

Burlington Design Advisory Board

645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/DPI/DAB
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Matthew Bushey
Ron Wanamaker
Tom Cullins
Eric Morrow
Karyn Norwood
Jay White, Alt.
vacant, Alt.



DESIGN ADVISORY BOARD Tuesday November 24, 2020 3:00 PM REMOTE MEETING

Zoom: <https://us02web.zoom.us/j/86908290070?pwd=eUdXaFVXWjNheDFTS2NSeGhKSFRxZz09>

Webinar ID: 869 0829 0070

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Agenda

Session I – 3:00 PM – 3:30 PM

21-0358CA/CU/VR; 40 Kingsland Terrace (RL, Ward 6S) Kellen Brumsted

Demolish existing garage and construct new garage with ADU and related site work.
Rear yard setback variance request also included.

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Department of Permitting and Inspections

Zoning Division
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William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Alison Davis, Zoning Clerk
Theodore Miles, Code Compliance Officer
Charlene Orton, DPI Administrator



MEMORANDUM

To: The Design Advisory Board
From: Mary O'Neil, AICP, Principal Planner
RE: ZP21-0358CA/CU; 40 Kingsland Terrace
Date: October 27, 2020, **November 24, 2020**

New information in red.

File: ZP21-0358CA/CU
Location: 40 Kingsland Terrace
Zone: RL **Ward:** 6S
Parking District: Neighborhood
Date application accepted: October 1, 2020
Applicant/ Owner: Katie Menson, Kellen Brumsted
Request: Demolish existing garage; construct new garage with 616 sf. Accessory Dwelling Unit (ADU.)

Background:

- **Zoning Permit 20-0762FC;** fencing. Approved March 2020.
- **Zoning Permit 19-0905CA;** install garage door. Approved May 2019. Application withdrawn.
- **Zoning Permit 09-173CA;** two storey rear addition, rear decks and patios to be removed. Approved September 2008.
- **Zoning Permit 90-085;** construct kitchen and deck addition. Approved March 1990.
- **Request to the ZBA for a variance from the side yard setback** for the purpose of constructing a greenhouse. Hearing dates October 28, November 18 and December 2, 1982. Variance request **denied** by ZBA, January 1983.
- **Zoning Permit 81-498;** stockade fence. Approved May 1981.
- **Zoning Permit 79-497;** take in 2 persons to fill existing two bedrooms as roomers. Approved August 1979.
- **Zoning Permit (n.n.);** install driveway gate. Approved May 1978.



- **Zoning Permit (n.n.);** erect stockade fence in rear yard. Approved May 1977.

Overview: The applicants propose to demolish an existing garage (listed within the South Union Street Historic District, on the National Register of Historic Places) and replace it with a new garage/ADU. As demolition of an historic building is included, the project is subject to Conditional Use review by the Development Review Board.

Please note: the proposed replacement building is within a required rear yard setback, exceeding the footprint of the existing garage. The applicants are requesting a variance from the required rear yard setback.

DAB meeting October 27, 2020:

Motion by Ron Wanamaker: I move we **table** the application to give the applicant time to:

- 1) assemble photographic evidence of the building proposed to be demolished, and;
- 2) provide evidence of a conservation easement or other restrictions on the rear yard that would support the variance request.

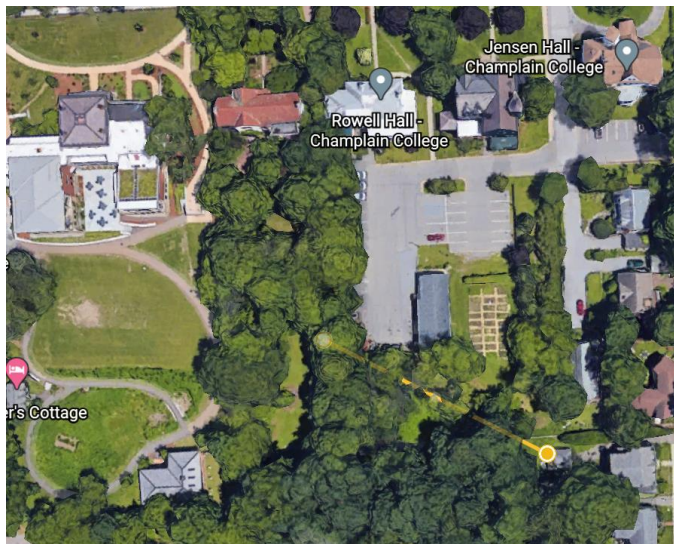
2nd – Jay White

Vote 3-0

Motion carries.

On November 11, 2020, the applicant's contractor forwarded a garage inspection and structural evaluation report, a cost estimate for work on the existing garage, and several Civil plans relating to the 2008 permitting of the Perry Hall addition as support for the applicant's variance request relative to rear yard setback. Those plans are attached. While the engineer's structural analysis defines a failed foundation and concomitant wall deflection, the report finalizes by indicating the *"wood framed superstructure can be restored to full use and function with limited repair and reinforcement."*

The associated civil plans reflect an instrument granted by 267 South Willard Street owners to allow Champlain College a 15' wide easement allowing stormwater infrastructure to pass over their lot and connect with another Champlain property at 275 South Willard Street. It must be noted that this agreement in no way affects 40 Kingsland Terrace and, in fact, is located some



230+ feet away from the subject garage. There is no identifiable link between the function of the stormwater easement and the property at 40 Kingsland Terrace. Staff finds the materials unrelated and insufficient evidence to warrant consideration of a variance to a required rear yard setback for a replacement structure at 40 Kingsland Terrace.

Part 1: Land Division Design Standards

No land division is proposed. Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

There is a landscaping hedge to the east, and (from aerial images) a mature tree to the west of the development site. The application does not include any tree removal or regrading of the site.

(b) Topographical Alterations:

No topographical alterations are included within the application plans.

(c) Protection of Important Public Views:

There are no protected views from or across the site. Not applicable.

(d) Protection of Important Cultural Resources:

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

See Section 5.4.8, below.

(e) Supporting the Use of Renewable Energy Resources:

No part of this application would preclude the use of wind, water, solar, geothermal, or other renewable energy resources.

(f) Brownfield Sites:

40 Kingsland Terrace is not listed on the Department of Environmental Conservation's list of Brownfield sites. Not applicable.

(g) Provide for nature's events:

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

An EPSC plan has been forwarded to the Stormwater engineering division for review. Their written approval will be a condition of any permit.

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

A door on the west elevation is sheltered by an overhanging second story deck. The south entrance is within a small entry alcove, also providing shelter to residents.

(h) Building Location and Orientation:

The proposed replacement building is situated behind the primary residence; consistent with accessory structures. The principal entrance faces the front (south). A **continuing** issue is encroachment within a required rear yard setback; failing to meet dimensional standards of the ordinance.

(i) Vehicular Access:

Vehicular access is proposed to continue as existing; from Kingsland Terrace. The driveway is proposed to be widened (although the plan does not provide that dimension.) Driveways are limited to 18' in width.

(j) Pedestrian Access:

The plan assumes pedestrian access from the driveway. The driveway should physically isolate a pedestrian path to separate vehicular circulation from pedestrian.

(k) Accessibility for the Handicapped:

ADA jurisdiction is with the building inspector.

(l) Parking and Circulation:

The existing driveway will remain, albeit widened at the point to connection to the new garage/ADU. The required 2 parking spaces will be met with one in the new garage and one in front of it. The Zoning Amendment relative to ADUs eliminated the requirement for an additional parking space for the new unit.

(m) Landscaping and Fences:

No landscaping plan has been submitted with the application. The applicant shall provide an intended planting schedule and/or fencing changes prior to review by the Development Review Board.

(n) Public Plazas and Open Space:

There is no requirement for a public plaza with this application. The rear yard will provide reasonable open space for the enjoyment of the residents.

(o) Outdoor Lighting:

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

Recessed lighting is proposed for the entryway porch, under the westerly deck and at the 2nd story door. Modeled images and elevations show a gooseneck style lamp over the garage door. All are of residential character and will downlight the immediately area.

(p) Integrate infrastructure into the design:

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

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be place underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

A mailbox is proposed within the front entry porch (although it is not clear whether the postal carrier will walk that far back on the lot to deliver mail.) A meter pack is illustrated on the easterly elevation. All utilities must be undergrounded.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

There are no identified nuisance impacts that might emit heat, vapor, fumes, vibration, or noise. Not applicable.

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:



The proposed gambrel-roofed building is larger than the existing garage it proposes to replace; but reflects a relationship to the principal dwelling in style. The location behind the single family home and at the end of a dead-end street reduces the visual impacts of the larger structure.

2. Roofs and Rooflines.

The Gambrel roof with matching dormers looks a great deal like the existing single family home in design and scale.

3. Building Openings

Windows are either double hung or awning with muntin patterns recalling the principal home. No spec sheet has been provided for the entry doors. The garage doors look to resemble paired carriage house doors.



Principal structure, 40 Kingsland Terrace

(b) Protection of Important Architectural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.

See Section 5.4.8.

(c) Protection of Important Public Views:

There are no protected important public views from this location. Not applicable.

(d) Provide an active and inviting street edge:



There is no visibility (from Google images) of this replacement structure from the public right-of-way. (See image, left.)

(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.

Sheathing is proposed to be wood clapboard with wood trim. Windows are aluminum clad. The deck will feature a cable guardrail with wood cap.

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

This is a replacement building for one listed on the National Register of Historic Resources; but it is not a reconstruction. It is entirely new design and fabrication that does not intend to replicate the original building. See Section 5.4.8, below.

(f) Reduce energy utilization:

All new construction is required to meet the Guidelines for Energy Efficient Construction per the requirements of Article VI, Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

(g) Make advertising features complementary to the site:

No signage is included with this application. Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

New construction must meet all applicable building and life safety code as defined by the building inspector and fire marshal.

Sec. 5.4.8 Historic Buildings and Sites

The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:

To preserve, maintain and enhance Burlington's historic character, scale, architectural integrity, and cultural resources;

To foster the preservation of Burlington's historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;

To promote a sense of community based on understanding the city's historic growth and development, and maintaining the city's sense of place by protecting its historic and cultural resources; and,

To promote the adaptive re-use of historic buildings and sites.

(a) Applicability:

These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.

40 Kingsland Terrace (home and garage, Resources 28 and 28A) are within the South Union Street Historic District on the National Register of Historic Resources. See attached narrative. Therefore, the following standards apply:

(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.*

No alterations are proposed to the principal structure within this application. The rear garage, constructed c. 1923, will be demolished and replaced with a much larger structure. Although the new building will also serve as a garage, the demolition of the original is a loss of original materials, features, spaces and spatial relationships that characterize the property.

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.*

Building demolition is the opposite of retention and preservation.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

The existing, small scale accessory structure is distinctly an element of its period of construction. Its demolition and replacement with a much larger building that mimics the style and size of the original home is contrary to this standard.

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

Demolition is contrary to retention and preservation.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
Demolition does not afford the opportunity to retain any such features or finishes.
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.*
The proposal is not based in repair or replacement of deteriorated historic features, but wholesale building removal and replacement with a larger structure. *The submitted report of Roland Van Cyk, PE, identifies the failure of the garage's foundation, but asserts the wood superstructure can be restored to full use and function with limited repair and/or reinforcement.*
The new features will bear little relationship to the existing accessory 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.*
Demolition is the greater caliber of destructive physical treatment.
8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*
No archaeological resources have been identified at this location. If discovery is made during the redevelopment, construction will cease while appropriate authorities are notified and resources are evaluated, assessed, and appropriate disposition determined.
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.*
New construction proposed here is grounded in the removal of a listed historic structure. While an attractive structure, it is not compatible with the historic size, scale proportion and massing of the original building it replaces.
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.*
A new accessory structure behind the principal building at 40 Kingsland Terrace will not diminish the historic integrity of that residential structure; but in every sense it will eliminate the essential form and integrity of the existing garage. Absent reconstruction matching its form, details and integrity, the development cannot be determined to be reversible.

Section 5.4.8 (d) (below) details the requirements for review by the Development Review Board of a proposed demolition of a listed historic structure. It is included here for Design Advisory Board understanding and input.

(d) Demolition of Historic Buildings:

The purpose of this subsection is:

- *To discourage the demolition of a historic building, and allow full consideration of alternatives to demolition, including rehabilitation, adaptive reuse, resale, or relocation;*
- *Provide a procedure and criteria regarding the consideration of a proposal for the demolition of a historic building; and,*
- *To ensure that the community is compensated for the permanent loss of a historic resource by a redevelopment of clear and substantial benefit to the community, region or state.*

1. Application for Demolition.

For demolition applications involving a historic building, the applicant shall submit the following materials in addition to the submission requirements specified in Art. 3:

- A. A report from a licensed engineer or architect who is experienced in rehabilitation of historic structures regarding the soundness of the structure and its suitability for rehabilitation;*

See attached memorandum from Roland VanDyk, PE.

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

The responses to subsection 2, below will be required for DRB review.

- C. Where a case for economic hardship is claimed, an economic feasibility report prepared by an architect, developer, or appraiser, or other person experienced in the rehabilitation and adaptive reuse of historic structures that addresses:*

(i) the estimated market value of the property on which the structure lies, both before and after demolition or removal; and,

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

The applicant has not claimed economic hardship; but a comparative analysis has been provided by the contracting firm for foundation repair and design services. See Preliminary/viability estimate from Lewis Creek Builders.

- D. A redevelopment plan for the site, and a statement of the effect of the proposed redevelopment on the architectural and historical qualities of other structures and the character of the neighborhood around the sites;*

The purpose of this application is redevelopment of the site. There has been no submission addressing how the proposed redevelopment effects the architectural and historical qualities of other structures or the character of the neighborhood around the site.

and,

- E. Elevations, drawings, plans, statements, and other materials which satisfy the submission requirements specified in Art. 3, for any replacement structure or structures to be erected or constructed pursuant to a development plan.*

Elevations, drawings, and plans have been submitted further defining the intended replacement structure.

2. Standards for Review of Demolition.

Demolition of a historic structure shall only be approved by the DRB pursuant to the provisions of Art. 3, Part 5 for Conditional Use Review and in accordance with the following standards:

- A. The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure;*

The submitted engineer's report confirms foundational failure and structural deflection. There are no building permits on file for structural work on the garage. A zoning permit application to replace the garage door was withdrawn in 2019.

or,

- B. The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practicably moved to another site within the district;*

The application has not explored rehabilitation and reuse of the existing structure. There is no evidence that structural relocation has been considered.

or,

- C. The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition.*

The DRB will be tasked with analyzing the existing structure versus a proposal to create a new dwelling unit in a replacement garage to ascertain whether there is a substantial community-wide benefit that outweighs the significance of the existing building.

And all of the following:

- D. The demolition and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties;*

The applicants will need to respond to this standard.

- E. All historically and architecturally important design, features, construction techniques, examples of craftsmanship and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians and others interested in Burlington's architectural history;*

While the existing garage may not rise to the requirement of HABS recordation, photodocumentation of the existing building will need to be provided for the zoning record.

and,

F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s).

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

The DAB and DRB must discern the compatibility of the proposed replacement structure to meet this requirement.

(ii) Such plans must include an acceptable timetable and guarantees which may include performance bonds/letters of credit for demolition and completion of the project;

Any approved zoning permit will carry a timeline for completion, and will run simultaneous to the standard, below.

and,

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

This will be a condition of any approval.

This requirement may be waived if the applicant agrees to deed restrict the property to provide for open space or recreational uses where such a restriction constitutes a greater benefit to the community than the property's redevelopment.

The applicant has not offered to deed-restrict the property for open space or recreational uses. Not applicable.

3. Deconstruction: Salvage and Reuse of Historic Building Materials.

The applicant shall be encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant may be required to advertise the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.

Salvage and reuse of building materials is encouraged where public safety allows.

Items for the Board's consideration:

1. The submitted Civil plans for the easement agreement between 251, 267 and 275 South Willard Street have no bearing on this property, and carry no weight in the applicant's request for a variance from the required 25% rear yard setback.

2. The applicant has not compiled a complete set of photographic evidence of the garage proposed to be demolished; a request made by this Board October 27, 2020.
3. Section 5.4.8 (d) of the Comprehensive Development Ordinance (Demolition of Historic Structures, 2. Standards of Review of Demolition) will have additional requirements for DRB review. Among them is a demonstration that the proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition. The applicant is encouraged to prepare submission materials and responses for those individual Standards for Review.
4. The plan does not meet required dimensional standards regarding rear yard setback. As proposed, the project cannot be approved. The applicant has not yet demonstrated that there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to this property that prevent development consistent with the standards of the ordinance. See variance standards in Section 12.1.1
5. A segregated pedestrian path shall be introduced to the new structure to separate vehicular and pedestrian traffic. A revised site plan has not been provided.
6. Driveways are limited to 18' in width.
7. No landscaping plan has been submitted with the application. The applicant shall provide an intended planting schedule and/or fencing changes prior to review by the Development Review Board. None received as of 11.16.2020.
8. All utilities must be undergrounded.
9. All new construction is required to meet the Guidelines for Energy Efficient Construction per the requirements of Article VI, Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
10. Approval of the Erosion Prevention and Sediment Control Plan will be a condition of any approval.
11. Standard Conditions for an ADU will be included if approved.
12. Standard Permit Conditions 1-15 if approved.

Recorded Instrument not
1112 109 an original document

copy

EASEMENT DEED AND AGREEMENT
251, 267, and 275 South Willard Street, Burlington, VT

THIS EASEMENT DEED AND AGREEMENT (the "Agreement") by and between **Anthony C. Graffeo and Maria E. Graffeo**, husband and wife, of the City of Burlington, County of Chittenden, and State of Vermont ("Grantors"), and **Champlain College Incorporated**, a Vermont corporation with a principal place of business located in the City of Burlington, County of Chittenden, and State of Vermont ("Grantee"), is effective as of the last date written below.

Recitals

- A. Grantors own certain land and premises located at 267 South Willard Street, Burlington, VT by virtue of that certain Deed recorded in Volume 269, Page 502 of the City of Burlington Land Records ("267 South Willard").
- B. Grantee owns certain land and premises located at 251 South Willard Street, Burlington, VT by virtue of the Warranty Deed of Champlain College Incorporated dated April 29, 2009 and recorded April 29, 2009 in Volume 1065, Page 507 of said land records and the Warranty Deed of Elizabeth F. Cannon dated June 20, 2002 and recorded in Volume 739, Page 1 of said land records ("251 South Willard").
- C. Grantee also owns certain land and premises located at 275 South Willard Street, Burlington, VT by virtue of the Warranty Deed of Zetapi Corporation dated August 19, 1972 and recorded on August 31, 1972 in Volume 212 at Pages 424-26 of said land records ("275 South Willard").
- D. 267 South Willard lies in-between and adjacent to 251 South Willard and 275 South Willard.
- E. Grantors and Grantee entered into a temporary easement agreement dated September 11, 2007, which agreement permitted Grantee to construct certain storm water drainage facilities on 267 South Willard.
- F. Grantors and Grantee mutually desire to terminate the temporary easement agreement and replace it with a permanent easement to facilitate storm water drainage on 251, 267, and 275 South Willard.

NOW THEREFORE in consideration of the foregoing Recitals, the following Terms and Conditions, and other good and valuable consideration the receipt and sufficiency of which Grantors and Grantee hereby acknowledge, Grantors by these presents do hereby GIVE, GRANT, SELL, CONVEY, AND CONFIRM, unto the said Grantee and its successors and assigns forever a perpetual, but non-exclusive easement and right-of-way in common with Grantor over, under, and along 267 South Willard for the limited and express purpose of constructing, maintaining, repairing, and replacing a "Water Drainage Facility" according to the following terms and conditions.

OPFLC
CITY CLERK'S OFFICE
Received 9-7-2010 at 2:55 PM
and recorded in Vol. 1112 on Page 1
of Burlington Land Records
Vermont Property Transfer Tax 32 V.S.A. Chap. 231
ACKNOWLEDGEMENT-
Return, Certificate & Payment Received

Attest:
John P. Brelsford, Land Records Clerk

Terms and Conditions

1. Storm Water Drainage Facility:

- a. The Storm Water Drainage Facility shall consist of an underground storm pipe and concrete storm water catch basins the number and general location, course, and specifications of which are depicted on the plan attached hereto as Exhibit A.
- b. Both Grantors and Grantee shall be entitled to connect their respective properties to the Storm water Drainage Facility.
- c. After the Grantee completes construction of the Storm Water Drainage Facility, Grantee shall remove, at its sole cost and expense, any and all improvements constructed pursuant to the September 11, 2007 temporary easement agreement referenced above that are not incorporated into the Storm Water Drainage Facility.

2. Care and Maintenance:

- a. Grantee shall be exclusively responsible for the care, repair, maintenance, replacement, inspection, and permitting of the Storm water Drainage Facility, including all costs and expenses thereof. To the extent reasonably possible, Grantee shall, subsequent to the performance of any such care, repair, maintenance, replacement, or inspection, take any steps reasonably necessary to return any portions of 267 South Willard disturbed thereby to their condition immediately preceding such care, repair, maintenance, replacement, or inspection. Grantee shall have no liability for any claims or damages arising out of or associated with Grantee's good faith performance of its duties under this subsection except to the extent that such claims or damages arise out of Grantee's affirmative act or gross negligence.
- b. To promote Grantee's performance under Subsection 2(a) above, Grantors hereby further grants Grantee the right to enter upon such portions of 267 South Willard as are reasonably necessary to facilitate the care, repair, maintenance, replacement, and inspection of the Storm water Drainage Facility.
- c. Notwithstanding the foregoing, Grantors shall be responsible for any and all care, repair, maintenance, replacement, inspection, and permitting of the Storm water Drainage Facility necessitated by their affirmative act or negligence and shall defend, indemnify, and hold Grantee harmless from and against any and all damages, injuries, or claims arising out of their failure to do so.

- d. Grantors shall cooperate with Grantee and make 267 South Willard available and accessible for the repair, maintenance, and inspection of the Storm water Drainage Facility.

3. Alterations and Improvements:

- a. Should Grantors alter, improve, or otherwise change 267 South Willard or any component thereof so as to necessitate a change or upgrade in the Stormwater Drainage Facility, they shall pay for any and all costs and expenses associated with such change or upgrade, including but not limited to any and all attorneys' fees Grantee incurs as result thereof.

4. Default:

- a. Should either party fail to perform its obligations hereunder as and when called for herein and should such failure continue for more than fifteen (15) days after notice thereof, the other party shall have the right to perform such obligations or to seek and obtain specific performance of this Agreement, and recover all costs and expenses incurred as a result thereof including but not limited to reasonable attorneys' fees.
- b. Failure of either party to seek redress for violation of, or insist upon strict performance of any provision of this Agreement shall not be a waiver of that provision by that party or estop that party from asserting fully and all of its rights under this Agreement.

5. Notice:

- a. Any Notice required to be given under this Agreement shall be deemed given when hand delivered or when deposited in the United States Mails, certified, registered, or express mail, return receipt requested, postage prepaid and properly address to Grantors or Grantee at the addresses set forth below or such other addresses as either party may designate in writing pursuant to this paragraph.

If to Grantors: Anthony C. and Maria E. Graffeo
267 South Willard Street
Burlington, VT 05401

If to Grantee: Champlain College Incorporated
Attn: Michel George

Burlington, VT 05401

And

1112 112

Paul Frank + Collins P.C.
One Church Street, P.O. Box 1307
Burlington, VT 05402-1307

6. Miscellaneous:

- a. This Agreement shall be construed and governed under the laws of the State of Vermont, and any proceedings concerning this Agreement or the Easement shall be commenced in the state courts of the State of Vermont.
- b. The titles of the Paragraphs of this Agreement are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction or meaning of the provisions of this Agreement.
- c. The terms and provisions hereof shall be binding upon and shall insure to the benefit of the successors and assigns of Grantors and Grantee. Grantors and Grantee shall prior to the sale, transfer, or other conveyance of their respective properties, buildings, or any portion thereof provide any purchaser, transferee, or other recipient with a copy of this Agreement.
- d. This Agreement contains all of the terms and conditions of any and all agreements between the parties with respect to the subject matter contemplated herein and supersedes any and all prior and contemporaneous agreement related thereto including but not limited to the September 11, 2007 agreement referenced above.
- e. No part or provision of this Agreement may be changed, modified, waived, discharged, or terminated, except in writing signed by both Grantors and Grantee. Any attempt to otherwise change, modify, waive, discharge, or terminate this Agreement, in whole or in part shall be void.
- f. If any part or provision of this Agreement should be held void or invalid, the remaining provisions shall remain in full force and effect.

TO HAVE AND HOLD said granted easement and right-of-way, with all the privileges and appurtenances thereof, to the said Grantee and its successors and assigns to their own use and behoof forever.

AND FURTHERMORE, Grantors, to the best of their knowledge, have good right and title to convey said easement and right-of-way, and that said easement and right of way are free from every encumbrance, except as aforesaid. Whatever rights the Grantors have, as covered by this Easement Deed and Agreement, they do for themselves and their successors and assigns, covenant with Grantee and its successors and assigns that from and after the ensembling of these presents, convey said easement and right-of-way.

1112 113

Grantors hereunto sets their hands and seals this 21st day of July, 2010.

Anthony C. Graffeo
Anthony C. Graffeo

Maria E. Graffeo
Maria E. Graffeo

STATE OF VERMONT
COUNTY OF CHITTENDEN, SS.

At Burlington in said county and state this 21st day of July, 2010,
personally appeared Anthony C. Graffeo and Maria E. Graffeo and they acknowledged
this instrument by them sealed and subscribed to be their free act and deed.

By: Carol A. Reynolds
Notary Public
My commission expires: 2/10/11

Grantee hereunto sets its hand and seal this 21st day of July, 2010.

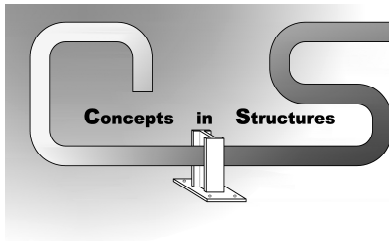
CHAMPLAIN COLLEGE INCORPORATED

By: David J. Provost
Duly authorized

STATE OF VERMONT
COUNTY OF CHITTENDEN, SS.

At Burlington in said county and state this 21st day of July, 2010,
personally appeared David J. Provost, duly authorized agent of Champlain
College Incorporated and (s)he acknowledged this instrument by him/her sealed and
subscribed to be his/her free act and deed and the free act and deed of Champlain College
Incorporated.

By: Carol A. Reynolds
Notary Public
My commission expires: 2/10/11

**CiS**

1 Main St, Suite 310
Union Station Bldg
Burlington, VT 05401
Phone: 802-540-3030
Fax: 802-540-3030
rvandyk@gmavt.net

November 5, 2020
CiS No.: 20103d-i

Ms. Emily Morse
Lewis Creek Builders
18A Morse Dr
Essex Junction, VT 05452

Re: **Garage Inspection & Structural Evaluation**
Home of Kellen Brumstead & Katie Mason
Property Located At: 40 Kingsland Terrace (Burlington VT)

To Whom It May Concern:

At the request of Ms. Emily Morse (Lewis Creek Builders), CiS inspected exposed/accessible elements of the building referenced above (PHOTO 1). The purpose of the October 29, 2020, inspection was to inspect and evaluate the detached garage, to assess its structural condition and to determine whether it is safe, sound and stable.

The garage is a single story, wood framed structure supported on, what appears to be, a combination grade wall/grade slab foundation system. The wood framed superstructure appears to be in good condition and structurally sound, with little to no evidence of distress and/or deterioration other than some minor wracking (structural lean) to the left/west. The wracking (PHOTO 1) has caused the garage door opening to be skewed to the west so that it may be difficult to install a fully functional, fully operable garage door without first pulling the garage structure back into place; an effort that would be futile unless the foundation system is repaired and/or replaced (see below).

While an analysis of the building superstructure was not performed at this time, it is likely that such an analysis would show the structural capacity (framing) to be at, or just below, minimum standards for load carrying capacity, as required by the current Code (2015 International Building Code). If that is the case then existing roof framing may have to be reinforced to ensure that the building has a load carrying capacity conforming to the current Code and standards.

Unlike the superstructure, the grade slab/grade wall foundation system is in extremely poor condition with evidence of severe cracking of the slab (and vertical displacement of abutting slab sections – PHOTOS 3 & 4) and a severe vertical crack (with significant lateral separation – PHOTOS 2 & 4) in the exposed section of grade wall, supporting the west side of the building. The slab cracking and displacement are significant enough so as to discourage use of the garage for anything other than general, non-vehicle, storage. In addition to slab cracking/vertical displacement and the grade wall crack, it appears that the west side of the building has settled; a condition that most likely caused the building to wrack towards the west (noted above) and that caused damage to (buckling of) some of the siding on the west wall (PHOTO 2).

Damage to the slab/grade wall appears to be attributable to two primary factors: a foundation depth that does not extend below frost line (allowing structure to heave and settle in response to ground frost) and the apparent lack of any reinforcement of either slab or grade wall.

Unfortunately, there is no reasonable, economical way to repair the garage slab and/or grade wall “in place”. As a result, both the slab and grade wall should be replaced with a proper, Code compliant, slab and foundation system; a foundation system (frost walls and footings) that is reinforced with steel and that extends down below the seasonal frost line. The slab could then be cast separate from the foundation walls and allowed to “float” on the soil below. The slab may or may not have to be reinforced depending on quality of the bearing soils. Although there may be several alternatives for constructing the new slab and foundation system, it seems that the most likely process would be to lift (jack) and temporarily move the existing wood framed structure before demolishing existing foundation elements and constructing the new foundation. The building could then be moved back into place and properly anchored to the new foundation.

Concept to Structure!!

In summary and based on a personal observation of exposed and accessible elements of the building it is felt that while the wood framed superstructure can be restored to full use and function with limited repair and/or reinforcement, the existing slab/foundation system has deteriorated to a level where it is beyond repair so that the only path to restoring the building to full use and function would be to replace the existing slab/foundation system with a new, Code compliant system that is properly reinforced and properly supported below the frost line.

Please note that opinions and/or conclusions provided hereunder are based on a review of “best available information” at the time of the inspection and that they are subject to further review and/or revision should additional information become available.

CiS appreciates having had the opportunity to assist you with this inspection/assessment and we hope that you will keep us in mind if we can be of assistance at some future date.

Respectfully submitted,



Roland VanDyk, P.E.





PHOTO 1: South Side - Note slight wracking of building to the left (west) side



PHOTO 2: West Side - Note buckled siding and vertical crack in foundation/slab



PHOTO 2: Slab - note extensive cracking and vertical displacement

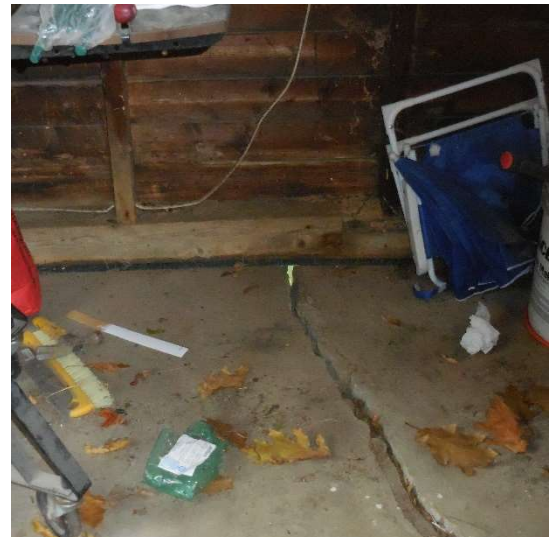


PHOTO 4: Slab - Note width of crack and visible daylight at end of crack where it becomes the foundation on west side



Kellen Brumstead & Katie Menson
40 Kingsland Terrace
Burlington, VT

Kellen and Kate,

We are thrilled that you've chosen to complete a conceptual design with our team, and excited to invite you to begin the process of refining toward a plan set that is construction ready. You'll find attached to this letter preliminary pricing for the outlined scope of work we've prepared, based on recent similar projects.

Our hope is that this early understanding of costs will help guide you toward the best choices you can make for your home. It's not too early to start finding the value of the project. We invite you to partner with us to find the right balance between the price of your project and the choices that you'll make regarding the finishes that will help you feel that your space reflects your values and the needs of your family.

With Gratitude,

LCB Name, Project Manager

Preliminary Viability Estimate, prepared by Emily Morse and presented on 11/09/2020. The scope of work includes:

- Raise existing garage structure
- Remove and replace existing failed concrete foundation
- Repair existing structure

While we have made every effort to be accurate with this preliminary estimate, it will shift based upon the final specifications and details of your project

Recent similar projects suggest pricing as follows:

- Raise, move, and replace existing garage structure: *\$30,000 - \$40,000*
 - Raise garage structure off of existing foundation
 - Relocate and secure structure elsewhere on property for the duration of the foundation work
 - Move structure back onto new foundation walls
 - Re-rack structure to be level, square, and plumb
- Replace foundation: *\$20,000 - \$30,000*
 - Demolishing of existing concrete foundation
 - Excavation of a new, adequately sized area to accommodate frost walls
 - Pouring of new slab and frost walls

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18A Morse Drive | Essex Junction, VT 05452 | 802-662-1630 | info@lewiscreekbuilders.com | www.lewiscreekbuilders.com



- Repair existing structure: *\$40,000 - \$50,000*
 - Reinforce roof framing to code
 - Replace roof
 - Lead remediation
 - New overhead garage door
 - Repair existing finishes as needed

- *Design Development & Pre-Construction Planning: 100-120 hours, \$8,500 to \$10,200*
 - Work Scope and Full Estimate
 - Subcontractor Onboarding
 - Construction Documentation & Permitting
 - Project Management

Total Cost Estimate to Project Completion: \$98,500 - \$130,200

Additional considerations (not included in the amount above)

- Driveway repairs
- Electrical work

We ask for your understanding that project costs can be influenced by design changes, additional work that is unforeseen, sub-trade quotations beyond our preliminary understanding, or other such outside influences.

This contract engages our team in the Work of Design Development and Pre-Construction Planning, where we will create a detailed estimate and other supporting documents based on the proposed schematic design and the Work requested by the Owner. This is to be completed at a labor rate of Eighty-Five Dollars US, (\$85), Per Hour.

Acceptance of this document shall not constitute an Agreement to complete the on-site construction Work described above, nor a contractual commitment to complete the Work described above at the Preliminary Viability Estimate cost. The Preliminary Viability Estimate above are only estimates of potential costs based on our early understanding of the project, designed to determine the financial viability of the Work. A detailed estimate, drafted in the Pre-Construction Planning phase, will detail and estimate these costs.

Acceptance of this document does not allow the Contractor to begin construction activities at the Property.

A Deposit of \$2,000 is requested upon acceptance of this Exhibit to confirm Pre-construction work and design. This Deposit will be fully applied to the final Design and Development costs related to the Work described above.

This constitutes a fair estimate of fees and is paired with the Work described above. At such time as additional Work is requested beyond this scope, such as extra revisions, additional design consideration, or further construction Work requested, this additional Work will be estimated and presented as an add-on to the estimate above and billed at the labor rate specified for the Design Development and Pre-Construction Planning phase.

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18A Morse Drive | Essex Junction, VT 05452 | 802-662-1630 | info@lewiscreekbuilders.com | www.lewiscreekbuilders.com



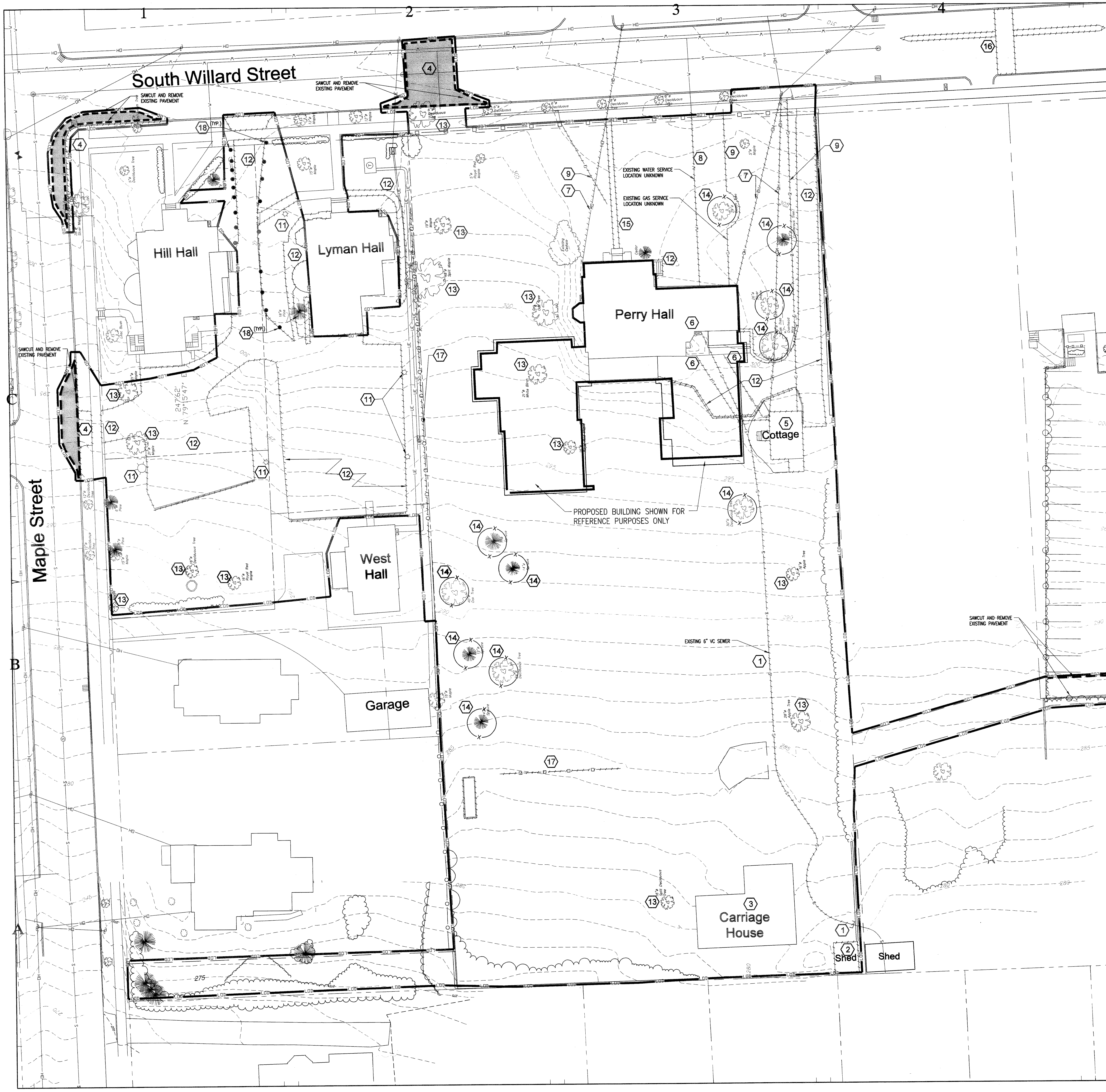
As mutually understood and agreed in the terms and conditions of the Agreement, any cost estimates, unless otherwise stated in writing from Contractor to Owner, provided by Contractor are estimates only and project costs will be billed solely on a Time and Materials Basis.

Acceptance

As per Section III. ("Payment/Deposit") of the Agreement, payment of the Design Deposit is considered acceptance of this **Exhibit A** as presented. The effective date of **Exhibit A** is to be understood as the date as shown on the payment receipt provided to Owner by Contractor, which is understood to be the date the Contractor received and accepted Owner payment of Deposit.

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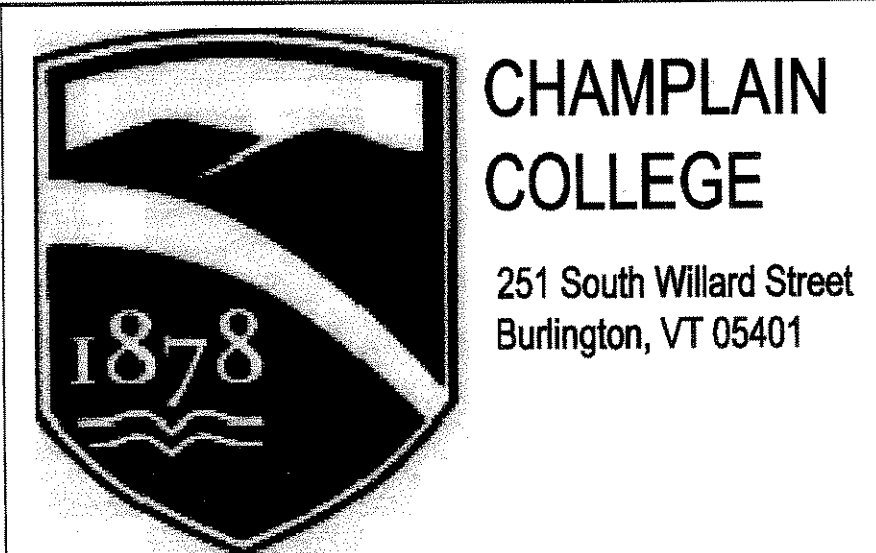
DEMOLITION NOTES:

1. NO DEMOLITION SHALL COMMENCE UNTIL THE SITE IS PROPERLY PREPARED FOR CONSTRUCTION AS INDICATED ON THE EROSION PREVENTION AND SEDIMENT CONTROL PLAN.
2. ALL DEMOLITION ITEMS UNLESS NOTED BY THE OWNER AS TO BE STORED OR REUSED, BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE PROMPTLY REMOVED FROM THE SITE. SOIL DISPOSAL SHALL BE AS DIRECTED BY OWNER.
3. ALL ADJACENT FACILITIES AND STRUCTURES NOT INDICATED AS INCLUDED IN THE SCOPE OF WORK SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION. ALL ADJACENT FACILITIES OR STRUCTURES DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED OR REPLACED TO PRE-CONSTRUCTION CONDITION OR BETTER.
4. TAKE ALL PRECAUTIONS NECESSARY TO PROVIDE A SAFE WORK AREA DURING DEMOLITION PROCEDURES.
5. PRIOR TO DEMOLITION, HAND EXCAVATE ANY UNDERGROUND UTILITIES. NOTIFY THE OWNER IF ANY OTHER UTILITIES NOT NOTED ON THE DRAWINGS ARE FOUND.
6. PROPOSED FEATURES ARE SHOWN ON THIS DRAWING FOR REFERENCE ONLY.
7. ALL EXISTING FACILITIES NOT BEING REMOVED OR RENOVATED TO REMAIN IN USE DURING CONSTRUCTION.
8. UNDERGROUND UTILITIES DEPICTED HEREON HAVE BEEN LOCATED FROM FIELD LOCATION AND RECORD DATA. EXACT LOCATIONS MAY DIFFER FROM THAT AS SHOWN, AND ADDITIONAL SUB-SURFACE AND SURFACE UTILITIES AND STRUCTURES MAY EXIST. THE CONTRACTOR IS TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK AND TO CALL DIG SAFE 48 HOURS PRIOR TO DIGGING, DRILLING OR BLASTING.
9. THE FOLLOWING ITEMS SHALL BE DEMOLISHED AND REMOVED FROM THE SITE OR USED/REUSED AS DIRECTED BY THE OWNER.

1. REMOVE AND DISPOSE OF EXISTING SEWER SERVICE TO PERRY HALL. CAP SEWER SERVICE 5' NORTH OF PROPERTY LINE.
2. REMOVE AND DISPOSE OF EXISTING SHED STRUCTURE AND FOUNDATION.
3. PROTECT STRUCTURE AND FOUNDATION. COORDINATE AND ALLOW ACCESS FOR POSSIBLE WORK BY OTHERS.
4. CONTACT CITY OF BURLINGTON PRIOR TO WORK WITHIN R.O.W. VERIFY THAT ALL REQUIRED PERMITS APPROVALS AND NOTIFICATIONS HAVE BEEN MADE.
5. REMOVE AND DISPOSE OF EXISTING COTTAGE. RETAIN FOUNDATION.
6. REMOVE AND DISPOSE OF EXISTING UTILITIES AND ELECTRIC METER SERVING COTTAGE.
7. DISCONNECT AND REMOVE EXISTING ELECTRICAL SERVICE PER B.E.D. REQUIREMENTS.
8. CONTRACTOR TO FIELD LOCATE, DISCONNECT AND REMOVE EXISTING WATER SERVICE PER DEPT. OF PUBLIC WORKS REQUIREMENTS.
9. CONTRACTOR TO FIELD LOCATE, DISCONNECT AND REMOVE EXISTING GAS SERVICE PER VERMONT GAS REQUIREMENTS.
10. AFTER CONNECTING PROPOSED STORMDRAIN PIPE, GROUT PENETRATION IN OR PRIOR TO REMOVAL OF EXISTING OUTFALL.
11. DISCONNECT, REMOVE AND DISPOSE OF EXISTING SITE LIGHTING STRUCTURE.
12. SAWCUT AND REMOVE ASPHALT AND CONCRETE DRIVES, PARKING, STAIRS AND WALKS.
13. REMOVE AND DISPOSE OF EXISTING TREE.
14. PROVIDE TREE FENCING AND PROTECT IN PLACE.
15. SALVAGE AND STOCKPILE REDSTONE PAVERS FOR FUTURE REUSE ON-SITE.
16. REMOVE EXISTING RAISED BRICK AND STRIPING AT CROSSWALK. COORDINATE PATCH PAVING WITH BURLINGTON DPW.
17. REMOVE AND DISPOSE OF EXISTING FENCE.
18. REMOVE AND DISPOSE OF EXISTING BOLLARDS ALONG PAVED DRIVE BETWEEN LYMAN AND HILL HALLS.

GENERAL DEMOLITION NOTES

1. MAINTAIN ACCESS TO HILL, LYMAN AND WEST HALLS DURING CONSTRUCTION. INSTALL BARRICADES AS NEEDED TO DIRECT PEDESTRIANS AWAY FROM CONSTRUCTION AREAS.

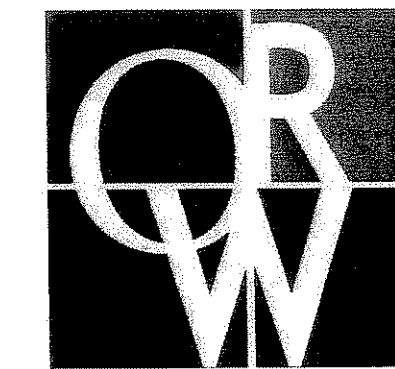


CHAMPLAIN COLLEGE

251 South Willard Street
Burlington, VT 05401

Perry Hall Renovation & Addition

PERMIT SUBMITTAL

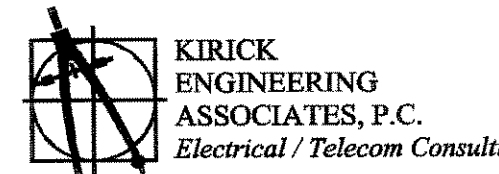


Landscape Architects & Planners
46 South Main Street P.O. Box 65
White River Junction, Vermont 05001
p. 802.649.2718 f. 802.359.6004
e. bob@qrw.biz

CONSULTANTS:



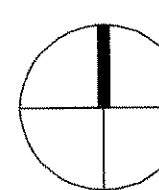
208 Flynn Avenue, Suite 2A Burlington, VT 05401
tel. 802.863.6225 • fax 802.863.6346
85 Mechanic Street, Suite 200A Lebanon, NH 03766
tel. 603.442.9333 • fax 603.442.9331
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KIRKICK ENGINEERING ASSOCIATES, P.C.
Electrical / Telecom Consulting

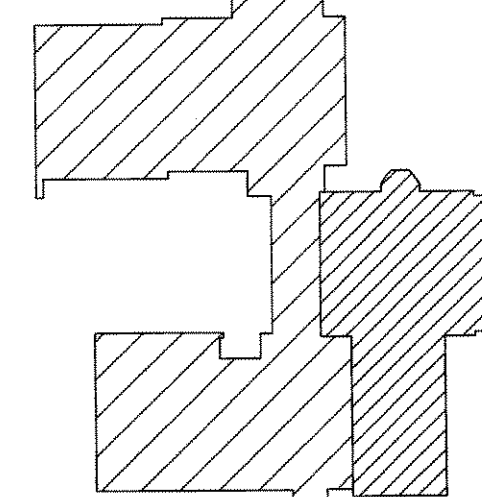
PERMIT SUBMITTAL
2008-12-12

KEY PLAN:



Maple Street

South Willard Street



REVISIONS:

TITLE:

Demolition Plan

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GOODY CLANCY PROJECT NO.:

FILE NAME:

DRAWN: WGC

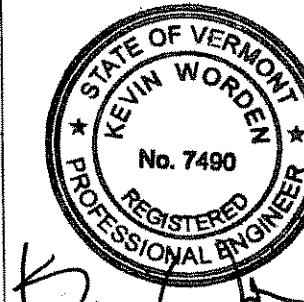
CHECKED: JZ

STAMP:

DATE: 2008.12.12

SCALE: As Noted

DRAWING NO.:



C1.0



STORMWATER MANAGEMENT

- 1) STORMWATER QUALITY TREATMENT IS PROVIDED FOR ALL PROPOSED IMPERVIOUS AREAS AND SOME EXISTING IMPERVIOUS AREAS BY THE COMBINATION OF A GREEN ROOF, A GRAVEL WETLAND, BIO-SWALES, AND IMPERVIOUS PAVEMENT.
- 2) STORMWATER TREATMENT PRACTICES SHOWN PROVIDE BOTH STORMWATER QUALITY TREATMENT AND STORMWATER QUANTITY ATTENUATION. THE GRAVEL WETLAND SHOWN COMPLES WITH THE VERMONT WATER QUALITY STANDARDS AS SPECIFIED IN SECTION 2.7.20 W-4 FOR WATER QUALITY TREATMENT. IN THIS STORMWATER TREATMENT PRACTICE, WATER IS TREATED BY THE HORIZONTAL SUB-SURFACE FLOW THROUGH A GRAVEL BIO-MAT MEDIUM.
- 3) FULL STORMWATER TREATMENT IS PROVIDED FOR AT LEAST 90% OF ALL STORM EVENTS. THE CORRESPONDING DESIGN VALUE IS 100% WHICH IS A 0.97 25HR STORM. THE SIZE OF THE CONTRIBUTING DRAINAGE AREA TO THIS STORMWATER WETLAND WILL BE ADJUSTED TO BALANCE THE ABILITY TO PROVIDE STORMWATER TREATMENT WITH THE ABILITY TO PROVIDE STORMWATER ATTENUATION OF LARGE STORM EVENTS.

STORMWATER STRUCTURE SCHEDULE:

- ST1 NEW 3' DIA CATCH BASIN
RIM = 272.00
INV IN(15' HOPE) = 267.50 (FROM ST2)
INV OUT(15' HOPE) = 267.50 (TO S1)
- ST2 NEW 3' DIA CATCH BASIN
RIM = 277.5
INV IN(15' HOPE) = 272.0 (FROM ST3)
INV OUT(15' HOPE) = 269.35
205 LF OF 15' HOPE AT 1.0% (TO ST1)
- ST3 24" SOLID RISER PIPE
INV IN - REFER TO DETAIL
INV OUT(15' HOPE) (TO ST2)
43 LF OF 15' HOPE
- ST4 FLARED END OUTLET
INV OUT = 280.00 (TO GRAVEL WETLANDS)
- ST5 NEW 3' DIA STORM MH
RIM = 287.25
INV IN(12' HOPE) = 283.2 (FROM ST6)
INV OUT(12' HOPE) = 283.00
155 LF OF 12' HOPE AT 2.0% (TO ST4)
- ST6 EXIST CATCH BASIN
INV IN(8') = 294.50 (EXIST)
INV IN(8') = 284.75 (EXIST)
INV OUT(6") = 284.50 (CAP EXIST)
INV OUT(12") = 284.50 (TO ST5)
- ST7 FLARED END OUTLET
INV OUT = 280.00 (TO GRAVEL WETLAND)
- ST8 NEW 3' DIA CATCH BASIN
RIM = 291.25
INV IN(12") = 287.25(FROM ST9)
INV IN(12") = 284.49(FROM ST10)
INV OUT(12") = 284.29
107 LF OF 12" HOPE AT 4.0%(TO ST7)
- ST9 NEW YARD DRAIN
RIM = 296.00
INV IN(6" UO) = 292.1
INV OUT(12") = 292.00
77 LF OF 12" HOPE AT 6.17% (TO ST8)
- ST10 NEW 3' DIA CATCH BASIN
RIM = 294.00
INV IN(12") = 290.00(FROM ST15)
INV IN(12") = 286.29(FROM ST11)
INV IN(6" UO) = 290.00
INV OUT(12") = 286.09
80 LF OF 12" HOPE AT 2.00% (TO ST8)
- ST11 NEW 3' DIA CATCH BASIN
RIM = 292.75
INV IN(12") = 289.75(FROM ST12)
INV OUT(12") = 288.75(TO ST10)
123 LF OF 12" HOPE AT 2.00%
- ST12 NEW 3' DIA CATCH BASIN
RIM = 298.75
INV IN(12") = 294.62(FROM ST13)
INV OUT(12") = 294.42
88 LF OF 12" HOPE AT 5.31% (TO ST11)
- ST13 NEW 3' DIA CATCH BASIN
RIM = 300.0
INV IN(8") = 286.6 (FROM ST14)
INV OUT(12") = 296.50
44 LF OF 12" HOPE AT 4.27%(TO ST12)
- ST14 NEW YARD DRAIN
RIM = 305.50
INV OUT(8") = 301.50 (TO ST13)
100 LF OF 8" HOPE AT 0.50%
AT EL 301.20
- ST15 NEW 3' DIA CATCH BASIN
RIM 296.50
INV IN FROM S. ROOF DRAIN PER M.E.P. PLANS
INV OUT(12") = 292.50
46 LF OF 12" HOPE AT 5.43% (TO ST10)
- ST16 EXISTING CATCH BASIN
RIM FIELD VERIFY
INV IN(12") MATCH EXISTING INVERT
- ST17 NEW YARD DRAIN
RIM = 289.75
INV IN(12") = 286.0
INV OUT(12") = 285.75

ELECTRIC, TELEPHONE AND COMMUNICATION NOTES:

- E1 1 - 5" SCH40 PVC ELECTRIC CONDUIT; 3 - 4" SCH40 PVC TELECOM CONDUITS SHOWN FOR REFERENCE ONLY. SEE MEP PLANS.
- E2 NEW ELECTRIC TRANSFORMER. REFER TO ELECTRICAL ENGINEER'S PLANS.
- E3 ELECTRICAL AND COMMUNICATION INFORMATION SHOWN ON THIS SHEET FOR COORDINATION PURPOSES ONLY. REFER TO ELECTRICAL ENGINEER AND SITE LIGHTING ENGINEER FOR DETAILED INFORMATION.

UTILITY NOTES

WATER NOTES:

- W1 210 LF 8" DI WET-TAP TO HIGH PRESSURE SERVICE IN WILLARD STREET.
- W2 60 LF 6" DI COMBINED DOMESTIC AND FIRE WATER SERVICE TO PERRY HALL.
- W3 NEW GEOTHERMAL WELLS (3) AND 2" HOPE WATERLINE (ROUGHLY 130LF). COORDINATE LOCATION AND DETAILS WITH MECHANICAL ENGINEER.
- W4 NEW HYDRANT ASSEMBLY
- W5 NEW FIRE DEPARTMENT CONNECTION (FDC). COORDINATE LOCATION WITH MECHANICAL ENGINEER AND BURLINGTON FIRE DEPARTMENT.
- W6 360 LF 4" DI WATERLINE TO CARRIAGE HOUSE. NOTE PER BURLINGTON FIRE DEPARTMENT INSTALL PARALLEL EMPTY 4" DI WATERLINE WITH DRY HYDRANT NEAR NEW HYDRANT ASSEMBLY AND FIRE DEPARTMENT CONNECTION (FDC) AT CARRIAGE HOUSE.
- W7 500 LF 2" HOPE HEATING SERVICE AND RETURN WATERLINES FROM PERRY HALL TO CARRIAGE HOUSE. COORDINATE WITH MECHANICAL ENGINEER.

BASIS OF DESIGN (WATER):

	GAL/PERSON/DAY	PERSONS	GAL/DAY
ASSEMBLY AREAS, CONFERENCE ROOMS	5	250	1,250
WORKERS	15	71	1,065
TOTAL			2,315 GAL/DAY
10% REDUCTION FOR WATER SAVING DEVICES			-232
TOTAL WATER ALLOCATION			2,083 GAL/DAY

SEWER NOTES:

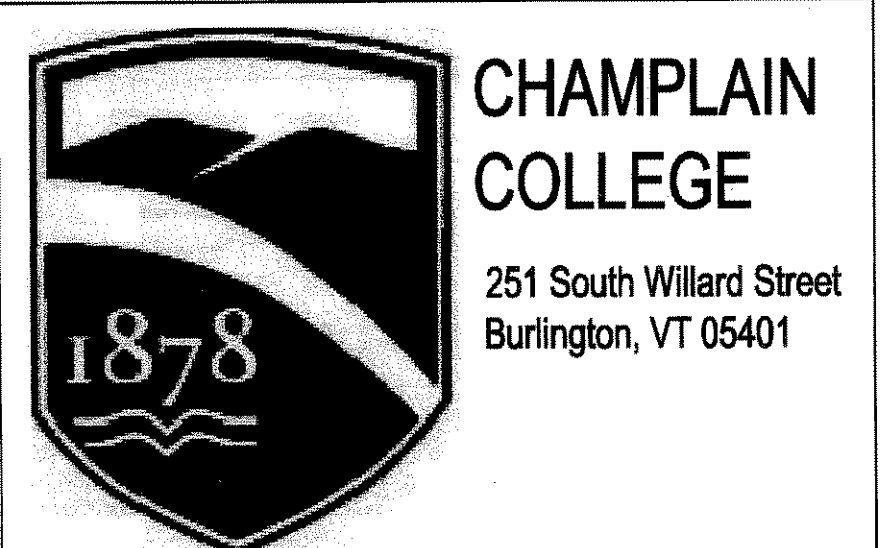
SEE C2.0 FOR SEWER PROFILE AND DETAILED PIPE AND MH INFORMATION.

BASIS OF DESIGN (WASTEWATER):

	GAL/PERSON/DAY	PERSONS	GAL/DAY
ASSEMBLY AREAS, CONFERENCE ROOMS	5	250	1,250
WORKERS	15	71	1,065
TOTAL			2,315 GAL/DAY
20% REDUCTION FOR DISCHARGE TO SYSTEMS GREATER THAN 50,000 GPM			-463
INFILTRATION ALLOWANCE: BASED ON 700 LF OF 6"			239
TOTAL SEWER ALLOCATION			2,091 GAL/DAY

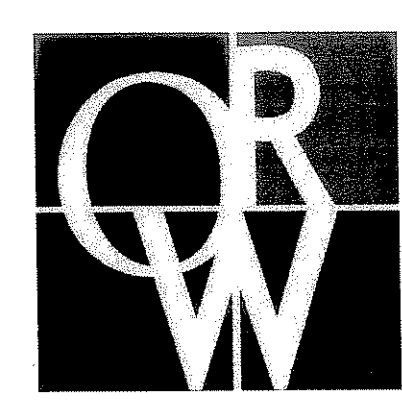
LEGEND

- SANITARY SEWER LINE S
- STORM LINE ST
- WATER LINE W
- UNDERGROUND ELECTRIC UE
- UNDERGROUND TELEPHONE UT
- FOUNDATION DRAIN FD
- WELL
- HYDRANT
- FLARED END SECTION
- TAPPING SLEEVE AND VALVE
- STORM MANHOLE
- MANHOLE
- CLEAN OUT
- CATCH BASIN



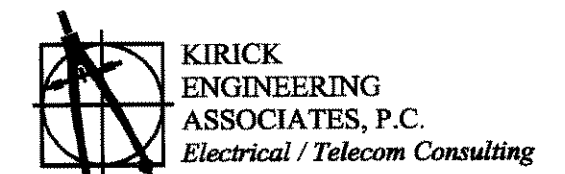
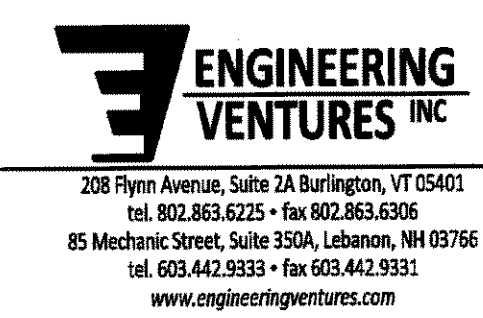
Perry Hall Renovation & Addition

PERMIT SUBMITTAL

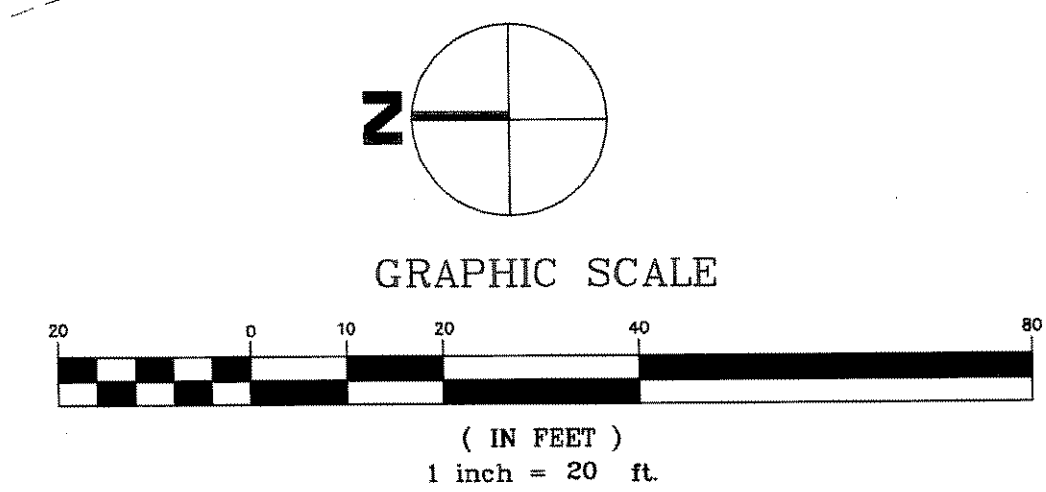
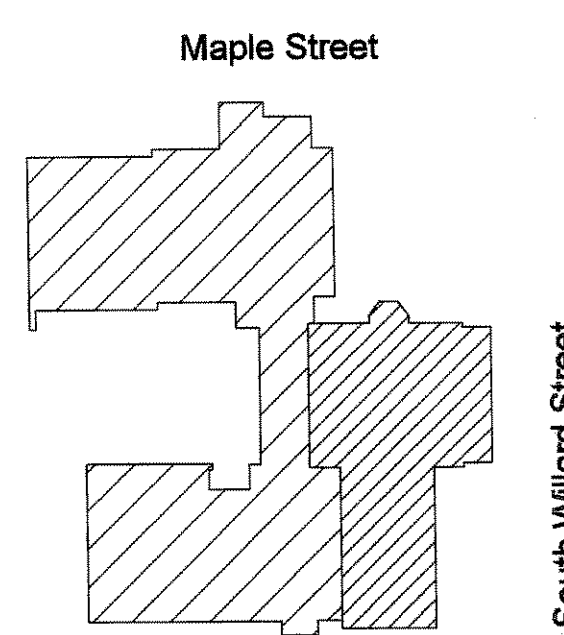
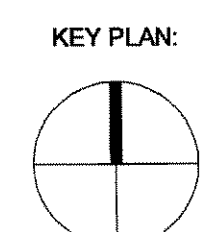


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CONSULTANTS:



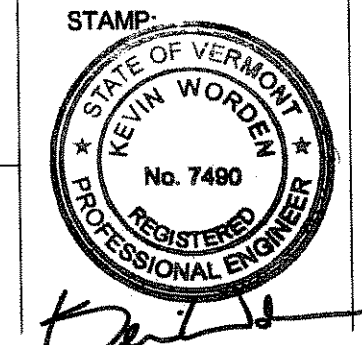
PERMIT SUBMITTAL 2008-12-12



REVISIONS:
TITLE:

Utility Plan

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GOODY CLANCY PROJECT NO.:
FILE NAME:
DRAWN: WGC DATE: 2008.12.12
CHECKED: JZ SCALE: As Noted
STAMP: DRAWING NO.:



C1.2

Received November 2, 2020
To Mary O'Neil and the Design Advisory Board,

My name is Linda Jones and I have lived with my husband Mark Stephenson on 2 Tower Terrace for 26 years. We raised our boys here and have loved our 1890 carriage house from the moment we walked in the door. Our second son was born and came into being in our family home. Since we first bought the house in 1994 we have slowly been making improvements. With limited income at that time, it was usually ourselves or with a work party we had organized with other friends that have older houses. Those within the group offered a variety of skills (carpentry, sheetrock, plumbing, heating etc). Over the years we have lovingly replaced and restored that which needed tending. We consider ourselves stewards of this lovely, historic carriage house. As a visual artist I am particularly sensitive to details and historic importance. As you may know we have renovations in the works as I write, replacing ancient and leaky windows among other things that this dear house has needed for some time now. We feel lucky we can finally give the house the attention it deserves. In particular I just designed a beautiful set of large windows, reflecting what was originally there in the master bedroom, facing west as this is without a doubt our most beautiful view in the whole house.

We understand from our neighbors Katie Menson and Kellen Brumsted, of 40 Kingsland Terrace, that they plan to demolish their garage and in its place put in a two story structure. My understanding is there would be a garage on the ground floor with an apartment on the second floor. Their garage and yard are directly west of us with a hedge obscuring most of the garage. Please see photos below.

Katie and Kellen were kind enough to inform us (as well as our other neighbors) of their plan, giving us the opportunity to provide them with our personal feedback, which we have done.

Our lot is very small- defined by a fence to our south and the fence and hedge to our west. Our property line runs 10' from the north edge of our house. We do not have a front yard. The road, Tower Terrace, ends at our small flower garden that runs along the front of the house. We have a very narrow side yard on the south side of the house. The back yard on the west side of the house is our biggest and only functional yard. This is where we spend most of our time on the deck enjoying lake views as well as the substantial greenery and the beautiful older trees our lovely neighborhood offers. It is in this back yard where I garden and enjoy the large flower beds I've cultivated and established over time. The heart of our home, the living room/dining room/kitchen is one large room, with the original bead board 10' ceilings, oriented out towards the westerly view. See photo. Parts of the lake are visible in the summer, and fully visible in the winter. The deck, with bird bath and flowering plants, is off this living area, running along the west side of the house for full enjoyment of the view. As we have a grade change on our property and a slightly higher elevation than those west of us, our view is further enhanced. In addition to the losses this two story structure will impose upon us, we're also concerned that the loss of this unique view shed may also affect the value of our house.

While we support converting the garage into a one-story bungalow, we cannot support the building of a two story structure. The placement of this building would obstruct our views, greatly affect our sense of privacy and impede our ability to enjoy the small yard and deck that we do have. The negative impact on us that live in this house cannot be understated and this

encroachment may negatively impact us in ways we have yet to discover. The intrusion is great on every level. Esthetically, physically and emotionally. On so many levels this would be incredibly difficult to live with and stare at every day. The heart of our home, the great room downstairs, is oriented towards this lovely western view. This view of lake and trees as is also the center piece of the master bedroom. Our bedroom soon have bigger windows (replacing small hayloft single pane windows) facing the west so that we may better enjoy our current substantial view of the trees. green landscape and the lake. Our pristine, tranquil view is currently not obstructed by structures of any kind. This new second story building would drastically change our landscape. As mentioned before, due to our slightly higher elevation, we would literally be eye level with the second floor of this new structure from our deck and living area.

We so enjoy Katie and Kellen as neighbors as well as her parents, who I understand plan to move into this new structure. We would happily accept and embrace any one-story plans that will create living quarters that will not exceed one story. Anything else above one story would drastically change the nature of our neighborhood and negatively impact our day-to-day existence in this house. Whatever is done cannot be undone.

I thank you for your time and consideration.

Sincerely,

Linda E. Jones & Mark A. Stephenson

PS. A number of years ago we fought the destruction of the sweet care takers's cottage on 50 Kingsland Terrace, just to the South of our house. That building, which was then considered THE significant member of our historic district, no longer exists. A large house stands in it's place with nothing left of the original building. The owners fought to have this done and then moved shortly after leaving this large house in it's wake. The process was extremely painful and difficult to witness.

View from our second floor bedroom facing West onto 40 Kingsland Terrace,



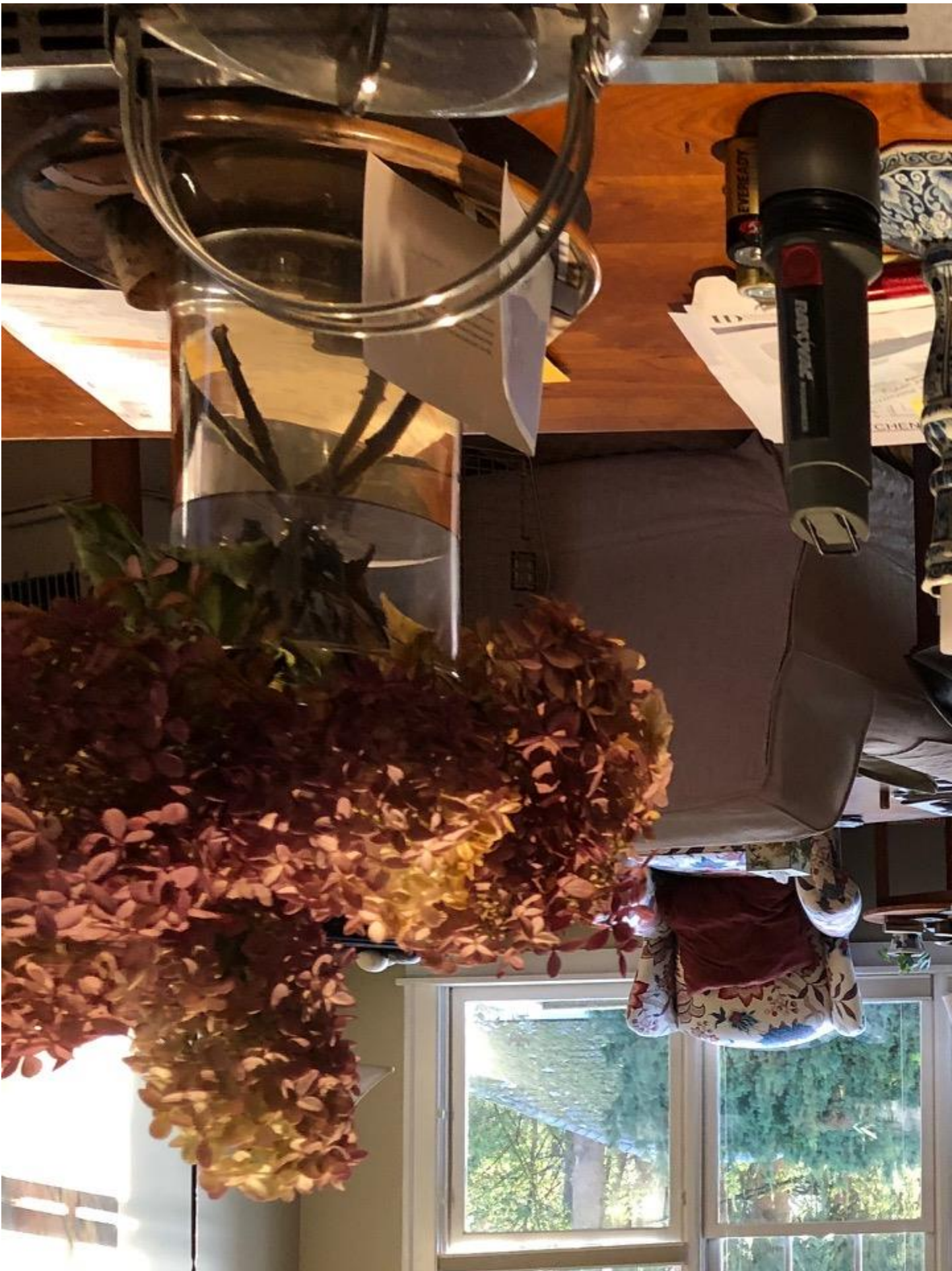
View from our deck off our many windowed living room. Note eye level of second story window.



View from our deck off our many windowed living room



Western view from our kitchen/living/dining



Dear Mary,

I didn't know if Mark and I would have a chance to speak, but I wanted to add something about the view corridor.

When Mark & I first moved in 26 years ago, our neighbors on S. Union St. allowed Mark to climb trees to trim limbs and remove unwanted saplings to enhance the view corridor. I was on the deck with baby Cody in my arms confirming if he had the right branch. It really opened it up. As you can see by our photo it needs to be done again. The photos I took were on a grey day so the lake, Adirondacks and sky all blend into the same grey. Will try to get a better shot of that and send it on if possible before Monday.

In the summer evenings we watch the sun set in a spot where it goes down directly between two peaks across the lake. After dusk and in the after glow we would continue watching that same corridor for our evening visitors. Soon bunches of bats would fly up through that space right up to our deck. We would watch them dive bomb and dance until the mosquitos drive us in.

I know Mark wanted to mention something about the historical aspect of the neighborhood. A brief statement from what I understand.

Mark will join us zooming in on Tuesday from his office. Does he need an invitation as well?

Thanks for all your help and sending on meeting information.

Warm Regards,

~ Linda

Those are whitecaps behind the torrent. This is directly above the North side of the existing garage on Kingsland terrace.



Burlington Design Advisory Board

Department of Permitting and Inspections

645 Pine Street

Burlington, VT 05401

<http://www.burlingtonvt.gov/DPI/Boards/Design-Advisory-Board/>

Telephone: (802) 865-7188

Eric Morrow, Chair
Matt Bushey, Vice Chair
Ron Wanamaker
Karyn Norwood
vacant
Jay White, Alternate
Vacant, Alternate



DESIGN ADVISORY BOARD

Tuesday November 24, 2020

Remote Meeting via Zoom

Present: Eric Morrow, Matt Bushey, Ron Wanamaker, Karyn Norwood, Jay White (alternate.)

Absent: None.

Staff present: Mary O'Neil

Applicants and guests present:

Emily Morse (Lewis Creek Design), Kellen Brumsted, Mark Stephenson and Linda Jones.

Agenda

Session I – 3:00 PM – 3:30 PM

21-0358CA/CU/VR; 40 Kingsland Terrace (RL, Ward 6S) Kellen Brumsted

Demolish existing garage and construct new garage with ADU and related site work.
Rear yard setback variance request also included.

Motion by Matthew Bushey:

Move to **table** the project with the following comments:

1. The request for demolition of the existing garage is supported, as the applicant has shown that the existing garage lacks sufficient structural integrity.
2. The request for setback variance is not supported, as the applicant has not shown sufficient evidence to support this request.
3. The 2-story gambrel roof design proposed is not supported as it creates a false sense of history and is incompatible with the main building. The Board recommends that the applicant revise the design with a roof ridge of approximately 21' height maximum.

There was a friendly amendment requesting a site section showing the building height of the existing house and adjacent structures.

2nd – Ron Wanamaker

Vote: 5-0.

Motion carries.

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).

