outcome. We prepared the affidavit and others gave testimony. The notice was on building for the appropriate time.
G.Hand: Kim said we should consider prejudice.
Attorney: building plans are to build a triplex under the time limits with the insurance co and city.
G.Hand: asks about time period.
Attorney: Have up to a year. We got the decision we did not wait the full 30 days.
G.Hand: questioned the testimony asking about the fire report but was not provided
Attorney: there is no fire report available.
G.Hand: the report said testimony was taken from others.
Attorney: could have easily requested a continuance at the time.
A.Hart: submit the decision
K.Sturtevant: provides more information on incomplete information.
B.McNichols: there were misrepresentations by the attorney.
A.Hart: the letter says Nov 21st.
B.McNichols: the official decision was received Dec 1st. The Fire department report is published on the website. This is directly relevant evidence with interviews of owners and residences.
Appellants were not forthcoming about residents:
J.Walker: questions about residents. The use over past several years was not as a triplex.
W.Senville; how did you hear about Mr Spang?
B.McNichols: it was after the event:
A.Hart: closed public hearing.

VII. Adjournment

Deliberative Session Monday scheduled for December 12th at 5:00pm.


Austin D. Hart, Chairperson Development Review Board

A. Wade, Planning & Zoning Clerk


Date

Date

Plans may be viewed in the Planning and Zoning Office, (City Hall, 149 Church Street, Burlington), 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 Planning and 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/pz/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.