

Department of Permitting and Inspections

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

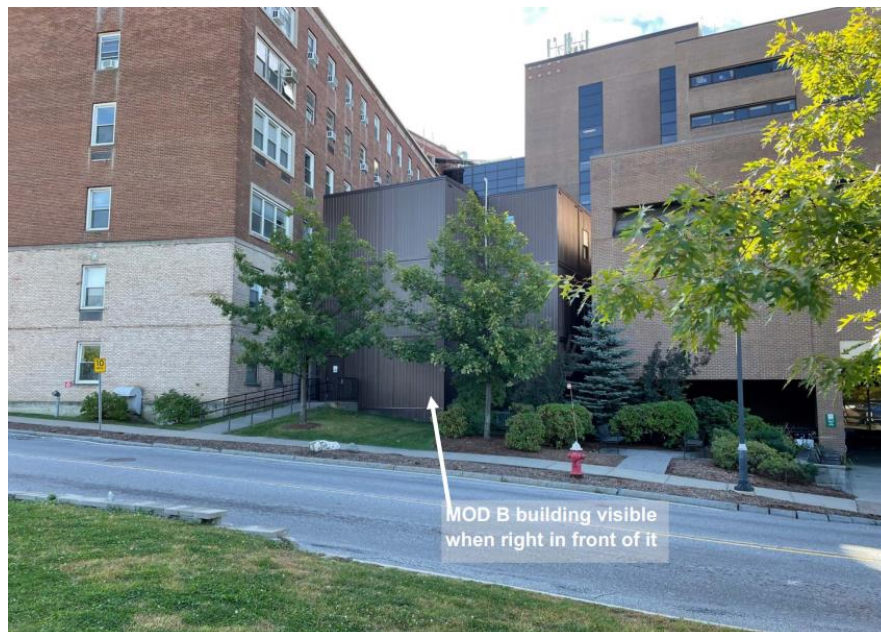
William Ward, Director
Theodore Miles, Code Compliance Officer
Charlene Orton, Permitting and Inspections Administrator
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Vacant, Planning Technician
Celeste Crowley, Permit Administrator



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: November 16, 2021
RE: ZP21-690 111 Colchester Avenue, Mod "B" building

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



File Number: ZP21-690

Zone: I **Ward:** 1E

Date application accepted: September 24, 2021

Applicant/ Owner: White & Burke / University of Vermont Medical Center

Request: Approve the Mod B building as a permanent structure

Background:

There are dozens of permits for the University of Vermont Medical Center complex / Fletcher Allen Health Care / Mary Fletcher Hospital. Of consequence in this review is:

- **Zoning Permit 16-1221CA;** request for extension of time for temporary Modular B building on the Medical Center campus. Approved June, 2016.

- **Zoning Permit 11-0646CA**; Upgrade of Modular Building B appearance with landscaping and hardscaping per condition 2 of ZP06-025CA; time extension to 11/30/2016. May 2011.
- **Zoning Permit 06-025CA**; remove 3 temporary buildings and retain 1 modular Building “B”. Extend time frame for removing building “B” by 5 years. September 2005.
- **Zoning Permit 01-379**; Construct four temporary buildings; three to house hospital functions displaced during construction (of the Ambulatory Care Center); and one as a temporary entrance for the emergency department. Approved April 17, 2011.

Overview: Modular Building “B” (“Mod B”) was included in Phase C of the Ambulatory Care Center Renaissance Project; one of four temporary buildings erected to accommodate hospital function during construction (ZP01-379 / COA 00-038C.) Although the other three temporary buildings have been removed (ZP06-025CA), Mod B continues to function as important program space for hospital activities.

Condition #1 of ZP11-0646CA stated:

The subject building shall be removed, and the site shall be returned to green space by November 30, 2016.

If it is determined that any further retention of the building is necessary, the hospital shall resubmit a zoning permit application for the entire modular building and return to the DRB for further consideration, including but not limited to permanent exterior architectural improvements to the buildings, or its replacement.

Hospital representatives met with staff in 2005 to gather preferences for new exterior sheathing; staff felt that was not necessary, and the building with its existing exterior finish could remain. UVMHC (formerly FAHC) did make improvements to its appearance and the surrounding hardscape, which remain in place.

In June 2016, the DRB granted approval to keep the MOD B as a temporary building for an additional five years with all previous conditions of approval remaining in effect and the removal date was extended to November 30, 2021. Staff recommended in that review that the Mod B be considered as a permanent installation, as it had been in place more than 15 years and was included in all planning aspects of the institution’s programming and development.

This application seeks to recognize the Mod B building as a permanent structure within the UVMHC Core Campus.

Recommended motion: Certificate of Appropriateness Consent Approval, per the following findings and conditions:

I. Findings

Article 3: Applications, Permits and Project Reviews

Part 3: Impact Fees

Condition #2. Of ZP 11-0646CA stated:

2. Given the length of time Modular Building B has been in place, impact fees are due. At least 7 days prior to issuance of a certificate of occupancy, the applicant shall pay to the Planning

and Zoning Department the impact fee as calculated by staff based on the square footage of the subject building.

A Certificate of Occupancy was issued based on self-certification, which was signed by a hospital project manager February 2, 2012. An email within the project folder for the last zoning permit **confirms payment made for Impact Fees. Affirmative finding.**

Article 4: Zoning Maps and Districts

Section 4.5.2 Institutional Core Campus Overlay Districts

1. *ICC-FAHC allows for an increased development scale and intensity than would typically be found in the adjoining and underlying districts to support continued growth and expansion of the state's academic medical center.*

(c) District Specific Regulations: Fletcher Allen Health Care Campus (ICC-FAHC)

1. *Transitional Buffer*
 - A. *Transitional buffer*
No change
 - B. *Lot Coverage*
No change
 - C. *Unless replaced on site, no housing unit in a residential structure located within the Transitional Buffer shall be demolished...*
Not applicable.
2. *Lot Coverage*
No change. The Mod B building has been included in all coverage calculations submitted by the institution since it was erected.
3. *Setbacks*
No change
4. *Surface Parking*
No change
5. *Building Height*
No change
6. *Density*
No change

Affirmative finding.

Article 5: Citywide General Regulations

Part 1: Uses and Structures

Section 5.1.2 Structures

This is the same building that was permitted originally under ZP01-379 / COA00-038C; with an extension under ZP06-025CA and ZP16-12221CA and upgrades under ZP11-0646CA. There are no exterior changes proposed.

(f) Temporary Structures:

Underlying zoning

A structure placed over 31 consecutive days or more within any 12 month period at the same location is no longer considered a temporary structure.

Although originally considered temporary, Mod B has demonstrated both its utility to hospital programmatic needs and its enduring performance as an institutional building. While the other three buildings have been removed (ZP06-025CA), Mod B continues to perform as a comfortable building for staff as well as highly beneficial to the hospital's needs. The institution continues to evaluate program areas and plan for future needs, and requests continued use of the Mod B building as a permanent structure while those plans unfold. Mod B has been included in all coverage calculations and project planning for the campus since its installation. As the building has been in place for 15 years and continues to satisfy the demands of the institution, it is safe to consider the building a permanent installation until such time as institutional master planning requires its replacement. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

No change. **Affirmative finding.**

Section 5.2.4 Buildable Area Calculation

Not applicable.

Section 5.2.5 Setbacks

No change. **Affirmative finding.**

Section 5.2.6 Building Height Limits

No change. **Affirmative finding.**

Section 5.4.8 Historic Buildings and Sites

Not applicable.

Section 5.4.9 Brownfield Remediation

Not applicable.

Section 5.5.1 Nuisance Regulations

There are no changes proposed that might introduce adverse impacts to surrounding properties.

Affirmative finding.

Section 5.5.2 Outdoor Lighting

No change. **Affirmative finding.**

Section 5.5.3 Stormwater and Erosion Control

No changes proposed. **Affirmative finding.**

Section 5.5.4 Tree Removal

No tree removal is proposed. **Affirmative finding.**

Article 6: Development Review Standards

There are no changes proposed to the building; it remains as it was permitted under ZP01-379/COA 00-038C, ZP06-025CA, ZP11-0646CA and ZP16-1221CA. The applicant requests permanent status for the Mod B building.

Although permit conditions in ZP06-025CA directed the upgrade of the appearance of the building, subsequent permitting (ZP11-0646CA) substantially improved the landscaping. There is a small park with landscaping that was added in front of the Mod B building in 2011. This landscaping has grown considerably since then. It helps to screen the building and provide a location for visitors and employees to sit and relax. There are no proposed changes to this small park space.

The building itself has become part of the fabric of the institution and in appearance has modern finishes that are currently in fashion on new buildings within the city. In that aspect, the Mod B building has been a precursor to building trends, and has now come of age.

No further alteration is proposed.

Affirmative finding, as conditioned.

Article 8: Parking

All parking calculations submitted under subsequent permits have included uses and patient beds in the entire UVM Medical Center facility. The retention of the Mod B building will have no impact on the bed count (the index on which parking requirements are based) or parking calculations for the overall use.

Affirmative finding.

II. Conditions of Approval

1. All conditions of ZP01-379 / COA00-038C (as the later relates to the Mod B building), ZP06-025CA, ZP11-0646CA and ZP16-1221CA, except as modified by subsequent permit or as specifically modified in this approval, shall remain in effect.
2. 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.

University of Vermont Medical Center - MOD B Building

Site Location Plan

September 23, 2021



N

Not to Scale



The University of Vermont Medical Center
Modular B (MOD B) Building – City Zoning Permit Application
Project Narrative
September 23, 2021

I. Project Background

The Modular B building (MOD B) was incorporated into the University of Vermont Medical Center (UVM Medical Center) campus at 111 Colchester Avenue in 2001 as part of the original zoning permit for the Renaissance Project. It was one of four temporary buildings used by the UVM Medical Center and was to be removed by November 30, 2006. In August 2005, the Development Review Board (DRB) granted approval to extend the removal date for five years for the Modular B building until November 30, 2011, in zoning permit approval #06-025CA.

In May 2011, the DRB granted a five year extension until November 30, 2016, for the removal of the MOD B building subject to the following condition:

1. *The building shall be removed, and the site returned to green space...*
 - a) *If it is determined that any further retention of the building is necessary, the hospital shall resubmit a zoning permit application for the entire modular building and return to the DRB for further consideration, including but not limited to permanent exterior architectural improvements to the building, or its replacement.*

As part of the May 2011 zoning permit extension, the UVM Medical Center added a small “pocket park” with additional landscape plantings in front of the MOD B building along Mary Fletcher Drive. This small park enhances the aesthetics of the area and provides a sitting area for visitors and employees to use.

In June 2016, the DRB granted approval to keep the MOD B as a temporary building for an additional five years with all previous conditions of approval remaining in effect and the removal date has been extended to November 30, 2021. The above condition from the May 2021 approval remains in effect.

As part of this current application, there are no proposed changes to MOD B building or site. In 2019, the final piece of the Green Mountain Walkway was constructed from the UVM campus to Colchester Avenue that included landscape changes near the intersection of Colchester Avenue and Mary Fletcher Drive. As a result, there is a small window of visibility of the MOD B building, which is seen in the background. Otherwise, the building is not visible from any other location off the Medical Center campus. The building blends in with the surrounding structures as can be seen in the attached photographs. The current architectural materials and color of the building allow it to recede into the background. The UVM Medical Center invested in the surrounding landscape plantings with the intent that they can be retained long term, if possible. Their investment in the landscape, rather than to architectural upgrades that will eventually be

demolished, is consistent with the Medical Center’s philosophy to minimize unnecessary expenses that increase health care costs.

With the November 30, 2021, date nearing, Condition #1 has prompted the UVM Medical Center to reevaluate the need for the MOD B building. After careful consideration of their space needs, the UVM Medical Center has decided to make the MOD B a permanent building on their medical center campus until such time that they would require its replacement which would be part of their master planning efforts. This zoning permit application requests to make the MOD B building a permanent structure on the UVM Medical Center campus at 111 Colchester Avenue.

II. City Development Review

The following information on the MOD B building addresses the City’s Development Review Standards in conformance with Article 6: Development Review Standards of the Comprehensive Development Ordinance.

As there is no land division occurring for this project, the Part 1: Land Division Design Standards are not applicable.

Part 2: Site Plan Design Standards Review

(a) Protection of important natural features:

A small, landscaped park and lawn exist in front of the MOD B building. There are no important natural features that will be impacted by this project.

(b) Topographical Alterations:

Not applicable – there are no physical changes occurring to the site as part of this project.

(c) Protection of Important Public Views:

There are no views of Lake Champlain or the Green Mountains from the MOD B building. The MOD B building is not visible westbound on Mary Fletcher Drive. It is only somewhat visible from Colchester Avenue eastbound near the Mary Fletcher Drive intersection. It is only visible on the Medical Center campus when approaching the McClure Building from the east and from the parking garage north of the McClure Building. Please see attached visibility photos. Therefore, there are no impacts to important public views.

(d) Protection of Important Cultural Resources:

The MOD B building does not impact any cultural resources on the Medical Center or UVM campuses, or buildings on Colchester Avenue. It is not visible from the Mary Fletcher

building to the east or the Fleming Museum building on the UVM campus to the west. And there are no impacts to buildings on the north side of Colchester Avenue.

(e) Supporting the Use of Renewable Energy Resources:

No change. The existing landscape plantings in front of the MOD B building help to minimize the energy demand by creating shade and a windbreak.

(f) Brownfield Sites:

Not applicable.

(g) Provide for nature's events:

Applicable City and state stormwater management practices are used on the site in accordance with issued permits.

(h) Building Location and Orientation:

The MOD B building was placed between several existing buildings on the Medical Center campus to lessen its impacts on its surroundings.

(i) Vehicular Access:

Not applicable. There is no vehicular access to the MOD B building.

(j) Pedestrian Access:

Not applicable. There is no exterior pedestrian access into the MOD B building. Access into the MOD B building is internal from surrounding buildings only. There is an emergency exit door on the north façade.

(k) Accessibility for the Handicapped:

Handicapped access to the MOD B building is internal from surrounding buildings only.

(l) Parking and Circulation:

Not applicable. There is no parking lot associated with the MOD B building.

(m) Landscaping and Fences:

As discussed above, there is a small park with landscaping that was added in front of the MOD B building in 2011. This landscaping has grown considerably since then. It helps to screen the building and provide a location for visitors and employees to sit and relax. There are no proposed changes to this small park space.

The small park has been designed to allow for future removal of the MOD B building and hopefully allowing for these improvements to be retained long-term, if possible. The Medical Center's investment in the small park, rather than to architectural upgrades that will eventually be demolished, is consistent with their philosophy to minimize unnecessary expenses that increase health care costs.

(n) Public Plazas and Open Space:

See (m) Landscaping and Fences description above.

(o) Outdoor Lighting:

Not applicable. There is no existing outdoor lighting.

(p) Integrate Infrastructure into the design:

Not applicable. There is no exterior infrastructure associated with this building.

In summary, the UVM Medical Center's zoning permit application request to the DRB is to make the MOD B building a permanent structure on their Medical Center campus. We have reviewed the Site Plan Design Standards above and find this project meets these with no major issues.

September 23, 2021

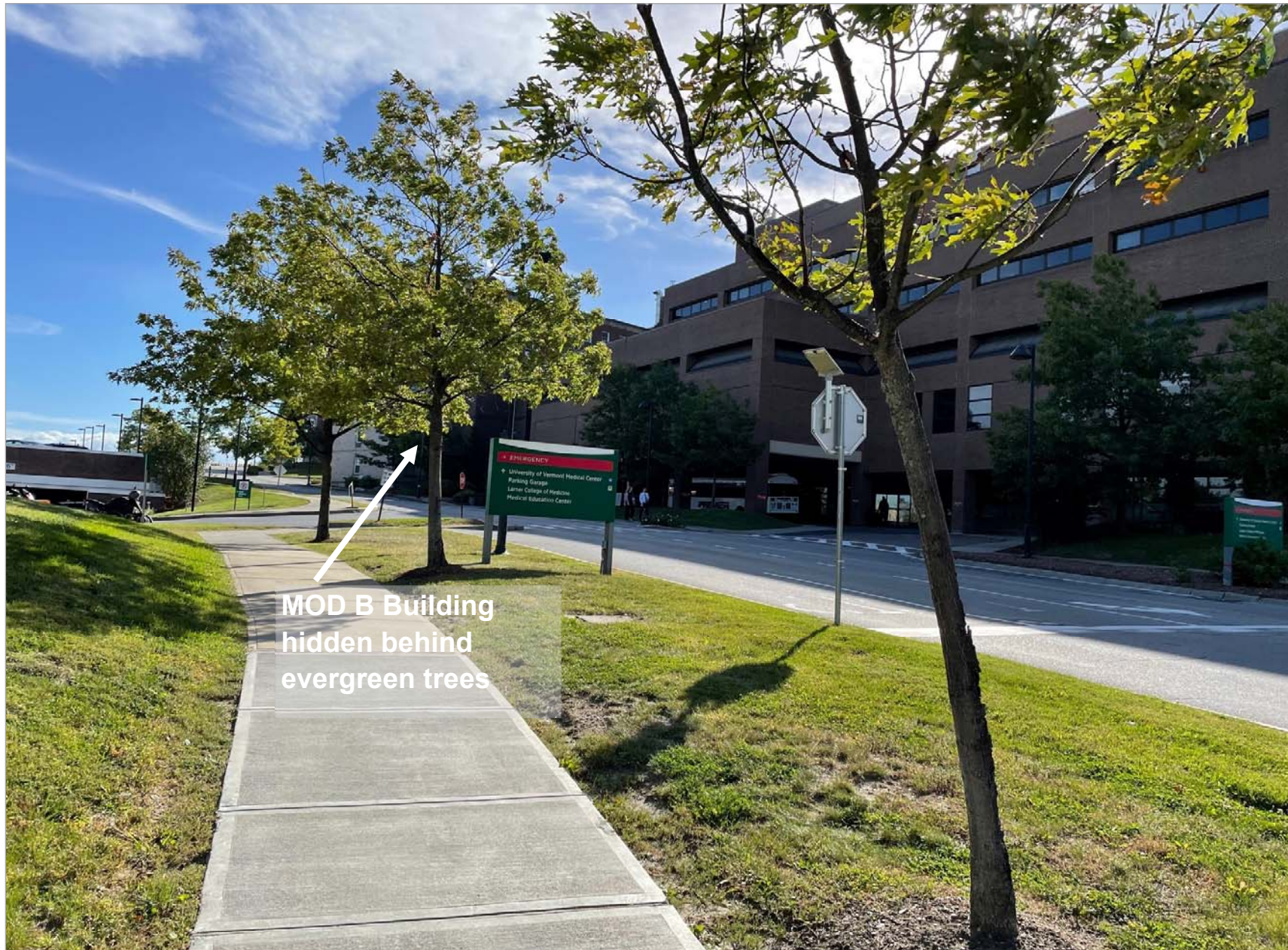


MOD B Building obscured
from view by landscaping
and UVM Medical Center
parking garage

View looking south from the Green Mountain Walkway



View looking south from the Colchester Avenue Sidewalk



MOD B Building
hidden behind
evergreen trees

View looking east from the Mary Fletcher Drive sidewalk

September 23, 2021



MOD B Building
with landscaped
park in front

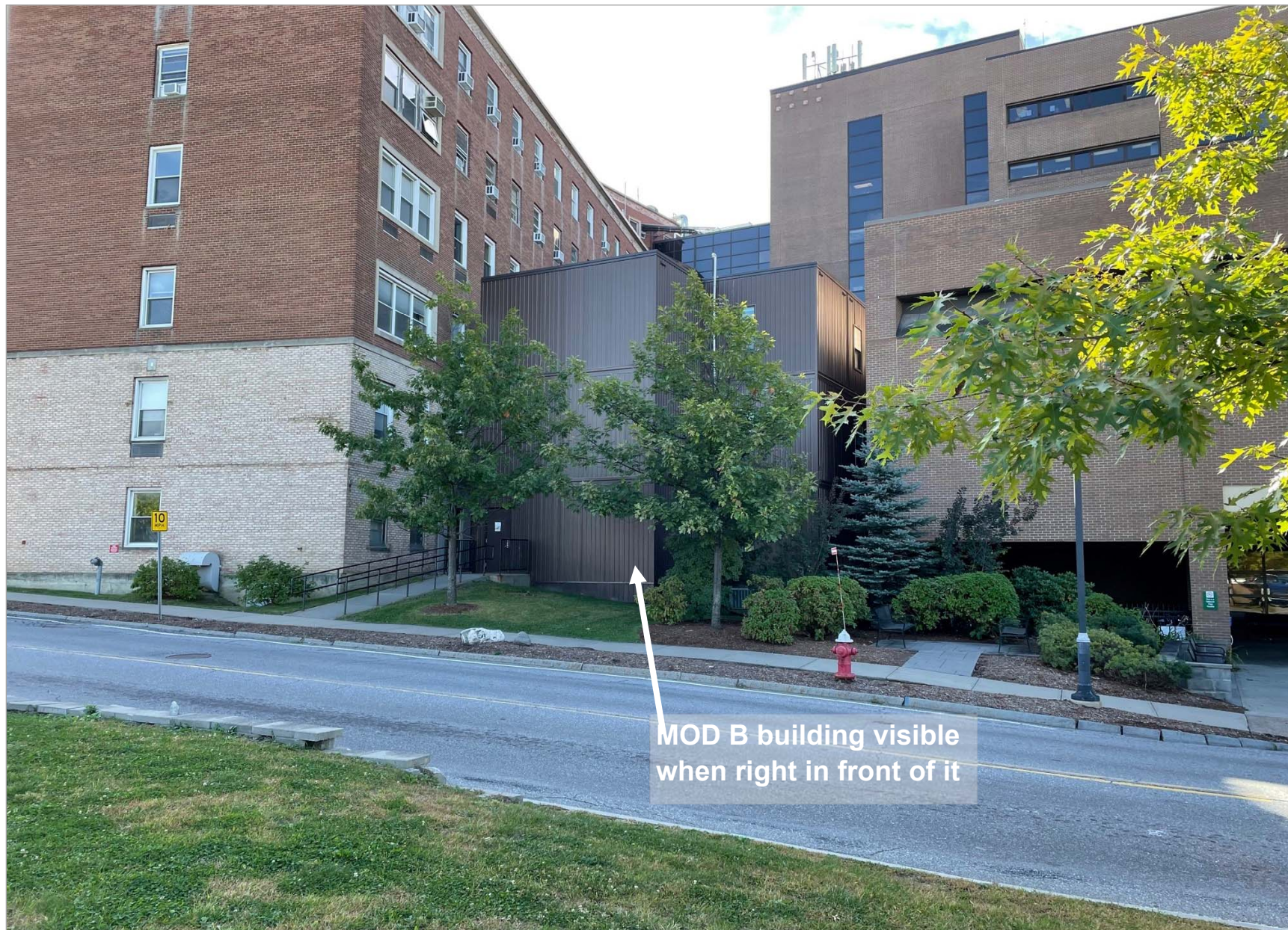
View looking east from the Mary Fletcher Drive sidewalk



MOD B building not visible
along Mary Fletcher Drive
from the west until passing
right in front of it

View looking west from Mary Fletcher Drive

September 23, 2021



View looking west from in front of the UVM Medical Center parking garage on Mary Fletcher Drive

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/DPI/DRB
Telephone: (802) 865-7188
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Brad Rabinowitz
AJ LaRosa
Geoff Hand
Brooks McArthur
Caitlin Halpert
Chase Taylor
Sean McKenzie, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, November 16, 2021, 5:00 PM

AGENDA

Physical location: 645 Pine Street, Front Conference Room, Burlington VT 05401
and

Zoom: <https://us02web.zoom.us/j/81930553531?pwd=ZjhqOE9abHhyaDZJUjFmc3BQcXhUdz09>

Password: 706819

Webinar ID: 819 3055 3531

**Telephone: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or
+1 253 215 8782 or +1 346 248 7799**

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Consent**
 1. **ZP-21-690; 111 Colchester Ave (I, Ward 1E) Gail Henderson-King / UVM Medical Center Inc**
Request approval of so-called "Mod B" building to be permanent. (Project Manager, Mary O'Neil)
- V. **Certificate of Appropriateness**
 1. **ZAP-21-13; 240-242 Pearl St (RM, Ward 2C) John Dubie / Lakeside Pharmacy Holdings Inc**
Replace nonconforming sign with new nonconforming sign. (Project Manager, Mary O'Neil)
 2. **ZP-21-609; 53 Front St (RM, Ward 3C) Anna Thelemarck / Deluca & Gould**
Construct new accessory dwelling unit with excess lot coverage. (Project Manager, Mary O'Neil)
- VI. **Sketch Plan**
 1. **ZSP-21-12; 251-253 South Union St (RL & RM, Ward 6S) Steve Kredell / Two Fifty Three South Union Realty LLC**
Sketch plan review for residential redevelopment of the existing commercial property. (Project Manager, Scott Gustin)
- VII. **Other Business**
 1. **2022 Development Review Board meeting schedule**
Review and approve 2022 DRB meeting schedule
- VIII. **Adjournment**

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

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

DRAFT

DEVELOPMENT REVIEW BOARD

January - December 2022

Regularly Scheduled Meetings - 1st and 3rd Tuesdays

Date of Meeting	Day of Week	Time	Location	PH Deadline - Wed 4pm	COA Deadline - Wed 4pm
January 4, 2022	Tuesday	5:00 PM	DPI Conference Room	December 8, 2021	December 15, 2021
January 18, 2022	Tuesday	5:00 PM	DPI Conference Room	December 22, 2021	December 29, 2021
February 1, 2022	Tuesday	5:00 PM	DPI Conference Room	January 5, 2022	January 12, 2022
February 15, 2022	Tuesday	5:00 PM	DPI Conference Room	January 19, 2022	January 26, 2022
March 8, 2022	Tuesday	5:00 PM	DPI Conference Room	February 9, 2022	February 23, 2022
March 22, 2022	Tuesday	5:00 PM	DPI Conference Room	February 16, 2022	March 2, 2022
April 5, 2022	Tuesday	5:00 PM	DPI Conference Room	March 9, 2022	March 16, 2022
April 19, 2022	Tuesday	5:00 PM	DPI Conference Room	March 23, 2022	March 30, 2022
May 3, 2022	Tuesday	5:00 PM	DPI Conference Room	April 6, 2022	April 13, 2022
May 17, 2022	Tuesday	5:00 PM	DPI Conference Room	April 20, 2022	April 27, 2022
June 7, 2022	Tuesday	5:00 PM	DPI Conference Room	May 11, 2022	May 18, 2022
June 21, 2022	Tuesday	5:00 PM	DPI Conference Room	May 25, 2022	June 1, 2022
July 5, 2022	Tuesday	5:00 PM	DPI Conference Room	June 8, 2022	June 15, 2022
July 19, 2022	Tuesday	5:00 PM	DPI Conference Room	June 22, 2022	June 29, 2022
August 2, 2022	Tuesday	5:00 PM	DPI Conference Room	July 6, 2022	July 13, 2022
August 16, 2022	Tuesday	5:00 PM	DPI Conference Room	July 20, 2022	July 27, 2022
September 6, 2022	Tuesday	5:00 PM	DPI Conference Room	August 10, 2022	August 17, 2022
September 20, 2022	Tuesday	5:00 PM	DPI Conference Room	August 24, 2022	August 31, 2022
October 4, 2022	Tuesday	5:00 PM	DPI Conference Room	September 7, 2022	September 14, 2022
October 18, 2022	Tuesday	5:00 PM	DPI Conference Room	September 21, 2022	September 28, 2022
November 1, 2022	Tuesday	5:00 PM	DPI Conference Room	October 5, 2022	October 12, 2022
November 15, 2022	Tuesday	5:00 PM	DPI Conference Room	October 19, 2022	October 26, 2022
December 6, 2022	Tuesday	5:00 PM	DPI Conference Room	November 9, 2022	November 16, 2022
December 20, 2022	Tuesday	5:00 PM	DPI Conference Room	November 23, 2022	November 30, 2022

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 a 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 Zoning staff.

Date adjustment for Town Meeting Day					
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Department of Permitting and Inspections

Zoning Division

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MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: November 16, 2021

RE: ZPS 21-5 (Appeal ZAP 21-13)

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

File Number: ZPS 21-5

Zone: RM **Ward:** 2C

Date original application (ZPS 21-5) uploaded: June 5, 2021

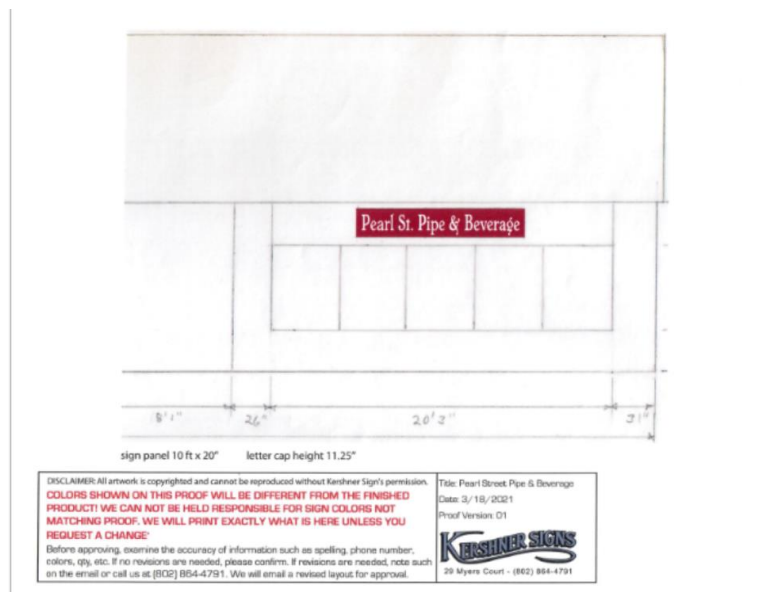
Date application fee paid: July 29, 2021

Date of decision (denial): August 23, 2021

Date application to appeal uploaded: August 24, 2021

Date of Appeal decision: September 27, 2021

Applicant/ Owner: John Dubie



Request: Replacement of a non-conforming sign.

Background:

[Note: Building constructed in 1941 as a First National supermarket and originally numbered 238 Pearl; Address changed to 240 Pearl (Interior Design/Liquor Store/Beverage) and 242 (Copy Center/Lakeside Pharmacy) addition on the east.]

- **Zoning Permit ZPS21-5**, sign replacement after fire; administrative denial August 23, 2021. Appealed to DRB; date of hearing September 21, 2021. DRB moves to allow review of application as if it had been timely. Decision September 27, 2021.
- **Zoning Permit 21-0615CA**; install overhead door on north elevation, egress door on Union Street elevation. January 2021.
- **Zoning Permit 19-0482SN**; remove DLC/Liquor store signage; install parallel sign. Originally permitted December 2018. Revised sign approved June 12, 2019. **New Sign ordinance adopted October 28, 2019.**
- **Zoning Permit 05-306FC**; erect 140' of 6' high chain link fence along northern property line. November 2004.
- **Zoning Permit 95-451 CU95-046 / COA95-091**; operation of a deli in existing Pearl Street Beverage/State Liquor Store. May 1995.
- **Zoning Permit 93-324 / COA093-073A**; installation of two parallel noninternally illuminated sign, each measuring 2' x 5' for existing pharmacy. Goose-neck lighting will be used for illumination. January 1993.
- **Zoning Permit 93-302**; change of use from copy center to pharmacy with curb cut and green belt improvements. January 1993.
- **Zoning Permit CU-93-035**; conversion of a former print shop to retail pharmacy. December 1992.
- **Zoning Permit 83-401 / COA83-053**; convert existing liquor store to both a liquor store and a beverage store. Replace existing façade with a brick veneer. No additional lot coverage. November 1983.
- **Zoning Permit 83-340**; renovate the interior of the existing liquor store. No exterior modifications and no additional lot coverage. **July 1983.**
- **Zoning Permit 80-857**; erect two rigid frame flat to building signs 1'6" x 12', and 2' x 16'; smaller than existing. **April 1980.**
- **Zoning Permit 79-614**; erect three (3) signs where existing signs are located on building. October 1979.
- **Zoning Permit (n.n.)**; Olson's Fabrics Limited to use the premises as an existing retail sales and service establishment as an accessory use to occupy no greater than 20% of the ground floor and to erect a 2 ½" x 12' sign flat against the building on the east side and a 2' x 10' rooftop sign. December 1973.
- **Zoning Board of Adjustment decision (n.n.)**; change a non-conforming use (Robert Thomas Interiors) to allow the existing building to be used for a state liquor store. Sign not to exceed the size of the present one. March 1970.

- **Zoning Board of Adjustment decision (n.n.);** enlarge a non-conforming use by erecting a 28.6' x 110.6' addition to the east side of the existing building. Conditioned upon the Robert Thomas sign be in accordance with plan submitted. February 1970.
- **Zoning Board of Adjustment decision;** change in a non-conforming use to use the premises to sell carpet, furniture, draperies, decorative accessories, general home furnishings and appliances. July 1968.
- **Zoning Board of Adjustment application:** enlarge the existing super market at 238 Pearl Street by 40' in width and an additional 25' in depth, and demolish two houses now numbered 256 and 258 Pearl Street to accommodate parking. September 1948.

Overview: The Pearl Street beverage was consumed by fire July 1, 2020.

240-242 Pearl Street is within the RM (Medium Density) zoning district. The signs on the building before the fire were pre-existing/non-conforming to the current ordinance.

The application requested a wall sign 20" x 10'. (16.66 sf.)

Article 7 of the Comprehensive Development Ordinance limits replacement of non-conforming signs destroyed or damaged to one year from the date of damage. Although the applicant applied for a sign permit June 5, 2021, the zoning application fee was not paid until July 29, 2021. The ordinance states that an application is not complete until all fees are paid. Therefore, the application was not complete until July 29, 2021, after the close of the one year window in which replacement of the non-conforming sign could be approved.

On appeal, the DRB remanded the sign application back to staff to review as if it had been timely. (Decision September 27, 2021.)



Burlington firefighters battle a blaze at Pearl Street Beverages that was reported shortly after 2 a.m. on July 1. BFD photo

Replacement of a non-conforming sign is subject to Section 7.1.6 requiring DRB review.

Recommended motion: Certificate of appropriateness Denial, per the following Findings:

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

Section 3.1.2 Zoning Permit Required

15. Signs

A zoning permit is required for a replacement sign. An application was uploaded May 27, 2021, but incomplete until payment was made July 29, 2021. Per the September 27, 2021 decision by the DRB, the application has been remanded back to staff to review as if it were timely.

Affirmative finding for filing an application for a zoning permit.

Section 3.2.4 Application Forms and Fees

(a) Fees

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

The Zoning Permit application fee was paid July 29, 2021, the date the zoning application was deemed complete. The DRB has remanded the application back to staff to review as if timely. .

Affirmative finding.

Section 3.2.5 Completeness of Submission, Administrator's Action

An application for a zoning permit shall not be complete until all submission requirements have been provided to the satisfaction of the administrative officer. The administrative officer shall take action with regard to a complete application within 30 days.

The pre-fire existing wall sign was non-conforming to the zoning district (RM). The non-conformity was related to the size of the sign. The last approved signs for this location on the building were 1'6" x 12' and 2' x 16', issued in 1980. It is not known which sign the applicant proposes to replace, which relates to the level of non-conformity and the requirement for a new sign to **bring the Sign into complete or substantially greater compliance with this Article**. See Section 7.1.6, below.

Subsequent sign permits were issued for the Pharmacy (ZPC-93-035) and the Vermont Liquor Store (ZP19-0482SN).

A new sign ordinance was adopted October 28, 2019.

The applicant filed a zoning permit application for a wall sign 20" x 10' (a different size from sign sizes approved in 1980) June 5, 2021.

Article 7: Signs

Section 7.1.6 Non-Conforming Signs

*A non-conforming Sign shall not be relocated, enlarged, replaced, redesigned, or altered in any way (except for repainting, refacing, repair or a change of lettering, logo, or colors using the same materials within the existing Sign frame) **except to bring the Sign into complete or substantially greater compliance with this Article**. In such cases, the DRB may allow a new Sign to be in substantially greater compliance than the existing nonconforming Sign subject to the applicable requirements of this Article.*

Nonconforming signs that are destroyed or damaged by 50% or more of their value shall not be rebuilt or repaired after one (1) year except in full conformance with this Article.

The DRB remanded this review after a decision on appeal to consider the application filed in a timely manner.

The request is to replace a non-conforming sign, which requires DRB review.

A *conforming* wall sign in a residential district is limited to 6 sf. See Section 7.2.13.

Two parallel signs were approved for the front of this building in 1980:

1'6" x 12' (18 sf.) and

2' x 16' (32 sf.)

It is not clear which non-conforming sign is proposed for replacement: to permit examination of the level of non-conformity as it relates to the requested sign.

The applicant proposes 20" x 10' (16.66 sf.)

The standard for review is *substantially greater compliance than the existing nonconforming Sign*. The proposed sign is of greater height and area but lesser length than the 1'6" x 12' sign (18 sf) approved in 1980; but smaller than the 2' x 16' (32 sf) parallel sign approved in 1980.

The proposed replacement sign (16.66 sf) does not meet the standard of "*bring the Sign into complete...compliance*" of 6 sf. That leaves an analysis of *substantially greater compliance*. Without understanding which pre-existing parallel sign was destroyed in the fire and proposed for replacement, a determination of whether the replacement meets the "*substantially greater compliance*" requirement is unanswered. **No Finding Possible.**

Section 7.2.13 Wall Sign

A wall sign in any residential district shall not exceed 6 sf in area.

240-242 Pearl Street is within the Medium Density (RM) residential district. The application proposed a replacement sign 20" x 10' (16.66 sf), exceeding the allowable area for the wall sign. See Section 7.1.6 for replacement of a non-conforming sign.

Adverse finding for proposed size of sign.

Note relative to activities undertaken prior to issuance of any permit:

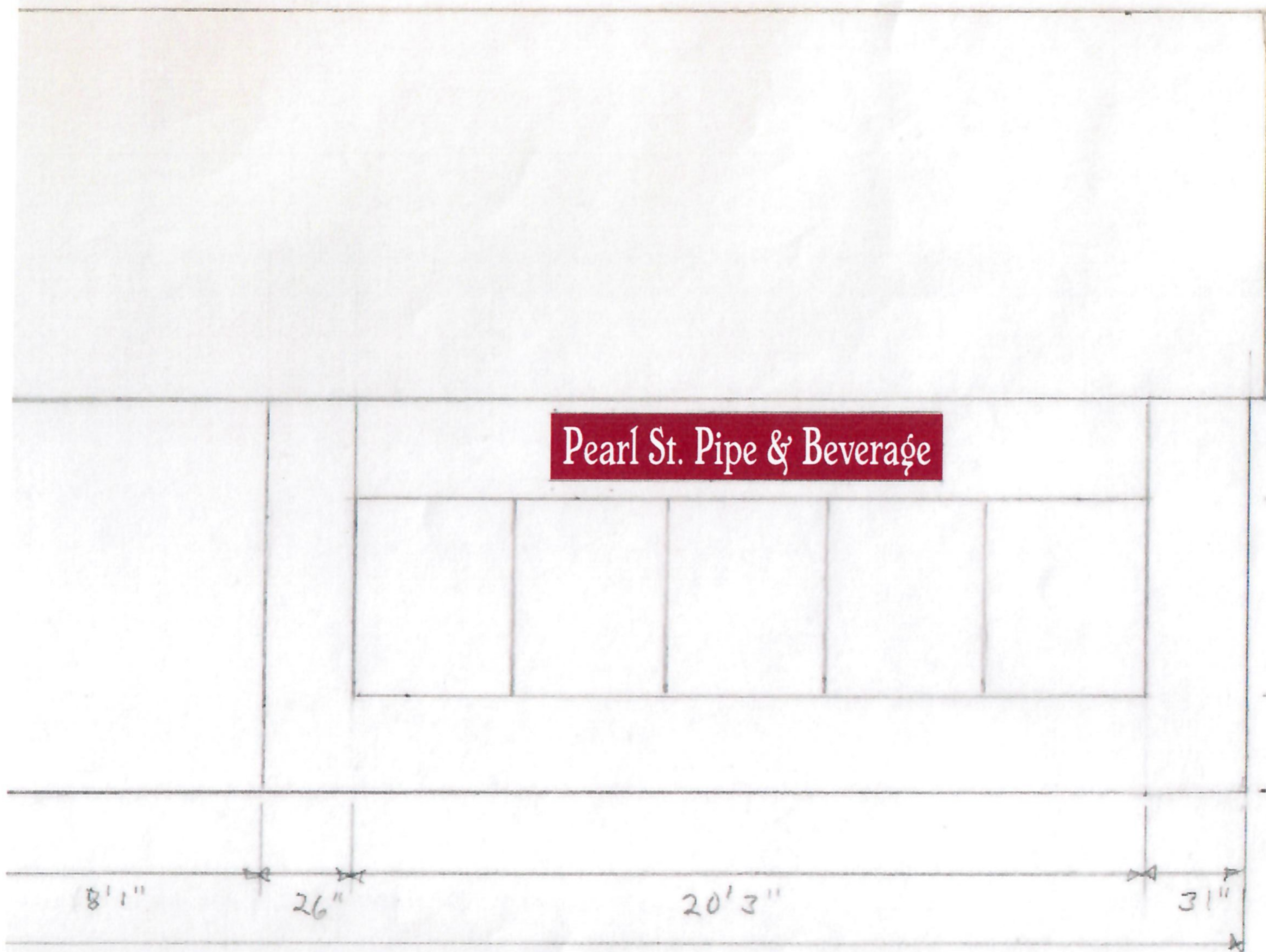
The Open Gov platform notes that the building inspector recorded that the work had been both started and completed without required permits (notation dated August 2, 2021.)

If considered for approval:

II. Conditions of approval

1. 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.



sign panel 10 ft x 20" letter cap height 11.25"

DISCLAIMER: All artwork is copyrighted and cannot be reproduced without Kershner Sign's permission.

COLORS SHOWN ON THIS PROOF WILL BE DIFFERENT FROM THE FINISHED PRODUCT! WE CAN NOT BE HELD RESPONSIBLE FOR SIGN COLORS NOT MATCHING PROOF. WE WILL PRINT EXACTLY WHAT IS HERE UNLESS YOU REQUEST A CHANGE

Before approving, examine the accuracy of information such as spelling, phone number, colors, qty, etc. If no revisions are needed, please confirm. If revisions are needed, note such on the email or call us at (802) 864-4791. We will email a revised layout for approval.

Title: Pearl Street Pipe & Beverage

Date: 3/18/2021

Proof Version: 01

KERSHNER SIGNS

29 Myers Court - (802) 864-4791

Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

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

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

William Ward, Director
Theodore Miles, Code Compliance Officer
Charlene Orton, Permitting and Inspections Administrator
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Vacant, Planning Technician
Celeste Crowley, Permit Administrator



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: November 16, 2021
RE: ZP21- 609; 53 Front 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.

File Number: ZP21-609

Zone: RM **Ward:** 3C

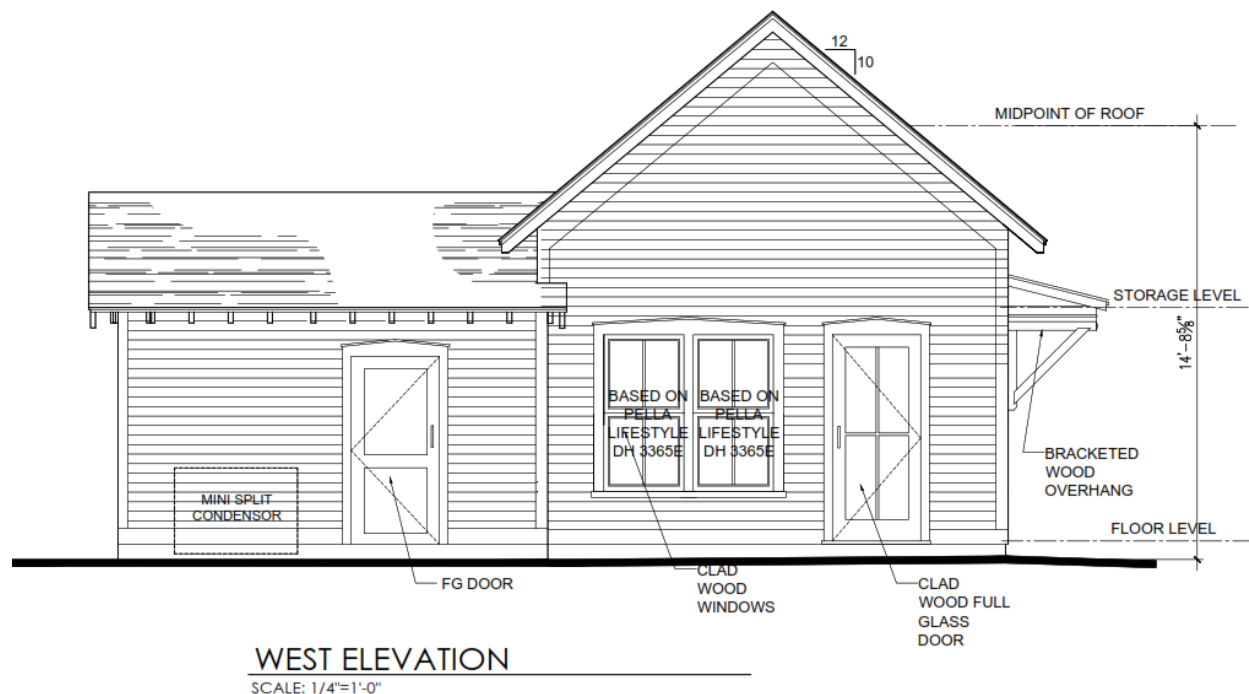
Lot size: 3880 sf.

Date application accepted: August 11, 2021

Revisions: November 4, 2021

Applicant/ Owner: Anna Thelemarck / Kirsten Deluca & Victor Gould

Request: Demolish existing garage, construct new detached building with ADU, sauna and storage.



Background:

- **Zoning Permit 16-1263CA;** remove four wood windows and replace with new tilt-pac sash kits for BLP Lead Hazard Reduction. May 2016.
- **Zoning Permit 03-477;** repair front porch; replace square columns with turned wood and change porch guard exterior to clapboard. Barrier guard 32” high. May 2009.
- **Zoning Permit 95-081;** fenestration changes to the rear elevation of the existing single family home with construction of a rear/side deck. August 1994. (lot coverage 47%)

Overview: Property owners wish to demolish the existing rear garage and construct a new detached building to house an Accessory Dwelling Unit, a sauna and storage. The intention is to utilize Section 5.2.3 (b) 10. to accommodate the additional coverage. The small size of the lot (3880 sf) has an outsized effect on lot coverage percentages, particularly when provided a discrete area exception to lot coverage as allowed in 5.2.3 (b) 10.

Recommended motion: Per discretionary review by the DRB for the additional coverage, Certificate of Appropriateness **approval** per the following findings and conditions:

I. Findings**Article 3: Application, Permits and Project Review****Part 4: Site Plan and Design Review****Section 3.4.2 Applicability****(a) Site Plan Review**

See Section 4.4.5 (d) 3, below.

(b) Design Review

7. Any development made subject to the provisions of this Part by direct reference not otherwise noted here.

See Section 4.4.5 (d) 3, below.

Sec. 3.4.4 Review Criteria

Approval of an application for a zoning permit may be granted by the DRB, or the administrative officer where applicable, only after it has been determined that the proposed development satisfies the applicable development review principles and standards contained in Article 6 - Development Review Standards.

See Article 6, below.

Article 4: Zoning Maps and Districts

Sec. 4.4.5 Residential Districts

(a) Purpose:

The Residential Districts are intended to control development in residential districts in order to create a safe, livable, and pedestrian friendly environment. They are also intended to create an inviting streetscape for residents and visitors. Development that places emphasis on architectural details and form is encouraged, where primary buildings and entrances are oriented to the sidewalk, and historic development patterns are reinforced. Parking shall be placed either behind, within, or to the side of structures, as is consistent with the district and/or the neighborhood. Building facades designed for parking shall be secondary to the residential aspect of a structure.

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

The existing single family home will remain undisturbed; however a detached garage in the rear (576 sf) is proposed for demolition. A replacement structure of larger size (548 ADU, 153 sauna/storage) is slated for construction. A new parking space is proposed adjacent to an existing parking space to the side of the front porch. Although photos depict tire tracks to the garage, the only recognized parking space on the site plan (included the approved plan of 1994) is in the front yard. It is regrettable the proposed new parking space will consume the little remaining green space in the front yard; however this is a tightly developed neighborhood with buildings close to the street and arranged in tight proximity. Per Section 8.1.12 (b), the parking space as proposed is allowable.



Affirmative finding.

(b) Dimensional Standards and Density

Table 4.4.5-3: Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}				Max. Height ¹
		Front ²	Side ³	Rear	Waterfront	
RM	40%	Min/Max: Ave of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width Or ave. of side yard setback of 2 adjacent lots on both sides Max required: 20-feet	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	NA	35-feet
53 Front Street	47% existing; 52.48 % proposed (548 sf ADU) w/o ADU 1488.5 sf or 38.36%.	No change	5' on each side of proposed new detached structure.	5'6", allowable as accessory structure < 15' in height.	N/A	14' 8 5/8"

Affirmative finding, dependant upon DRB allowance of additional coverage for ADU. See Section 5.2.3 (b) 10, below.

c) Permitted and Conditional Uses

A single family home with an ADU is a permitted use.

Affirmative finding.

d) District Specific Regulations

1. Setbacks

A. Encroachment for Residential Driveways

The lot is currently non-conforming to parking, with only one parking space abutting the south property line for the existing single family home. The proposed new parking space is allowable per Section 8.1.12-1. The detached ADU/Sauna/Storage meets the minimum 5' setback for accessory structures less than 15' in height. **Affirmative finding.**

B. Encroachment into the Waterfront Setback

Not applicable.

2. Lot Coverage

A. Exceptions for Accessory Residential Features

The open front porch, deck, and walkways fall into the accessory residential features category. The applicant is seeking additional lot coverage allowance under Section 5.2.3 (b) 10.

3. Accessory Residential Structures, Buildings and Uses

A. Accessory Structures or buildings shall meet the dimensional requirement set forth in the district in which they are located pursuant to Section 4.4.5 (b) of this Article and related requirements in Article 5, part 2.

See dimensional standards, Table 4.4.5-3 above, and Section 5.2.3 (b) 10, below.

B. Any accessory structure or building that is seventy-five percent or greater of the ground floor area of the principal structure or building shall be subject to the site plan and design review provisions of Article 3, Part 4 and the applicable Standards of Article 6.

The proposed detached structure (701 sf) exceeds 75% of the ground floor area of the existing home (814 sf.) See Article 6, below.

C. Private garages shall be limited to as many stalls as there are bedrooms in the dwelling to which it is accessory...

Not applicable

D. The outdoor overnight storage of commercial vehicles not otherwise associated with an approved home occupation or made available for the exclusive use of the residential occupants, or the outdoor storage of more than one unregistered vehicle, shall be prohibited. Any and all vehicles shall be stored in an approved parking space.

The proposed parking spaces are intended for the residential occupants. **Affirmative finding.**

4. Residential Density

A. Additional unit to multi-family.

Not applicable for this application.

B. Additions to existing residential structures

The intention of the new detached structure is, in part, associated with a request for an accessory dwelling unit. Per this standard, the review shall not be construed to create a duplex.

C. Residential occupancy limits

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

Functional Family provisions apply to both units, albeit the size of the ADU organically limits occupancy. **Affirmative finding.**

5. Uses

A. Exceptions for Existing Neighborhood commercial uses.

Not applicable.

6. Residential Development Bonuses

No residential development bonuses are sought. Not applicable.

Article 5: Citywide General Regulations

Section 5.2.1 Existing Small Lots.

This is an existing, developed small lot of 3880 sf. It is non-conforming to lot size (4,000 is the threshold for a buildable lot) but meets the minimum frontage of 30' in the RM zoning district. (38.8'.)

Affirmative finding.

Section 5.2.2 Required Frontage or Access

53 Front Street has frontage and provides parking from a public thoroughfare. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

Zoning Permit 95-081 approved a lot coverage of 47%. The base lot coverage in RM is 40%, with a bonus provision of 10% additional coverage for open amenities like open porches, patios, decks, terraces and walkways. As proposed, lot coverage is 46.86% of *base* coverage (including ADU) with an additional 12% in the bonus category (although only 10% is afforded for bonus) for a total of 56.44% lot coverage.

Base coverage:

House	790
Parking	104 (existing)
	128 (Proposed)
ADU	548
Sauna & Storage	153
Condenser	4.5
Total base	1727.5 sf, 44.52%

Bonus coverage:

Porch	157
Deck	140
Walkway front	12

Total bonus 309 / 3880, 7.9% coverage (only 388 sf, or 10% can count toward bonus)

1727.5 *base* coverage with ADU.

Subtract the area of the ADU = 1179.5 sf

1179.5 + 309 bonus = 1488.5 sf or 38.36% coverage (absent ADU area.)

Entire lot coverage (base + bonus + ADU) = 2036.5 sf or 52.48%

(Section 5.2.3. (b) 10 allows for DRB discretionary review of additional coverage up to 650 sf. associated with an ADU.)

(b) Exceptions to Lot coverage

10. The DRB may grant an exemption from maximum lot coverage limits for up to 650 sf of the lot area occupied by an ADU. To grant such an exemption, the DRB must find that the existing lot coverage has been lawfully created, and that the proposed location, site design,

and improvements will enable on-site management of the first one inch of stormwater runoff from the lot area of the ADU exceeding the applicable lot coverage limit, and will not have undue adverse impact on public rights of way based on the review of the DPW Stormwater Program manager.

Zoning Permit 95-081 acknowledged the lot coverage created by the house, deck, garage, and single parking space for a total lot coverage of 47%. As proposed, lot coverage is at 52.48% total (2036.5 sf.) The allowable exemption for up to 650 sf for the area of an ADU (548 sf, here) brings total lot coverage down to 38.36%.

Affirmative finding as conditioned, if DRB grants exemption from maximum lot coverage limits. The plan has been forwarded to the Stormwater administrator for an assessment of on-site management of the first one inch of stormwater runoff from the area of the ADU; a condition of this lot coverage exemption.

Affirmative finding upon discretionary concurrency of the DRB, and Stormwater plan approval.

Section 5.2.4 Buildable Area Calculation

Not applicable.

Section 5.2.5 Setbacks

See Table 4.4.5-3, above.

Section 5.2.6 Building Height Limits

See Table 4.4.5-3, above.

Section 5.2.7 Density and Intensity of Development Calculations

The addition of an ADU does not alter the density of the principal use. The property remains a single family residence for the purpose of density. **Affirmative finding.**

Part 3: Non Conformities

The parcel is currently non-conforming to parking (only one parking space). This application, with the creation of a new parking space, will render the parcel conforming to parking. The ADU has no parking requirement. **Affirmative finding.**

Sec. 5.4.8 Historic Buildings and Sites

53 Front Street is not listed on the state or National Register of Historic Resources.
Not applicable.

Article 6: Development Review Standards

Part 1: Land Division Design Standards

Not applicable.

Part 2: Site Plan Design Standards
Sec. 6.2.2 Review Standards

(a)Protection of Important Natural Features:

The replacement accessory structure is located in the same location as the existing shed/garage. **Affirmative finding.**

b) Topographical Alterations:

No topographical alterations are proposed. **Affirmative finding.**

(c) Protection of Important Public Views:

There are no protected public views from or through this property. **Affirmative finding.**

(d) Protection of Important Cultural Resources:

Neither the house nor the garage are listed on the state or National Register of Historic Places. Not applicable.

(e) Supporting the Use of Renewable Energy Resources:

There is nothing within the application that would preclude the use of wind, solar, water, geothermal or other renewable energy resource. **Affirmative finding.**

(f) Brownfield Sites:

53 Front Street is not listed on the Vermont Department of Environmental Conservation's Brownfield website. **Affirmative finding.**

(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.

Both entrances on the south and west elevations have entry canopies to provide a measure of protection from inclement weather.

The Stormwater / EPSC plan requires review and approval by the Stormwater Program manager; specifically as conditioned by Section 5.2.3. (b) 10. **Affirmative finding as conditioned.**

(h) Building Location and Orientation:

The new accessory structure is situated in the same location as the existing garage/shed. The entrance for the ADU is located on the south elevation, with a walkway leading to the public right-of-way. The sauna/storage portion has a sliding door on the east elevation, facing the house. See Plan PZ2 as revised. **Affirmative finding.**

(i) **Vehicular Access:** There is presently a singular, undersized parking space immediately on the south property line, recognized in a prior approval. This application proposes adding a second parking space adjacent to it; allowable by Section 8.1.12-1. **Affirmative finding.**

(j) Pedestrian Access:

The site plan includes a new walkway from the parking area to the ADU entrance. See Plan PZ-1, as revised. **Affirmative finding.**

(k) Accessibility for the Handicapped:

ADA review is under the jurisdiction of the building inspector.

(l) Parking and Circulation:

As noted, there is one existing parking space; a second is proposed. The ADU has no minimum parking requirement. **Affirmative finding.**

(m) Landscaping and Fences:

The site plan acknowledges existing fences, their installation mirroring the 38.5 property width of the tax map. **Affirmative finding.**

(n) Public Plazas and Open Space:

Not applicable.

(o) Outdoor Lighting:

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

What appears to be a wall sconce is evident on the East elevation. Should lighting be provided, specification sheets with illumination levels shall be provided to staff for review. **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 location of trash and recycling storage is not identified; it is assumed it will be placed within the storage portion of the new building. If a different location is identified, it must be included on the site plan as appropriate.

The location of the mailbox for the ADU needs to be identified.

The condensing unit illustrated on the site plan and the west elevation falls within a required setback. The unit must be relocated, and potentially screened. **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 replacement accessory structure does not greatly diverge from the massing of the existing structure (see Google image, above.) The height does not exceed 15', and it ranges from one story (sauna, storage) to 1 ½ stories for the ADU with storage on the upper level. **Affirmative finding.**

2. Roofs and Rooflines.

Gabled, asphalt roofs are proposed for the new structure; consistent with the existing garage/shed. **Affirmative finding.**

3. Building Openings

The building is smartly designed with paired windows on the east elevation; sized and trimmed out to reflect the historic double hung window pattern of the house, but with awning windows in the top sash, and wood bead board on the bottom. Doors to the sauna and storage area are wood paneled. A fiberglass door is on the rear (west) of the sauna, and a clad wood full glass door for the rear entrance to the ADU. The north elevation has no building openings. **Affirmative finding.**

(b) Protection of Important Architectural Resources:

Not applicable.

c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:

The proposed detached structure is not likely to be easily discernable from the public right-of-way; however the east elevation is well appointed and sympathetic to the existing primary structure. **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.

Wood clapboard and wood bead board are proposed as exterior sheathing materials, with wood trim, wood clad windows and wood overhang brackets and asphalt roofing. All are acceptable for new construction. **Affirmative finding.**

(f) Reduce energy utilization:

All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances. **Affirmative finding as conditioned.**

(g) Make advertising features complementary to the site:

Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

The plan for lighting the exterior of the detached structure shall be provided to staff to confirm that building entrances shall be visible and adequately lit.

Construction shall adhere to all building and life safety codes as defined by the building inspector. **Affirmative finding as conditioned.**

Article 8: Parking

A single family home in the Neighborhood Parking district requires 2 parking spaces. The approved site plan (ZP95-081) acknowledged a single parking space on the south property line.

This application will provide the full complement of two spaces. The ADU has no parking requirement. **Affirmative finding.**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, the Stormwater Program Manager must *determine that proposed location, site design, and improvements will enable on-site management of the first one inch of stormwater runoff from the lot area of the ADU exceeding the applicable lot coverage limit, and will not have undue adverse impact on public rights of way.*
2. If lighting is proposed, specification sheets with illumination levels and identification of placement shall be provided to staff for review and approval.
3. The location of the mailbox for the ADU needs to be identified on elevations or site plan as appropriate.
4. The condensing unit illustrated on the site plan and the west elevation falls within a required setback. The unit must be relocated out of required setbacks, and potentially screened from view. **A revised site plan will be required to demonstrate compliance to setback.**
5. All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
6. The construction of a new accessory structure does not imply conversion of the site/use to a duplex. An accessory dwelling unit does not influence the density on the site, which remains a single family dwelling for purposes of density calculation.
7. **Prior to release of the zoning permit**, the applicant shall provide written proof of sufficient wastewater capacity as certified by the Department of Public Works.
8. A state waste water permit is required. It is the applicant's obligation to secure this permit prior to issuance of a Certificate of Occupancy.
9. The accessory dwelling unit may not consist of more than 900 sq. ft. or 30% of the gross floor area of the principal home, whichever is greater.
10. Either the principal residence or the accessory dwelling unit must be occupied by the property owner.
11. A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of the Certificate of Occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No Certificate of Occupancy shall be issued for the unit unless the owner has recorded such a notice.
12. Discontinuance of Accessory Units: Approval of an accessory dwelling unit is contingent upon owner-occupancy of either the principal or accessory dwelling unit as a primary residence. For purposes of this section, owner-occupancy means that, after the creation of the accessory unit all individual listed on the deed for the property must reside in the principal unit or in the accessory unit. If neither the principal unit nor the accessory unit is owner-occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory

dwelling unit must be removed within 90 days of the entirety of the property being occupied as a single unit. When an accessory unit that is the result of additional square footage and/or a new accessory structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval. Furthermore, where additional square footage is added to a single family home for purposes of creating an accessory unit and the accessory unit is at any point discontinued, none of the additional square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.

13. Not more than four unrelated adults may occupy either dwelling unit per the Functional Family provisions of the Comprehensive Development Ordinance.
14. 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.

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 AUG 19 1994
 DEPT. OF
 PLANNING & ZONING

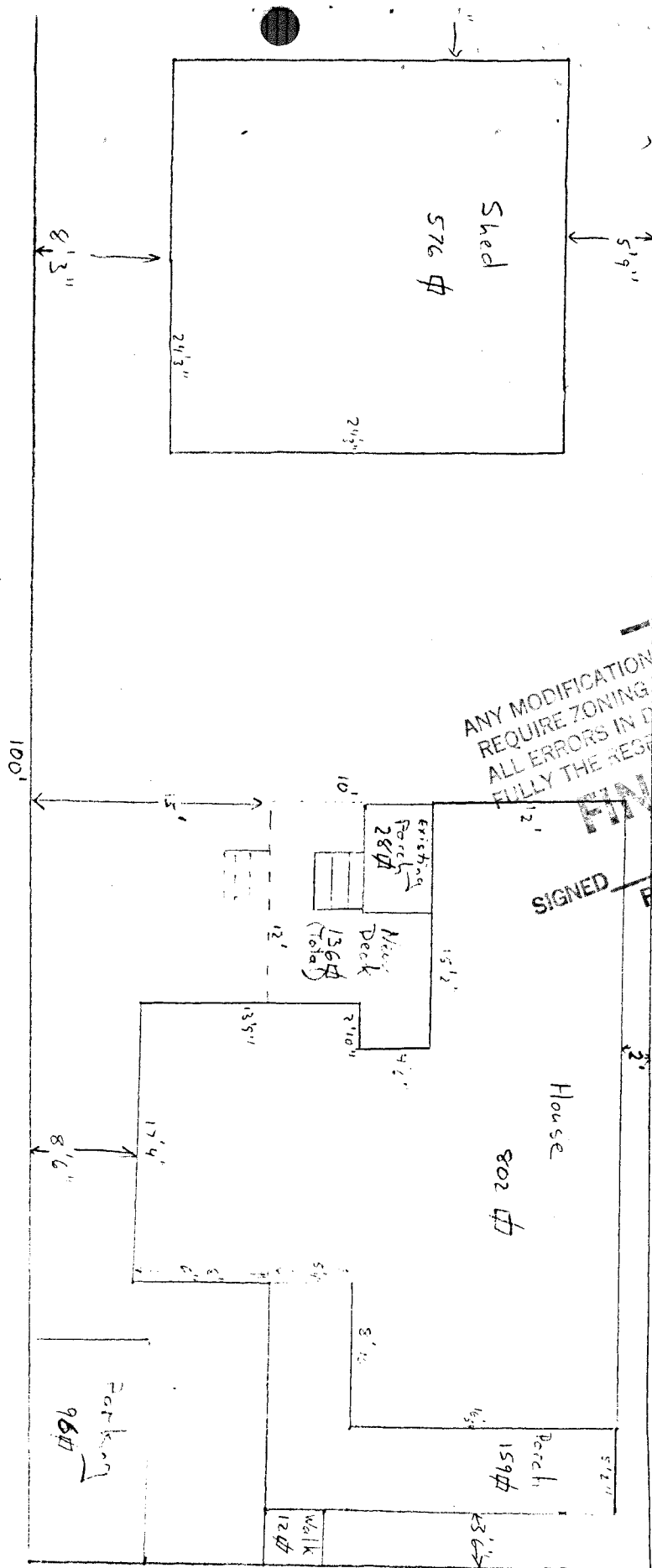
NOTE -
 ANY MODIFICATIONS OR DEVIATIONS FROM THESE PLANS
 REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION.
 ALL ERRORS IN DIMENSIONS, PLANS OR DETAILING ARE
 FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL

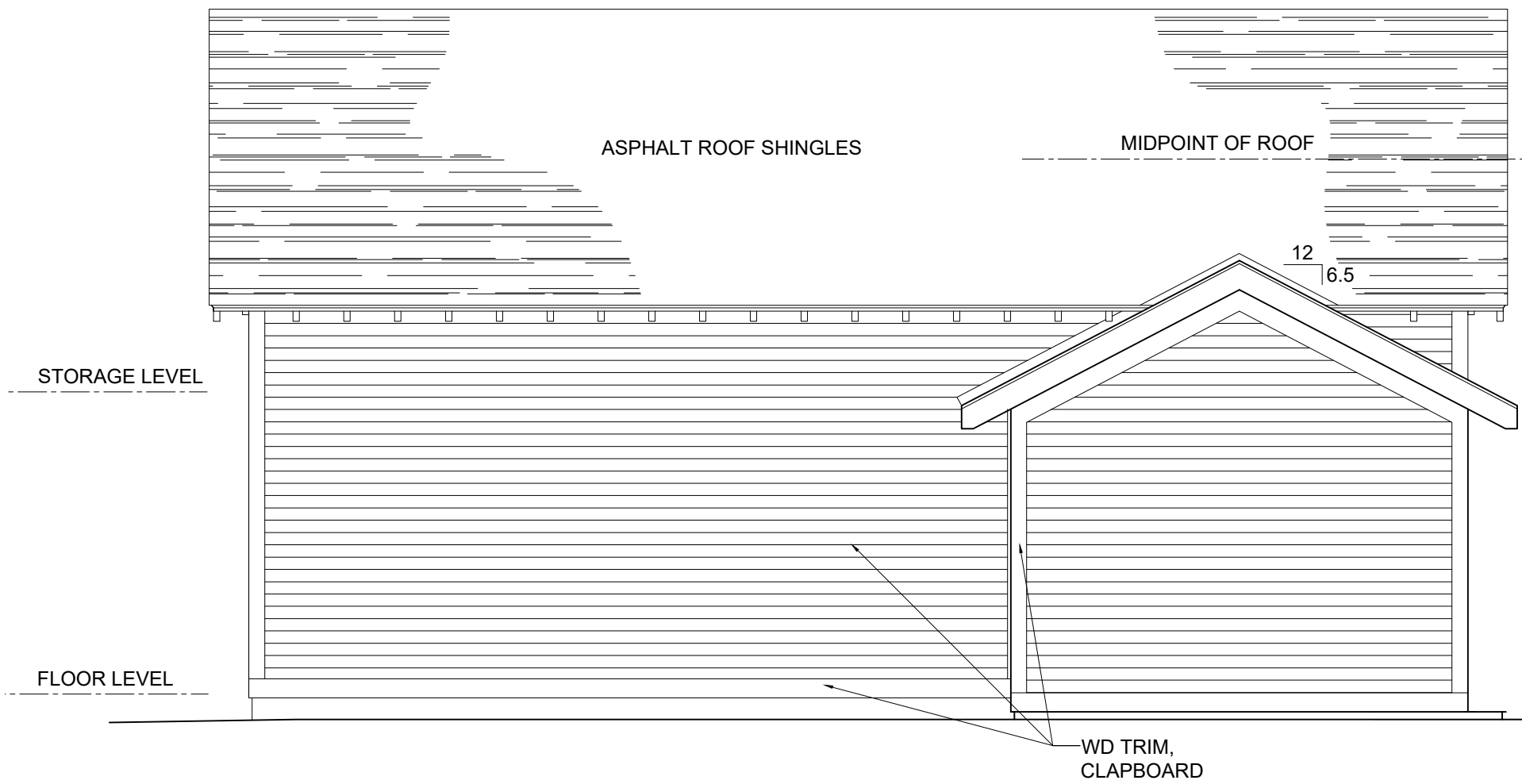
SIGNED

PLANNING & ZONING DEPARTMENT
 BURLINGTON, VERMONT

DATE 8/24

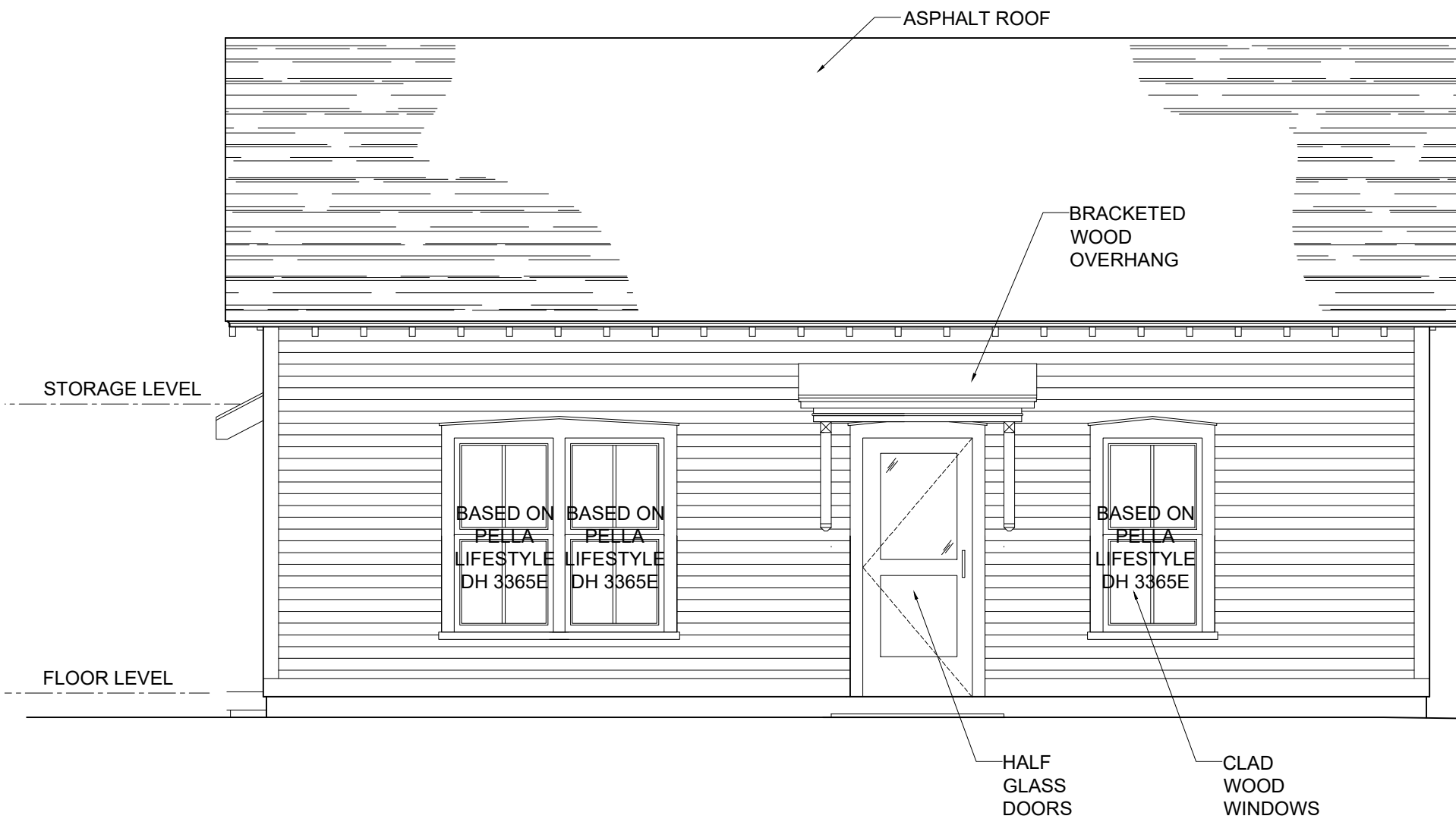


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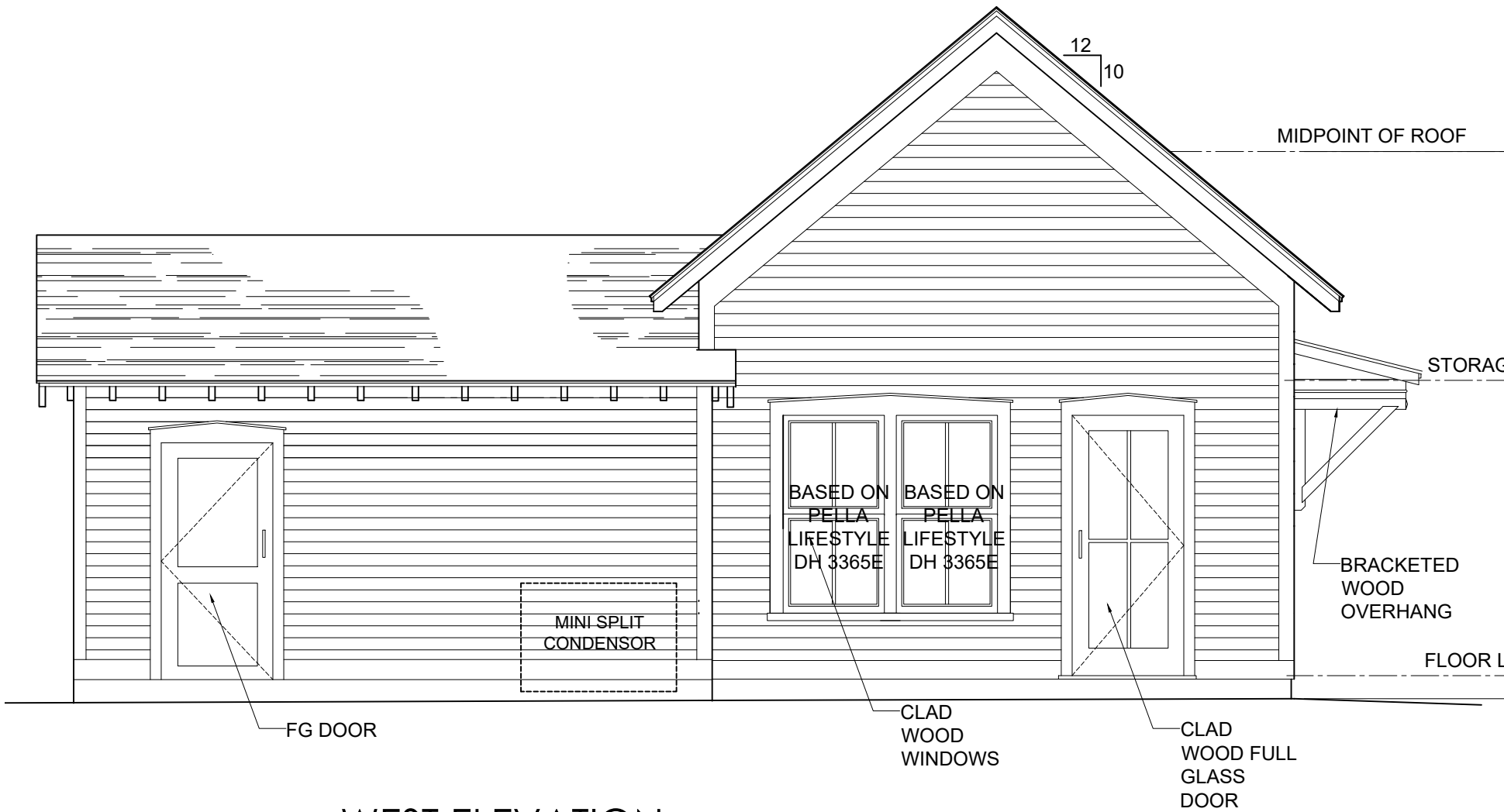
NORTH ELEVATION

SCALE: 1/4"=1'-0"



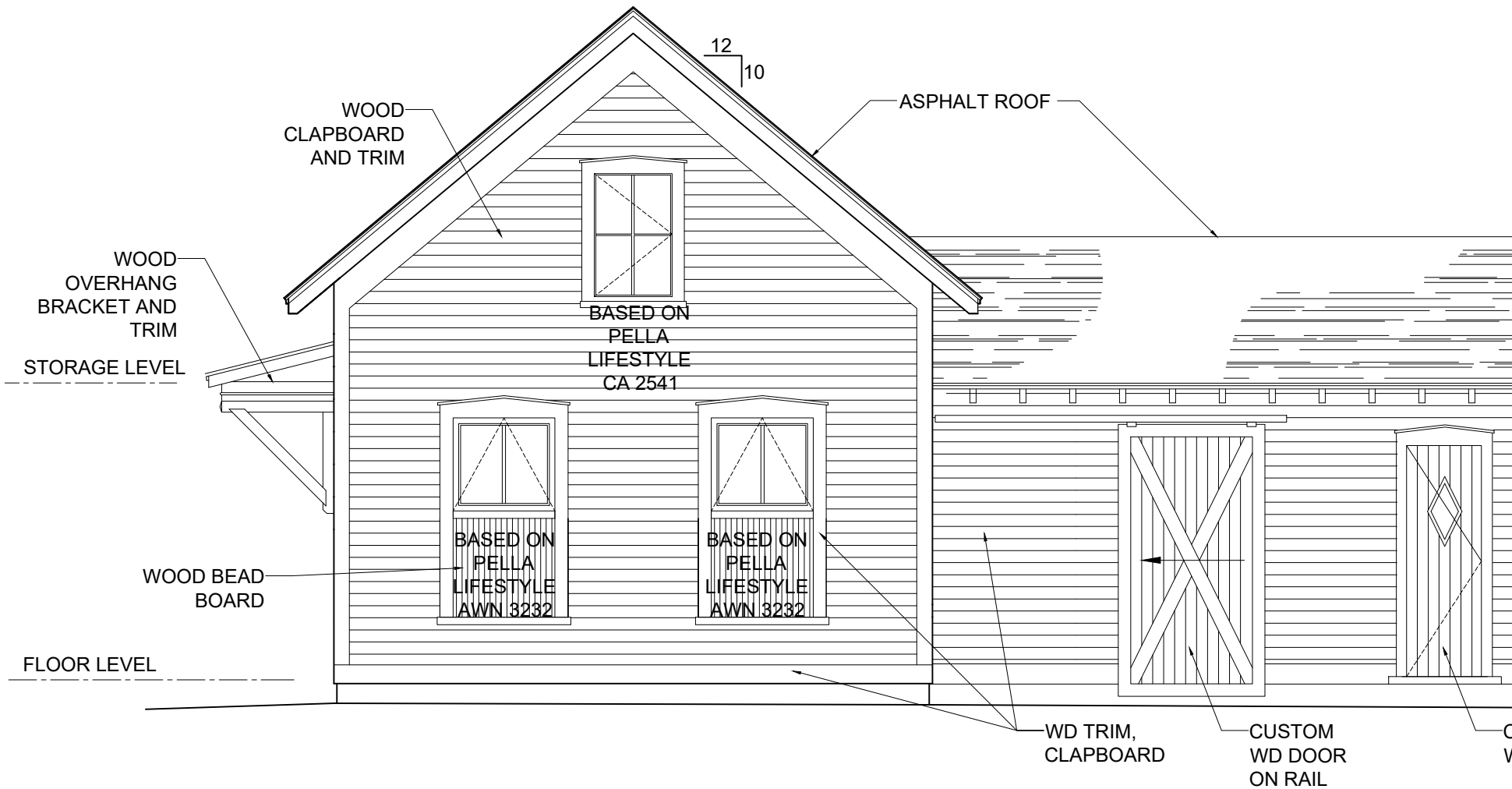
SOUTH ELEVATION

SCALE: 1/4"=1'-0"



WEST ELEVATION

SCALE: 1/4"=1'-0"



EAST ELEVATION

SCALE: 1/4"=1'-0"





VIEW WEST TOWARDS GARAGE



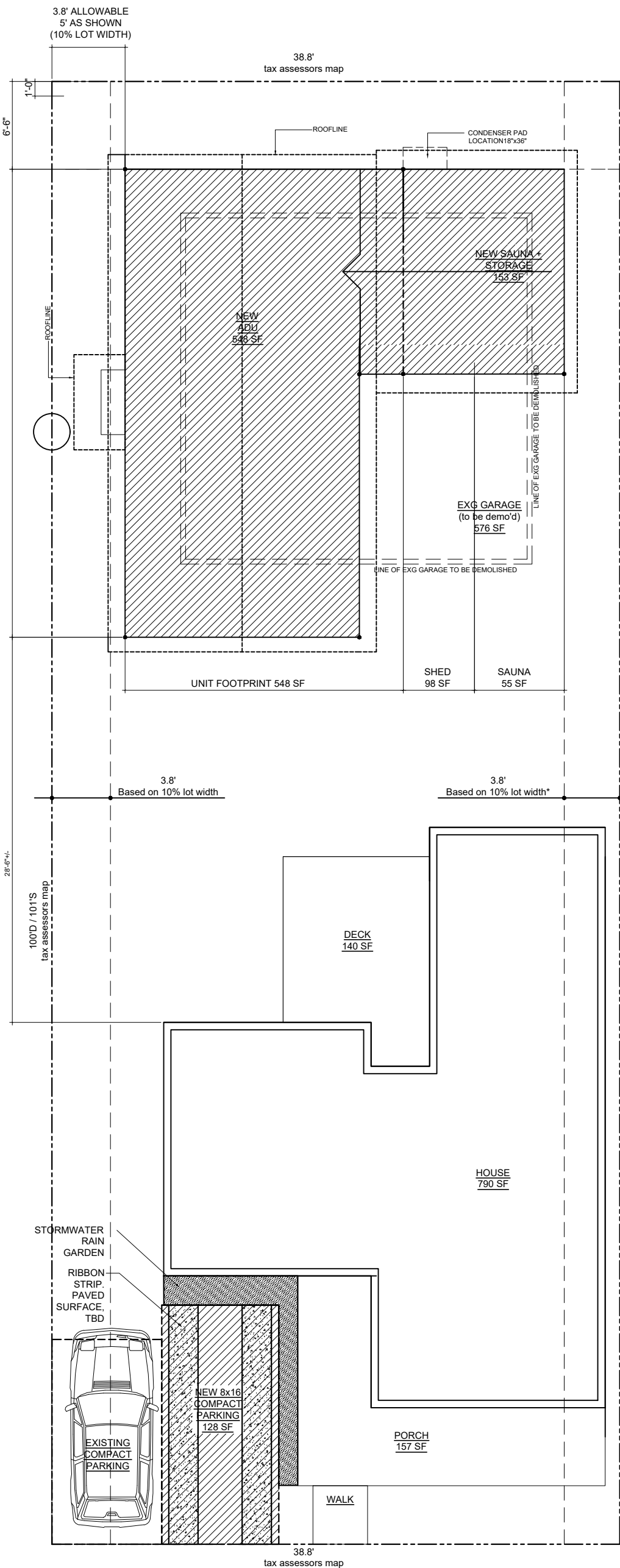
VIEW NORTHWEST TOWARDS GARAGE & NEIGHBORING PROPERTY



SOUTH/EAST ELEVATION



WEST ELEVATION



PROJECT SITE: 53 FRONT ST

SITE: 3880 SF (TAX PARCEL MAP+ PREVIOUS PERMIT)

ZONING: RM -40% PRINCIPAL +10% ACCESSORY
ADU-800 SF MAX. OR 30% GFA (650 SF EXEMPT FROM LOT COVERAGE)

COVERAGE: **ALLOWABLE: (Principal-40%+Accessory-10%): 1940 SF**
1552 SF +388 SF

EXISTING COVERAGE: (45%) per previous permit 1767 SF

PROPOSED PRINCIPAL COVERAGE

Existing House, Driveway, Sidewalk (790+104)*	1191 SF
New Second Parking Spot:	128 SF
New Storage and Sauna:	153 SF
Proposed Coverage (excl. ADU): (38%)	1472 SF

New ADU: 548 SF

Proposed Coverage (w/ ADU): (52%) 2020 SF

(ADU PUSHES TOTAL COVERAGE (40%+10%)
150 SF ABOVE ALLOWABLE COVERAGE.
ALLOWABLE WITH 5.2.3 (B) 10)

EXISTING ACCESSORY COVERAGE

Existing Front Porch, Existing Back Deck, (8%)	297 SF*
--	---------

TOTAL PROPOSED COMBINED COVERAGE (principal plus accessory) 2317 SF

LOT COVERAGE ABOVE ALLOWABLE: 377 SF
(EXEMPT PER ZONING REGS 5.2.3.b.10)

STORMWATER: Proposed stormwater solution captures 332SF from main house and porch, as shown

SETBACKS: As noted on plan

FRONT: Average of neighboring houses (2 sides each) +/- 5'

SIDES: 10% Lot Width (38.8') or the avg of 2 neighboring (of relevant sides)

REAR: 25% Lot depth (25'). Accessory Structures permitted inside setback 15' or less

*SF NUMBERS TAKEN FROM PREVIOUS PEWRMIT SUBMITTAL AS REQUESTED BY ZONING ADMIN.

NOTE: PROPERTY FENCE LINES ARE SET AT 38.5' APART

251-253 SOUTH UNION STREET

BURLINGTON VERMONT

BUILDING SIZE: 8,058 sf
SITE: .91 acres (Complies with 4.4.5.1)
FRONTAGE: 139 feet on South Union Street (Complies with 4.4.5.1)
YEAR BUILT: 1848 (plus renovations following)
STORIES: 2 levels + basement
PARKING: 11 paved spaces + 6

BASE COVERAGE, RL: 35% of 20,140 = 7,049 sf (no bonus) 4 units permitted
COVERAGE at RL: 50% of 20,140 = 10,070 sf with adaptive re-use bonus
COVERAGE at RM: 40% of 18,585 = 7,434 sf no bonus; 8 units permitted
COVERAGE at RM: 48% with inclusionary bonus



from sale brochure
(donahue)



from sale brochure
(donahue)

BUILDING SIZE PER PROPERTY DATABASE = 8,058 GSF
25% OF 8,058 = 2,014 SF ADDITION ALLOWED

UNIT COUNT
R-L = 10 +2 UNITS
R-M = 10 UNITS

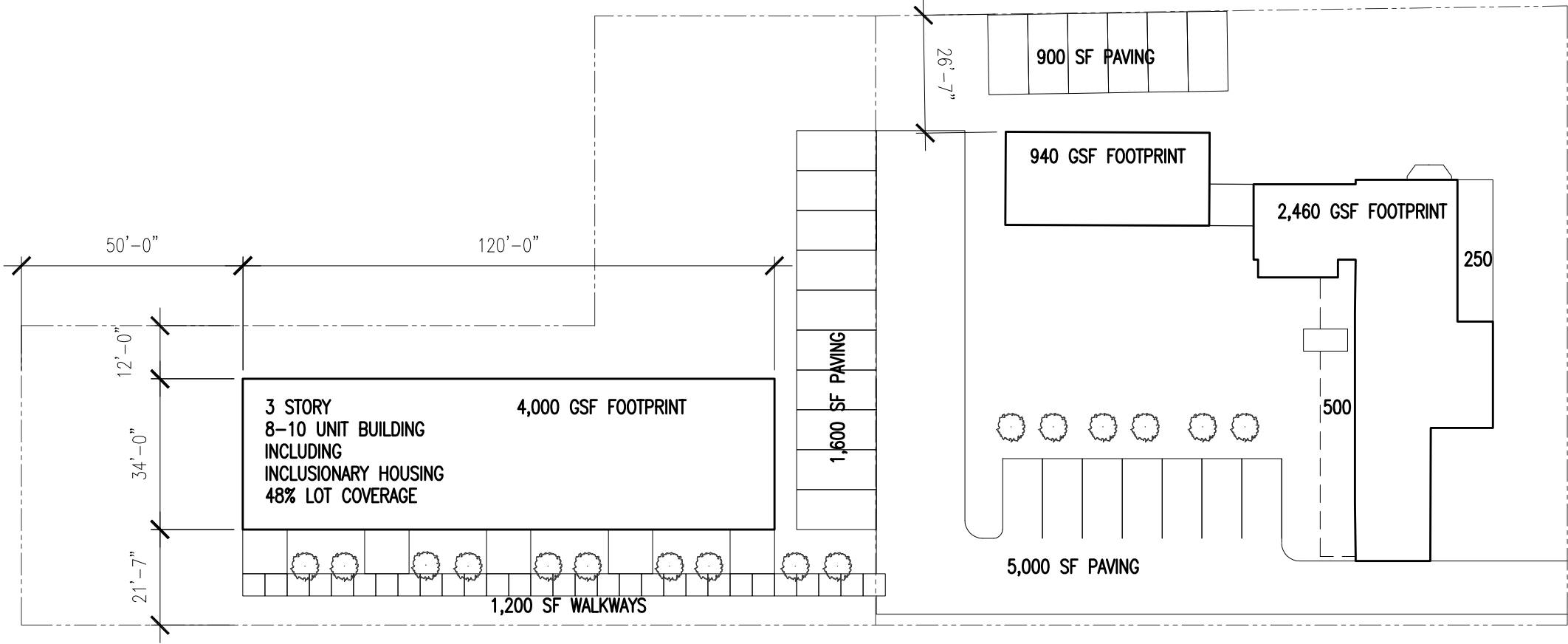
PARKING
23 SPACES PROVIDED

RM AREA
+/-17,450 SF
8,376 COVERAGE ALLOWED
W/INCLUSIONARY BONUS

COVERAGE
4,000
1,200
1,600
6,800 SF

RL AREA
+/-21,625 SF
10,812 SF COVERAGE ALLOWED
WITH ADAPTIVE REUSE

COVERAGE
900
2,460
500+250
5000+900
10,010 SF



2 STORY + BASEMENT
HISTORIC STRUCTURE



251-253 SOUTH UNION STREET
BURLINGTON VERMONT

NO PROPOSED CHANGE
TO THE STREET FACING
ELEVATION

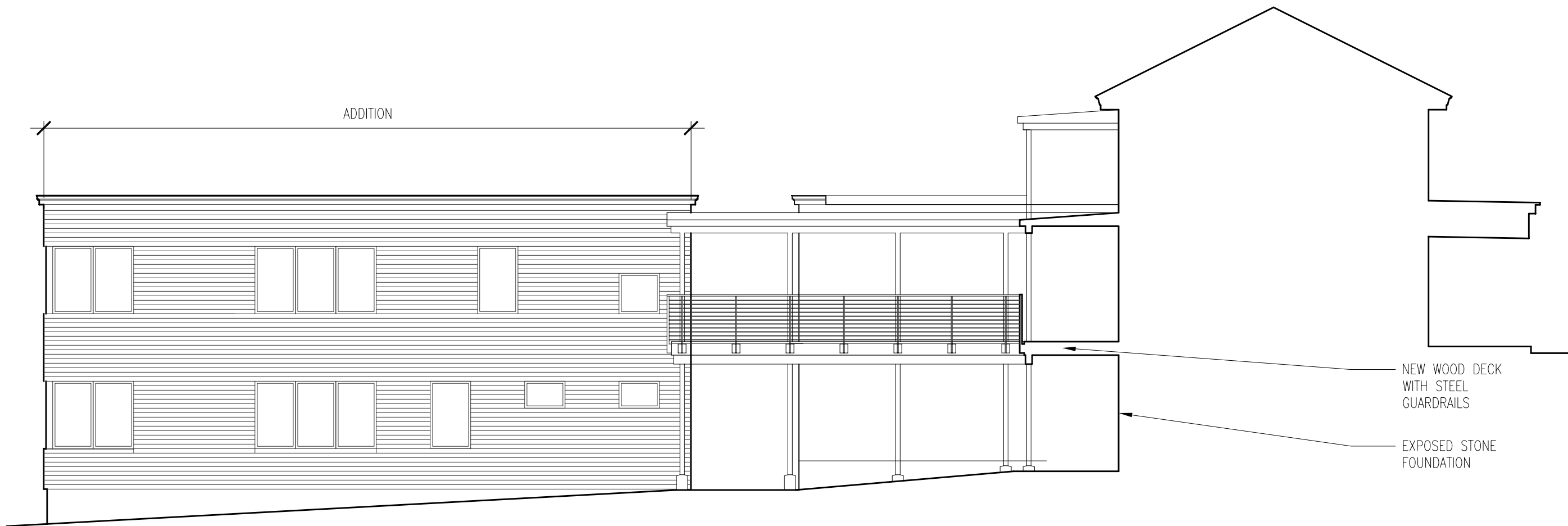


2 EXISTING - NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 EXISTING - WEST ELEVATION
SCALE: 1/8" = 1'-0"

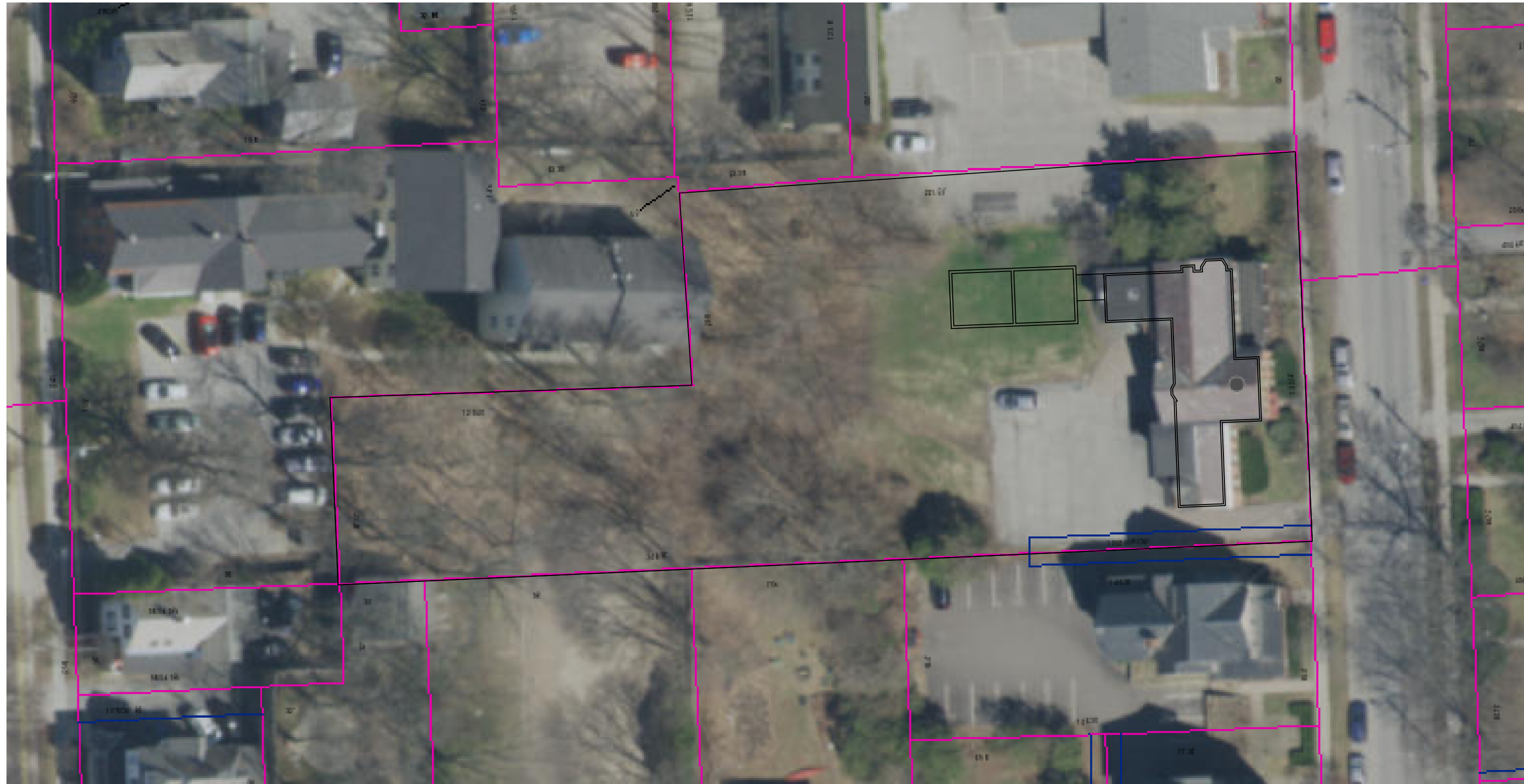




1

PROPOSED - SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



251-253 SOUTH UNION STREET
BURLINGTON VERMONT

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone: (802) 865-7188

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
vacant, Permit Technician
Ted Miles, Code Compliance Officer
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Scott Gustin & Ryan Morrison
DATE: November 16, 2021
RE: ZSP-21-12; 251-253 South Union 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 & RM Ward: 6S

Owner/Applicant: Two Fifty Three South Union, Realty LLC / Stephen Kredell

Request: Sketch plan review of adaptive reuse conversion of historic structure from commercial to residential use and addition. Also, construct detached residential building in RM portion of the property.

Applicable Regulations:

Article 3 (Applications, Permits, and Project Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards), Article 8 (Parking), Article 9 (Inclusionary & Replacement Housing), Article 11 (Planned Unit Development)

Background Information:

The applicants have requested sketch plan review of a proposal to convert an existing office building into a multi-family residence of 12 units, including a rear addition, and to construct a new detached multi-family residence of 10 units. Related site circulation and parking are also included.

The office building was originally constructed as a residence but has been used as office space since the 1960's. The building is on the National Register of Historic Places and dates to 1848. The proposed residential conversion qualifies for the "adaptive reuse" bonus under Article 4.

The property is split between Residential – Low Density along South Union Street and Residential Medium Density downhill to the west. The second detached multi-family residence triggers review of the project as a planned unit development (PUD). Given its location in the RM zone, PUD is permissible.

Given the number of proposed dwelling units, major impact and inclusionary zoning requirements are applicable.

Previous zoning actions for this property:

- 3/4/21, Denial to change general office use to neighborhood commercial use (health studio and medical office)
- 7/12/89, Approval to install a compressor and new window

- 8/28/86, Approval to construct exterior egress stairs behind the building
- 3/10/82, Approval to install a replacement parallel sign
- 8/1/77, Approval to convert an apartment into expanded office space
- 7/11/67, Approval to convert the first floor residential space into office space

I. Findings

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 proposed residential development is located within a residential area and will be supported by existing infrastructure. Specifics as to impacts on public utilities and services are noted in subsection (b) below.

- 2. The character of the area affected as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal development plan;*

The property is split between two residential zones – Residential Low Density and Residential Medium Density. Elimination of the nonconforming commercial use and introduction of residential use is consistent with the express purpose of the residential zones.

- 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 residences are not expected to generate nuisance impacts from noise, odor, dust, and the like.

- 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 information is included in the sketch plans. While the overall unit count proposed is too small to require a comprehensive traffic analysis, the permit application should include at least basic traffic information as to anticipated daily and peak hour trip generation.

- 5. The utilization of renewable energy resources;*

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

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

None identified.

(b) Major Impact Review Standards

1. Not result in undue water, air, or noise pollution;

The proposed redevelopment and new construction is not expected to result in undue water, air, or noise pollution. It will connect to the city sewer and water systems. Stormwater is addressed under Sec. 5.5.3.

2. Have sufficient water available for its needs;

See Sec. 3.5.6 (a) 1.

3. Not unreasonably burden the city's present or future water supply or distribution system;

See Sec. 3.5.6 (a) 1.

4. Not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;

An erosion prevention and sediment control plan will be required upon project application. A post-construction stormwater management plan will also be required. Both will be subject to review and approval by the Conservation Board and the city's Stormwater Program staff.

5. Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed;

See Sec. 3.5.6 (a) 3.

6. Not cause an unreasonable burden on the city's ability to provide educational services;

This multi-unit residential development may provide housing for families with school age children. As required, school impact fees will be paid to help offset impacts on the city's school system.

7. Not place an unreasonable burden on the city's ability to provide municipal services;

This project constitutes infill development and will utilize existing infrastructure. Incremental impacts on city services will be offset with payment of impact fees.

8. Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;

See Sec. 6.2.2 (a) & 6.3.2 (b).

9. Not have an undue adverse effect on the city's present or future growth patterns nor on the city's fiscal ability to accommodate such growth, nor on the city's investment in public services and facilities;

This project will introduce additional housing into a property located within residential zones. The long-standing nonconforming commercial use will be replaced with dwelling units, and a new detached apartment building will be constructed downhill from the existing historic building. The adaptive reuse of the historic structure will result in a relatively high density count due to the bonus intended to encourage such conversion. The detached apartment building will be built to medium density residential standards. The project will have no adverse impact on the city's present or future growth patterns.

10. Be in substantial conformance with the city's municipal development plan;

The proposed development conforms to the express goals of the city's municipal development plan in a number of ways.

- The project includes the adaptive reuse and preservation of a prominent historic building (Distinctive – Policies)
- The project constitutes infill development and redevelopment of an under-utilized property close to downtown and the institutions (Dynamic – Policies).
- The new development will comply with current energy efficiency standards and will tie into existing infrastructure (Dynamic – Policies).
- The development will result in new housing in a presently under-developed site. While details are lacking in the sketch plans, onsite inclusionary units will be required (Inclusive – Policies).
- This development is sited in close proximity to transportation corridors and multiple means of transportation (Connected – Policies).

11. Not have an undue adverse impact on the present or projected housing needs of the city in terms of amount, type, affordability and location;

This project will add to the city's housing stock. No details have been provided as to pricing, but affordability requirements as articulated in Article 9 of the CDO must be met. It will have no adverse impact on the present or projected housing needs of the city.

12. Not have an undue adverse impact on the present or projected park and recreation needs of the city.

Residents of the project may utilize the city's parks and recreation resources; however, impacts are expected to be moderate and typical of new residential development. Impact fees will be paid to help offset what impacts there are on park resources.

(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 residential development is not expected to generate offsite noise or glare substantial enough to require mitigation.

2. Time limits for construction.

No construction schedule is included in the sketch plans. The standard time frame is 3 years (1 year to start and 2 more to finish) with one phase.

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

Hours of operation do not pertain to the proposed residential development.

No days or hours of construction are noted in the sketch plans. Typical days and hours of construction within residential neighborhoods are Monday – Friday from 7:00 AM – 5:00 PM. Saturday construction may be allowed upon request. No work on Sunday. Given the two buildings involved in this application, the applicant may wish to consider a phasing schedule for project construction.

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.

To be addressed in conditions of approval.

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(1) Residential Low Density (RL)

The top of the subject property is located in the RL zone. This zone is intended primarily for low density residential development in the form of single detached dwellings and duplexes. The adaptive reuse of the historic building will result in a multi-family residence that is typically not allowed in the RL zone; however, the adaptive reuse bonus allows for such higher density development in order to encourage conversion of nonconforming commercial uses to residential.

(3) Residential Medium Density (RM)

Approximately the rear half of the property is located in the RM zone. The Residential Medium Density (RM) district is intended primarily for medium density residential development in the form of single family detached dwellings and attached multi-family apartments. The proposed detached multi-family apartment building is consistent with this intent.

(b) Dimensional Standards and Density (RL)

The historic building and related addition will contain 12 dwelling units. There is no unit/acre density limit associated with the adaptive reuse bonus.

Existing lot coverage within the RL portion of the property is about 34%. As proposed, lot coverage would total 46.3%. This percentage is below the maximum permissible 50%.

The front yard setback will remain unchanged. The 139' lot width results in 14' side yard setbacks. As proposed, the rear addition to the historic building will be set 26' 7" from the nearer side property line. The rear yard setback will be well over 100' (75' is the maximum required).

The rear addition is just 2 stories tall and is lower than the height of the historic building in front of it.

(b) Dimensional Standards and Density (RM)

The detached apartment building would contain up to 10 dwelling units. On the 17,450 sf RM portion of the property, this figure amounts to 25 units/acre. This density is allowable with the density increase associated with the required inclusionary housing units.

Proposed lot coverage is 39%. This lot coverage is below the standard permissible 40%.

The front yard setback will remain unchanged. The lot narrows to ~ 67.5' in back. The 10% minimum required side yard setback is ~ 7'. As proposed, the building will be set 12' from the nearer of the two side yard lines.

No building height information is included in the sketch plans.

(c) Permitted and Conditional Uses

The proposed adaptive reuse of the historic building entails conditional use review. The proposed multi-family residence in back is a permitted use.

(d) District Specific Regulations

6. Residential Development Bonuses

B. Adaptive Reuse Bonus

Development in excess of the limits set forth in Tables 4.4.5-2 and 4.4.5-3 may be permitted by the DRB subject to conditional use review for the conversion of an existing non-conforming nonresidential principal use within a historic building to a conforming residential use subject to all of the following conditions:

- (i) *The building shall be listed or eligible for listing in the United States Department of the Interior's National Register of Historic Places or the Vermont State Register of Historic Places;*

The existing brick building is included within the National Register of Historic Places.

- (ii) *The gross floor area shall not exceed the pre-redevelopment gross floor area of the existing structure by more than twenty-five (25) percent;*

The sketch plans note "GSF Footprint" of the existing building and addition. The 25% limitation pertains to the gross floor area, not the footprint. Clarification will be needed upon permit application as the existing and proposed GFA.

- (iii) *The density limits of the underlying residential zoning district in Sec 4.4.5(b) above shall not apply. The intensity and extent of development shall be limited by gross floor area maximum in (ii) above and Table 4.4.5-6 below;*

See above.

- (iv) *The adaptive reuse and rehabilitation conforms to the requirements of Art 5, Historic Buildings;*

See Sec. 5.4.8.

- (v) *Neighborhood commercial uses less than 2,000 sqft gross floor area may be permitted by the DRB subject to the applicable requirements of Sec. 4.4.5(d)(5)(A) above. Neighborhood commercial uses 2,000 sqft or larger in gross floor area shall not be permitted. In combination, the sum of neighborhood commercial uses shall be limited to no more than 50% of the gross floor area of the existing structure; and,*

Not applicable.

(vi) *Lot coverage shall not exceed:*

Table 4.4.5-6: Adaptive Reuse Bonus

District	Maximum Coverage
RL, RL-W	Greater of 50% (62% with inclusionary allowance), or expansion up to a total of 125% of pre-existing building coverage.
RM, RM-W	Greater of 60% (72% with inclusionary allowance), or expansion up to a total of 125% of pre-existing building coverage.
RH	Greater of 80% (92% with inclusionary allowance), or expansion up to a total of 125% of pre-existing building coverage.

As noted above, proposed lot coverage is 46.3% in the RL portion of the property. This coverage is within the acceptable limits for an adaptive reuse project.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.2 (b).

Sec. 5.2.4, Buildable Area Calculation

See Sec. 4.4.2 (b).

Sec. 5.2.5, Setbacks

See Sec. 4.4.2 (b).

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.2 (b).

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.2 (b).

Part 4: Special Use Regulations

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.

251-253 South Union Street is listed on the National Register of Historic Places (South Union Street Historic District) and on the State of Vermont Historic Sites & Structures Register.

(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 Henry Shaw House was constructed as a dwelling, c. 1848. The building is currently permitted as general office space with a single upstairs apartment. The current building configuration is as it is noted on the National Historic Register: a 2 ½ story central block with ells to the north and south (all gable roofed), and an additional flat-roof ell at the rear.

The proposal will bring the property back to its historic residential use, although with 22 residential units in comparison to the original single family use. No exterior changes are proposed to the existing structure.

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.*

The existing structure will remain as-is. The proposal involves a 2-story, flat roofed addition that will be used for additional dwelling units which connects to the rear of the existing building via open/covered decking. Given that the addition will be at the rear of the existing structure, and approx. 70 ft from the South Union Street sidewalk, it will not detract from the primary structure's historic characteristics.

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.*

As noted above, no exterior changes are proposed for the existing structure. As documented in the National Historic Register listing, the three portions of the main structure (central block and northern and southern ells) have common bond brick bearing walls, stone foundations, and boxed cornices. The existing rear ell has wood clapboard siding. The proposed addition will also be sided with wood clapboard to match the rear ell, but will differentiate from the existing structure's

main siding, which is brick. Conjectural features from other properties are not proposed. The building addition is clearly a product of its own time and obvious in its new design.

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

The rear ell does not appear to be part of the original structure, but has acquired historic significance in its own right, as documented in the Historic registers. With the exception of new decking to connect to the proposed addition, no exterior changes are proposed here.

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

As noted above, no exterior alterations are proposed to the historic structure. The proposal consists strictly of a rear building addition, and a detached multiunit structure in the property's rear.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*

Not applicable. The application makes no reference to any features proposed for repair or replacement. Should the applicant identify such features, they can be addressed through the formal zoning permit application.

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.*

No chemical or physical treatments are identified within the submission materials.

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

There are no known archaeological deposits on this site. However, discovery of any resources during construction shall be reported to the Vermont Division for Historic Preservation for assessment, evaluation, and appropriate disposition.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

The proposed addition is connected by open decking off the back of the existing rear ell. However, due to the RL zoning district's limitation to one primary structure allowed per property, this connection will have to be enclosed. The addition itself maintain the same height as the existing rear ell, while being inferior in height when compare to the main, street fronting structure.

As the elevation plans show, the addition will be similar to the rear ell portion of the existing structure with clapboard siding and similarly sized windows. It will, however, differentiate from the main, street fronting structure, both in materials, massing, height and scale. As it is set back from South Union Street facades, it is less discernable by the passerby.

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.

While unlikely, it is conceivable that the new addition could be detached and removed from the existing building without negative impact to the historic resource.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

No outdoor lighting information has been provided with the sketch plans. Upon permit application, details as to fixture types, locations, and illumination levels will be required.

Sec. 5.5.3, Stormwater and Erosion Control

No stormwater management information has yet been provided. Upon permit application, details as to construction site erosion prevention and sediment control will be needed along with post construction stormwater management measures.

Article 6: Development Review Standards

Part 1, Land Division Design Standards

No land division is proposed.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

There will be vegetation removal to accommodate the proposed development, particularly at the rear of the property where the detached multifamily structure is proposed.

(b) Topographical alterations

The property has an east-west downslope.

The property has an east-west downslope. Grading is expected to accommodate the development. An Erosion Prevention and Sediment Control plan will be required for review and approval by stormwater management. Among other things, erosion prevention will be addressed under that review.

(c) Protection of important public views

Not applicable. There are no important public views on and around the property.

(d) Protection of important cultural resources

As noted above, the existing structure is listed as a contributing resource on both State and National Historic Registers. With the exception of a connection point for the rear addition, no exterior alterations are proposed to the existing structure.

(e) Supporting the use of alternative energy

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

(f) Brownfield sites

Not applicable. The property is not listed as a Brownfield Site.

(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.

The applicant will need to submit an Erosion Prevention and Sediment Control plan, and a stormwater plan, to the Stormwater Program Manager for review and approval. Approval will be required prior to zoning permit release.

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 plans indicate a covered second level entrance, and quite possibly at a first level entrance, where the addition joins with the existing structure. No east elevation has been provided to be sure. As noted above, the connection between the existing building and the addition will need to at least be enclosed so that the overall building is viewed as a single building.

Elevation plans for the detached building have not been submitted and they will be required as part of the zoning permit application. The site plan shows a walkway running along the south side of this building, with what appear to be 5 walkways leading to the building. Each of those entrances will need to be covered to protect against the rain, snow, etc.

There appears to be ample room onsite to handle snow storage.

(h) Building location and orientation

The new addition is proposed to the rear of the existing building, and the detached structure will be located in the property's rear. Only surface parking is proposed, no parking structures. No changes to the existing streetscape are proposed.

(i) Vehicular access

No change to the existing curb cut along South Union Street is expected. An internal driveway is proposed to access parking. At the end of the 10-space parking aisle, there is no turnaround area for the last 2 spaces, and there should be one so vehicles can leave the property in a forward fashion. Aside from that, the driveway looks to be approximately 20 ft wide which should allow for adequate back-up space for parking vehicles.

The site plan also shows a 6-space parking area to the north of the proposed addition. These spaces, if part of the development proposal, appear to gain access through 239 South Union Street, a commercial/residential property. Typically, parking spaces are required to be setback a minimum distance of 5 ft from side/rear yard property lines. If these are legally existing nonconforming spaces, then they could presumably be used for the proposed development on 251-

253 South Union Street, assuming an agreement is made between property owners for vehicular travel across 239 South Union Street.

(j) Pedestrian access

Pedestrian access to the existing structure will remain as-is. The site plan shows a walkway between the parking area and the detached multiunit structure. If the attached addition is only accessed via the second level, then it appears that the second level deck along the rear of the existing structure will act as pedestrian access. No walkway is indicated for pedestrian access to a first level entrance. If there will be a first level entrance to the addition, the applicant will need to show this on plans, as well as a pedestrian walkway to it. Lastly, a walkway will be needed between the parking aisle located along the north property line and the new development.

(k) Accessibility for the handicapped

The plans do not address handicap parking or access and will need to. The building inspector has jurisdiction over ADA requirements. By his direction and per Chapter 8 of the Burlington Code of Ordinances, handicap access must be addressed. The applicant is encouraged to work with the building inspector to address these requirements.

(l) Parking and circulation

All parking is proposed behind the primary structure and will be well screened from view from the public street. The plans show little landscaping proposed that will aid in screening parking from neighboring properties. However, both neighboring properties (one a commercial/residential property and the other a duplex) have large parking areas in their backyards, similar in space count with the subject property. And in actuality, the reconfigured parking arrangement will add little to no impact to neighboring properties than from what may exist today.

As noted above, it appears that the last 2 spaces in the 10-space row will have little to no turnaround room to allow for a forward moving exit. This needs to be addressed.

(m) Landscaping and fences

The site plan shows what appears to be new shrubs along the walkway to the detached multifamily structure, and along the interior edge of one parking row. No other landscaping is shown. There is also no indication of fencing. Should fencing be incorporated, the applicant should include that information in the zoning permit application.

(n) Public plazas and open space

There is no requirement within the ordinance to provide a public plaza. The property will, however, provide ample yard/natural space for tenants to utilize.

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

The plans do not include any reference to infrastructure. The applicant will need to include the following within a formal zoning permit application, as applicable: exterior storage areas, machinery and equipment installations, trash and recycling bins/dumpsters, utility meters and structures, mailboxes, etc. New utilities to the detached structure will need to be underground.

The site and elevation plans shall include these aspects, and manufacturer's spec sheets for machinery, utilities, etc. will need to accompany the zoning permit application submittal.

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

The rear addition will be very similar to the existing rear building ell with regards to massing, height, and scale. Since it is located behind the existing development, it will not negatively impact the existing streetscape. The 3-story detached structure will be even farther from the street front, and will create no negative impact to the massing, height and scale of the existing development and streetscape.

2. Roofs and Rooflines.

While the detached structure's roof type is unknown, the addition will have a flat roof to match the roof type and height of the existing rear building ell to which the addition is attaching. Additionally, since both the addition and the detached structure are located behind the primary structure and well screened from the street, they will not have an impact on the surrounding roof types within the neighborhood.

3. Building Openings

No elevation plans have been submitted for the detached multiunit structure. The addition, however, will have appropriately placed windows along each side and no large blank walls. While an east elevation plan was not submitted, it is assumed that there will be a door on the second level, and possibly on the first level. An east elevation will be needed with the zoning permit application submittal.

(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.

As noted above, the existing structure is included in both State and National Historic Registries. No exterior alterations are proposed with the exception of the proposed addition at the rear.

(c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:

All new development will occur behind the primary structure, and thus there will be no impact to the property's existing street edge.

(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.

No plans/elevations for the detached structure have been submitted. The elevation plans for the addition show wood clapboard siding, a concrete foundation, and a new wood deck with steel guardrails. New construction usually warrants a variety of acceptable materials. The addition and detached structure should offer no exception to that allowance. The applicant will need to provide spec sheets for all windows, doors, roofing materials with a future zoning permit application.

(f) Reduce energy utilization:

New structures should take advantage of solar access where available, and shall undertake efforts to reduce the impacts of shadows cast on adjacent buildings where practicable, in order to provide opportunities for the use of active and passive solar utilization.

All new construction is required to meet the Guidelines for Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

(g) Make advertising features complementary to the site:

Not applicable. No signs are proposed.

(h) Integrate infrastructure into the building design:

See Section 6.2.2 (p), above.

(i) Make spaces secure and safe:

Building entrances/entry points shall be visible and adequately lit, and intercom systems for multi-family housing should be incorporated where possible, to maximize personal safety.

New construction shall conform to all building and life safety code as defined by the building inspector and the fire marshal.

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located in the neighborhood parking district. This district requires 2 parking spaces per dwelling unit. Sec. 8.1.6 exempts adaptive reuse projects from minimum parking standards and also exempts inclusionary housing units. With those exemptions, only the proposed multi-family apartment building will have a minimum parking requirement. The 10 dwelling units would require 20 off-street parking spaces, minus parking for the inclusionary dwelling units.

Sec. 8.1.9, Maximum On-Site Parking Spaces

This criterion limits on-site parking spaces to 125% of the minimum requirement. Lacking exemptions, the 22 dwelling units would require 44 parking spaces. As proposed 23 parking spaces would be provided.

Sec. 8.1.10, Off-Street Loading Requirements

Not applicable.

Sec. 8.1.11, Parking Dimensional Requirements

The proposed parking spaces and circulation aisles appear to be compliant with the standards of Table 8.1.11-1.

Sec. 8.1.12, Limitations, Location, Use of Facilities

(a) Off-Site Parking Facilities

None proposed.

(b) Front Yard Parking Restricted

None proposed.

(c) Shared Parking

Not applicable.

(d) Single Story Structures in Shared Use Districts

Not applicable.

(e) Joint Use of Facilities

Onsite parking will be shared by residents of both buildings.

(f) Availability of Facilities

As noted above, the parking to be constructed as part of this development will serve residents and visitors. It may not be used for the storage or display of vehicles or materials.

Sec. 8.1.13, Parking for Disabled Persons

ADA parking details have not been included with the sketch plans. Upon permit application, these spaces shall be marked and signed as required for handicap spaces.

Sec. 8.1.14, Stacked and Tandem Parking Restrictions

Not applicable.

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

Not applicable.

Sec. 8.1.16, Transportation Demand Management

(b) Applicability

This property is not within the multimodal mixed-use parking district, and therefore, does not require a TDM plan.

Sec. 8.2.5, Bicycle Parking Requirements

The 22 dwelling units will require 2 short term bike parking spaces. The number of long term spaces is dependent on the number of bedrooms. Bedroom count is not indicated in the sketch plans. The long term bike parking requirement is 1 per 2 bedrooms.

Article 9: Inclusionary and Replacement Housing

Sec. 9.1.5, Applicability

The project contains more than 5 dwelling units, and therefore, requires inclusionary housing units. Details are not included in the sketch plans, but the typical standard is 15% of the residences must be inclusionary. Details as to the number of inclusionary units and affordability must be reviewed and approved by the city's Housing Trust Fund manager as part of permit application review. The project is of a size and in a location that prohibits payment in lieu or off-site inclusionary units.

Article 11: Planned Unit Development

(a) The minimum project size requirements of Section 11.1.3 shall be met;

There is a 2-acre minimum project size for PUD's in the RL zone. Interestingly, this lot is split between RL and RM zone. There is no minimum lot size for PUD's in the RM zone. The new detached apartment building will be located in the RM portion and, therefore, does not require a 2-acre minimum project size.

(b) The minimum setbacks required for the district have been met at the periphery of the project;
See table 4.4.5-3, above.

(c) The project shall be subject to design review and site plan review of Article 3, Part 4 and the standards of Article 6.
See Articles 3 and 6, above.

(d) The project shall meet the requirements of Article 10 for subdivision review where applicable;
Not applicable.

(e) Density, frontage, and lot coverage requirements of the underlying zoning district have been met as calculated across the entire project;
See Table 4.4.5-3 (above.)

(f) All other requirements of the underlying zoning district have been met as calculated across the entire project;
See Section 4.4.5-3, above.

(g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB
No details as to this criterion have been provided with the sketch plans. Presumably, the units will be condos and the land held in common, or they will be rental units with the land managed by the property owner.

(h) The development plan shall specify reasonable periods within which development of each phase of the planned unit development may be started and shall be completed. Deviation from the required amount of usable open space per dwelling unit may be allowed provided such deviation shall be provided for in other sections of the planned unit development.

As noted previously, a phasing schedule may be appropriate for this development to enable occupancy of part(s) of the development while other part(s) remain under construction. If the applicant chooses to phase the project, a phasing schedule must accompany the permit application.

(i) The intent as defined in Sec. 11.1.1 is met in a way not detrimental to the city's interests;
Sec. 11.1.1, Intent

(a) Promote the most appropriate use of land through flexibility of design and development of land;

The subject property is relatively large and includes significant development potential. The relatively long and narrow lot configuration precludes subdividing the lot for further development. PUD enables appropriate infill development on this parcel that would otherwise be impossible.

(b) Facilitate the adequate and economical provision of streets and utilities;

No new streets are proposed. The redeveloped historic building and the new detached apartment building will tap into existing public utilities.

(c) Preserve the natural and scenic qualities of open space;

The subject property contains no significant open spaces as identified in the Open Space Protection Plan. Resultant lot coverage following completion of development will increase from existing conditions but will remain below permissible limits. Green space will remain onsite.

(d) Provide for a variety of housing types;

All of the proposed dwelling units will be multi-family attached dwellings. No further details are included in the sketch plans. A variety of bedroom counts and dwelling unit sizes is encouraged.

(e) Provide a method of development for existing parcels which because of physical, topographical, or geological conditions could not otherwise be developed;

As noted under criterion (a) above, the configuration of the property precludes subdividing it into additional lots for development. PUD enables additional development of the property that would not otherwise be possible.

And;

(f) Achieve a high level of design qualities and amenities.

As this project includes the adaptive reuse of an historic structure and an addition thereto, design sensitivity will be particularly important. The sketch plans conceptually show an appropriately subordinate rear addition to this historic building. The street-facing primary façade remains unchanged. Design details for the new detached building are lacking. It must relate appropriately to the historic building in front without causing distraction or adversely affecting the historic integrity of the existing building.

(j) The proposed development shall be consistent with the Municipal Development Plan

See Sec. 3.5.6 (b) 10.

(k) Any proposed accessory uses and facilities shall meet the requirements of Section 11.1.6 below.

No accessory uses are included in this sketch plan proposal.

II. Conditions of Approval

None for sketch plan review.



www.vtfiresafety.org

**State of Vermont
Department of Public Safety
Division of Fire Safety
TQP Inspection Report**

Please do not use
handwriting in the
fields to the right.
They should be
filled by typewriter
or printer.

VT State ID**F-14392****TQP Certification No.****T1-2846****Employer ID*****3569****Sticker No.****21-02277****Inspection Date****2/1/21**

☐ **Barre** – McFarland State Office Bldg., 5 Perry Street,
Suite 200, 05641, Phone (802) 479-4434

☐ **Rutland** – 56 Howe Street, Bldg. A, Suite 200, 05701
Phone (802) 786-5867

☒ **Williston** -- 372 Hurricane Lane, Suite 102, 05495
Phone (802) 879-2300

☐ **Springfield** -- 100 Mineral Street, Suite 307, 05156
Phone (802) 885-8883

Name of Building: University of VT Medical Center Modular B Building Site #: _____

911 Address: 111 Colchester Ave.

Town: Burlington Zip Code 05401

Owner: University of VT Medical Center Telephone 802-847-5210

Town: Burlington State VT Zip Code 05401

Inspection type: ☒ Fire Alarm ☐ Suppression ☐ Sprinkler ☐ Generator

If an ID sticker is being removed or replaced provide the inactive VT State ID number: _____

Inspector Name (print): Aaron Fay Employer: University of VT Medical Center

Signature of Inspector:

AFFIX ID STICKER HERE FOR NEW OBJECTS

Violations Noted: ☐ Yes ☒ No (please use additional pages as necessary)

* This ID is not your employer's federal tax ID, it is assigned by the Department - please contact the Department if you are unsure of what number your employer has been assigned.

- A copy of this inspection report must be forwarded to the Regional Office within 15 working days.
- This report does not relieve the Inspection Company of keeping and maintaining the reports required by NFPA.

FIRE ALARM TESTING

DATE: _____

Location #	Building	Floor	Location Description	Type	Inspected by:	Date	Pass/Fail	If Fail, Describe Issue	Action Taken to Correct
ZN6	MOD B	B	BY RM L05	PS	dam	1/8/21	Pass	Fail	
ZN6	MOD B	B	BY RM L05	SD	dam	1/8/21	Pass	Fail	
ZN6	MOD B	B	BY RM L07	SD	dam	1/8/21	Pass	Fail	
ZN6	MOD B	B	BY RM L12	SD	dam	1/8/21	Pass	Fail	
ZN6	MOD B	B	BY RM L14 (BATHROOM)	SD	dam	1/8/21	Pass	Fail	
ZN6	MOD B	B	BY RML15	SD	dam	1/8/21	Pass	Fail	
ZN6	MOD B	B	BY STAIRWELL	PS	dam	1/8/21	Pass	Fail	
ZN6	MOD B	B	BY STAIRWELL	SD	dam	1/8/21	Pass	Fail	
ZN6	MOD B	B	MECHANICAL RM	DD	dam	1/8/21	Pass	Fail	FAN SHUTDOWN
ZN7	MOD B	1	BY RESTROOMS	SD	dam	1/8/21	Pass	Fail	
ZN7	MOD B	1	BY RM 108	SD	dam	1/8/21	Pass	Fail	
ZN7	MOD B	1	BY RM 109	PS	dam	1/8/21	Pass	Fail	
ZN7	MOD B	1	BY RM 109	SD	dam	1/8/21	Pass	Fail	
ZN7	MOD B	1	BY RM 118	SD	dam	1/8/21	Pass	Fail	
ZN7	MOD B	1	BY STAIRWELL	SD	dam	1/8/21	Pass	Fail	
ZN7	MOD B	1	BY STAIRWELL	PS	dam	1/8/21	Pass	Fail	
ZN7	MOD B	1	MECHANICAL RM	DD	dam	1/8/21	Pass	Fail	FAN SHUTDOWN
ZN5	MOD B	2	BY RESTROOM	SD	dam	1/8/21	Pass	Fail	
ZN5	MOD B	2	BY RM 203	SD	dam	1/8/21	Pass	Fail	
ZN5	MOD B	2	BY RM 203	PS	dam	1/8/21	Pass	Fail	
ZN5	MOD B	2	BY RM 219	SD	dam	1/8/21	Pass	Fail	
ZN5	MOD B	2	BY RM 220	SD	dam	1/8/21	Pass	Fail	
ZN5	MOD B	2	BY STAIRWELL	PS	dam	1/8/21	Pass	Fail	
ZN5	MOD B	2	BY STAIRWELL	SD	dam	1/8/21	Pass	Fail	
ZN5	MOD B	2	MECHANICAL RM, ROOM 204	DD	dam	1/8/21	Pass	Fail	FAN SHUTDOWN
ZN5	MOD B	2	TOP OF STAIRWELL	SD	dam	1/8/21	Pass	Fail	
ZN5	MOD B	2	MECHANICAL RM BY RM 220	DD	dam	1/8/21	Pass	Fail	FAN SHUTDOWN
M2-94	MOD B	1	Room 120	CO	dam	1/8/21	Pass	Fail	Note: Alarms Hub Panel

Steve A. Mcdary

2/1/21

13500

DATE: 2/8/21

[illegible]

DATE: 2/8/21

[illegible]

DATE: 2/2/71

[illegible]

FIRE ALARM TESTING

DATE: 7-16-21

Location #	Building	Floor	Location Description	Type	Inspected by:	Date:	Pass/Fail	Alarm activate time	Control Number
M1-20	SMITH	6	PENTHOUSE	FLOW	ML	7-16-21	Pass	42	CN# 11541
M1-19	SMITH	6	PENTHOUSE (Trouble)	TAMP	ML	7-16-21	Pass		CN# 117384
M1-96	SMITH	5	STAIRWELL A	FLOW	ML	7-16-21	Pass	44	CN# 88111
M1-95	SMITH	5	STAIRWELL A	TAMP	ML	7-16-21	Pass		CN# 88110
M2-45	SMITH	4	STAIRWELL A	TAMP	ML	7-16-21	Pass		CN# 11546
M2-46	SMITH	4	STAIRWELL A	FLOW	ML	7-16-21	Pass	44	CN# 117386
M1-45	SMITH	3	STAIRWELL A	FLOW	ML	7-16-21	Pass	47	CN# 117389
M1-44	SMITH	3	STAIRWELL A	TAMP	ML	7-16-21	Pass		CN# 117390
M2-32	SMITH	2	STAIRWELL A	TAMP	ML	7-16-21	Pass		CN# 11560
M2-33	SMITH	2	STAIRWELL A	FLOW	ML	7-16-21	Pass	1:05	CN# 11561
M1-10	SMITH	1	STAIRWELL A	FLOW	ML	7-16-21	Pass	35	CN# 11565
M1-9	SMITH	1	STAIRWELL A	TAMP	ML	7-16-21	Pass		CN# 11564
M2-19	SMITH	B	STAIRWELL A	FLOW	ML	7-16-21	Pass	14	CN# 117369
M2-17	SMITH	B	STAIRWELL A (Trouble)	TAMP	ML	7-16-21	Pass		CN# 11571
M1-36	PATRICK	7	ROOM 712	FLOW	ML	7-16-21	Pass	26	CN# 117378
M1-36	PATRICK	7	ROOM 712 (Trouble)	TAMP	ML	7-16-21	Pass		CN# 11534
M1-27	PATRICK	7	ROOM 712	FLOW	ML	7-16-21	Pass	25	CN# 11537
M1-27	PATRICK	7	ROOM 712 (Trouble)	TAMP	ML	7-16-21	Pass		CN# 11536
M1-90	PATRICK	5	STAIRWELL C	FLOW	ML	7-16-21	Pass	19	CN# 93322
M1-91	PATRICK	5	STAIRWELL C	TAMP	ML	7-16-21	Pass		CN# 93323
M2-54	PATRICK	4	STAIRWELL C	FLOW	ML	7-16-21	Pass	48	CN# 11493
M2-55	PATRICK	4	STAIRWELL C (Trouble)	TAMP	ML	7-16-21	Pass		CN# 11492
M1-51	PATRICK	3	STAIRWELL C	FLOW	ML	7-16-21	Pass	06	CN# 11553
M1-52	PATRICK	3	STAIRWELL C (Trouble)	TAMP	ML	7-16-21	Pass		CN# 11552
M2-4	PATRICK	2	STAIRWELL C	FLOW	ML	7-16-21	Pass	11	CN# 11559
M2-5	PATRICK	2	STAIRWELL C (Trouble)	TAMP	ML	7-16-21	Pass		CN# 11558
M1-55	PATRICK	1	STAIRWELL C	FLOW	ML	7-16-21	Pass	29	CN# 117383
M1-56	PATRICK	1	STAIRWELL C	TAMP	ML	7-16-21	Pass		CN# 11566
M2-61	PATRICK	B	STAIRWELL C	TAMP	ML	7-16-21	Pass		CN# 11573
M2-60	PATRICK	B	STAIRWELL C	FLOW	ML	7-16-21	Pass	19	CN# 117270
M2-103	PATRICK	B	ROOM P-32	TAMP	ML	7-16-21	Pass		CN# 11737
M2-62	PATRICK	B	ROOM P-32	FLOW	ML	7-16-21	Pass	27	CN# 11575
M2-105	PATRICK	B	ROOM P-32	FLOW	ML	7-16-21	Pass	24	CN# 117373
M2-104	PATRICK	B	ROOM P-32	TAMP	ML	7-16-21	Pass		CN# 117374
M2-87	MOD B	B	ROOM L15 (Mod B Pane M2-88)	TAMP	ML	7-16-21	Pass		CN# 117204
M2-86	MOD B	B	ROOM L15 (City Feed)	FLOW	ML	7-16-21	Pass	29	CN# 117399



VERMONT DEPARTMENT OF PUBLIC SAFETY

DIVISION OF FIRE SAFETY

Office of the State Fire Marshal, State Fire Academy and State HAZMAT Team
firesafety.vermont.gov



TQP Inspection Report

Return this completed form to the appropriate Regional Office

Barre Regional Office

1311 US RTE 302, Suite 500
Barre, VT 05641
Phone: (802) 479-4434
Fax: (802) 479-4446

Rutland Regional Office

56 Howe Street, Building A, Suite 200
Rutland, VT 05701
Phone: (802) 786-5867
Fax: (802) 786-5872

Springfield Regional Office

100 Mineral Street, Suite 307
Springfield, VT 05156
Phone: (802) 885-8883
Fax: (802) 885-8885

Williston Regional Office

380 Hurricane Lane, Suite 101
Williston, VT 05495
Phone: (802) 879-2300
Fax: (802) 879-2312

VT State ID

F-15612

Inspection Date

07/19/21

Sticker No.

21-05560

TQP Inspector #

T3-515

Employer ID #

59911

Name of Building: University of Vermont Medical Center

Site #: MOD B

911/or Physical Address: 111 Colchester Avenue

Town: Burlington

Zip Code: 05401

Owner: University of Vermont Medical Center

Telephone:

Owner's Address: 111 Colchester Avenue

Town Burlington

State: VT

Zip Code: 05401

Inspection type: ☐ Fire Alarm

☐ Suppression

☒ Sprinkler

☐ Generator

If an ID sticker is being removed or replaced provide the inactive VT State ID number:

Inspector Name (print): Travis Trombly

Employer: Firetech Sprinkler Corp.

Signature of Inspector:

Phone Number: (802) 655-1800

AFFIX ID STICKER HERE FOR NEW OBJECTS

Violations Noted:

☐

Yes

☒

No

(please use additional pages as necessary)

The Employer ID is not your employer's federal tax ID, it is assigned by the Department - please contact the Department if you are unsure of what your Division of Fire Safety employer number is.

*A copy of this inspection report must be forwarded to the Regional Office within 14 working days.

*This report does not relieve the Inspection Company of keeping and maintaining the reports required by NFPA.

Report of Inspection/Test

Annual NFPA 25



2021-07-22

Property

University of Vermont Medical Center
111 Colchester Avenue
Burlington VT 05401
Mr. Aaron Fay 802-847-5210

Conducted by: Travis Trombly

Firetech Sprinkler Corp.
340 Hegeman Ave.
Colchester VT 05446
(802) 655-1800
ksmith@firetechsprinkler.com

MAIN DRAIN FLOW TESTS

System	Initial static	Residual	Static	Seconds to Return to Initial Static	Flow Observed?	Are results comparable to previous test?
Dry System (Full Trip 2022) - F-17911 (Emergency Bay)	165	?piped to slop sink	165		Yes	Yes
Dry System (Full Trip 2022) - F-17917 (Generator Room)	155	145	155	1	Yes	Yes
Dry System (Full Trip 2022) - F-33396 (Shepardson 6)	130	130	130		Yes	Yes
Wet System - F-17927 (McClure)	170	150	170	1	Yes	Yes
Wet System - F-17915 (Baird)	165	150	165	1	Yes	Yes
Wet System - F-17912 (ACC)	175	150	175	1	Yes	Yes
Wet System - F-17914 (Garage&Tunnel)	175	150	175	1	Yes	Yes
Wet System - F-17913 (Ed. Center)	175	150	175	1	Yes	Yes
Wet System - F-17916 (Central Plant)	165	150	165	1	Yes	Yes
Wet System - F-15612 (Modular B)	90	70	90	1	Yes	Yes
Wet System - F-17936 (Hot Deck)	170	155	170	1	Yes	Yes
Wet System - F-07738 (Floor Engineering)	155	150	155	1	Yes	Yes
Wet System-F-36661 (Miller)	165	150	170	1	Yes	Yes

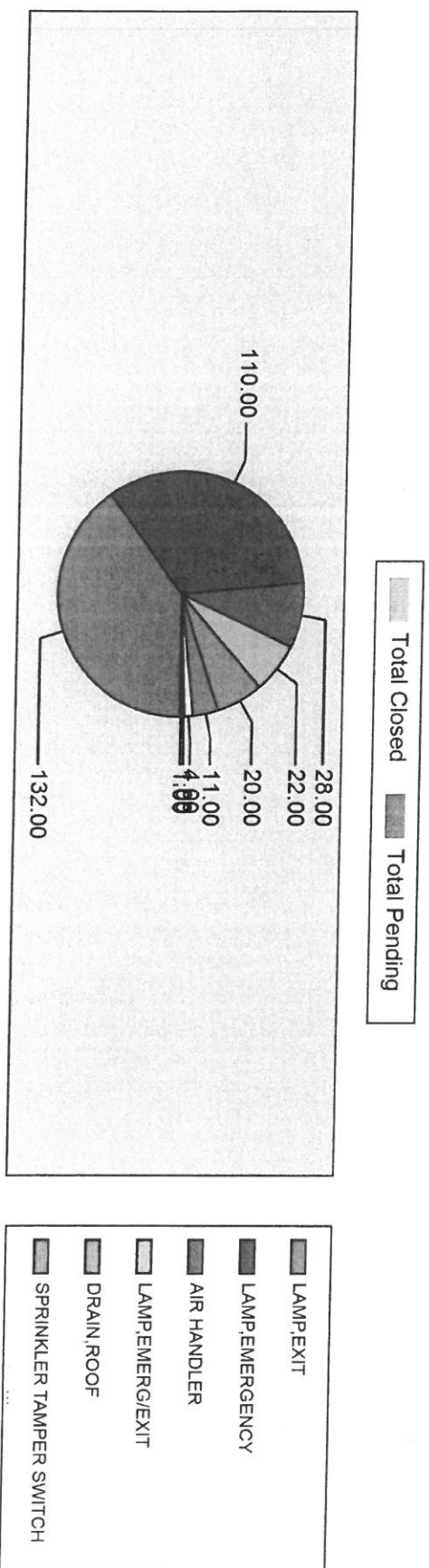
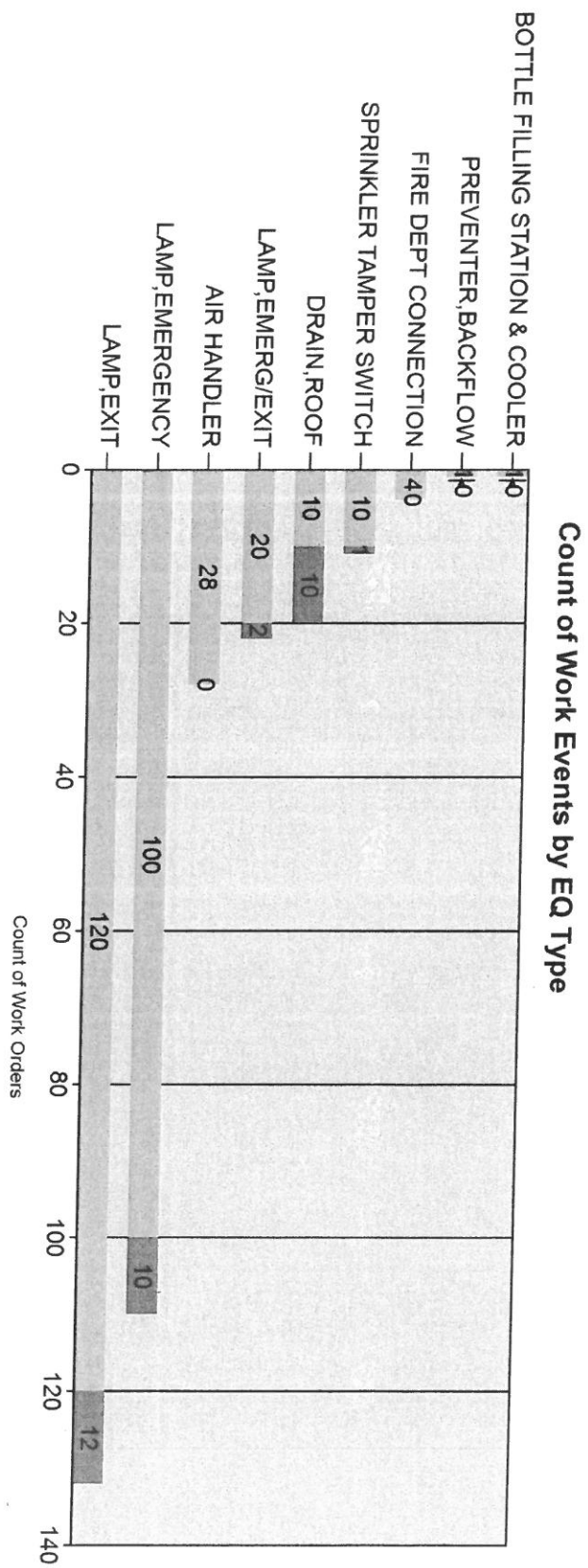
INSPECTORS TEST CONNECTION

System	Location	Description	Time to Alarm (seconds)	Reported?	Smooth Orifice	Easily Accessible	Signs?	Pass?
Dry System (Full Trip 2022) - F-33396 (Shepardson 6)	Above ceiling tile on porch	ITV		N/A	N/A	N/A	N/A	N/A
Wet System - F-15612 (Modular B)	Sprinkler room	ITV		N/A	N/A	N/A	N/A	N/A

Work Events - Pending vs Closed by EQ Type

UVMHC - FACILITIES

Filter: Work Order Issue Date between '01-01-2021' and '12-31-2021' and WO Type = scheduled and Location = MCH-MOD-B



EQ Type	-----Total # of Work Events-----				-----Cost -----			Hours		--Days Opened--	
	Opened #	---Closed--- #	%	---Pending--- #	Labor \$	Parts \$	Total \$	Labor	Avg	Max	
LAMP,EXIT	132	120	90.91	12	\$0.00	\$0.00	\$0.00	0.00	19.00	28.29	
LAMP,EMERGENCY	110	100	90.91	10	\$0.00	\$0.00	\$0.00	0.00	19.00	28.29	
AIR HANDLER	28	28	100.00	0	\$0.00	\$0.00	\$0.00	8.24	12.04	29.63	
LAMP,EMERG/EXIT	22	20	90.91	2	\$0.00	\$0.00	\$0.00	0.00	19.00	28.29	
DRAIN,ROOF	20	10	50.00	10	\$0.00	\$0.00	\$0.00	0.70	6.08	15.58	
SPRINKLER TAMPER SWITCH	11	10	90.91	1	\$0.00	\$0.00	\$0.00	0.42	20.92	51.25	
FIRE DEPT CONNECTION	4	4	100.00	0	\$4.55	\$0.00	\$4.55	0.35	4.88	13.54	
BOTTLE FILLING STATION & COOLER	1	1	100.00	0	\$0.00	\$0.00	\$0.00	0.00	-1.04	-1.04	
PREVENTER,BACKFLOW	1	1	100.00	0	\$0.00	\$0.00	\$0.00	0.00	34.42	34.42	
	329	294	89.36	35	\$4.55	\$0.00	\$4.55	9.71	17.50	28.15	



<https://us02web.zoom.us/j/82117641975?pwd=dVFpdjFIUEJxWUZLTHFDLyswaUc5UT09>

Password 124590

Webinar ID: 821 1764 1975

Burlington Development Review Board

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

Brad Rabinowitz
AJ LaRosa
Geoff Hand
Brooks McArthur
Caitlin Halpert
Chase Taylor
Leo Sprinzen
Sean McKenzie, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, November 16, 2021, 5:00 PM

Minutes

Physical location: 645 Pine Street, Front Conference Room, Burlington VT 05401

Board Members Present: Brad Rabinowitz, Brooks McArthur, AJ LaRosa (remote), Caitlin Halpert, Chase Taylor, Leo Sprinzen, Geoff Hand (remote)

Board Members Absent: Sean McKenzie (Alt)

Staff Members: Mary O'Neil, Ryan Morrison

I. Agenda

Due to an expired Zoom link; the Board motioned to deliberate at a later date. This will give the public a chance to speak on any of the agenda items.

II. Communications

Communication related to 111 Colchester Avenue is posted on website.

III. Minutes

November 2, 2021 minutes are posted on the website.

IV. Consent

ZP-21-690; 111 Colchester Ave (I, Ward 1E) Gail Henderson-King / UVM Medical Center Inc

Request approval of so-called "Mod B" building to be permanent. (Project Manager, Mary O'Neil)

Presenting: Gail Henderson-King, Sharon Bushor attending (Sharon was remote).

As there is a member of the public participating, the matter is taken off the consent agenda.

Sharon: Has not received updated communications. Is not opposed to making the temp structure permanent. Requested that an engineer look over the structure to be sure it is in sound condition to be a permanent structure.

Gail: Submitted the Public Safety Inspection that was done in February of 2021. Is fine with conditions that come with the permit.

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 Zoning Division 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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ZAP-21-13; 240-242 Pearl St (RM, Ward 2C) John Dubie / Lakeside Pharmacy Holdings Inc

Replace nonconforming sign with new nonconforming sign. (Project Manager, Mary O'Neil)

Presenting: John Dubie

John: New sign needed after the fire. The City said it is a different size than what had been there previously, but the original sign was measured and those measurements were used to make the new sign.

Mary: The last two permitted parallel signs were in the 1980s. The new sign does not match the two from the 1980s. There is no permit on file for a sign with those dimensions.

Leo: Can it be permitted?

Mary: If it can be found to be in of substantially greater compliance.

John: There are six signs on the building but we keep talking about two. The liquor sign was from 2018.

Geoff: If they are more than 15 years old, is there a statute of limitations for them? It seems that we would replace what was there.

Mary: There would have to be a Determination.

Geoff: Is that the same size sign?

John: Yes, it is 10 ft x 20 inches.

Leo: 2 ft x 16 ft is bigger than what the applicant proposed. So the new sign is more substantially conforming.

Mary: If the Board makes that finding, that is an option.

John: What about the six signs

Mary: The permits are for the signs on just this portion of the building.

Brad: I believe we have the information we need. Thank you for coming.

ZP-21-609; 53 Front St (RM, Ward 3C) Anna Thelemarck / Deluca & Gould

Construct new accessory dwelling unit with excess lot coverage. (Project Manager, Mary O'Neil)

Presenting: Anna Thelemarck

Anna: We would like to remove the existing garage and replace it with an ADU and storage with an additional parking space and stormwater.

We will use the existing dimensions, which puts us at 52.48 lot coverage.

Mary: We were waiting for your results of the stormwater conditions. We received that yesterday.

Brad: Are there any questions?

Anna: We are doing new doorway lights, the trash and recycle will be inside the new storage area, and adding a mailbox to the front porch for the ADU.

Leo: Are you keeping the tree?

Anna: We are trying to keep it.

Brad: Great, I believe we have the information that we need. Please submit your additional plans to staff electronically. Thank you for coming.

VI. Sketch Plan

ZSP-21-12; 251-253 South Union St (RL & RM, Ward 6S) Steve Kredell / Two Fifty Three South Union Realty LLC

Sketch plan review for residential redevelopment of the existing commercial property. (Project Manager, Scott Gustin)

Presenting: Steve Kredell, gBA Architects (remote)

Steve: We are looking to convert the law offices back to residential units, 8 units, and add an addition to the back of the building. The lot is in two different zoning districts, medium and low density residential. It is a beautiful historic building so the front will stay the same. We would remove the storage area to the foundation and rebuild the upper deck.

Caitlin: Would the access to the units be external or internal.

Steve: It will be a mix of both.

Brad: I have a question about the circulation; will it be a better flow to the sidewalk from parking to front of building?

Steve: Yes, we will have pathways.

Brad: The future addition seems disjointed. Any questions from the Board?

Leo: Will there be ADA Accessibility?

Steve: Only the addition will have ADA Access.

Brad: Will the addition be a flat roof?

Steve: Yes, it will have a flat roof.

Brad: Thank you for coming in and talking to us about this project.

VII. Other Business

2022 Development Review Board meeting schedule

Review and approve 2022 DRB meeting schedule. Motioned by AJ, Second Geoff. All in favor. Motion approved.

VIII. Adjournment 6:07pm

IX. Deliberative Session: Scheduled for December 7, 2021.

Bradford L. Rabinowitz, Chair of Development Review Board

Date

Celeste Crowley, Permitting & Inspections Administrator

Date

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