

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

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Samantha Tilton
Jim Drummond, (Alternate)
Robert Purvee, (Alternate)*



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday November 21st, 2017, 5:00 PM PUBLIC HEARING NOTICE

The Burlington Development Review Board will hold a meeting on
Tuesday November 21st, 2017 at 5:00pm in Contois Auditorium, City Hall.

- 1. 18-0440CU; 76 Chase St (RL, Ward 1E) Eva Sollberger**
Request 1 room bed & breakfast in single family home.
(Project Manager: Scott Gustin)

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.

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).

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BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday November 21st, 2017, 5:00 PM Contois Auditorium, City Hall, 149 Church St, Burlington, VT AGENDA

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

- 1. 18-0285CA; 323 Pearl Street (RH, Ward 8E) 323 Pearl Street LLC**
Combine two small 1BR units into a 2BR unit reducing total dwelling unit count from 13 to 12.
Existing 500 sqft medical office to remain. 1-space parking waiver requested.
(Project Manager: Scott Gustin)
- 2. 18-0440CU; 76 Chase St (RL, Ward 1E) Eva Sollberger**
Request 1 room bed & breakfast in single family home.
(Project Manager: Scott Gustin)

V. Certificate of Appropriateness

- 1. 18-0325CA; 181 Battery St (DW, Ward 5S) Burlington Waterfront South LLC**
Re-open: 500 sqft addition to building; 1500 sqft exterior deck addition
(Project Manager: Mary O'Neil)
- 2. 17-1081PD; 451 Ethan Allen Parkway (RL, Ward 7N) William Ellis**
Request for time extension for application review period only: Final plat for 9-unit planned unit development in three buildings and associated site improvements.
(Project Manager: Scott Gustin)

VI. Other Business

- 1. 2018 DRB Schedule for Approval**

VII. Adjournment

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DEVELOPMENT REVIEW BOARD

January - December 2018
Regularly Scheduled Meetings

Date of Meeting	Day of Week	Time	Location	PH Deadline - Wed 4pm	COA Deadline - Wed 4pm
January 16, 2018	Tuesday	5pm	Contois Auditorium	December 20, 2017	December 27, 2017
January 30, 2018	Tuesday	5pm	Joint/ Contois Auditorium	January 3, 2018	January 10, 2018
February 6, 2018	Tuesday	5pm	Contois Auditorium	January 10, 2018	January 17, 2018
February 20, 2018	Tuesday	5pm	Conference Room 12	January 24, 2018	January 31, 2018
March 7, 2018	Wednesday	5pm	Contois Auditorium	February 7, 2018	February 14, 2018
March 20, 2018	Tuesday	5pm	Contois Auditorium	February 21, 2018	February 28, 2018
April 3, 2018	Tuesday	5pm	Contois Auditorium	March 7, 2018	March 14, 2018
April 17, 2018	Tuesday	5pm	Contois Auditorium	March 22, 2018	March 28, 2018
May 1, 2018	Tuesday	5pm	Contois Auditorium	April 4, 2018	April 11, 2018
May 15, 2018	Tuesday	5pm	Contois Auditorium	April 18, 2018	April 25, 2018
June 5, 2018	Tuesday	5pm	Contois Auditorium	May 9, 2018	May 16, 2018
June 19, 2018	Tuesday	5pm	Contois Auditorium	May 23, 2018	May 30, 2018
July 3, 2018	Tuesday	5pm	Contois Auditorium	June 6, 2018	June 13, 2018
July 17, 2018	Tuesday	5pm	Contois Auditorium	June 20, 2018	June 27, 2018
August 7, 2018	Tuesday	5pm	Contois Auditorium	July 11, 2018	July 18, 2018
August 21, 2018	Tuesday	5pm	Contois Auditorium	July 25, 2018	August 1, 2018
September 4, 2018	Tuesday	5pm	Contois Auditorium	August 8, 2018	August 15, 2018
September 18, 2018	Tuesday	5pm	Contois Auditorium	August 22, 2018	August 29, 2018
October 2, 2018	Tuesday	5pm	Contois Auditorium	September 5, 2018	September 12, 2018
October 16, 2018	Tuesday	5pm	Contois Auditorium	September 19, 2018	September 26, 2018
November 7, 2018	Wednesday	5pm	Contois Auditorium	October 10, 2018	October 17, 2018
November 20, 2018	Tuesday	5pm	Contois Auditorium	October 24, 2018	October 31, 2018
December 4, 2018	Tuesday	5pm	Contois Auditorium	November 7, 2018	November 14, 2018
December 18, 2018	Tuesday	5pm	Contois Auditorium	November 21, 2018	November 28, 2018

Please note: The public hearing deadline and submission deadline are the last date that an application can be received to be eligible for inclusion on the scheduled meeting, but inclusion is not guaranteed. If the application is deemed incomplete, it will not be scheduled for DRB meeting until the application is complete.

If the DRB Meeting already has too many items it may be closed earlier than the public hearing or COA application deadlines and any items received will be scheduled for the following meeting. The final items for the meeting agenda may still be amended after the application date by Planning and Zoning Staff.

[illegible]

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
Layne Darfler, Planning Technician
Anita Wade, Zoning Clerk



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: November 21, 2017

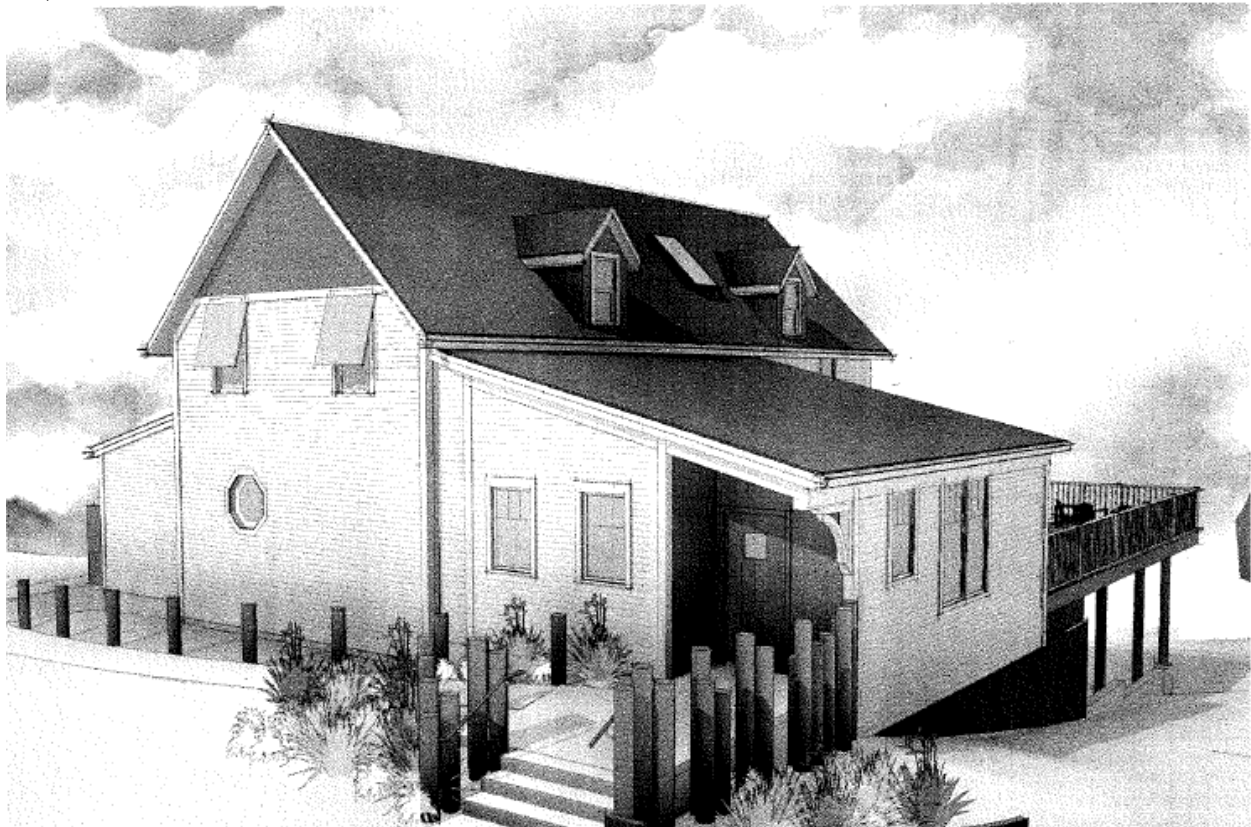
RE: 181 Battery Street, ZP 18-0325CA

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.

Zoning Permit Number: ZP18- 0325CA

Location: 181 Battery Street (Shanty on the Shore)

Zone: DW/DW-PT (This property is within the newly designated Form District 5 of the Form Based Code; but the application preceded the warning for the City Council Public Hearing and therefore is vested in the Comprehensive Development Ordinance prior to action to adopt Article 14.)



Ward: 55

Date application accepted: September 25, 2017

Date of original approval: October 17, 2017

Request to re-open hearing: October 27, 2017

DRB motion to re-open hearing: November 8, 2017

Applicant/ Owner: SAS Architects, Bren Alvarez / Kim and Al Gobeille

Request: 525 SF building addition to provide handicap accessible bathrooms and kitchen expansion; 1,465 sf. deck addition. (Revised area from previous review.) Hearing is re-opened to accept new information (boundary survey) relevant to DRB review.

Background:

- **Non-Applicability of Zoning Permit Requirements;** replace shingles. August 2004.
- **Zoning Permit 97-312;** installation of an awning fabric railing system for the existing rear ground level deck of the restaurant. Proposal includes flower boxes placed above the top railing. February 1997.
- **Non-Applicability of Zoning Permit Requirements:** Clarification of previously approved seasonal seating on existing open deck in rear of building, Fish Market, to include 5 picnic benches with seating capacity of 26. This is not an increase of seating that was previously approved per COA 85-124 and DRB report to PC dated 8/22/1985. May 1992.
- **Zoning Permit 85-124 / COA 85-390;** plan revisions for Shanty restaurant including decks on SE corner and west side underneath porch; a vestibule, deck and ramps on the NE corner at main entrance. August 1985.
- **Zoning Permit 81-106;** rehab Welcome Inn restaurant. Interior and exterior renovations, building bar, new plumbing and wiring, general work. August 1980.
- **Zoning Permit 80-1027;** construct 19 car parking lot (below) and six car lot above. Both to be paved with asphalt. June 1980.
- **Zoning Permit 79-502;** re-open restaurant with 140 seats, work will include gravel parking lot with 33 spaces, repainting, landscaping, new windows, new walk ramp, rebuilt stairways. September 1979.
- **Zoning Permit 76-1038;** Sign permit for Lake Champlain Transportation Company. June 1976.

Overview: The owners of Shanty on the Shore wish to add a small addition to facilitate handicap accessible bathrooms and for a kitchen expansion, and a westerly deck for seasonal dining. The parcel falls within two zoning district: Downtown Waterfront (DW) and Downtown Waterfront Public Trust (DW-PT.) The entirety of the work falls within the DW district. After the decision of October 17, 2017, the final boundary survey was received by the applicants which clarified boundary lines on the north (King Street) and west (Battery Street.) The location of these boundary lines differed from those presented during the DRB review of the project, and are now presented for clarity and accuracy. It was discovered that part of the Shanty building falls within the ROW, and proposed additions needed to be adjusted to remain out of the public domain.

As the plan includes replacement of the existing front ramp and other features that are within the public Right-Of-Way, the Department of Public Works requested that the boundary survey be

submitted (and mylar filed in the land records) to define and facilitate required encumbrances for improvements.

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

I. Findings

Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

Per this standard, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. See attached list for guidance on open permits/violations. **Affirmative finding as conditioned.**

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.*

Based on a 525 sf. addition and 1465 sf deck, the following (revised) impact fees shall be due:

SF of
Project 1,990

Department	<u>Retail</u>	
	Rate	Fee
Traffic	0.718	1,428.82
Fire	0.194	386.06
Police	0.342	680.58
Parks	0.408	811.92
Library	0.000	0.00
Schools	0.000	0.00
Total	1.662	\$ 3,307.38

Affirmative finding as conditioned.

Section 3.3.8: Time and Place of Payment

(b) Existing Buildings: Impact fees must be paid prior to issuance of a zoning permit, or if a building permit is required, within thirty (30) days of issuance of the building permit.

Affirmative finding as conditioned.

Article 4: Zoning Maps and Districts

Table 4.4.1-1 Dimensional Standards and Intensity

Downtown Waterfront F south of College St.	Max Intensity 2 FAR	Max Lot Coverage 100%	Min. Building Setbacks Front Greater of 0' or 12' from the curb 2, 4	Min. Side Setback 0 ^{2, 4}	Min Rear Setback 0	Height Min 30 Max 35
181 Battery proposed	.36	72%	Approx. 18' from King Street; no curb on Battery. Addition set back > 12' (approx. 24') from new full curb.	Compliant	No rear lot line as there are two street frontages.	No increase in building height proposed.

2. Structures shall be setback along any zoning district boundary line that abuts a residential zoning district pursuant to the requirements of (6) 6 below.

4. All structures shall be setback a minimum of 50 feet from the shoreline of Lake Champlain unless an encroachment is authorized under (d) 5 below.

Downtown Waterfront Public Trust B: 200' from lake	Max 2.0 FAR (3.0 with bonus)	100%	Min. 12' from curb	Min 0'' ⁴	Min. 0'' ⁴	35'
181 Battery Street proposed	No change proposed within zoning district boundaries.	No change proposed within zoning district boundaries.	No change proposed within zoning district boundaries.	No change proposed within zoning district boundaries.	No change proposed within zoning district boundaries.	No change proposed

4. All structures shall be setback a minimum of 50 feet from the shoreline of Lake Champlain unless an encroachment is authorized under (d) 5 below.

Affirmative finding.

Article 5: Citywide General Regulations

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2 Required Frontage or Access

The application does not propose any change to existing functional access. The property fronts on both Battery Street and King Streets. The Department of Public Works and the applicant are working toward agreements on access improvements (see Plan 1 of 7, and L-1.0) where they fall within the ROW. **Affirmative finding as conditioned.**

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.1-1, above.

Section 5.2.4 Buildable Area Calculation

See Table 4.4.1-1, above.

Section 5.2.5 Setbacks

See Table 4.4.1-1, above.

Section 5.2.6 Building Height Limits

See Table 4.4.1-1, above.

Section 5.2.7 Density and Intensity of Development Calculations

See Table 4.4.1-1, above.

Part 3: Non Conformities

There is a good deal of existing site improvement within the public Right-Of-Way which was discovered after a site survey. The applicant is working with DPW in review of proposed new improvements and securement of an encroachment permit for that work. See Standard Permit Condition #14, below relative to **City Rights-of-Way and Ownership**.

Affirmative finding as conditioned.

Sec. 5.4.8 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.

181 Battery Street is listed within the **King Street / Battery Street Historic District**, as amended, on the National Register of Historic Places. The Water lots were purchased by Isaac Nye in 1826, where he built a wooden store c. 1830 and constructed a wharf. In 1879 the land was purchased after Nye's death by the Champlain Transportation Company as a location for their steamboat operations; the store was leased to James Wakefield, a sailmaker. It has been a restaurant since at least 1979.



Detail, Map of Burlington Village
d. 1827-1850.
Note completion of Nye's Wharf and Store.



James Wakefield's Sail Loft. Before 1911.

(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 structure was built as a store, but has been used for offices, a sail loft, a paint store, and now a restaurant for over 30 years. The exterior has been altered in previous development, yet retains its location and setting, materials, and much of its design, association, workmanship and feeling.

- 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.*

Some alteration has already occurred. The proposed additions are clearly discernable from the original structural mass.

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. The addition of outdoor decks and places to enjoy the westerly view is a common development practice, particularly near the waterfront.

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

None identified.

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

The historic structure will remain central and identifiable among the proposed additions and decks. No other distinctive features, finishes or construction techniques are identified.

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 proposed building alterations are not relative to building deterioration or material failure, but to provide improved and expanded access. All will be of new construction and compatible in materials and design with the existing building.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

Not applicable.

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

If any archaeological resources are identified during construction, appropriate authorities will be contacted for advice and direction on appropriate handling and management.

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.*

Both additions are proposed on building facades that have been altered. The new additions remain deferential to the original building, and clearly discernable as new.

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 additions leaving the original building mass intact, therefore the alterations may be considered reversible.

Affirmative finding as conditioned.

Article 6: Development Review Standards

Part 1: Land Division Design Standards

No division of land is proposed. Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

Much of the proposed site work is within the public right-of-way. ROW encumbrances should be enhancements to the landscape from the public perspective. The applicant is required to secure approval and an encroachment permit via consultation with the Department of Public Works and by City Council agreement. *A Statement of Justification for work in the right of way* has been revised for DPW review. Meetings with the licensing committee are scheduled toward that anticipated agreement. **Affirmative finding as conditioned.**

(b) Topographical Alterations:

No topographic alteration is proposed, other than a gravel lined infiltration trench to trap roof water. No work is proposed within the Downtown Waterfront Public Trust portion of the parcel.

Affirmative finding.

(c) Protection of Important Public Views:

The proposed westerly deck will enhance and make available the spectacular views to the west.

Affirmative finding.

(d) Protection of Important Cultural Resources:

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

See Section 5.4.8, above.

(e) Supporting the Use of Renewable Energy Resources:

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

(f) Brownfield Sites:

The site is not listed on the DEC list of Brownfields. 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.

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.

The plan includes creating a roof water infiltration trench on the west to address stormwater runoff, which must be treated on-site. The new entries will both offer secure, and accessible covered space for customer comfort and protection. **Affirmative finding.**

(h) Building Location and Orientation:

NO change is proposed to the building's location or orientation. It will continue to front both Battery and King Streets, with access from Battery St. Work within the ROW including walkways, steps and ramps will require an encroachment permit and approval from City Council as noted. **Affirmative finding as conditioned.**

(i) Vehicular Access:

No change to existing access, although the Department of Public Works has recommended alterations to the parking access on Battery Street to meet City standards. As this is within the ROW, it is outside DRB review.

Affirmative finding.

(j) Pedestrian Access:

The applicant team has been working diligently with the Department of Public Works to identify appropriate methods to address the newly realized encroachments. Improved sidewalks, ramps, and steps are proposed; much of it within the ROW. An existing stair encroachment on the north elevation will be removed as will a small porch structure on the east. Collectively, the proposed alterations will greatly improve pedestrian and customer access, comfort and beauty.

Affirmative finding as conditioned.

(k) Accessibility for the Handicapped:

A key goal is to provide handicap accessibility to the building and to bathrooms.

Affirmative finding as conditioned.

(l) Parking and Circulation:

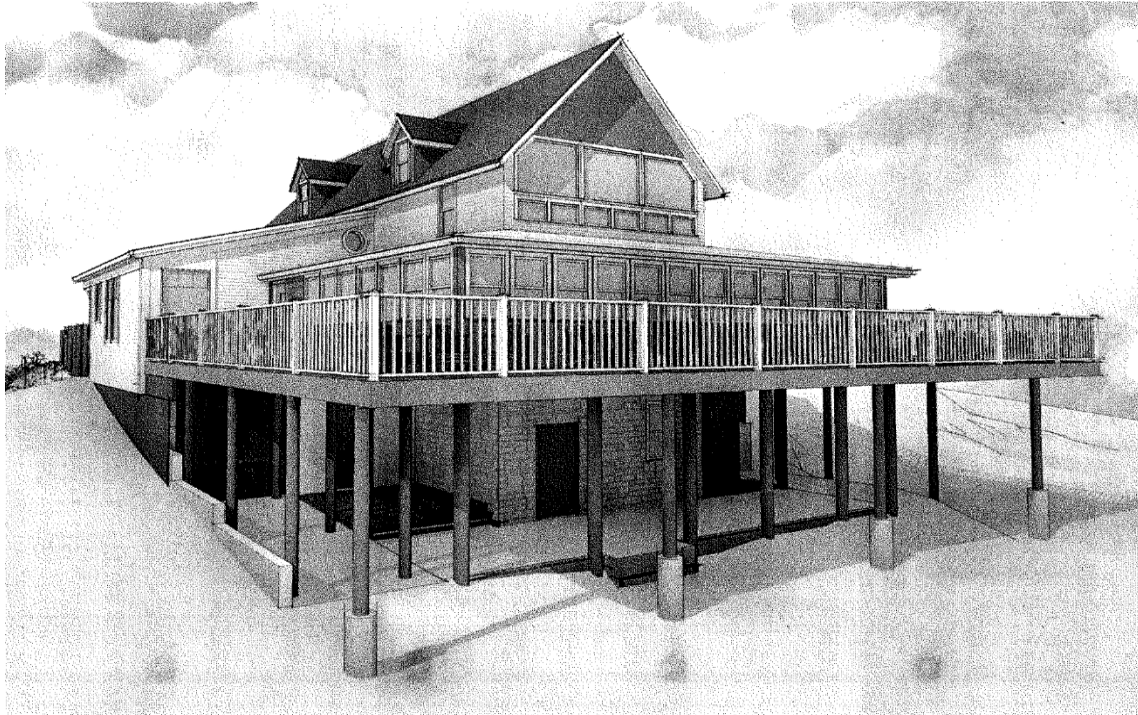
No change is proposed to the existing parking or circulation patterns. Not applicable.

(m) Landscaping and Fences:

Significant landscaping improvements are included in the submission plans. Reference is made to Plan L-1.0, L-1.2 and Plan 3 of 7. While the majority of the plan falls within the public ROW, some landscaping (south corner, entrance walkway) is within the parcel. The reoccurring waterfront theme including wood piers, ropes and rock beds enhances the overall lakeside location and use of the site. **Affirmative finding.**

(n) Public Plazas and Open Space:

While there is no dedicated public plaza, the proposed deck will provide a marvelous open amenity for public enjoyment. **Affirmative finding.**



(o) Outdoor Lighting:

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

LED flush mount, full cut off or arbor wall sconce fixtures are proposed. Any of these fixtures are acceptable to meet the light/lumens standards of this section. A photometric should be provided only if lighting is proposed for the overall site and is not limited to just building entrances. **Affirmative finding as conditioned.**

(p) Integrate infrastructure into the design:

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

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 placed 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.

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.

The dumpster location and mechanical equipment have been previously approved. An existing rooftop condenser will be relocated behind the northerly addition (See Plan A-3.1). Gas and electric meters will be relocated behind a wood screen wall on the south elevation (see Plan A-3.1.) **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 new additions remain subordinate to the existing historic building, and consistent with typical building additions in location and arrangement. **Affirmative finding.**

2. Roofs and Rooflines.

The new addition features a shed roof; consistent with an accessory appendage to an existing gable roof structure.

Affirmative finding.

3. Building Openings

Proposed building openings are consistent and compatible with the existing building.

Affirmative finding.

(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:

See Section 6.2.2. (c) above.

(d) Provide an active and inviting street edge:

The improvements proposed will not only provide a more convenient and accessible entry to the building, but enhance the overall attractiveness and patron comfort of the restaurant. The proposed waterfront deck will be extremely inviting to those approaching the City from the bike path and waterfront as well. **Affirmative finding.**

(e) Quality of materials:

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

content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

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

Wood clapboard siding, posts, and metal roofing are proposed for the additions. Cor-Ten over a concrete foundation is detailed for the basement level. All are considered of accepted durability for new construction, and compatible with the historic building. **Affirmative finding.**

(f) Reduce energy utilization:

All development is required to meet the Guidelines for Energy Efficient Construction per the requirements of Article VI. Energy Conservation, Section 8 of Burlington's Code of Ordinances. **Affirmative finding as conditioned.**

(g) Make advertising features complementary to the site:

Any changes to signage will require a separate sign permit. **Affirmative finding as conditioned.**

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

Development shall meet all required building and life safety code as defined by the building inspector and fire marshal. **Affirmative finding as conditioned.**

Article 7: Signs

Modeling images reflect window awnings on the east (Battery Street) façade. Awnings shall not be placed in such a way that they prevent clear and unobstructed view of highway or official signs or of approaching or merging traffic. Awnings that project into the public ROW shall be subject to an encumbrance agreement with DPW and City Council. Awnings with signs shall have its lowest edge at least eight (8) feet above any pedestrian way, and shall require a separate sign permit. **Affirmative finding as conditioned.**

Article 8: Parking

There are no parking requirements for restaurants in the Downtown Parking District. The 1980 permit recognized 19 parking spaces in the lower lot and 6 on Battery Street. No additional parking is required. **Affirmative finding.**

II. Conditions of Approval

1. Impact fees. Based on the applicant's revised submission of 1990 sf of new non-residential gross area (525 sf addition, 1,465 sf deck), the following Impact Fees shall be due within 30 days of issuance of any building permit:

SF of Project	1,990
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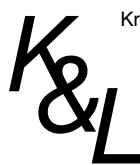
Department	<u>Retail</u>	
	Rate	Fee
Traffic	0.718	1,428.82
Fire	0.194	386.06
Police	0.342	680.58
Parks	0.408	811.92
Library	0.000	0.00
Schools	0.000	0.00
Total	1.662	\$ 3,307.38

2. **Per Section 2.7.8**, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 **prior to issuance of a Certificate of Occupancy** for this permit. See attached list for guidance on open permits/violations.
3. It is wholly the responsibility of the applicant to secure any required encumbrance approvals for work within the Right-Of-Way; through the Department of Public Works, the City Attorney's Office, and the City Council as appropriate.
4. The unearthing of any archaeological resources shall require consultation and guidance from appropriate representatives for the treatment and disposition of any such discovery.
5. If lighting is proposed for the overall site and is not limited to just building entrances, a photometric should be provided to assure appropriate light levels.
6. Any signage (parallel, projecting, or on awnings) shall require a separate sign permit.
7. All development is required to meet the Guidelines for Energy Efficient Construction per the requirements of Article VI. Energy Conservation, Section 8 of Burlington's Code of Ordinances.
8. Any changes to signage will require a separate sign permit.
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.

Shanty on the Shore

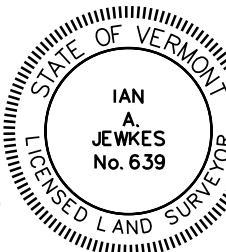
#181 Battery Street
Burlington, Vermont



Krebs & Lansing Consulting Engineers, Inc.
164 Main Street, Suite 201
Colchester, VT 05446
T: (802) 878-0375
F: (802) 878-9616
email@krebssandlansing.com
KrebsandLansing.com

Certification

This survey is based on physical evidence found in the field and information abstracted from deeds and other pertinent records and this survey is consistent with that evidence. This plat conforms to 27 V.S.A. section 1405.



Ian A. Jewkes
Ian A. Jewkes, L.L.S. #639

Location of King and Battery Street Right of Ways for #181 Battery Street

REV. NO.	REVISIONS/COMMENTS	DATE

Drawing Title:

Right of Way Location

DATE of Issue: 11/14/17

Drawn by: RAW

Checked by: IAJ

Project No.: 17168

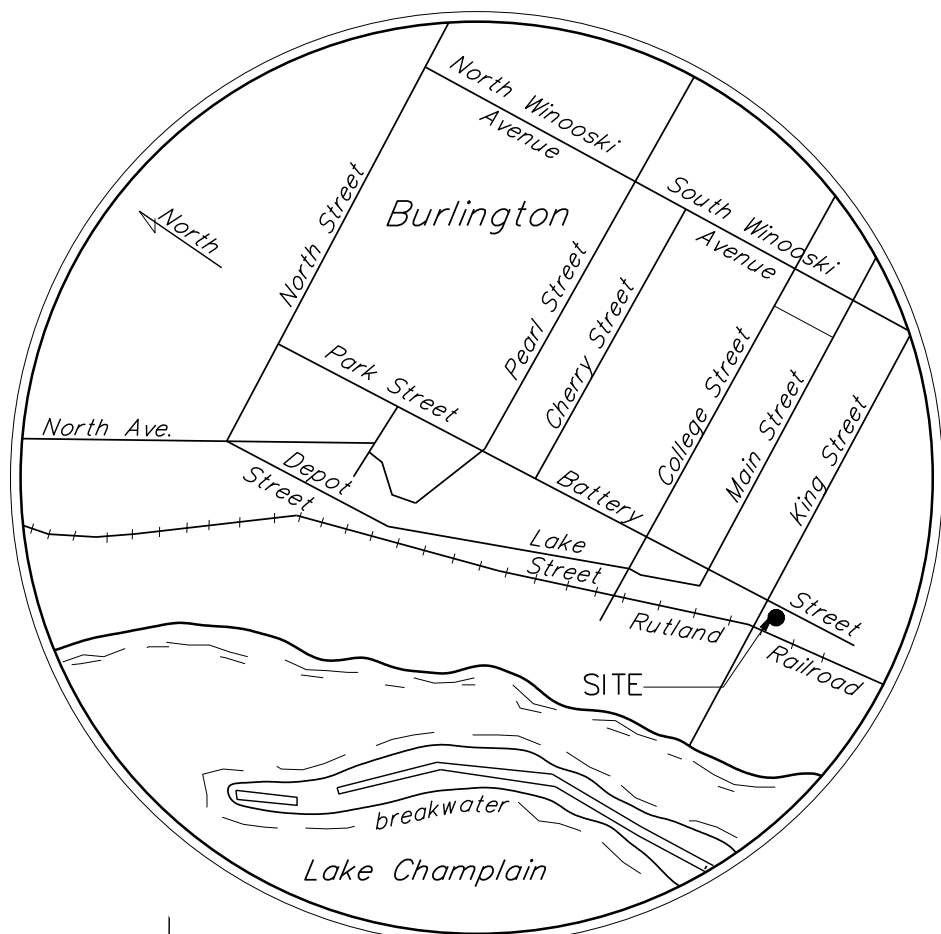
Scale: 1" = 20'

Drawing No.:

Rev No.:

B1

FBK482
© Krebs & Lansing
2017



Location Map

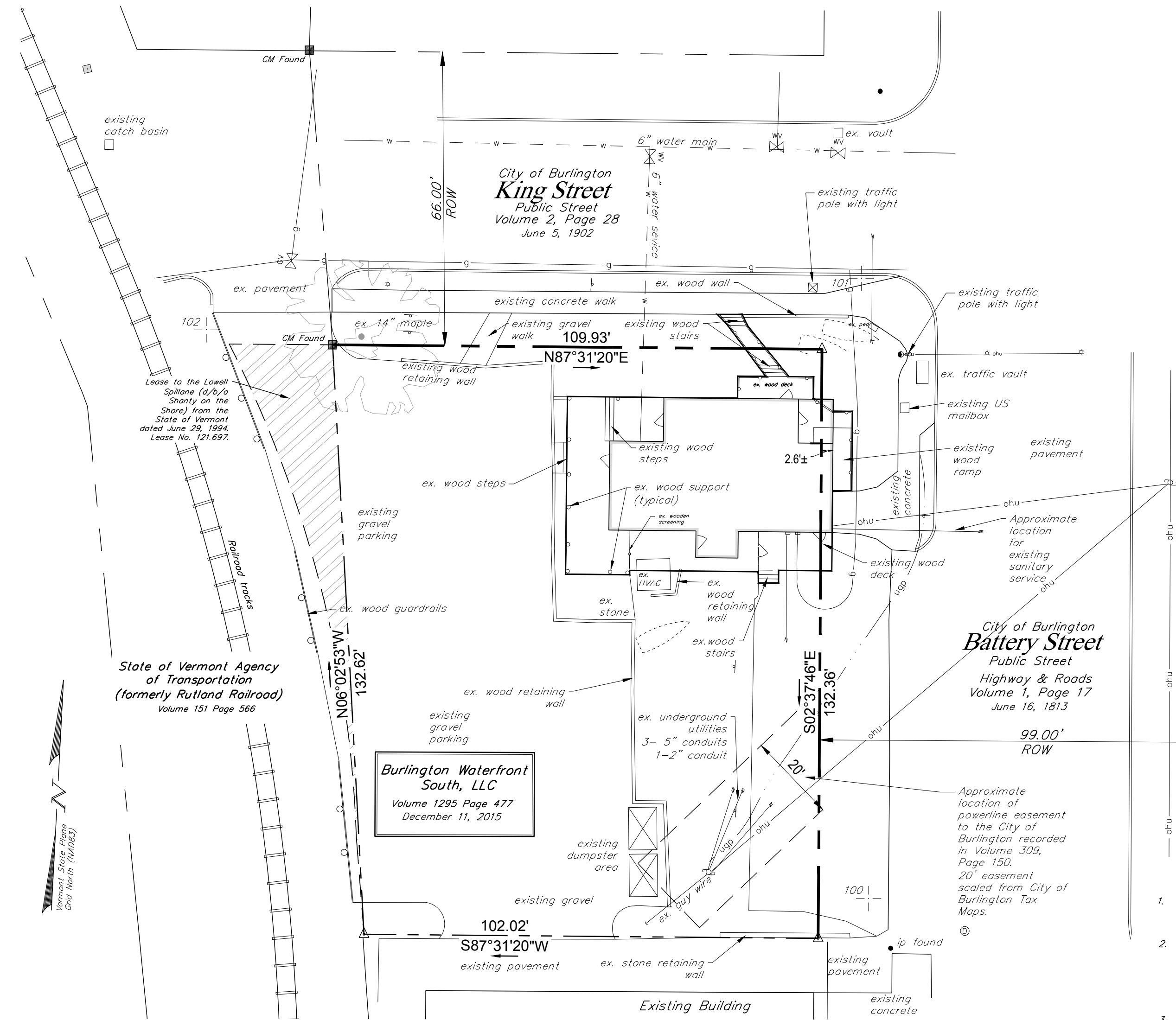
N.T.S.

Map References

1. Plan entitled, "Subdivision Plat - Main Street Landing, LLC" prepared by Krebs and Lansing Consulting Engineers, Inc. with revision date of May 6, 2016 2002.
2. Plan entitled, "Boundary Survey - Aiden Waterfront Corp." prepared by Krebs and Lansing Consulting Engineers, Inc., dated Oct. 1984.
3. Map of Land & Location of the Rutland Railroad Company, 1887

Boundary Notes

1. The purpose of this survey is to establish the limits of the King Street and Battery Street rights of way. The examination of all rights and servitudes on the Burlington Waterfront South, LLC property was not within the scope of this survey.
2. The descriptions controlling the locations of the boundaries of the land surveyed and the physical evidence located and existing on the ground were compared and analyzed to provide boundary locations that are most indicative of the original intent of the deeds and in harmony with existing monumentation. Where conflicts between physical evidence and written evidence are substantial, deeds and/or documents should be or will be executed to eliminate any color of title or conflict.
3. This plat of survey depicts boundary location of the lands under the title of the Burlington Waterfront South, LLC and also the limits, where known, of easements, licenses and/or other servitudes and rights that may encumber or benefit the surveyed premises with the exception of utility easements.
4. Monuments have been set in and on the ground where shown on the plat of survey where, in the opinion of the surveyor, it was necessary to perpetuate a corner not otherwise monumented. Monuments shown as "to be set" will be set at the title holder's direction.
5. Any boundary line location, based on deeds or documents recorded in the public records by which title or rights were conveyed to Burlington Waterfront South, LLC, or title or rights in lands of Burlington Waterfront South, LLC were otherwise delineated, is subject to accuracy and legality of those deeds or documents. Where those deeds or documents are improperly executed as a matter of law or contain errors or omissions in fact, or contain or are based upon erroneous conclusions of law, then the depicted boundary locations may not be valid.
6. The boundary line locations shown are also subject to accuracy and legality or lack of authority of any grantor or grantee who professed the right or ability to convey, receive or condemn property or rights in the surveyed property.
7. Any depiction on the plots of survey of boundary lines or other structures, exclusive of boundary lines for the Burlington Waterfront South, LLC were located by tachometry. The location and depiction of boundary lines other than those of the Burlington Waterfront South, LLC are not warranted and all boundary lines depicted are subject to the accuracy and completeness of the public record.
8. This plat of survey is for the sole use of the Burlington Waterfront South, LLC. Use by other property owners, private or municipal, is specifically unauthorized.
9. The intent of this survey is to depict the right of way lines for King and Battery Streets. The right of way lines depicted on this plan were derived from earlier surveys prepared by Krebs and Lansing. The remaining lot lines for #181 Battery Street were based on a Rutland Railroad Plan for the Burlington Waterfront properties dated 1887 and are shown for illustrative purposes only.
10. Identification and location of easements was not within the scope of this survey. Additional encumbrances may exist for #181 Battery Street.



Legend

	Survey Control Point		Existing Tree Line
	Calculated point		Existing Chain Link Fence
	Existing Concrete monument found		Existing Stockade Fence
	Existing Sign		Existing Water Line/Hydrant/Valve/Shutoff
	Existing Light Pole		Approximate Property Line
	Existing Deciduous Tree		Existing Setback
	Existing Spot Grade Elevation		Existing Easement - Lease Limits
	Existing Contour		Original building footprint
	Existing Gas Line/Valve		
	Existing Sewer Line/Manhole		
	Existing Sewer Force Main		
	Existing Storm Line/Manhole/Basin		
	Existing Overhead Electric Line/Power Pole		
	Existing Overhead Utility		
	Existing Communications Line		
	Existing Underground Power		
	Existing Underground Electric & Telephone Line		
	Existing Site Lite Line		
	Existing Guardrail		

Survey Notes

1. All bearings are calculated and referenced to Vermont State Plane Grid North. Vermont State Plane Grid North was determined from GPS readings taken at control points 699 through 703.
2. A closed traverse was completed in October 2017, using a total station theodolite/electronic distance meter (Sokkia 330R).
3. Project horizontal coordinates derived from RTK GPS observations using reference frame NAD83 (2011) 2010.00 EPOCH. Project vertical datum based on NAVD88 (Geoid 12A)











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SAS PROJECT NO. 0808

PROJECT

THE
SHANTY
ON THE
SHORE

AL AND KIM GOBEILLE

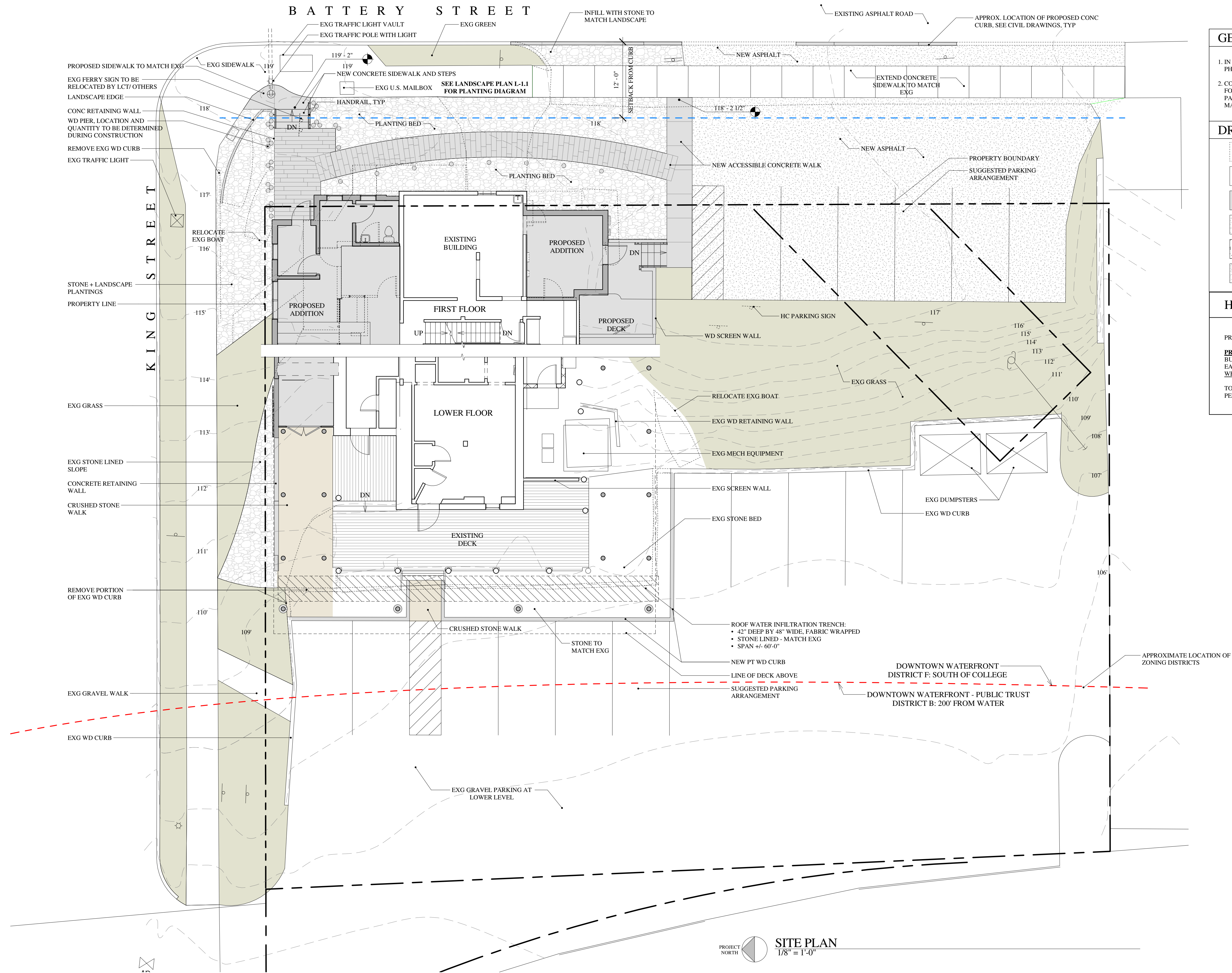
181 BATTERY STREET
BURLINGTON, VERMONT

DATE: 11/15/2017
SCALE: 1/8" = 1'-0"
CHECKED: BA
DRAWN: JM

REVISIONS

SITE PLAN

L-1.0



PROPOSED PLANTINGS



DINGHY PLANTING BED



BLUE FESCUE (BF)



DWARF FOUNTAIN GRASS (DFG)



TALL ORNAMENTAL GRASS (TOG)



WHITE PHLOX (WP)



BLUE PHLOX (BP)

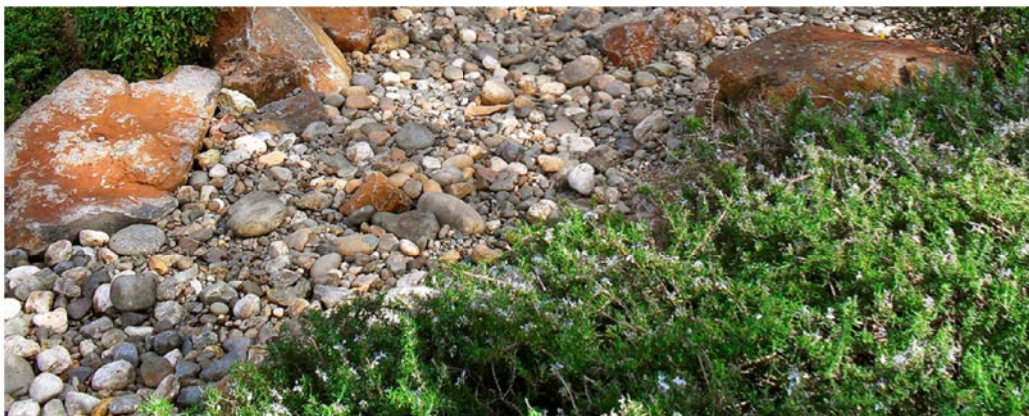
DESIGN ELEMENTS



EXISTING WOOD PIERS WITH ROPE AND STONE BED,
LOBSTER CRATES, AND DINGHIES



STAMPED BOARD FORM CONCRETE



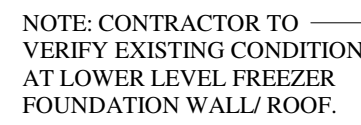
ROCK PLANTING BEDS



COR-TEN

NOTE:
PLANTS ARE IDENTIFIED TO GIVE A GENERAL DESIGN AESTHETIC.
ACTUAL PLANTS SELECTED MAY BE DIFFERENT.





EXTERIOR LIGHTING		
SYMBOL	FIXTURE DESCRIPTION	LOCATION
	EXG FIXTURE	WALL MOUNTED FOR EXG RAMP
	RAB WP10 (ALT- ABW ARBOR)	WALL MOUNTED AT ENTRIES
	RAB WP18	WALL MOUNTED FOR SLOPED WALKWAY
	FMML VERSI LITE	UNDERNEATH WRAP AROUND DECK OR PORCH

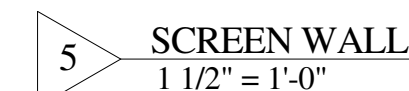
NOTE:

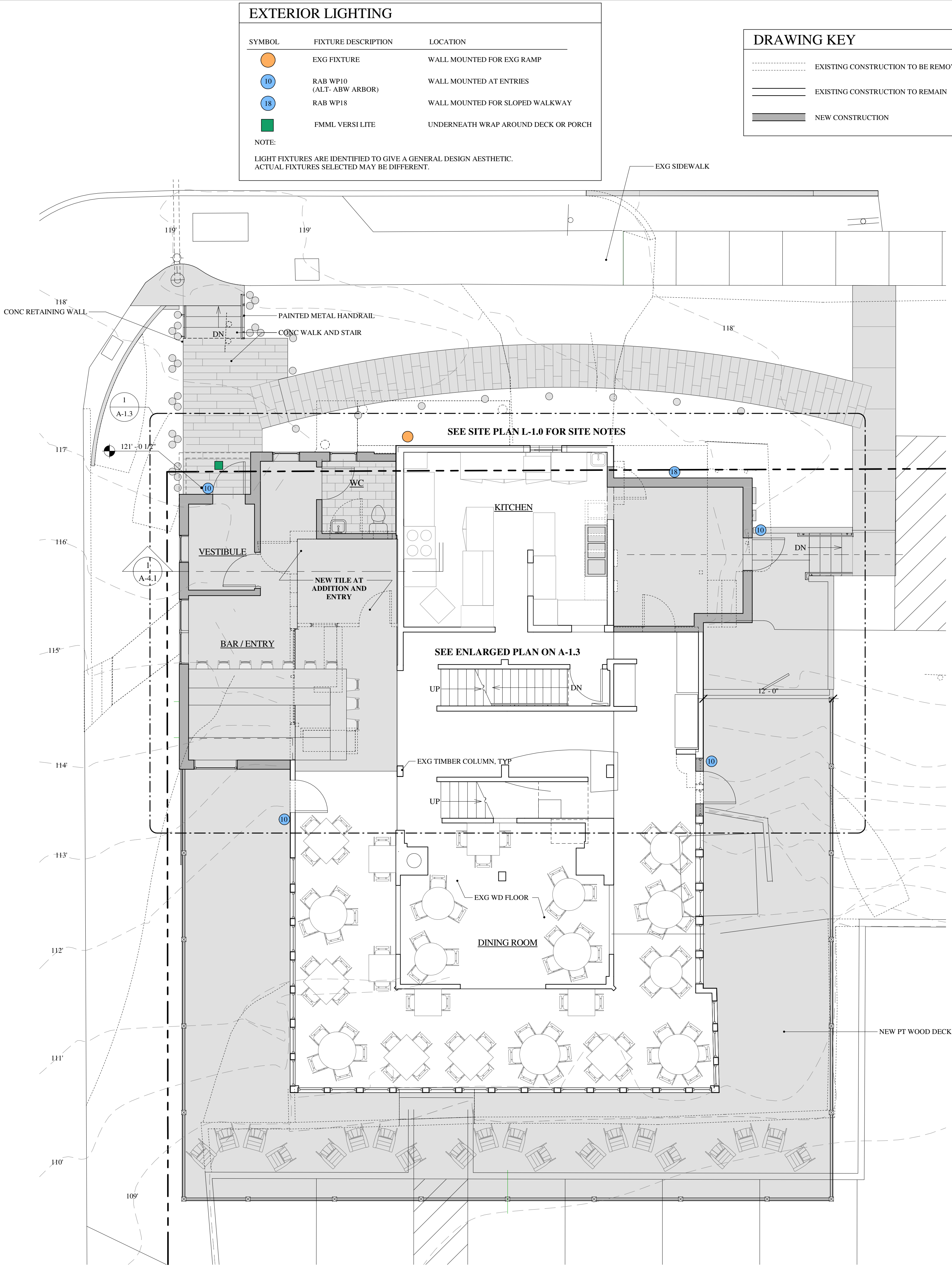
LIGHT FIXTURES ARE IDENTIFIED TO GIVE A GENERAL DESIGN AESTHETIC.
ACTUAL FIXTURES SELECTED MAY BE DIFFERENT.

1. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS IN THE FIELD AND WILL PROMPTLY NOTIFY THE ARCHITECT OF ANY DISCREPANCIES. IN CASE OF DISCREPANCIES, THE ARCHITECT WILL ISSUE REVISIONS WITHIN SEVEN CALENDAR DAYS.
2. PROVIDE SOUND ATTENUATION BATTS IN GWB PARTITIONS AS INDICATED IN THE WALL TYPES. EXTEND ALL GWB ACOUSTIC PARTITIONS TO THE UNDERSIDE OF STRUCTURE ABOVE. WHERE STRUCTURE DOES NOT FALL COMPLETELY WITHIN THE ACOUSTIC PARTITION, EXTEND THE ACOUSTIC CONSTRUCTION TO ENCLOSE THE STRUCTURE WITHIN. SEAL ACOUSTIC GWB PARTITIONS AT TOP, BOTTOM, AND SIDES WITH ACOUSTIC SEALANT. THE GWB IS AN INTEGRAL PART OF THE ACOUSTIC ASSEMBLY AND ALL JOINTS, CONCEALED AND EXPOSED, MUST BE TAPED.
3. ALL DIMENSIONS ARE FROM THE FACE OF METAL OR WOOD FRAMING OR CONCRETE, UNLESS OTHERWISE NOTED.
4. FIRE TAPE ALL GWB WALLS ABOVE CEILINGS AND IN CONCEALED SPACES FOR ACOUSTICS AND AIR INFILTRATION.
5. REVIEW FINAL LOCATION OF ALL FIRE EXTINGUISHES IN THE FIELD WITH THE OWNER.
6. AT ALL NON-ACOUSTIC PARTITIONS WITH FINISH CEILING ON BOTH SIDES, TERMINATE GWB WALLS 6" MIN. ABOVE HIGHEST FINISH CEILING AND BRACE TO STRUCTURE ABOVE. EXTEND ALL GWB PARTITIONS IN SPACES WITHOUT FINISH CEILING TO UNDERSIDE OF STRUCTURE ABOVE OR HEIGHT AS INDICATED ON THE PLANS.
7. EQUIPMENT IS SHOWN DOTTED FOR CLARITY AND IS PROVIDED BY THE OWNER.

 EXISTING CONSTRUCTION TO BE REMOVED
 EXISTING CONSTRUCTION TO REMAIN
 NEW CONSTRUCTION

A-1.0


$$\frac{3/16''}{1' - 0''}$$



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P: 802-865-9900
- ELECTRICAL**
ALPHA ELECTRIC, INC.
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S BURLINGTON, VT 05403
P: 802-658-2773

SAS PROJECT NO. 0808

PROJECT

THE
SHANTY
ON THE
SHORE
•
AL AND KIM GOBEILLE
•
181 BATTERY STREET
BURLINGTON, VERMONT

DATE: 11/15/2017
SCALE: AS NOTED
CHECKED: BA
DRAWN: JM

REVISIONS

FIRST FLOOR OVERALL
FLOOR PLAN

A-1.1

CONSULTANTS

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SAS PROJECT NO. 0808

PROJECT

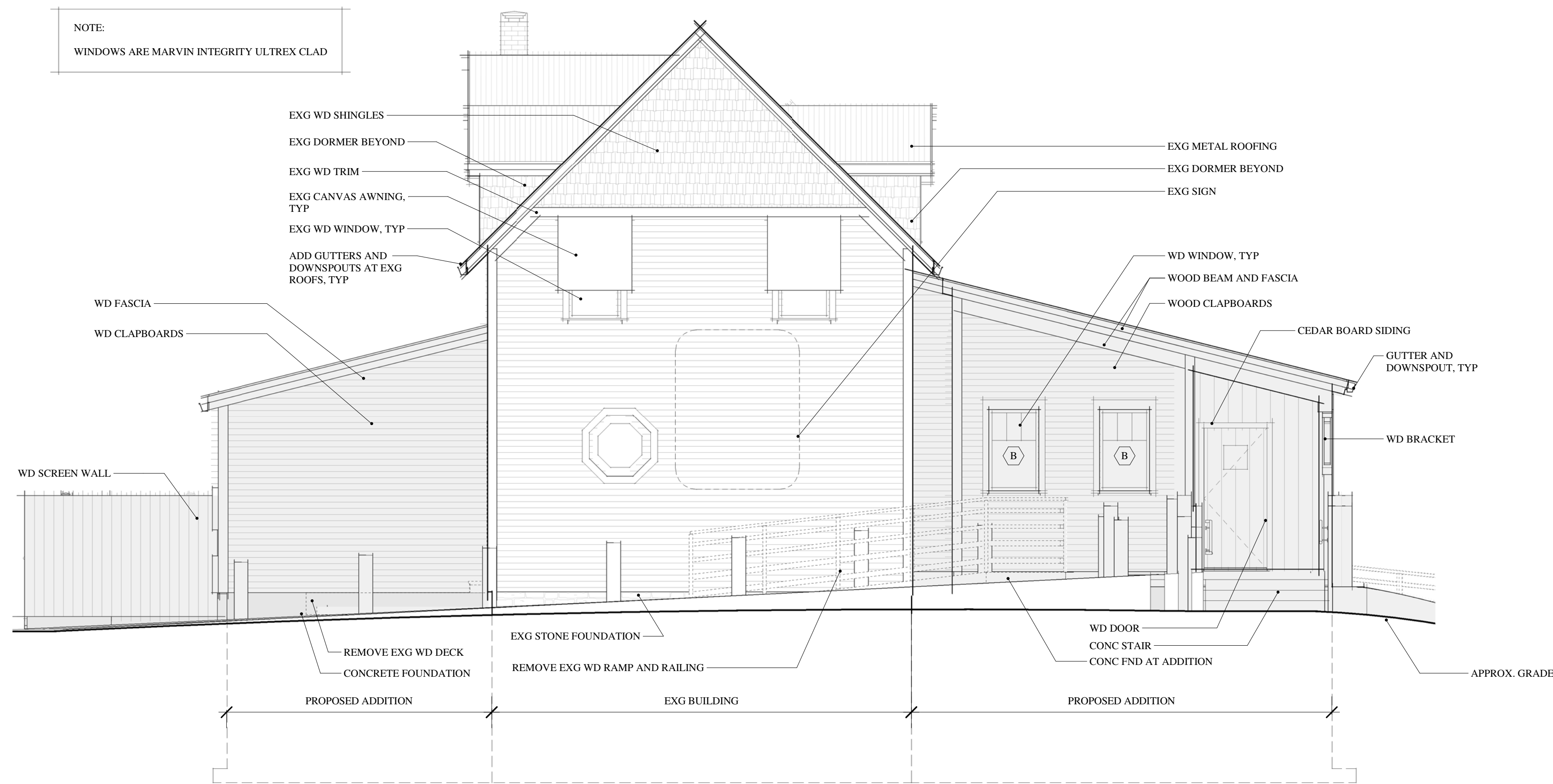
THE
SHANTY
ON THE
SHORE
•
AL AND KIM GOBEILLE
•
181 BATTERY STREET
BURLINGTON, VERMONT

DATE: 11/15/2017
SCALE: 1/4" = 1'-0"
CHECKED: BA
DRAWN: JM

REVISIONS

EXTERIOR ELEVATIONS

A-3.0



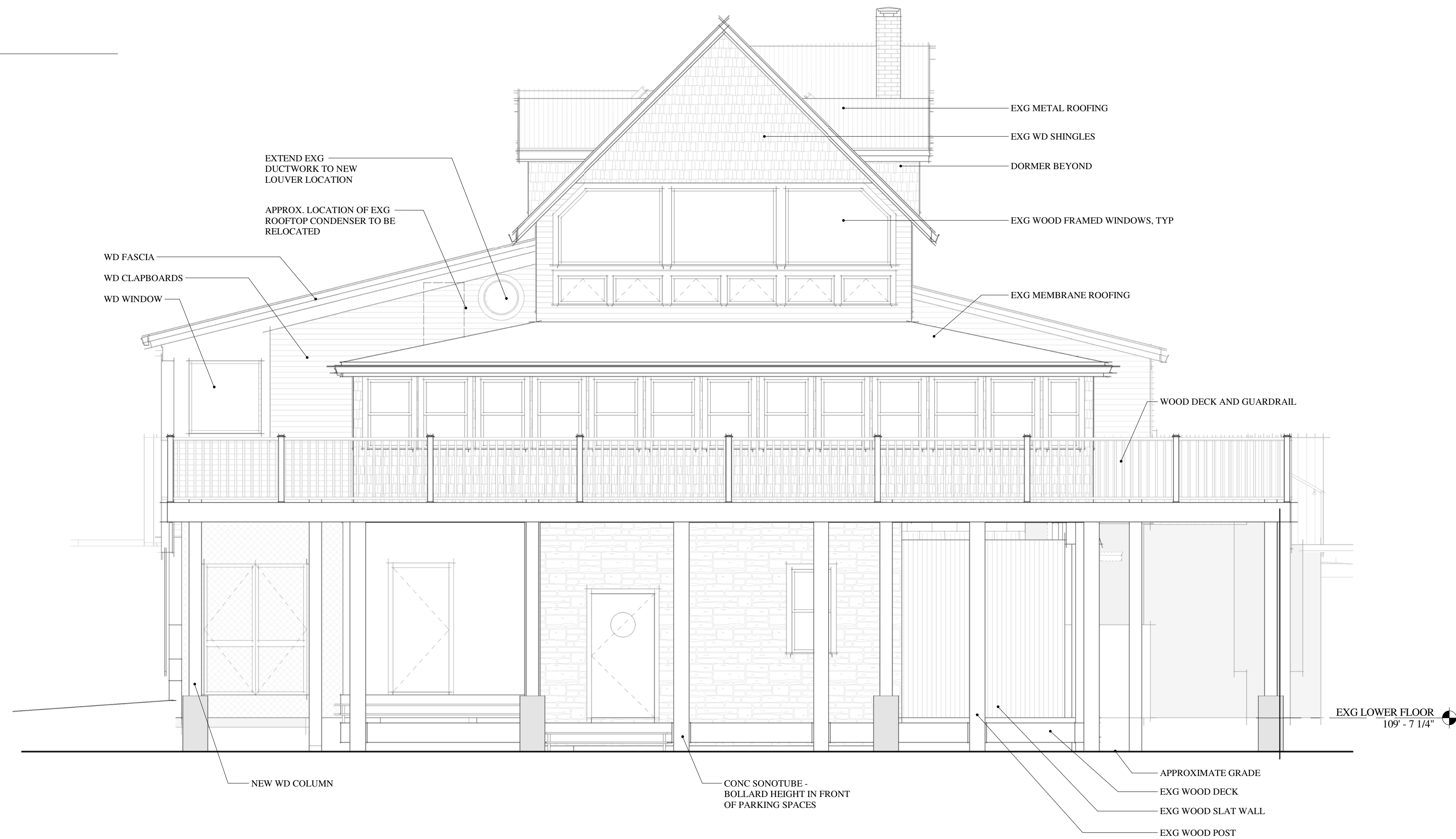
PROPOSED EAST ELEVATION
1/4" = 1'-0"



PROPOSED NORTH ELEVATION
1/4" = 1'-0"



PROPOSED SOUTH ELEVATION
1/4" = 1'-0"



PROPOSED WEST ELEVATION
1/4" = 1'-0"

PROGRESS PRINT
11/15/2017
NOT FOR
CONSTRUCTION

SMITH
ALVAREZ
SIENKIEWYCZ
ARCHITECTS

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Burlington, VT
05401

P: 802-863-2227

F: 802-863-0093

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SAS PROJECT NO. 0808

PROJECT

THE
SHANTY
ON THE
SHORE

AL AND KIM GOBEILLE
181 BATTERY STREET
BURLINGTON, VERMONT

DATE: 11/15/2017
SCALE: 1/4" = 1'-0"
CHECKED: BA
DRAWN: JM

REVISIONS

EXTERIOR ELEVATIONS

A-3.1

PROGRESS PRINT
09/22/2017
NOT FOR
CONSTRUCTION

SMITH
ALVAREZ
SIENKIEWYCZ

ARCHITECTS

117 St. Paul Street
3rd Floor
Burlington, VT
05401

P: 8 0 2 • 8 6 3 • 2 2 2 7

F: 8 0 2 • 8 6 3 • 0 0 9 3

CONSULTANTS

STRUCTURAL
ARTISAN ENGINEERING
120 GRAHAM WAY, SUITE 124
SHELBURNE, VT
05482
P: 802-497-3531

SAS PROJECT NO. 0808

PROJECT

THE SHANTY ON
THE SHORE

AL AND KIM GOBEILLE

181 BATTERY STREET
BURLINGTON, VERMONT

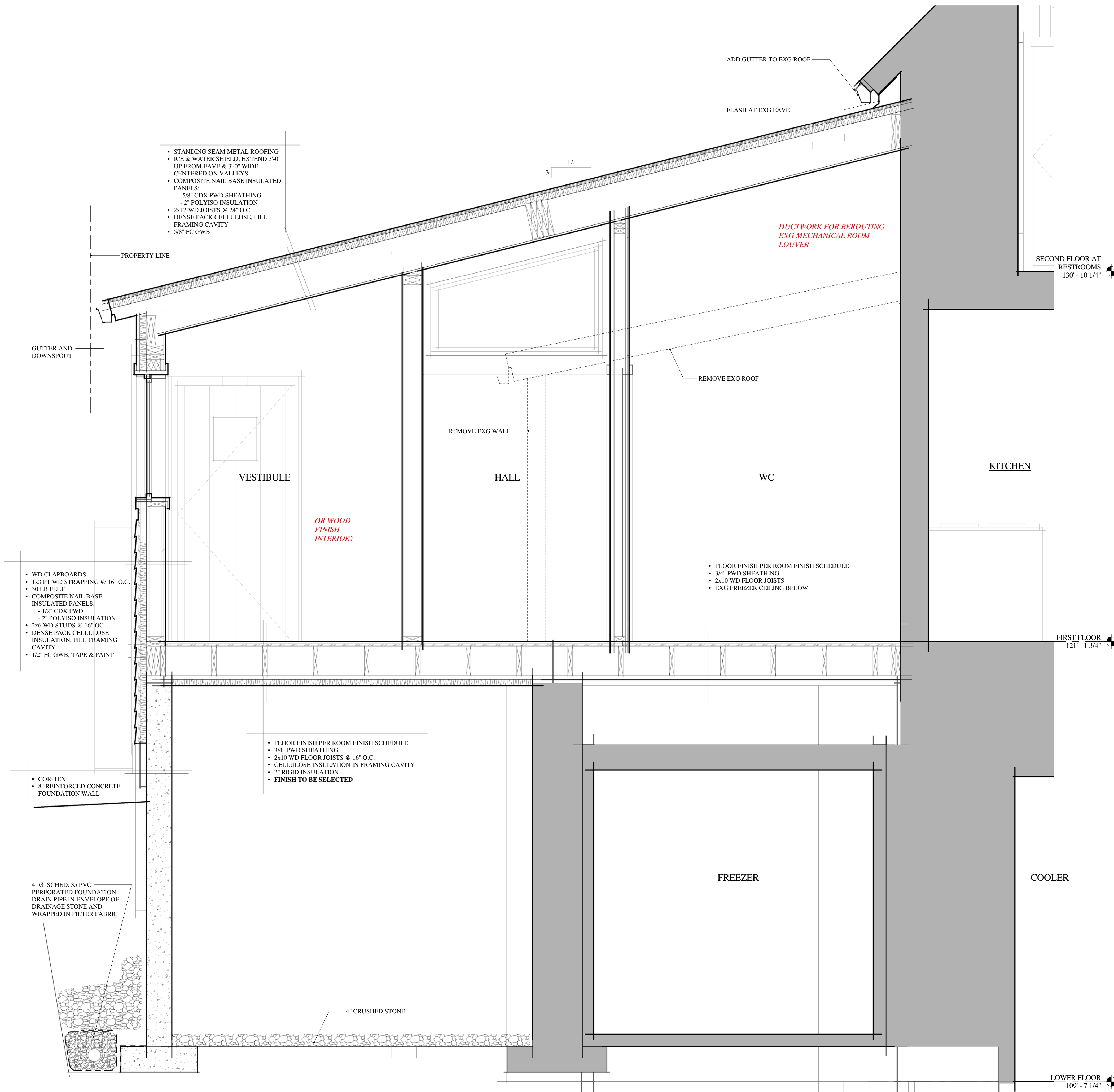
DATE: 09/22/2017
SCALE: 3/4" = 1'-0"
CHECKED: BA
DRAWN: JM

REVISIONS

DESIGN DEVELOPMENT

WALL SECTIONS

A-4.0



2 WALL SECTION AT ENTRY ADDITION
3/4" = 1'-0"



NORTH VIEW



EAST VIEW



NORTHWEST VIEW



SOUTHEAST VIEW

PROGRESS PRINT
11/15/2017
NOT FOR
CONSTRUCTION

SMITH
ALVAREZ
SIENKIEWYCZ

ARCHITECTS

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SAS PROJECT NO. 0808

PROJECT

THE
SHANTY
ON THE
SHORE

AL AND KIM GOBEILLE

181 BATTERY STREET
BURLINGTON, VERMONT

DATE: 11/15/2017
SCALE: NOT TO SCALE
CHECKED: BA
DRAWN: JM

REVISIONS

3D VIEWS

A-7.0

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
Layne Darfler, Planning Technician



TO: Development Review Board
FROM: Scott Gustin
DATE: November 21, 2017
RE: 18-0285CA; 323 Pearl Street

Zone: RH Ward: 8E

Owner/Applicant: 323 Pearl St, LLC / Dwight Mazur

Request: Combine two apartments into one apartment to reduce total dwelling unit count from 13 to 12. Existing 500 sf medical office space to remain.

The applicant has revised the application so as to no longer need a parking waiver. The application has been processed administratively.

Department of Planning and Zoning

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

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Jay Appleton, GIS Manager
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Anita Wade, Zoning Clerk



TO: Development Review Board
FROM: Scott Gustin
DATE: November 21, 2017
RE: 18-0440CU; 76 Chase 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: RL Ward: 1E

Owner/Applicant: Eva Sollberger

Request: Request 1 room bed & breakfast in single family home

Applicable Regulations:

Article 2 (Administrative Mechanisms), Article 3 (Applications, Permits, & Project Reviews), Article 8 (Parking)

Background Information:

The applicant is seeking approval to establish a bed and breakfast use associated with the existing single family home. The applicant recently obtained approval to construct a small addition to her home for an accessory dwelling unit. The applicant is seeking approval to also enable use of the space as a bed and breakfast use (i.e. short term rental). Typically, use of a space is one thing or another. The applicant in this case is seeking approval to use the space as either an accessory dwelling unit or a bed and breakfast. Insofar as both uses are contingent on owner-occupancy, are accessory to the primary single family home use, and have the same parking requirement, approval as either use could reasonably be granted. No site or exterior building alterations are included in this application.

Previous zoning actions for this property are noted below:

- 9/22/17, Approval to change siding materials on addition and install fence
- 5/22/17, Approval to construct addition for accessory apartment
- 12/14/11, Approval to install metal stovepipe
- 9/3/10, Approval to convert rear storage room into living space (not acted upon)
- 5/12/08, Approval to remove second chimney
- 9/24/07, Approval to remove chimney
- 7/10/00, Approval of rear retaining wall

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

I. Findings

Article 2: Administrative Mechanisms

Part 7: Enforcement

Sec. 2.7.8, Withhold Permit

A number of zoning permits have been approved for the subject property. Most, but not all, have final certificates of occupancy. Per this section, prior to issuance of a final certificate of occupancy for this project, any zoning permits not yet closed out with final certificates of occupancy must be addressed. **(Affirmative finding as conditioned)**

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Section 3.5.6 (a) Conditional Use Review Standards

Approval shall be granted only if the DRB, after public notice and public hearing, determines that the proposed conditional use and associated development shall not result in an undue adverse effect on each of the following general standards:

1. *Existing or planned public utilities, facilities or services are capable of supporting the proposed use in addition to the existing uses in the area;*

The property is served by municipal utilities. Sufficient water and sewer service are available. A State of Vermont wastewater permit may be required. A capacity letter issued by the Dept. of Public Works will be required prior to issuance. **(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 located within an established residential neighborhood in the low density residential zoning (RL) district. The RL zoning 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 residential development pattern reflective of the respective neighborhoods' development history. The proposed bed and breakfast use is small – just 1 bedroom – and is associated with an owner-occupied single family home. The MDP does not address bed and breakfasts, but insofar as it will be associated with a single family dwelling in the RL zone, it can be found consistent with the intent of the district and municipal development plan. **(Affirmative finding)**

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

The proposed bed and breakfast is not expected to generate nuisance impacts from noise, odor, dust, and the like that may be more typically associated with industrial uses. **(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;*

No traffic analysis has been provided or is required for this application. The proposed bed and breakfast is expected to generate modest additional traffic, primarily associated with guest turn-over. **(Affirmative finding)**

and,

5. *The utilization of renewable energy resources;*

No renewable energy utilization is included in this proposal. Future incorporation is not precluded by the use. **(Affirmative finding)**

and,

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

With the change in use to a bed and breakfast, rooms and meals tax will likely be required.

(b) Major Impact Review Standards
Not applicable.

(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.*

The proposed bed and breakfast is not expected to produce offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

2. *Time limits for construction.*

No construction timeline or phasing are included in this proposal. The standard 2-year timeframe for zoning permits will apply. **(Affirmative finding)**

3. *Hours of operation and/or construction to reduce the impacts on surrounding properties.*

Hours of operation need not apply to the proposed use. As a bed and breakfast, guests will stay overnight.

No construction is associated with this proposal. **(Affirmative finding)**

4. *That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions; and,*

Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time.

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.*

See the recommended conditions.

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

Total onsite parking required is 3 spaces (2 for the existing home and 1 for the bed and breakfast). As proposed, all 3 spaces will be provided onsite. The parking arrangement approved with the prior accessory apartment permit remains unchanged. The 2 spaces for the single family home are in tandem arrangement with access via existing connection to the neighboring Chace Mill driveway. The applicant has an easement for use of this neighboring driveway. Tandem parking is acceptable for single family homes. The 1 parking space for the bed and breakfast will be located at the top of the driveway with direct access onto the street. **(Affirmative finding)**

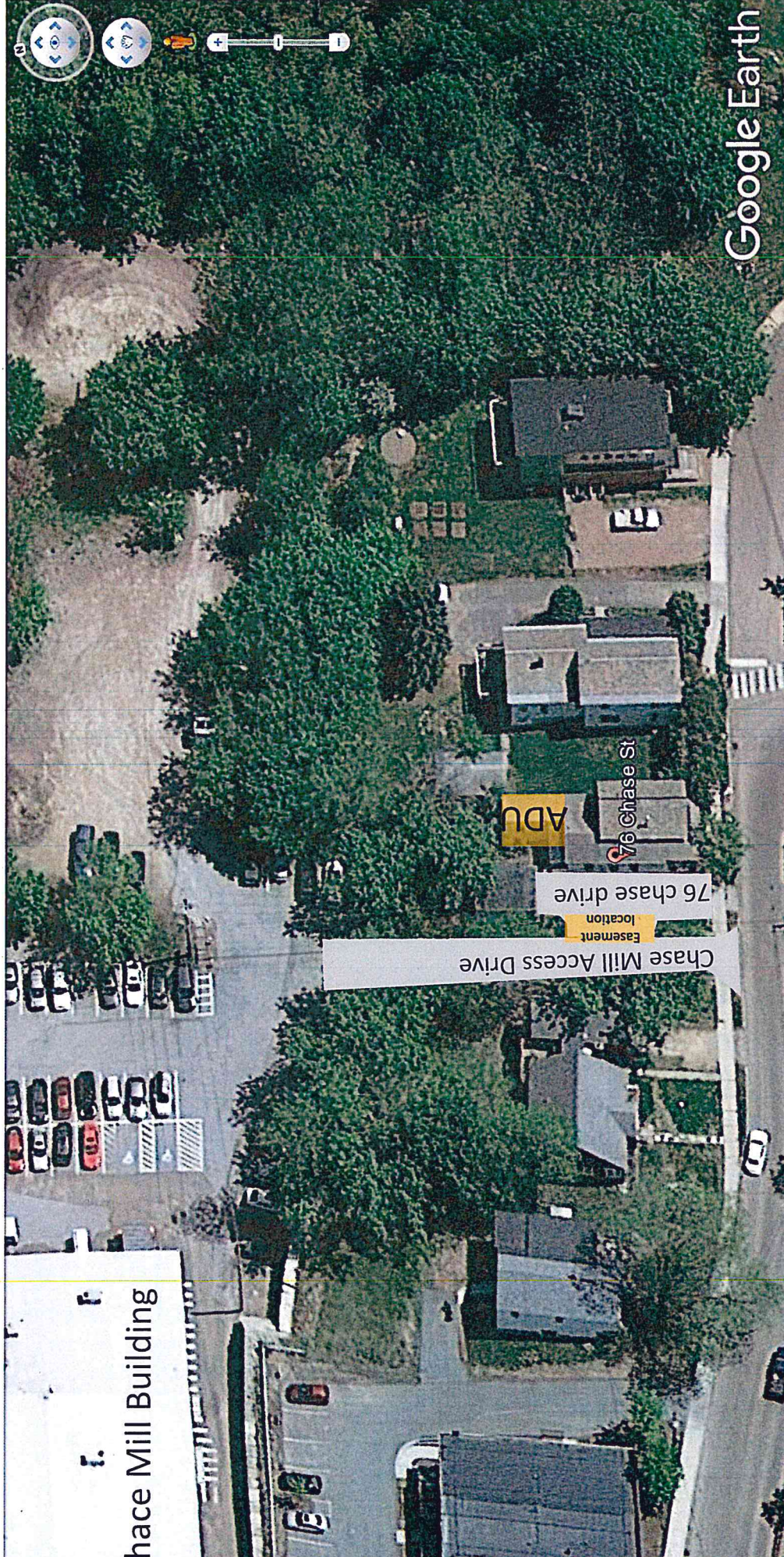
II. Conditions of Approval

1. **Prior to release of the zoning permit**, the applicant shall receive written verification of adequate wastewater capacity from the Department of Public Works.
2. A State of Vermont wastewater permit may be required.
3. The bed and breakfast use is limited to 1 bedroom and is contingent on continued owner occupancy of the residence.
4. **Prior to issuance of a final certificate of occupancy**, all outstanding zoning permits for the subject property shall be closed out.
5. Standard Conditions 1-15.



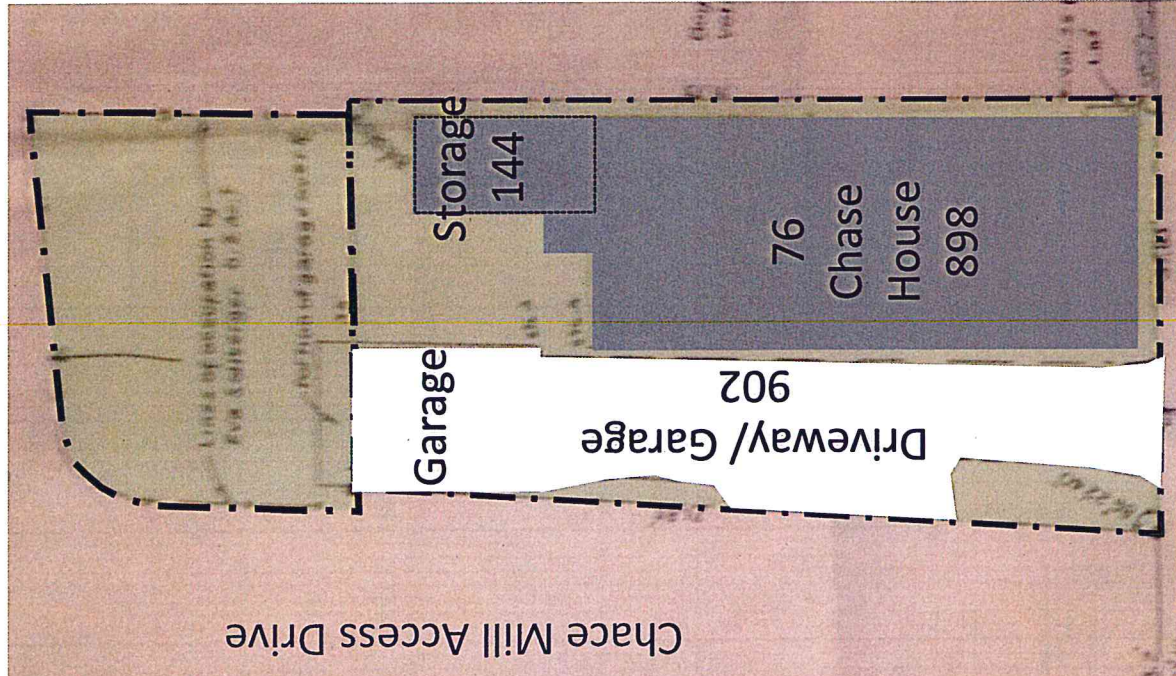
Applicant Request

This project adds an ADU to the project site, **occupying and expanding** the footprint of an existing back storage space.

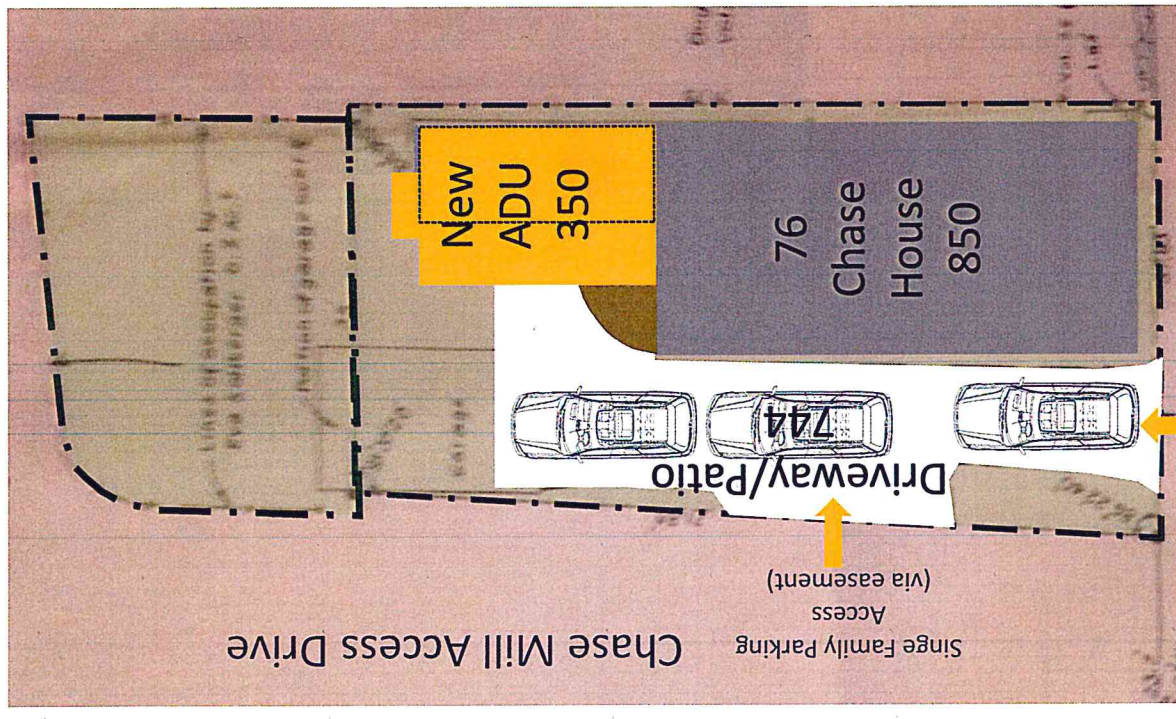


Applicant Request

This project replaces and expands the footprint of an existing storage space into an Accessory Dwelling Unit. As required, the project will add an additional parking space, and will meet the 30% threshold of habitable floor area/existing structure.



Existing Site Plan



Proposed Site Plan

76 Chase Street

Existing Site Information:

Property Size: 2611 SF

RL

Current Coverage: 1944

Proposed Coverage: 1944

5.4.5 A.2

ADU to be 30% of Habitable Space

1. Main House habitable sf= 1036
2. ADU habitable sf=269
3. Total habitable sf=1305
4. 30% of 1305=allowable ADU = 392 sf
5. Proposed habitable ADU space= 269 sf

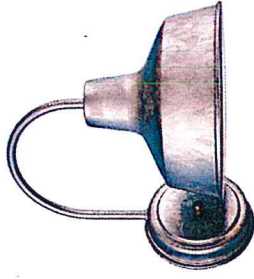
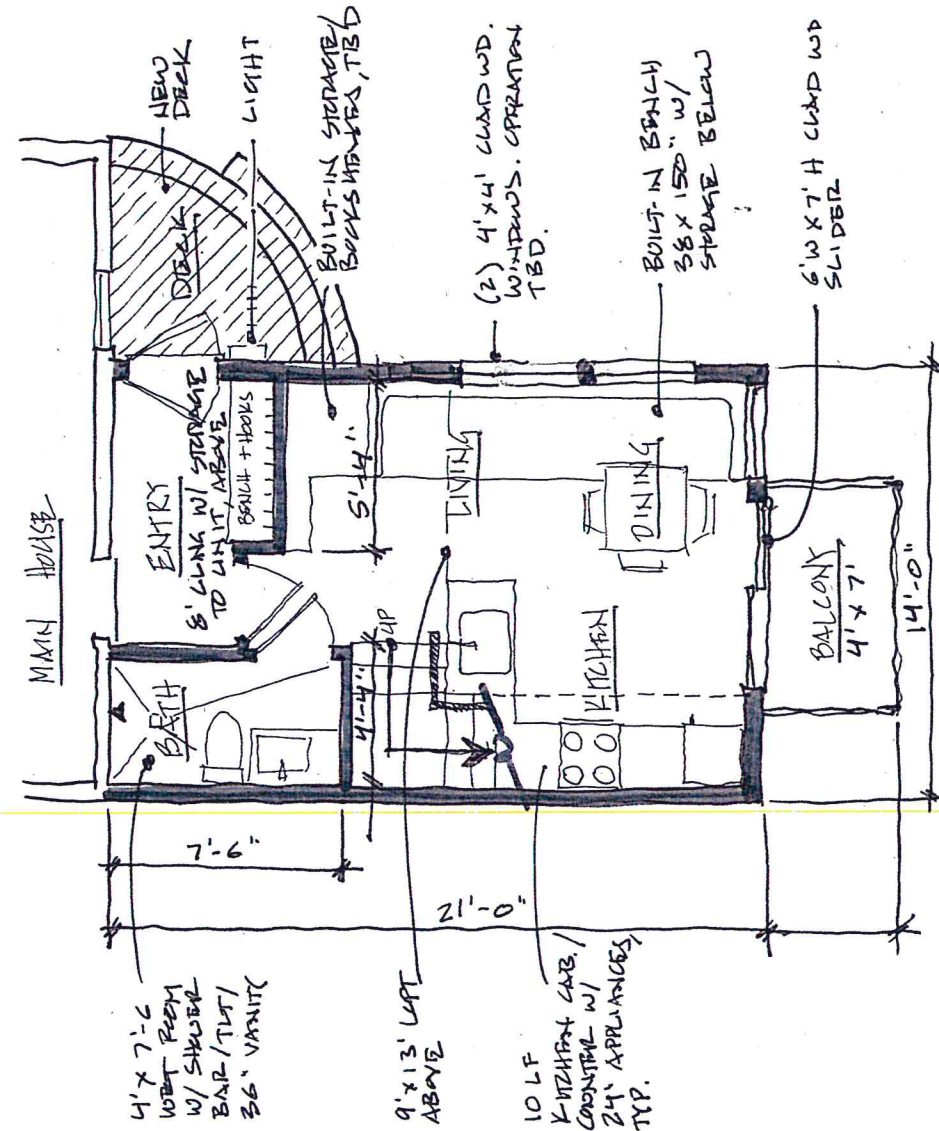
Proposed Parking;

2 spaces-Single Family Home

1 Space-ADU

Building Height: 15' (Average grade to Midpoint of Roof Hgt)





Hi-Lite Manufacturing Co. H-15110-B-96 Warehouse Shade Wall
[Warehouse Shade Collection](#) [Hi-Lite Manufacturing Co.](#)
[Customer Reviews](#) | [Write a Review](#)

Hi-Lite Manufacturing Co. H-15110-B-96 Warehouse Shade Wall
 Part of the [Warehouse Shade Collection](#) [Hi-Lite Manufacturing Co.](#)
[Customer Reviews](#) | [Write a Review](#)

[\(1\) 100w A19 Med F Incand](#)
[\[Compare Bulbs\]](#)

Aluminum

120 volt

Wet Locations [Explain]
 , Made in USA

Light Bulb:

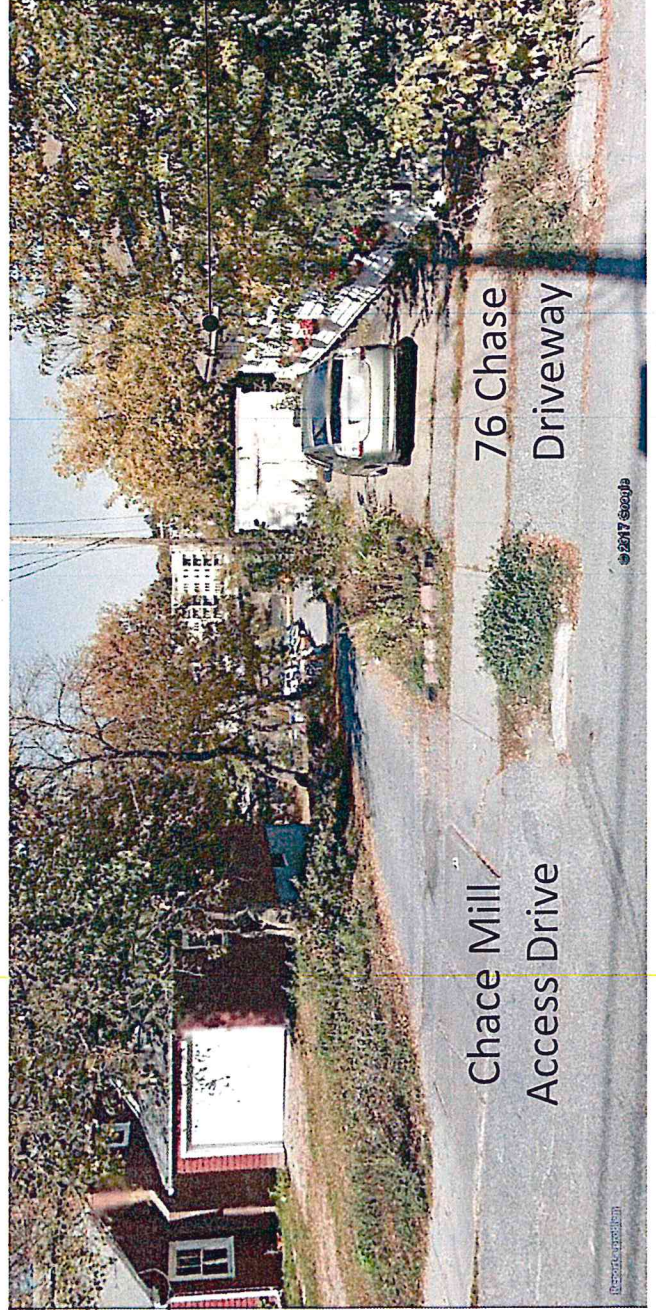
Materials:

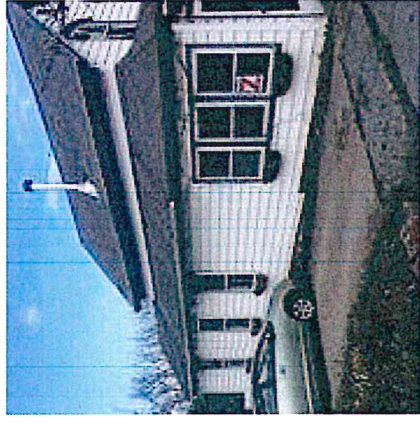
Voltage:

Installation:

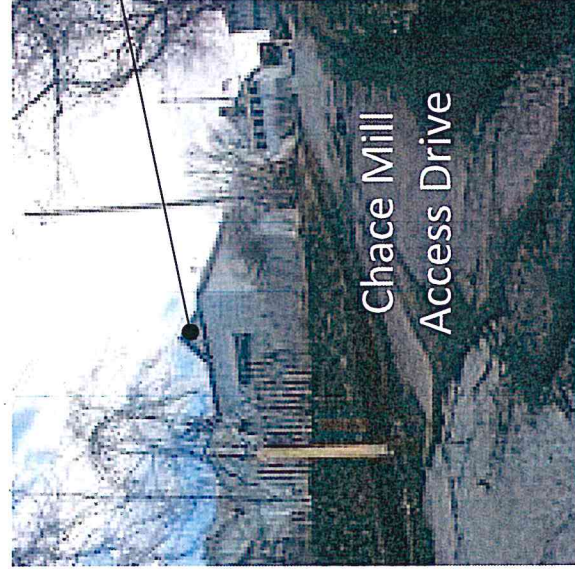
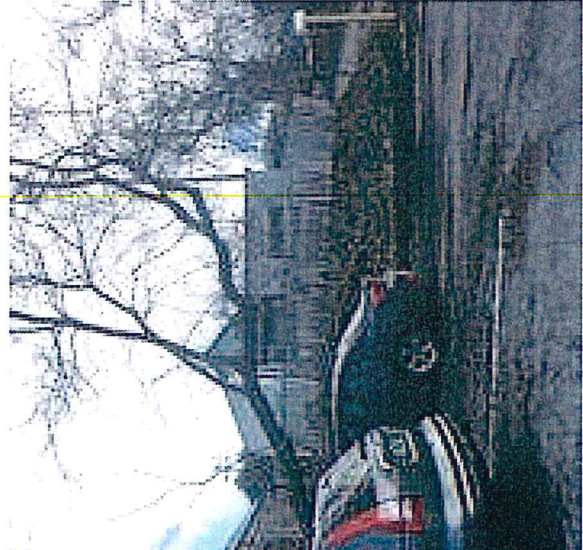
Listing:







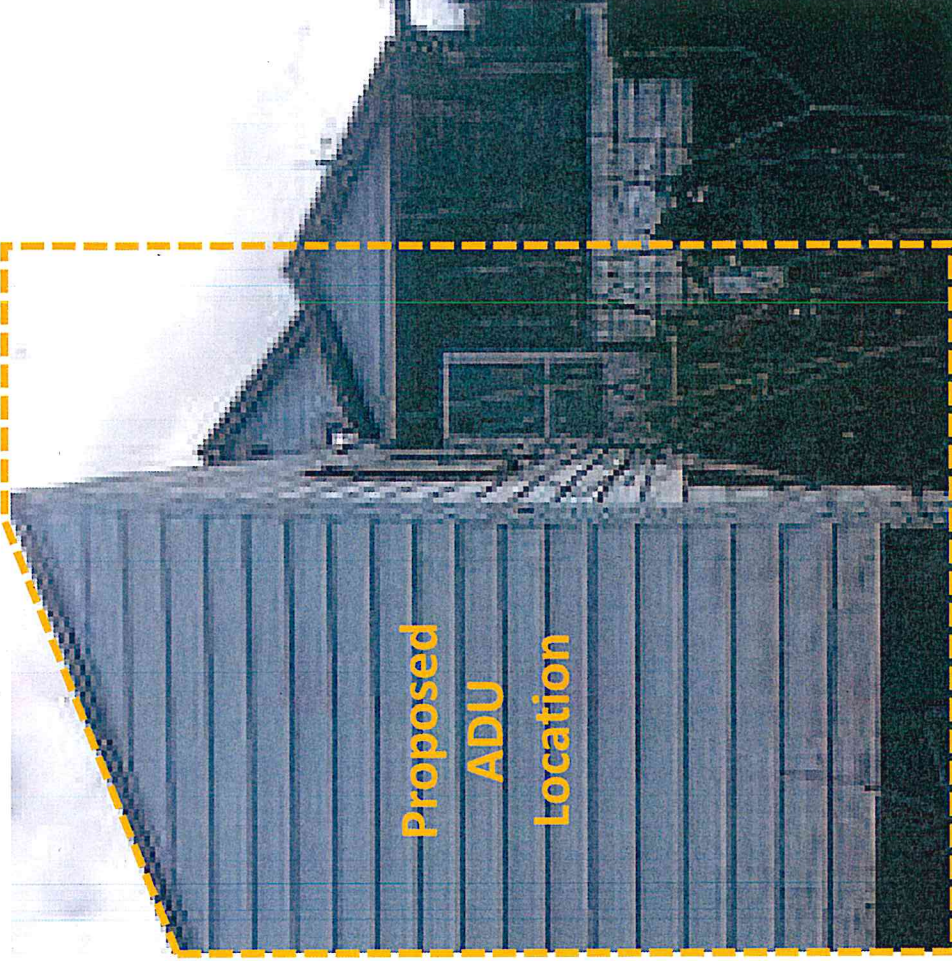
South/West Elevation Views



View Up Chace Mill Access Drive



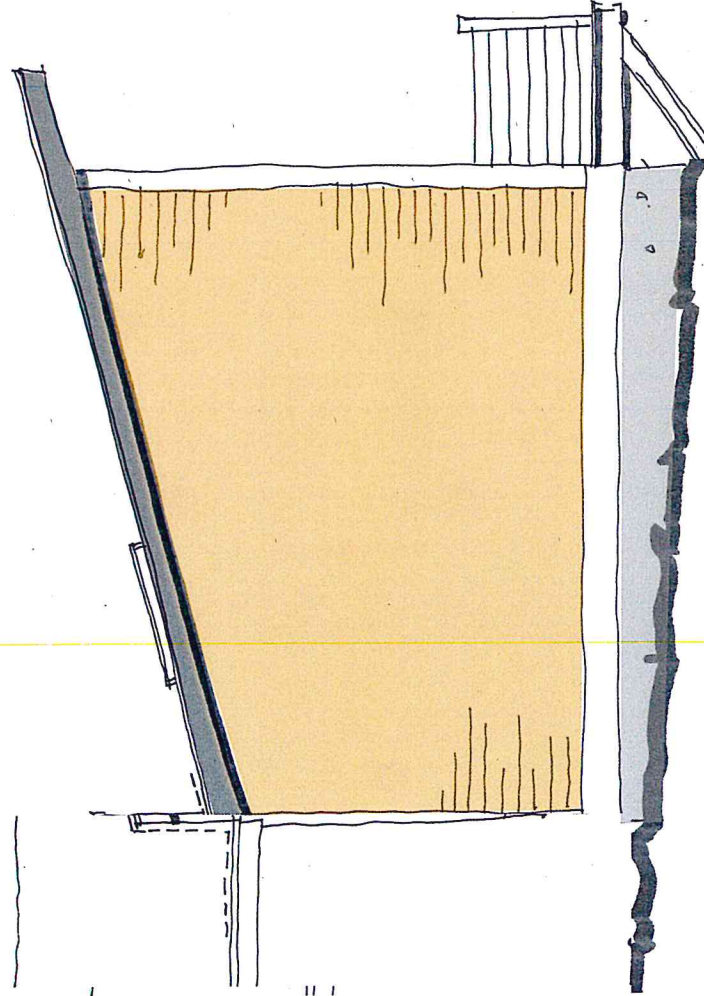
West Elevation View



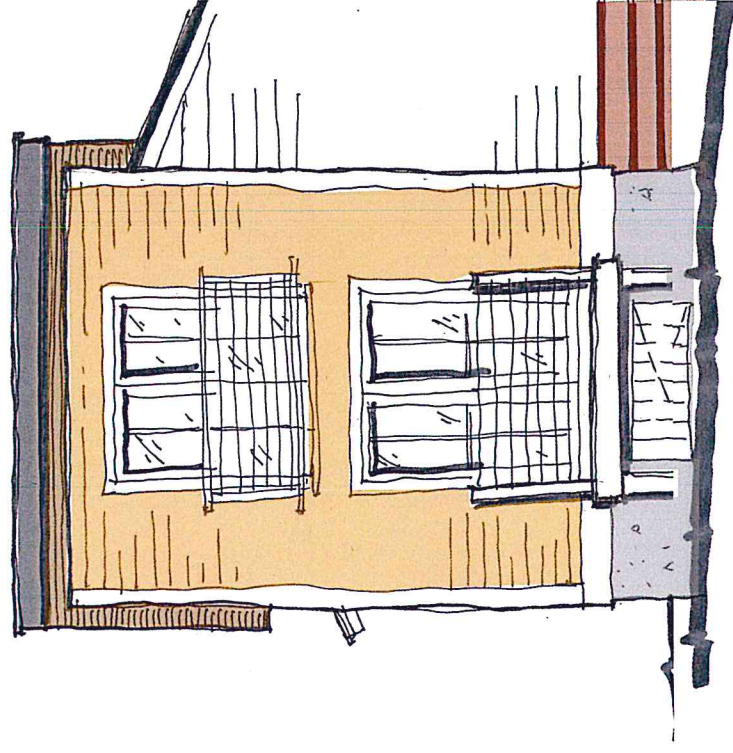
North Elevation View



West Elevation – Proposed ADU



East Elevation – Proposed ADU



North Elevation – Proposed ADU

DRB 11/21/17

Hello!

I am requesting permission to use the new addition connected to my single family home for either BnB short term rentals or long term rentals. This is a new rental property and I am hoping to have some flexibility to use the space for guests who stay for 2 days and some guests who may stay for a month or more. And if the right long term renter comes along, I'd like the option to rent the addition for a year lease. I understand there is no precedent for using a space for both short term and long term rentals but I'd like to explore this as an option.

Thank you for your time,
Eva Sollberger
76 Chase ST
Burlington, VT

RECEIVED
NOV 13 2017

DEPARTMENT OF
PLANNING & ZONING

Eva Sollberger
76 Chase St
Burlington, VT
05401

RECEIVED

OCT 25 2017

Nov 21 DRB Hearing to let 1 room as a short term rental (bed & breakfast)

DEPARTMENT OF
PLANNING & ZONING

Hello!

I am applying for permission to rent my recently built ADU as either a long-term rental or a short-term rental (via AirBnB). The ADU is attached to my single family home which I occupy. The ADU is a one room, open, loft space with a small kitchen and bath. I have one additional parking space for the renter.

My goal is to try renting the ADU as a short-term rental to see how that goes. And when/if the right long-term tenant comes along, I would try that as well. I built this space for rental income and would like to try both options to see what is a better fit for the space and for my availability.

My neighborhood has a few other AirBnB rentals already so I think this would fit right in. I also do not have neighbors too close to either side of me so I don't anticipate short-term rentals being an issue for them. I would ask guests to not have parties and keep noise to a minimum as this neighborhood is residential. I would also ask any AirBnB guests for a two day stay or longer to minimize turnover.

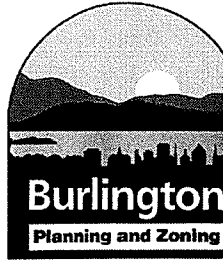
Please see my ADU permit application for any further info like plans, photos and maps.

Thanks for considering!
Eva

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, Associate Planner
Layne Darfler, Planning Technician
Anita Wade, Zoning Clerk



TO: Development Review Board
FROM: Scott Gustin
DATE: November 21, 2017
RE: 17-1081PD; 451 Ethan Allen Parkway

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. **THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.**

Zone: RL Ward: 7N
Owner/Representative: Tim Alles & Bill Ellis / Jon Anderson, Esq.

Request: Time extension for application review period only: Final plat review for 9-unit planned unit development and associated site improvements

Applicable Regulations:
Article 10 (Subdivision)

Background Information:

The applicants are requesting an extension for the allowable time for their final plat application to move through the Development Review Board process. The applicants applied for final plat review in May 2017 and met with the Design Advisory board later that month. Following that, the applicants requested deferral of further review while they worked to resolve outstanding matters such as their expired state wetlands permit. Projects are generally limited to a 6-month timeframe for Board review unless an extension is requested.

Recommendation: **Time extension approval** as per, and subject to, the following findings and conditions:

I. Findings

Article 10: Subdivision

Sec. 10.1.9 Final Plat Approval Process

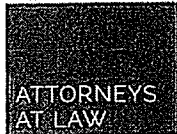
(b) Completeness of Submission, Administrator's Action

Within 30 days of receipt of a complete final plat application, the application shall be scheduled for review by the Development Review Board (and related advisory boards – Design Advisory Board and Conservation Board). The final plat application was filed on May 9, 2017 and was deemed complete on May 12, 2017. It was scheduled in a timely manner for the Design Advisory Board meeting on May 23, 2017 and for the Conservation Board on July 10, 2017. Prior to the Conservation Board meeting, the applicants learned that their state wetlands permit had expired. As a result, they requested postponement of the Conservation Board meeting and have not sought review ever since. Applications may be postponed for a time but not indefinitely. The

Development Review Board bylaws (Sec. VIII: Proceedings and Order of Business) limit pending applications to 6 months. Up to two 3-month extensions may be granted. The applicants are seeking an initial 3-month extension. This initial extension may be granted. A second extension; however, is expressly prohibited if the application simply lies dormant through the initial 3-month extension. **(Affirmative finding)**

II. Conditions of Approval

1. This 3-month time extension runs through February 12, 2017.



PRIMMER PIPER
EGGLESTON &
CRAMER PC

30 Main Street, Suite 500 | P.O. Box 1489 | Burlington, VT 05402-1489

JON T. ANDERSON
ADMITTED IN
janderson@primmer
TEL: 802-864-
FAX: 802-864-

RECEIVED
OCT 20 2017

DEPARTMENT OF
PLANNING & ZONING

October 20, 2017

VIA E-MAIL

Mr. Scott Gustin
Department of Planning and Zoning
City Hall
149 Church Street
Burlington, VT 05401

Re: 451 Ethan Allen Parkway

Dear Scott:

In response to your e-mail dated October 19, 2017, copy attached, Bill Ellis and Tim Alles hereby request a three-month extension to work out some final details in their application. In particular, Mr. Ellis and Mr. Alles want to obtain a new State Wetlands Permit before obtaining final approval from Burlington. Their old wetlands permit expired during the pendency of this application. In addition, we are trying to resolve some stormwater design details.

Many thanks for your help.

Very truly yours,

Jon Anderson

JTA/alb

Attachment

Scott Gustin

From: Scott Gustin
Sent: Thursday, October 19, 2017 2:48 PM
To: 'janderson@primmer.com'
Subject: 451 Ethan Allen Parkway

Good afternoon Jon,

Five months have passed since final plat application for the 9-unit PUD at 451 Ethan Allen Parkway. DRB applications are limited to 6 months unless a time extension is sought and granted. The DRB's November 8, 2017 meeting is set as for training. If you wish to continue this application, please submit a written time extension request to the DRB for their consideration at their November 21, 2017 meeting. Up to two 3-month extensions may be granted. Alternatively, you may withdraw the application and re-apply when you are ready to move forward with it.

Scott

Scott Gustin, AICP, CFM
Principal Planner & Asst. Administrative Officer
Dept. of Planning & Zoning
149 Church Street
Burlington, VT 05401
(802) 865-7189

Scott Gustin

From: Jon Anderson <janderson@primer.com>
Sent: Monday, July 10, 2017 10:18 AM
To: Scott Gustin; Don Meals; Ellen Kujawa; Jeffrey Severson; Matthew Moore; Miles Waite; Scott Mapes; Sean Beckett; Stephanie Young; Zoe Richards
Cc: Ryan Morrison; Doug Henson; Bill Ellis T-bird; cmyers@gilbaneco.com; Amy Bovee; Anita Wade; Bob Rusten; Hannah Cormier; Joanne Putzier; Mary O'Neil; Robert Coleburn; Valerie Ducharme
Subject: RE: July 10, 2017 Burlington Conservation Board

Scott, Ellis and Alles hereby request that their appearance before the conservation commission be postponed. Thank you for your help.

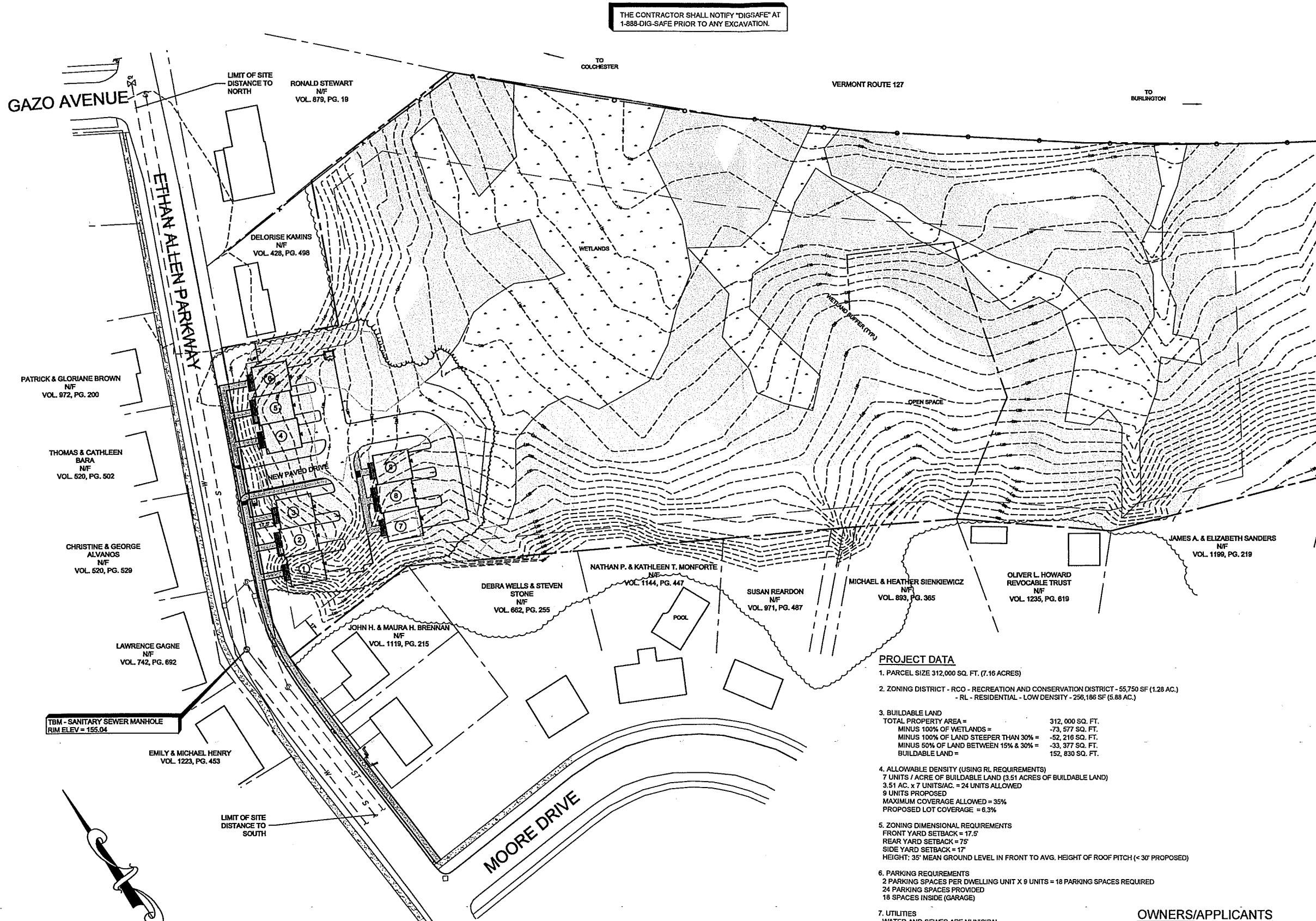
From: Scott Gustin [mailto:SGustin@burlingtonvt.gov]
Sent: Wednesday, July 05, 2017 3:08 PM
To: Don Meals; Ellen Kujawa; Jeffrey Severson; Matthew Moore; Miles Waite; Scott Mapes; Sean Beckett; Stephanie Young; Zoe Richards
Cc: Ryan Morrison; Doug Henson; Bill Ellis T-bird; Jon Anderson; cmyers@gilbaneco.com; Amy Bovee; Anita Wade; Bob Rusten; Hannah Cormier; Joanne Putzier; Mary O'Neil; Robert Coleburn; Scott Gustin; Valerie Ducharme
Subject: July 10, 2017 Burlington Conservation Board

The packet for the July 10, 2017 meeting of the Burlington Conservation Board is now available [online](#). The agenda is also attached. The related Open Space Subcommittee meeting is cancelled. The cancellation notice is attached. City staff, please post the agenda and cancellation notice.
Scott

Scott Gustin, AICP, CFM
Principal Planner & Asst. Administrative Officer
Dept. of Planning & Zoning
149 Church Street
Burlington, VT 05401
(802) 865-7189

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.

THIS E-MAIL MESSAGE, INCLUDING ANY ATTACHMENTS, IS FOR THE SOLE USE OF THE INTENDED RECIPIENT(S) AND MAY CONTAIN LEGALLY PRIVILEGED AND CONFIDENTIAL INFORMATION. ANY UNAUTHORIZED REVIEW, USE, DISCLOSURE, REPRODUCTION OR DISTRIBUTION IS STRICTLY PROHIBITED. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE IMMEDIATELY CONTACT THE SENDER BY REPLY E-MAIL AND DESTROY ALL COPIES OF THE ORIGINAL MESSAGE. THANK YOU.



THE CONTRACTOR SHALL NOTIFY "DIGSAFE" AT 1-888-DIG-SAFE PRIOR TO ANY EXCAVATION.



LOCATION PLAN

ETHAN ALLEN PARK
BURLINGTON DEPARTMENT OF
PARKS AND RECREATION

MAY 04 20

LEGEND

- PROJECT BOUNDARY
- PROPERTY LINE
- BUILDING SETBACK
- N/F NOW OR FORMERLY
- EXISTING GROUND CONTOUR
- EXISTING WATER LINE, GATE VALVE & HYDRANT
- EXISTING SANITARY SEWER LINE & MANHOLE
- EXISTING STORM LINE AND CATCH BASIN
- NEW TREE LINE
- NEW BUILDING MOUNTED LIGHT
- NEW WATER LINE, GATE VALVE AND HYDRANT
- NEW SANITARY SEWER LINE AND MANHOLE
- PROPOSED UNIT NUMBER
- WETLAND

NOTES

- THE BOUNDARY LINE BETWEEN THE RCO AND RL ZONING DISTRICT IS APPROXIMATE ONLY AND IS BASED ON THE INFORMATION INDICATED AT THE CITY OF BURLINGTON WEB SITE AT THE FOLLOWING URL: WWW.CI.BURLINGTON.VT.US/PLANNING/ZONING/ZNMAP/092224.HTML
- THE BOUNDARIES OF THE PARCEL AND THE TOPOGRAPHIC DATA ARE BASED ON A PLAN ENTITLED "PROPOSED THREE LOT SUBDIVISION FOR ALAN GIGUERE" BY VERMONT LAND SURVEYORS, DATED 2/10/08.
- THE SOILS ON THIS PROPERTY ARE A COMBINATION OF ADAMS AND WINDSOR LOAMY SANDS AND DUANE & DEERFIELD SOILS.

PROJECT DATA

- PARCEL SIZE 312,000 SQ. FT. (7.16 ACRES)
- ZONING DISTRICT - RCO - RECREATION AND CONSERVATION DISTRICT - 55,750 SF (1.28 AC.)
- RL - RESIDENTIAL - LOW DENSITY - 256,186 SF (5.88 AC.)
- BUILDABLE LAND
TOTAL PROPERTY AREA = 312,000 SQ. FT.
MINUS 100% OF WETLANDS = -73,577 SQ. FT.
MINUS 100% OF LAND STEEPER THAN 30% = -52,216 SQ. FT.
MINUS 50% OF LAND BETWEEN 15% & 30% = -33,377 SQ. FT.
BUILDABLE LAND = 152,830 SQ. FT.
- ALLOWABLE DENSITY (USING RL REQUIREMENTS)
7 UNITS / ACRE OF BUILDABLE LAND (3.51 ACRES OF BUILDABLE LAND)
3.51 AC. x 7 UNITS/AC. = 24 UNITS ALLOWED
9 UNITS PROPOSED
MAXIMUM COVERAGE ALLOWED = 35%
PROPOSED LOT COVERAGE = 6.3%
- ZONING DIMENSIONAL REQUIREMENTS
FRONT YARD SETBACK = 17.5'
REAR YARD SETBACK = 75'
SIDE YARD SETBACK = 17'
HEIGHT: 35' MEAN GROUND LEVEL IN FRONT TO AVG. HEIGHT OF ROOF PITCH (< 30' PROPOSED)
- PARKING REQUIREMENTS
2 PARKING SPACES PER DWELLING UNIT X 9 UNITS = 18 PARKING SPACES REQUIRED
24 PARKING SPACES PROVIDED
18 SPACES INSIDE (GARAGE)
- UTILITIES
WATER AND SEWER ARE MUNICIPAL
ALL UTILITIES WILL BE UNDERGROUND
STORMWATER TO INCLUDE ON-SITE TREATMENT, DETENTION WITH OVERFLOW INTO ADJACENT WETLANDS

OWNERS/APPLICANTS

TIM ALLES
2658 E. SNOW MOUNTAIN DR.
SANDY, UT 84093

BILL ELLIS
2139 NORTH 250 EAST ST.
PROVO, UT 84604

4-17-17	REVISED PROJECT DATA PER D&K 8-8-16 MEMO	1
1-25-16	REVISED PER TECHNICAL REVIEW NOTES	1
4-1-15	REVISED FOR PRELIMINARY RE-FILE TO CITY	1
5-24-11	ADD EASEMENT AND CONVEYANCE TO CITY	1
4-4-11	REVISE LAYOUT	1
10-29-10	REVISE LAYOUT	1
8-26-10	GENERAL REVISIONS PER COURT APPEAL	1
9-11-09	REVISED PVIOUS CONCRETE DETAILS	1
7-13-09	REVISED LIGHTING AND LANDSCAPING	1
1-9-08	REVISED DRIVEWAY LAYOUT	1
10-5-07	REVISED LAYOUT	1
8-7-07	REVISED LAYOUT	1
Date	Revision	

These plans shall only be used for the purpose shown below:

☐ Sketch/Concept	☐ Act 250 Review
☐ Preliminary	☐ Construction
☒ Final Local Review	☐ Record Drawing

NOT FOR CONSTRUCTION

Lands of
Tim Alles & Bill Ellis
Ethan Allen Parkway, Burlington, Vermont

A PLANNED RESIDENTIAL DEVELOPMENT

OVERALL SITE PLAN

proj. 0702
surv. Othe
desig. DLH
draw. SEA
chec. DJG
date 04/07
scale 1" = 40'

LD LAMOUREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05452
Tel: 802-378-4430

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

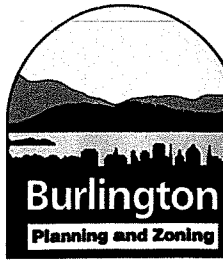
Geoff Hand

Alexandra Zipparo

Samantha Tilton

Jim Drummond, (Alternate)

Robert Purvee, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday November 21st, 2017, 5:00 PM Contois Auditorium, City Hall, 149 Church St, Burlington, VT Minutes

Board Members Present: B.Rabinowitz, A. LaRosa, G.Hand, I.Smith, A.Zipparo, J.Drummond (Alt)

Staff Present: M.O'Neil, L.Darfler

I. Agenda

B.Rabinowitz: 323 Pearl St has request to defer?

M.O'Neil: This item has been removed from the agenda as it can be handled administratively.

II. Communications

1. 181 Battery St communications

B.Rabinowitz: Communications from 181 Battery St, email communications;

M.O'Neil: Justification letter explaining the agreement they have come to with Department of Public Works

III. Minutes

B.Rabinowitz: Minutes from the November 8th meeting are included, we will discuss them at the next deliberative

IV. Consent

1. 18-0440CU; 76 Chase St (RL, Ward 1E) Eva Sollberger

Request 1 room bed & breakfast in single family home.

(Project Manager: Scott Gustin)

B.Rabinowitz: Has the applicant received and/or gone over the staff comments? Do you have any questions?

E.Sollberger: Received the comments and has no questions

B.Rabinowitz: Do any members of the Board object to this project being on consent?

None

B.Rabinowitz: Are there any members of the public here today that wish to speak?

None

A.Zipparo: Motion to approve and adopt staff findings and recommendations

G.Hand: Seconds the motion

5-0-0

V. Certificate of Appropriateness

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

1. 18-0325CA; 181 Battery St (DW, Ward 5S) Burlington Waterfront South LLC

Re-open: 500 sqft addition to building; 1500 sqft exterior deck addition

(Project Manager: Mary O'Neil)

B.Rabinowitz: This is the follow up on a request to reopen the hearing; we agreed to reopen, the approval we gave the applicant is that still valid?

M.O'Neil: The request to reopen was due to new information, therefore it affects the approval given.

B.Rabinowitz: This new information has to do with the boundary line survey relative to new construction encroaching the City right-of-way

N.Baldwin: Department of Public Works administers the rules and compliances of the public right of way; this particular project has identified that the property line is encroached by the project. Our position as staff is that those things that exist exist and it would be unreasonable to tell people to move out, but respectfully we have to look at proposals for additions.

Ultimately DPW doesn't decide this but we provide a recommendation to Council. One thing we agreed to, to reduce encroachment, was to realign the kitchen space to realign within the existing encroachment. What they are asking for is in no way unreasonable, would go further to say that the appreciated the property owner making it safe and accessible for public. We're ultimately supportive but will go before City Council. We have no objections as designed.

A.Ziparo: So when you say Council, it is City Council, what is their jurisdiction?

N.Baldwin: Right of way is outside of DRB jurisdiction so right of way is governed by City Council

G.Hand: Where on the provided diagram is the right of way?

N.Baldwin: Sheet 307, based on survey there are two heavily weighted lines that represent right of way.

J.Drummond: Is anything on the plan different than previously submitted and reviewed by this Board?

B.Alvarez: We learned the building was over the property line and therefore we needed to refine some of the volumes, locations, and footprint. There are some changes. The addition on the South side was easily able to be accommodated by moving it to the West, the footprint changed by about 25 square feet.

J.Drummond: The part to the north of existing

B.Alvarez: Building over existing foundation, made sense to build over that foundation

B.Rabinowitz: Any further discussion?

None

B.Rabinowitz: Any members of the public wish to speak?

None

B.Rabinowitz: Closes the public hearing

2. 17-1081PD; 451 Ethan Allen Parkway (RL, Ward 7N) William Ellis

Request for time extension for application review period only: Final plat for 9-unit planned unit development in three buildings and associated site improvements.

(Project Manager: Scott Gustin)

B.Rabinowitz: Is the applicant here?

No applicant present

B.Rabinowitz: When does their time period run out?

M.O'Neil: Discovered by staff that their state water permit had expired, so they defer their Conservation Board review until that could be addressed

B.Rabinowitz: That was preliminary plat review?

M.O'Neil: Yes, there is a time limit between preliminary and final plat review which is what they are requesting extension for

G.Hand: Storm water permit expired? Those are 3-5 year permits

M.O'Neil: Yes

B.Rabinowitz: We have some neighbors here who wish to speak, can we reopen without the applicant?

A.LaRosa: If no action is taken does that run the 45 day clock?

M.O'Neil: It may

B.Rabinowitz: I would like to open the hearing, the applicant is not here but if the neighbors

M.Brennan: We have been fighting the proposed multiple triplexes for a very long time. Request their deadline extension request be denied; this project has been going on for years and years, they have missed deadlines. Request that the Board abide by their own guidelines. Scott Gustin Found that the extension can only be granted if they come to this meeting. This project affects protected wetlands. We have prepared a written statement as well (passed out). Really just request that the developers and the neighboring homeowners be treated equally to the same standards with no special treatment given. We have many neighbors who wish they could have been here, but due to being so close to thanksgiving could not attend.
B.Rabinowitz: Any further discussion or questions from the Board?
None
B.Rabinowitz: Closed the public hearing

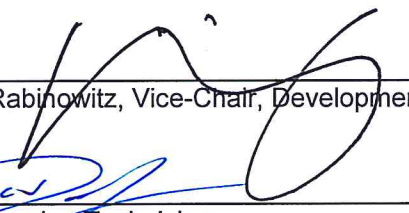
VI. Other Business

1. 2018 DRB Schedule for Approval

G.Hand: Only date of concern is July 3rd, is that changeable? Some may want to take that off for the July 4th holiday
M.O'Neil: Scheduling is very delicate between room reservations and meeting conflicts, but we can look for another date
G.Hand: Motion to approve with July 3rd included
A.Zipparo: Seconds the Motion
5-0-0

VII. Adjournment

The meeting adjourned at 5:33 PM


Bradford L. Rabinowitz, Vice-Chair, Development Review Board

12.5.17
Date


L. Darfler, Planning Technician

Dec 5th 2017
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.