

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
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Caitlin Halpert
Chase Taylor
Sean McKenzie, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, October 5, 2021, 5:00 PM

PUBLIC HEARING NOTICE

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

Zoom: <https://us02web.zoom.us/j/81232279645?pwd=Z0FhNy9ZcDRRdmowY0ttcm4rV3p2QT09>

Password: 360747

Webinar ID: 812 3227 9645

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

- 1. ZP-21-648; 702 Lake Street (UR, Ward 3C) City of Burlington**
Conditional use application for continued snow storage in the Urban Reserve.
- 2. ZAP-21-14; 716 Pine Street (E-LM, Ward 5S) 716 Pine Street, LLC**
Appeal denial of zoning application for new main entrance to the building and change of use to food & beverage processing (brewery with tasting room).

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.

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AGENDA

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I. Agenda

II. Communications

III. Minutes

IV. Public Hearing

1. ZP-21-648; 702 Lake Street (UR, Ward 3C) City of Burlington

Conditional use application for continued snow storage in the Urban Reserve. (Project Manager, Scott Gustin)

2. ZAP-21-14; 716 Pine Street (E-LM, Ward 5S) 716 Pine Street, LLC

Appeal denial of zoning application for new main entrance to the building and change of use to food & beverage processing (brewery with tasting room). (Project Manager, Scott Gustin)

3. ZP-21-481; 166 East Avenue (RL, Ward 1E) Cynthia Cook

Short-term rental of downstairs unit of owner-occupied duplex. *Continued hearing.* (Project Manager, Ryan Morrison).

V. Certificate of Appropriateness

1. ZP-21-640; 483 Manhattan Drive (RM, Ward 2C) Matt Brouillard / MBVT, Inc

Demolish existing single family dwelling and construct duplex. (Project Manager: Ryan Morrison)

2. ZP-21-645; 130 Mansfield Avenue (I, Ward 1E) David Valyou / CSC Mcauley, LLC

Remove 13 trees from northwest corner of property. (Project Manager: Ryan Morrison)

VI. Adjournment

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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).
Printed on 100% Recycled Paper

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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, Planning Technician
Ted Miles, Code Enforcement Officer
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: October 5, 2021
RE: ZP-21-648; 702 Lake 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: UR Ward: 3C

Owner/Applicant: City of Burlington / Dept. of Public Works

Request: Renewal of winter snow storage on urban reserve parcel

Applicable Regulations:

Article 3 (Applications, Permits, and Project Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations)

Background Information:

The applicant is seeking renewed approval to use a portion of the urban reserve to store snow removed from city streets and the Church Street Marketplace during winter months. No construction is included in this proposal. This activity was originally permitted January 19, 2010 and has been re-approved several times since then. The most recent zoning permit approval was October 15, 2019. Conditions of that approval are noted below:

1. Every spring, after snow in the storage facility has melted, all debris, sand, trash and the like shall be removed from the site, and the site shall be returned to its original condition.
2. The snow storage site shall be monitored by the applicant to prevent surface flow discharge of meltwater from the site.
3. All truck drivers dumping snow on the site shall be instructed by the Department of Public Works and/or the Church Street Marketplace to drive slowly at the site and to not slam their trucks' tailgates.
4. The Department of Public Works is responsible for compliance with these permit conditions, including noise and use of the facility by the Church Street Marketplace.
5. The Department of Public Works shall encourage the Church Street Marketplace to use the site only between the hours of 7:00 AM – 10:00 PM.
6. **This permit approval is valid for 2 years only.** Continued use of the site for snow storage beyond 2 years will require a new zoning permit per Sec. 4.4.7 (d), *District Specific Regulations*, of the Comprehensive Development Ordinance.
7. Standard conditions 1-15.

All zoning permits issued for property within the Urban Reserve are limited to two years. The most recent zoning permit for this snow storage activity is at the end of its two-year cycle. This new permit application is for another standard 2 year approval of the same activity with no changes. These findings include information from prior applications as well as the present application.

The Conservation Board will review this latest permit application October 4, 2021. Any comments from that Board will be provided to the Development Review Board for consideration.

There are no previous zoning permit actions for this site except for the previous snow storage permits noted above.

Recommendation: **Conditional Use approval** as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 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 seasonal storage of snow from city streets on this site will have no impact on existing or planned community facilities. It will assist Public Works crews in keeping city streets clear during large snow storms and will provide the Church Street Marketplace a place to store snow removed from the Marketplace. **(Affirmative finding)**

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

The site is bordered to the east by railroad tracks and to the west by the bike path. The surrounding land is vacant former industrial land. No site alterations or structures are proposed for this seasonal use. The snow storage use is consistent with the character of the area. **(Affirmative finding)**

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

The snow storage use will generate no glare other than that from truck headlights. Noise from the dump trucks unloading snow can be substantial if done carelessly. Done carefully so as to avoid slamming truck tailgates, noise levels can be substantially reduced. See Sec. 3.5.6 (c) 1 below for mitigation measures. **(Affirmative finding)**

4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service*

and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;

Traffic associated with the seasonal snow storage use depends on the frequency and amount of snowfall. While the Church Street Marketplace clears snow from nearly every snow event, the Department of Public Works stores snow on the site only in the event of large snow storms, typically 4-6 times per winter.

The traffic activity that has the greatest impact on adjacent neighborhoods generally occurs between 3:00 AM and 7:00 AM. In general, traffic impacts, with the exception of truck noise, are modest. **(Affirmative finding)**

and,

5. *The utilization of renewable energy resources;*

No information has been provided with respect to the use of alternative energies. As no site changes or structures are proposed, the proposed use will not unreasonably deter the actual or potential use of renewable energies by the subject or neighboring properties. **(Affirmative finding)**

and,

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

As conditioned, the snow storage use complies with all applicable zoning bylaws. **(Affirmative finding)**

(b) Major Impact Review Standards

Not applicable.

(c) Conditions of Approval:

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. *Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.*

The snow storage use will generate no glare other than that from truck headlights. Noise from the dump trucks unloading snow can be substantial. Although this may have an impact on residential properties in the vicinity of the snow dump, this relatively convenient location close to the areas where snow is being removed means that trucks will not have to make longer early morning trips through more dense residential areas. Applications for this snow storage have consistently noted that truck drivers are instructed to pull away slowly and to avoid slamming their tailgates. This method of dumping snow limits potential noise impacts associated with the activity. During review of prior snow storage applications, assertions were made from neighboring residents that trucks frequently slam their tailgates and that not all truck drivers are instructed to avoid such slamming. Approval of this application will require that all workers (DPW employees and the Marketplace contractor) dumping the snow be instructed to not slam their tailgates and to drive slowly. As noted above, noise generated during the overnight hours can be especially problematic for nearby residences. During review of the 2016 application, the applicant represented that the

Church Street Marketplace's use of the snow storage site can be at any time. In an effort to further reduce noise impacts, the Board encouraged the applicant to work with the Marketplace to attempt to schedule its use of the site between the hours of 7:00 AM – 10:00 PM. **(Affirmative finding as conditioned)**

2. Time limits for construction.

No construction is included. **(Not applicable)**

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

As noted previously, the facility is used seasonally. Early morning snow dumping activities are generally limited to the period between 3:00 AM and 7:00 AM. Information provided states that Public Works' operations at the snow storage facility take place approximately 4-6 times per winter, sometimes several days at a time. The Church Street Marketplace may use the site for storage of nearly every snowfall. As noted above, noise impacts can be reduced by dumping snow slowly and not slamming the tailgates. **(Affirmative finding as conditioned)**

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 alterations of the snow storage facility will require additional permit review in accordance with the regulations in effect at that time. **(Affirmative finding)**

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.

As conditioned, the proposed snow storage facility complies with the applicable requirements of the Comprehensive Development Ordinance. **(Affirmative finding)**

Article 4: Maps & Districts

Sec. 4.4.7, Urban Reserve District:

(a) Purpose

The snow storage use is seasonal in nature and involves no site alterations or structures. It is identified as one of several uses that may be allowed in the urban reserve. **(Affirmative finding)**

(b) Dimensional Standards & Density

The snow storage use involves no structures, lot coverage, or residential units. **(Affirmative finding)**

(c) Permitted & Conditional Uses

Seasonal snow storage by the city is a conditional use in the urban reserve and is reviewed under the applicable criteria of these findings. **(Affirmative finding)**

(d) District Specific Regulations

1. Any and all improvements in this district shall be consistent with any and all development and use restrictions and easements as may otherwise be applicable to the property.

As part of the original zoning permit for this snow storage activity, the City Attorney's Office submitted a memo indicating that the snow storage activity is consistent with applicable regulations. No changes to the snow storage operation are proposed in this new application. **(Affirmative finding)**

2. Any authorization granted by the DRB shall include a prescribed duration for the activity after which such authority and all related permits shall expire. The DRB may consider an extension of this time period if such a request has been made prior to expiration. No permit should remain in effect for more than 2 years without reapplication and review pursuant to this section.

Most zoning permits for this activity have been for 2 years. An additional 2 years are sought with this application. **(Affirmative finding as conditioned)**

3. As a condition of any approval by the DRB for projects involving temporary construction staging or seasonal snow storage, the site shall be restored to its prior condition once the temporary activity has been completed for which the DRB may require a bond or other necessary surety in a form satisfactory to the city attorney.

In the spring, after the snow has melted, the site must be cleaned of any trash or debris that was contained in the snow. No financial surety is required. **(Affirmative finding as conditioned)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

(Not applicable)

Sec. 5.2.4, Buildable Area Calculation

(Not applicable)

Sec. 5.2.5, Setbacks

(Not applicable)

Sec. 5.2.6, Building Height Limits

(Not applicable)

Sec. 5.2.7, Density and Intensity of Development Calculations

(Not applicable)

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. See Sec. 3.5.6 (c) 1 above relative to noise mitigation. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting

(Not applicable)

Sec. 5.5.3, Stormwater and Erosion Control

Prior Conservation Board review of this proposal specifically addressed potential water quality impacts from the melting snow and its proximity to Lake Champlain. The site is contained within an existing berm, and melt water typically infiltrates into the ground or evaporates. The Board unanimously recommended approval for another 2 years with a condition that the site be monitored to prevent surface flow discharge of meltwater from the site. **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. Every spring, after snow in the storage facility has melted, all debris, sand, trash and the like shall be removed from the site, and the site shall be returned to its original condition.
2. The snow storage site shall be monitored by the applicant to prevent surface flow discharge of meltwater from the site.
3. All truck drivers dumping snow on the site shall be instructed by the Department of Public Works and/or the Church Street Marketplace to drive slowly at the site and to not slam their trucks' tailgates.
4. The Department of Public Works is responsible for compliance with these permit conditions, including noise and use of the facility by the Church Street Marketplace.
5. The Department of Public Works shall encourage the Church Street Marketplace to use the site only between the hours of 7:00 AM – 10:00 PM.
6. **This permit approval is valid for 2 years only.** Continued use of the site for snow storage beyond 2 years will require a new zoning permit per Sec. 4.4.7 (d), *District Specific Regulations*, of the Comprehensive Development Ordinance.
7. Standard conditions 1-15.



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Lee Perry
*DIVISION DIRECTOR
MAINTENANCE*

Memo

**To: Burlington Planning and zoning
Burlington Conservation Board**

From: Lee Perry

Date: September 2, 2021

Re: 702 Lake St. (Urban Reserve Snow Storage)

Burlington Public Works and the Church Street Marketplace use the site at 702 Lake Street as a snow storage area for snow removed from the Marketplace, and the streets of Burlington.

A nighttime operation of snow removal from the downtown area happens approximately 4-6 times per winter, and snow is removed from the Marketplace after every storm.

Noise in the area will be reduced with special instructions to the employees, and the Marketplace contractor not to slam tailgates of dump trucks and driving slowly.

The area is cleaned every spring after the snow melts of any trash, and debris.

An Equal Opportunity Employer

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Parcel owned by City of Burlington

Snow Storage Area

ANY NOTIFICATIONS OR DEVIATIONS FROM THE ZONING MAP OR ZONING ORDINANCES SHALL BE THE RESPONSIBILITY OF THE APPLICANT.
SIGNED: [Signature]
PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT



0 100 200 FEET

CITY OF BURLINGTON

SNOW STORAGE AREA

RECEIVED
BURLINGTON, VT

NOV 25 2009



DEPARTMENT OF PUBLIC WORKS
PLANNING & ZONING

Created on: 11/23/09
By: M.Moir







Department of Permitting & Inspections

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

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Ryan Morrison, Associate Planner
Vacant, Planning Technician
Ali Davis, Zoning Clerk
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Ryan Morrison, Associate Planner
DATE: October 5, 2021
RE: ZP-21-481; 166 East Avenue

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Zone: RL Ward: 1E

Owner/Applicant: Cynthia Cook

Request: Establish a bed and breakfast (short-term rental) in one apartment of the existing duplex.

Applicable Regulations:

Article 3 (Applications, Permits, & Project Reviews), Article 4 (Zoning Maps and Districts), Article 8 (Parking)

Background Information:

The applicant is requesting approval to convert one unit in the existing duplex into a 2-bedroom bed and breakfast use (short term rental). The duplex was constructed in 1903, and is listed as a contributing resource on the State of Vermont Historic Register. No alterations are proposed to the structure nor the property.

At the July 20, 2021 DRB meeting, this public hearing was closed and then re-opened to address the parking layout. The applicant has revised the site plan to address this parking concern. See Sec. 8.1.8 below.

Previous zoning actions for this property:

- **Zoning Permit**; enclose porch. Approved July 14, 1976.
- **Zoning Permit 12-1081CA**; replacement window. Approved May 21, 2012.
- **Zoning Permit 15-0468CA**; construct a three story rear addition with associated parking changes. Approved January 20, 2020. (Permit relinquished)
- **Non-Applicability of Zoning Permit 18-0934NA**; in-kind roof replacement on an outbuilding. Approved April 23, 2018.
- **Zoning Permit 21-0402CA**; replacement windows. Approved October 19, 2020.

Recommendation: **Conditional Use approval** as per, and subject to, the following findings and conditions.

I. Findings

Article 3: Applications, Permits, and Project 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 conversion of a two-bedroom unit within the existing duplex to a bed and breakfast use (short term rental) will have no appreciable impacts on existing or planned public utilities, services, or facilities. The applicant is advised to check with VT DEC as to whether a state wastewater permit is needed. **(Affirmative finding as conditioned)**

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 located within the residential – low density zone. The east side of East Avenue is a residentially developed area consisting of single, two-family and multifamily dwelling unit structures. The University of Vermont and UVM Medical Center is located to the west of East Avenue. The subject rental will continue to serve as a place for people to stay, except that it will serve occupants on a short term basis rather than long term. City records indicate that this is the owner/applicant's primary residence. **(Affirmative finding)**

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

As noted above, the short term rental will continue to serve as a place for people to stay within the neighborhood, albeit on a short term basis. The short term rental is not expected to generate nuisance impacts from noise, odor, dust, and the like. **(Affirmative finding)**

4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;*

Little change in traffic is expected. The unit configuration remains unchanged. Rather than residents arriving and departing, short term guests will arrive and depart within established timeframes. Additionally, the property is within walking distance to transit stops. The property currently offers onsite parking that adequately handles the existing duplex parking and will be adequate for the proposed bed and breakfast use. **(Affirmative finding as conditioned)**

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. **(Affirmative finding)**

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

The short term rental must adhere to the life safety standards and provide payment of applicable rooms and meals taxes as per the State of Vermont. **(Affirmative finding as conditioned)**

(b) Major Impact Review Standards

Not applicable.

(c) Conditions of Approval:

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.

The short term rental is not expected to produce adverse effects in need of mitigation.

(Affirmative finding)

2. Time limits for construction.

No construction timeline or phasing is included in this proposal. **(Affirmative finding)**

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

The upstairs unit is the owner's full time residence, while the downstairs unit will be offered as a two-bedroom bed and breakfast rental moving forward. It is recommended that guest check-ins be limited to 7:00 am – 10:00 pm to minimize noise, traffic, and neighborhood nuisances.

(Affirmative finding as conditioned)

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. **(Affirmative finding as conditioned)**

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.

Not applicable.

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(1) Residential Low Density (RL)

The Residential Low Density (RL) district is intended primarily for low-density residential development in the form of single detached dwellings and duplexes. This district is typically characterized by a compact and cohesive residential development pattern reflective of the respective neighborhood's development history.

The existing duplex is consistent with this intent. By allowing one of the two units to be rented on a short term, rather than a long term, basis, the impact to the neighborhood will effectively remain unchanged. The other unit will continue to be the property owner's full time residence.

Consistency with the intent of the zoning district will continue. **(Affirmative finding)**

(b) Dimensional Standards and Density

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

Not applicable. No changes to the site or density is proposed.

(c) Permitted and Conditional Uses

The “bed and breakfast” (short term rental) use is conditional in the RL zone. Owner occupancy is required, and up to 3 rooms may be let. In this case, the applicant is the owner and lives onsite in the upstairs unit. The applicant proposes to rent out the two-bedroom, downstairs unit to short term guests. **(Affirmative finding)**

(d) District Specific Regulations

Not applicable.

5. Uses

Not applicable.

6. Residential Development Bonuses

Not applicable.

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

Duplexes require 4 parking spaces (2 per unit) in the Neighborhood Parking District. Bed and Breakfasts require one parking space per room. The proposal will see one long term unit (2 spaces required) and one short term, two-room unit (2 spaces required). The four space parking requirement does not change as a result of this permit.

The applicant has provided a revised site plan showing compliant parking. Two tandem spaces adjacent to the primary structure will be provided for the owner’s unit, and two side-by-side spaces will locate adjacent to the tandem spaces for short term guests occupying the other unit. This parking layout will provide adequate parking dimensions for 8 ft wide spaces and the ability to enter and exit the property without obstruction.

Staff visited the site to verify the accuracy of the site plan. The parking area is 24+ ft wide, enough to accommodate the required parking spaces. It is important to note that driveways/parking areas that are behind the front yard setback line/front wall of a primary structure can exceed the standard 18 ft wide driveway limitation. The parking area also meets the 5 ft side yard setback requirement. The applicant has also placed parking area barriers that will comply with condition # 3 below.

Lastly, the applicant intends to install a walkway along the edge of the parking area, within the 5 ft side yard setback. As per Sec. 5.2.5 (b) (2) *Exceptions to Yard Setback Requirements*, walkways are permitted within required yard setbacks. **(Affirmative finding as conditioned)**

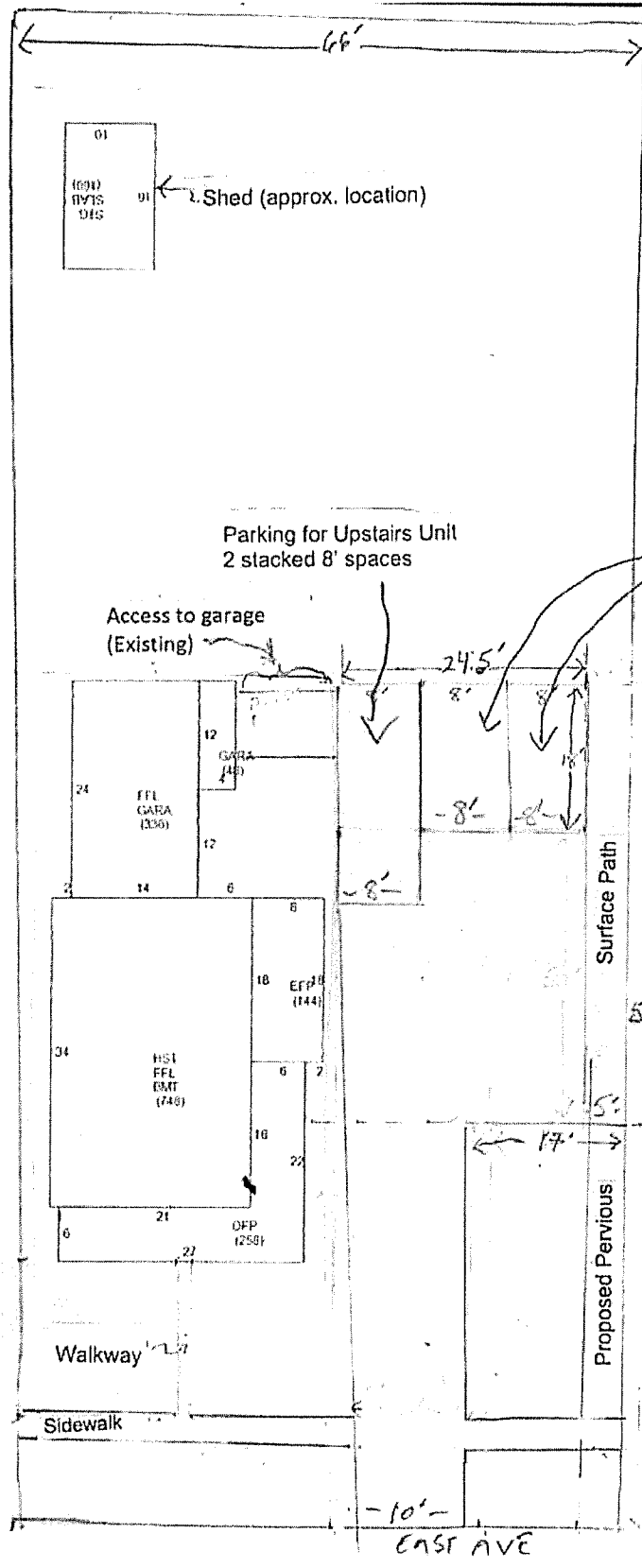
II. Conditions of Approval

1. **Prior to the issuance of a final certificate of occupancy**, all portions of the existing parking area located within the 5 ft side yard setback shall be seeded for and restored to

lawn space, or utilized in a manner that is allowed under ordinance such as a walkway or landscaping/garden.

2. The parking area shall be lined with a barrier (curb stop, granite curbing, fixed landscaping like anchored timbers, boulders or similar) to prevent parking lot creep.
3. The subject property must be, and remain, owner occupied as long as the bed and breakfast short term rental remains in operation.
4. The bed and breakfast must adhere to the life safety standards and provide payment of applicable rooms and meals taxes as per the State of Vermont.
5. It is recommended that guest check-ins be limited to 7:00 am – 10:00 pm to minimize noise, traffic, and neighborhood nuisance.
6. All guest parking shall be on-site and off-street.
7. A state wastewater permit may be required. It is the applicant's responsibility to inquire with VT DEC as to whether such permit is necessary.
8. Any additional B&B room, or physical alteration, will require a new zoning permit, subject to regulations in effect at the time of permit application submittal.
9. The applicant will have to ensure compliance with state regulations regarding short-term B&B type rentals, including but not limited to payment of required rooms and meals taxes and compliance with Division of Fire Safety standards and Health Department standards.
10. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state as required.
11. Standard permit conditions 1-15.

Site Plan
 166 East Ave, Burlington, VT
 Scale: 1" = 15.5'
 8/6/2021



Shed (approx. location)

Parking for Upstairs Unit
 2 stacked 8' spaces

Parking for Downstairs Unit
 Two 8'x18' spaces

Access to garage
 (Existing)

Surface Path

Proposed Pervious

Walkway

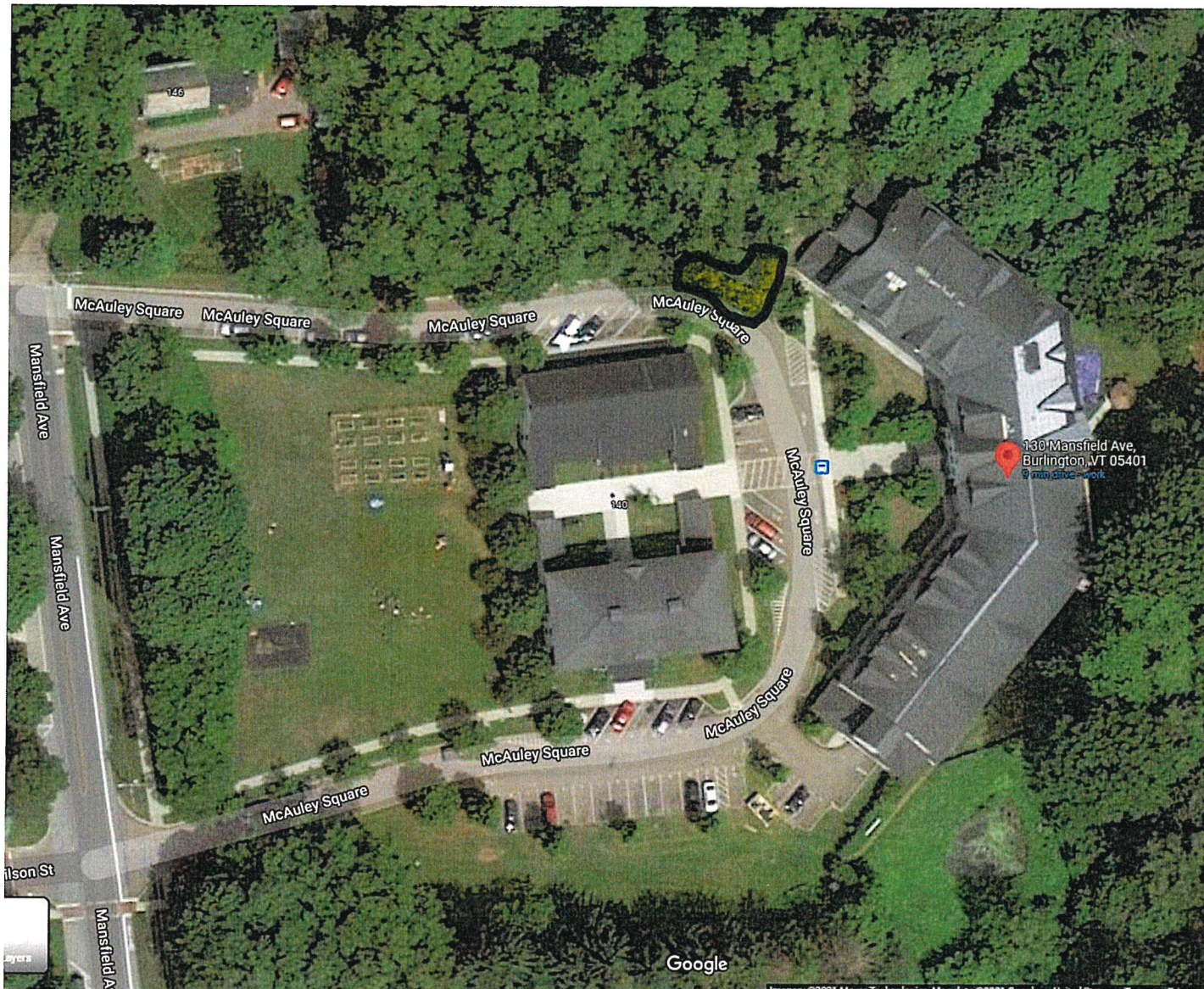
Sidewalk

EAST AVE

166 East Ave
Surface Area Calculation
8/6/2021

		Square Footage
Lot	66'x165'	10,890
Sidewalk	10'x56'	560
Walkway	2.66'x19'	50.66
House		1,500
Shed	10'x16'	160
Driveway	23'x10'	230
Parking Area	24.5'x50'	1,225
Total	4,193.16	3725.66
Coverage (3725.66/10,890)		34.2%























Proposal #22785

Created: 09/01/2021

From: Jim Myers

567 Depot Road
Colchester, VT 05446

(802) 655-0264
info@djstree.com

Proposal For

Cathedral Square

412 Farrell St
South Burlington, VT 05403

main: 802-861-3208
whitcomb@cathedralsquare.org, valyou@cathedralsquare.org

Location

130 Mansfield Ave
Burlington, VT 05401

130 Mansfield Ave 05401

ITEM DESCRIPTION	AMOUNT
1) Tree Removal Remove approximately 13 half dead locust trees. Price includes removal of all tree debris from site. No stump grinding included.	\$ 7,000.00

Client Notes

Highly recommend removal of these trees because they are half dead and losing limbs which make them very dangerous.

All work will be completed in accordance with these plans unless subsequent changes are agreed upon in writing. Balances not paid by the due date are subject to late fees.

Signature

SUBTOTAL	\$ 7,000.00
SALES TAX	\$ 0.00
TOTAL	\$ 7,000.00

x

Date:

Please sign here to accept the terms and conditions

Contacts

David Valyou
802-318-8954
valyou@cathedralsquare.org

Estimator

Jim Myers
Office: 802-655-0264
info@djstree.com

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
DATE: October 5, 2021
RE: ZAP-21-14; 716 Pine 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: E-LM Ward: 5S

Owner/Appellant: 716 Pine Street, LLC / Donna Church

Request: Appeal denial of zoning application for new main entrance to the building and change of use to food & beverage processing (brewery with tasting room).

Applicable Regulations:
Article 12 (Variances and Appeals)

Background Information:

The appellant is appealing denial of a zoning application for renovations to the commercial property at 716 Pine Street that includes some exterior entryway work and an interior reconfiguration to expand the food & beverage processing use (brewery) and related tasting room. The exiting "Great Northern" café space is to be absorbed into the expanded brewery.

The zoning application denial was based on expansion of the interior tasting room and the applicable standards for cafes and restaurants.

Recommendation: **Uphold application denial** as per, and subject to, the following findings.

I. Findings

The subject zoning application was filed August 11, 2021 and was made complete August 25. As part of the application, the existing brewery would expand into the space presently occupied by "Great Northern" café. The brewery production space would expand and so would the related tasting room. Total brewery space would be 28,942 sf, including 4,986 sf for the tasting room.

The brewery is "food and beverage processing" as defined in the CDO: The preparation and packaging of food and/or beverage (including alcoholic and non-alcoholic) products for distribution and/or wholesale or retail sales, on or off premise, excluding restaurants and cafes except as an accessory use.

Breweries commonly have accessory tasting rooms – spaces wherein patrons can purchase beers made onsite along with food service.

Within the E-LM zone, wherein the subject property is located, cafes are permissible whereas restaurants are not. As such, within this zone, breweries may have accessory cafes but not accessory restaurants. The CDO defines café as: Any food service establishment subject to Vermont Health Regulations containing less than or equal to 2,000 gross square feet where food and beverages are prepared and served for consumption either on or off premises. Restaurant is defined as: Any food service establishment subject to Vermont Health Regulations where food and beverages are prepared and served for consumption primarily on premises; and where the service of alcoholic beverages is incidental to the consumption of food (less than fifty percent {50%} of the gross sales receipts from the business).

As a matter of practice, tasting rooms associated with food and beverage processing uses have been treated as accessory cafes in the E-LM zone. Citizen Cider is permitted with an accessory café of 1,568 sf, and Burlington Brewing was recently permitted with an accessory tasting area of 2,000 sf. No specific tasting area was included in permit documents for the subject brewery when it was first established or through several subsequent alterations. A tasting area did not appear on floor plans until June 2018. At that time, a zoning permit was issued to establish an interior lab space, and the floor plan happened to note a tasting area (no square footage noted). More recently, a zoning permit was approved October 2019 to install four silos in the rear parking area. Plans for that project happened to note a 2,285 sf tasting area that was not caught as part of review for the requested silos.

Interior reconfiguration, including the tasting area, was expressly part of this latest zoning application. The floor plans clearly detailed the requested reconfiguration, including a 4,986 sf tasting area with related food service. Following correspondence between staff and the applicant as to the size problem with the tasting area, the zoning application was denied August 31, 2021.

Reasons for Denial:

The proposed renovations for the food and beverage processing facility (micro-brewery) include a 4,986 sf interior space for a tasting room with food service for patrons.

Food and beverage processing is defined in Article 13 of the Comprehensive Development Ordinance (CDO) as: The preparation and packaging of food and/or beverage (including alcoholic and non-alcoholic) products for distribution and/or wholesale or retail sales, on or off premise, excluding restaurants and cafes except as an accessory use.

This property is located within the Enterprise – Light Manufacturing (ELM) zone. Within that zone, cafes are permissible, but restaurants are not. Cafes as defined in Article 13 are: Any food service establishment subject to Vermont Health Regulations containing less than or equal to 2,000 gross square feet where food and beverages are prepared and served for consumption either on or off premises. The proposed area for tasting and food service is treated as an accessory café for permitting purposes. Within the ELM zone, such areas are limited to 2,000 sf. Larger space becomes a restaurant and cannot be permitted within the ELM zone.

The applicant appealed the denial September 1, 2021 – within the 15-day appeal period. The appeal asserts that the tasting area is neither a café nor restaurant. It is only an “accessory” tasting area less than 25% of the total food and beverage processing use. Accessory is defined as: A use, building or structure that:

- Is located on the same lot as a principal use, structure, or building served;
- Is clearly incidental to and customarily found in connection with the principal use, structure, or building; and,
- Is subordinate in area, temporal extent, or purpose to the principal use, structure, or building served, and is not to exceed twenty-five percent (25%) of the gross area or sales of the principal use, structure, or building served.

The proposed tasting area is 17.2% of the total brewery area – less than 25%. It is larger than permissible for a café but small enough to be accessory. The appeal further points out that beer sales comprise the majority of gross receipts from tasting area sales. Therefore, the tasting area cannot be a restaurant as defined in the CDO.

A bar is defined as: An establishment, or portion thereof, subject to Vermont Liqueur Control Regulations and primarily devoted to the service and on premise consumption of alcoholic beverages, and where the service of food is only incidental to the consumption of such beverages (alcoholic beverage is greater than fifty percent {>50%} of the gross sales of food and beverages at the establishment).

While not asserted in the appeal, conceivably the tasting room could be viewed as an accessory bar. Like restaurants, bars are not permissible in the E-LM zone.

The Development Review Board has two basic choices here:

- Overturn the administrative denial and approve the tasting room as a bar – allowable only as an accessory use. As a primary use, it is clearly prohibited by Appendix A – Use Table in the CDO.
- Uphold the administrative denial and limit the tasting room to 2,000 sf so as to clearly remain within the permissible limits of food and beverage service entities in the E-LM zone.

Of the two, cafe standards are the most clearly permissible in the E-LM zone. Restaurants and bars are prohibited in the E-LM zone. Cafes are allowed. Cafes are limited to 2,000 sf and do not specify percentage food sales versus beverage sales. While the applicable zoning standards do not expressly address how to handle accessory tasting rooms, cafes are the best, permissible fit within the E-LM zone. They are an allowable, small accessory use that may support the primary food and beverage processing uses. Their small size is consistent with the intent of the E-LM zone to allow accessory commercial uses in support of the manufacturing, processing, and light industrial uses the district is primarily intended for.

II. Recommended Motion:

Uphold the administrative denial of zoning application ZP-21-604, new main entrance to the building and change of use to food & beverage processing (brewery with tasting room).

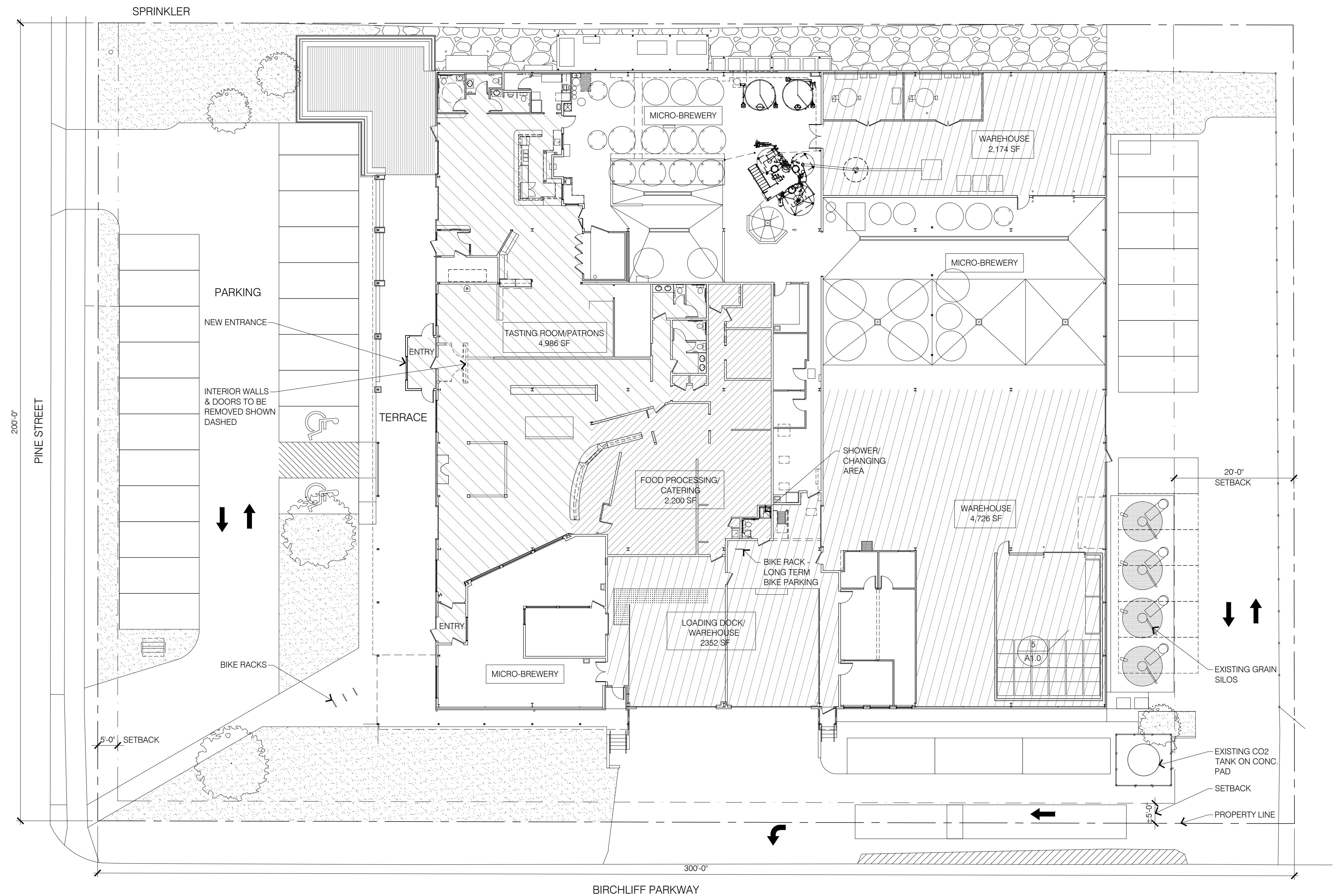
ZONING - E-LM

LOT SIZE = 59,972 SF - NO CHANGE
EXISTING COVERAGE = 52,415 SF = 87.4% -
NO CHANGE

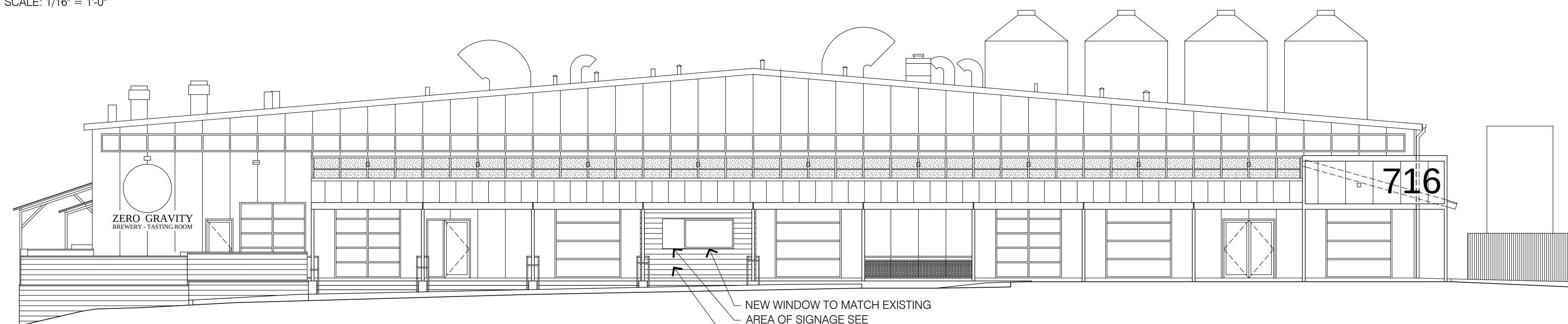
PARKING REQUIRED: (SHARED USE PARKING DISTRICT)
FOOD & BEVERAGE PROCESSING @ 17,755 = 18 SPACES
TASTING ROOM/PATRON @ 4,986 = 10 SPACES
GENERAL WAREHOUSE @ 9,252 SF = 3 SPACES
PARKING NEEDED = 31 SPACES
EXISTING PARKING = 32 SPACES

EXISTING BIKE PARKING:
INDUSTRIAL @ 17,338 SF = 1 LONG TERM SPACE & 1 SHORT TERM SPACE
RETAIL @ 8,838 SF = 1 LONG TERM SPACE & 2 SHORT TERM SPACES
TOTAL REQUIRED = 2 LONG TERM SPACES & 3 SHORT TERM SPACES
TOTAL PROVIDED = 2 LONG TERM SPACES & 6 SHORT TERM SPACES

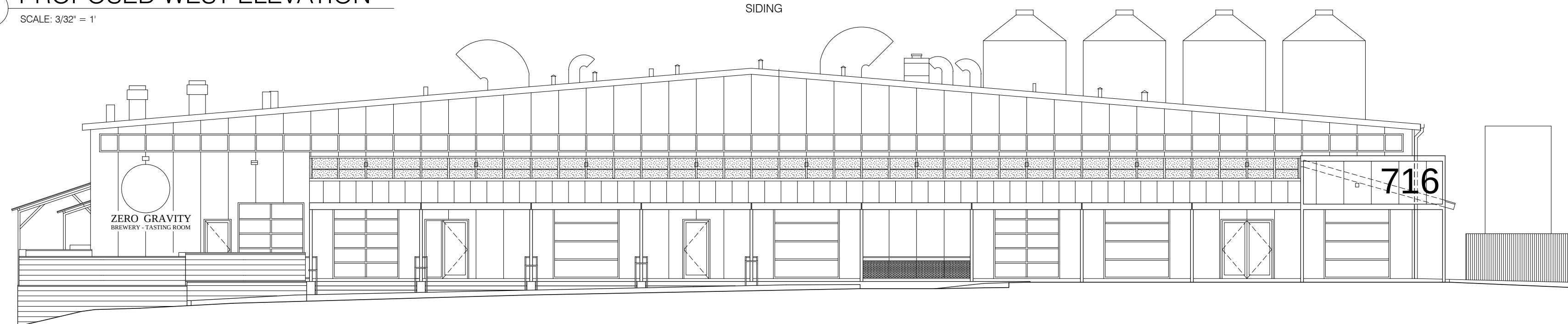
ALLOCATION OF SPACE
MICROBREWERY - BEVERAGE PROCESSING = 15,555 SF
MICROBREWERY - WAREHOUSE = 9,252 SF
BREWERY TOTAL 24,807 SF
TASTING ROOM (20% OF BREWERY) = 4,986 SF
CATERING - FOOD PROCESSING = 2,200 SF



3 SITE PLAN
SCALE: 1/16" = 1'-0"



2 PROPOSED WEST ELEVATION
SCALE: 3/32" = 1'



1 EXISTING WEST ELEVATION
SCALE: 3/32" = 1'

studioblue
ARCHITECTURE

p.o. box 4191
burlington, vt 05406
802.540.0484
www.studiobluearchitecture.com

RENOVATION FOR
ZERO GRAVITY
CRAFT BREWERY
716 PINE STREET
BURLINGTON, VT

CONSULTANTS

Written dimensions on these drawings shall have precedence over scaled dimensions. Contractor will verify and be responsible for all dimensions and conditions of the Project and the Architect must be notified immediately of any variations from the dimensions and conditions shown by these drawings. These drawings and the ideas represented by them are and shall remain the property of the studioblue Architecture and no part thereof shall be used for any other than this project without the written consent of studioblue Architecture.

ZONING DRAWINGS

DATE: AUGUST 3, 2021
SCALE AS NOTED

REVISIONS:

SITE PLAN & ELEVATIONS

A1.0



City of
Burlington, Vermont
645 Pine Street

Zoning Permit – Reasons for Denial

ZP #: 21-604

Tax ID: 057-3-034-000

Issue Date: August 31, 2021

Decision: Denied

Property Address: 716 Pine Street

Description:

New main entrance to the building and change of use to food & beverage processing (brewery with tasting room).

Reasons for Denial:

The proposed renovations for the food and beverage processing facility (micro-brewery) include a 4,986 sf interior space for a tasting room with food service for patrons.

Food and beverage processing is defined in Article 13 of the Comprehensive Development Ordinance (CDO) as: The preparation and packaging of food and/or beverage (including alcoholic and non-alcoholic) products for distribution and/or wholesale or retail sales, on or off premise, excluding restaurants and cafes except as an accessory use.

This property is located within the Enterprise – Light Manufacturing (ELM) zone. Within that zone, cafes are permissible, but restaurants are not. Cafes as defined in Article 13 are: Any food service establishment subject to Vermont Health Regulations containing less than or equal to 2,000 gross square feet where food and beverages are prepared and served for consumption either on or off premises.

The proposed area for tasting and food service is treated as an accessory café for permitting purposes. Within the ELM zone, such areas are limited to 2,000 sf. Larger space becomes a restaurant and cannot be permitted within the ELM zone.

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board within 15 days of the decision date.

<https://www.burlingtonvt.gov/DPI/Appealing-a-Zoning-Decision>

To: Design Review Board
From: Donna Church on behalf of Zero Gravity Brewery
Project Location: 716 Pine St
Date: September 14, 2021
Re: Response to Zoning Permit Denial
ZP #: 21-604

Response to the Zoning Permit Denial:

Zero Gravity recently requested a permit for proposed renovations that would expand its current tasting room 2,286 SF to 4,986 SF. Our permit was denied as a café larger than 2,000 SF, when it should have been approved as an Accessory Use taking up less than 25% of the gross area of its principle use as a beer manufacturer.

Increasingly, brewery tasting rooms have become essential to the craft beer business model. Tasting rooms are the building blocks for strong craft brewery brands, and core to their ability to compete, grow, add jobs, and provide benefits to employees. They also provide the crucial cash flow for continued investment in the manufacturing process, which is very expensive – to date Zero Gravity has invested over \$6 million in its Pine Street production facility. Tasting rooms therefore are, at their very heart (and by definition), clearly an Accessory Use to beverage processing as envisioned in the Enterprise – Light Manufacturing (ELM) zone.

Currently the Zero Gravity brewery building is 24,807 SF, of which the current tasting room occupies 2,286 SF as an accessory use to its vastly larger beer processing business. Right next door, The Great Northern operates a 1,784 SF café as part of its 7,383 SF food processing business (wholesale and catering).

The needs of both businesses have evolved, however, due in no small part to the impacts driven by the COVID-19 pandemic. The Great Northern wants to get out of the café business completely, and instead focus exclusively on food processing, including expanding its catering business and selling food wholesale to Zero Gravity and other businesses. In doing so, The Great Northern will reduce its footprint from 7,383 SF to 3,248 SF (kitchen and loading dock only).

In turn, Zero Gravity would like to expand its tasting room by 2,700 SF, and its brewery production space by 1,435 SF. The net effect is that Zero Gravity would operate a larger tasting room (as an Accessory Use to beer production) that is less than 25% of its principle use as a rapidly growing beer processor. This is neither a café, nor a restaurant, and does Zero Gravity want to operate one. Zero Gravity's sole interest is in the business of producing and selling beer and promoting its brand, and any foodservice provided (by The Great Northern via wholesale contract) is purely incidental.

The property is located in the within the Enterprise – Light Manufacturing (ELM) zone that specifically allows for food and beverage processing and their accessory uses.

Food and beverage processing is defined in Article 13 of the Comprehensive Development Ordinance (CDO) as: The preparation and packaging of food and/or beverage (including alcoholic and non-alcoholic) products for distribution and/or wholesale or retail sales, on or off premise, excluding restaurants and cafes except as an accessory use.

An Accessory Use is defined in the CDO as: A use, building, or structure that (a) is located on the same lot as the principal use, structure, or building served; (b) is clearly incidental to and customarily found in connection with the principal use, structure, or building; and (c) is subordinate in area, temporal extent, or purpose to the principal use, structure, or building served, and is not to exceed twenty-five percent (25%) of the gross area or sales of the principal use, structure, or building served.

Zero Gravity meets every one of these tests, both as a Beverage Processor and an Accessory Use. In his denial letter, the Zoning Administrator implied that simply because we serve food subject to Vermont Health Regulations, we are deemed a Café (limited to 2,000 SF) rather than an Accessory Use (25% of the gross area of the principle use as a microbrewery). We believe this interpretation is not supported by the plain language of the CDO. This view also conflicts with the larger goal of the ELM Zone in creating and supporting sustainable manufacturing job growth in the City of Burlington.

The Zoning Administrator further is suggesting because we are proposing a tasting room larger than 2,000 SF (while also providing foodservice) that we are operating as a restaurant which are not permitted in the ELM Zone. A Restaurant is defined in the CDO as: Any food service establishment subject to Vermont Health Regulations where food and beverages are prepared and served for consumption primarily on premises; and where the service of alcoholic beverages is incidental to the consumption of food (less than fifty percent (50%) of the gross sales receipts from the business). In our case, however, the service of alcoholic beverages is not incidental and in fact plays the leading role by providing 65% of the gross receipts from the accessory business. Add back the wholesale beer business, and suddenly foodservice is reduced to a mere fraction of the overall economic activity at the site.

The fact is, the CDO does not directly address the unique needs and importance of the brewery tasting room and its role in driving the success of the larger production business. If the Development Review Board is concerned about a slippery slope here, and potentially opening the door to restaurant development in the ELM zone, it should not be. The 25% rule more than adequately protects against this. For example, a 4,000 SF restaurant would need to lease 16,000 SF of space just to skirt the rule, while simultaneously developing and investing in a legitimate food or beverage production operation in the other 12,000 SF. It's just not going to happen.

With all due respect to the Zoning Administrator, the 25% rule is working as it was designed. We've proven that by expanding our beer production business, our accessory tasting room expansion should be approved. We are not a café. We are not a restaurant. We are a

production microbrewery trying to compete successfully against 8,700 craft breweries nationally and are complying with the rules, goals and intent of the ELM Zone.

Thank you for considering our appeal.

From: Donna Church [mailto:donna@studiobluearchitecture.com]
Sent: Tuesday, September 14, 2021 3:32 PM
To: Scott Gustin <SGustin@burlingtonvt.gov>
Subject: 716 Pine St - Zero Gravity - Zoning Ordinance review

[WARNING]: This email was sent from someone outside of the City of Burlington.

Hi Scott,

I just wanted to follow up with you personally regarding the Narrative I submitted to the DRB for Zero Gravity, which was written from my Client's perspective. But when it comes down to it, I wanted to share my logic with you, for how I see the project.

The property is located within the Enterprise – Light Manufacturing (ELM) zone. We are meeting the Zoning Ordinance Approved Use Category as 'Food & Beverage Processing'. Which is defined as: ['Food and Beverage Processing: The preparation and packaging of food and/or beverage \(including alcoholic and non-alcoholic\) products for distribution and/or wholesale or retail sales, on or off premise, excluding restaurants and cafes except as an accessory use.'](#) Food and Beverage Processing is only fully allowed in the Enterprise Zone and the only other district it is allowed is a Conditional Use approval in the Neighborhood Mixed Use. Our project is located where it should be located in the city.

The definition of Food & Beverage Processing in the Ordinance gives the ability to have restaurants and cafes as an accessory use to Food & Beverage Processing. We are not applying to have the building space to have the use of a stand alone Restaurant or Café as suggested by your interpretation. I believe we have met the allowed condition of restaurants and cafes as an accessory use to Food & Beverage Processing. As the definition reads, restaurants and cafes are an exception only for Food & Beverage Processing use, which is only fully allowed in the ELM district. If the Zero Gravity Brewery was not to occupy the building any longer, the Tasting Room would be removed as well. The proposed Tasting room is 20% of the Brewery use and meets the definition of the ordinance as an Accessory Use which allows a maximum of 25%.

I would also like to make the point that the Tasting Room is not defined by the Ordinance and that it doesn't fall into the definition of a restaurant/café either. A Restaurant per the ordinance is defined: [Any food service establishment subject to Vermont Health Regulations where food and beverages are prepared and served for consumption primarily on premises; and where the service of alcoholic beverages is incidental to the consumption of food \(less than fifty percent \(50%\) of the gross sales receipts from the business\). \(Also see Café, Caterers and Restaurant, Take-Out\) or Cafe \(Café: Any food service establishment subject to Vermont Health Regulations containing less than or equal to 2,000 gross square feet where food and beverages are prepared, and served for consumption either on or off premises. \(See Restaurant\).](#)

We are not proposing a Restaurant as that is where the Alcoholic Beverages are incidental to the consumption of food. We are proposing a Tasting Room, its own

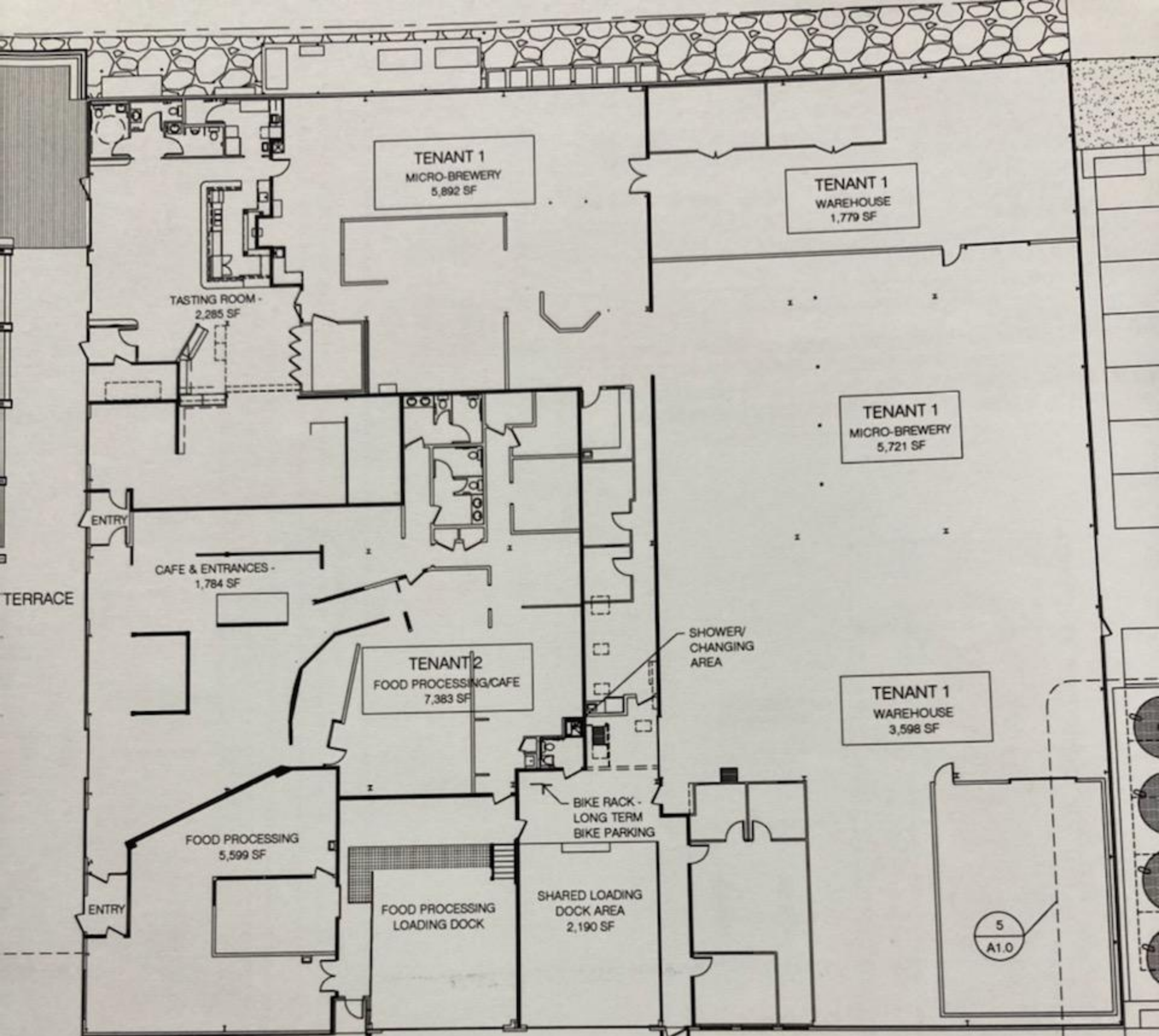
category, where the eating of food is incidental to the consumption of alcohol and required by the Division of Liquor Control. This is an Accessory Use to a Brewery and should be allowed to be 25% of the Brewery and not constrained under the designation of Restaurant or Cafe.

I know you were worried about this being a back door to Restaurants in the Enterprise zone, but the way I am reading the ordinance, a Restaurant is an allowed exception for Food & Beverage Processing locations only. You won't ever have stand alone Restaurants in the ELM zone. The ordinance doesn't have a definition for a Tasting Room and I can see how you are trying to work with the definitions you were given in the Ordinance. So I can see why you wanted to classify the space as a Cafe or Restaurant, based on sizes and the factor of food, but I think you might have missed the fact that a Restaurant as an accessory use is allowed in our case. I agree it is not allowed in the district on it's own.

I just wanted to share with you my thoughts and my approach to this project. Please let me know if this doesn't make sense to you. I value your opinion.

Take care,
Donna

studioblue Architecture
p.o. box 4191
burlington, VT 05406
802.540.0484
www.studiobluearchitecture.com



- NOTE -

**ANY MODIFICATION 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

BIRCHLIFF PARKWAY

SIGNED

Walter 2nd

DATE

10/1/19

ZONING PERMIT #

20-0339CA

REVIEWED BY:

cm

DEPARTMENT OF PERMITTING & INSPECTIONS

PROPOSED GRAIN
SILOS
EXIST. CO2 TANK

AI.1

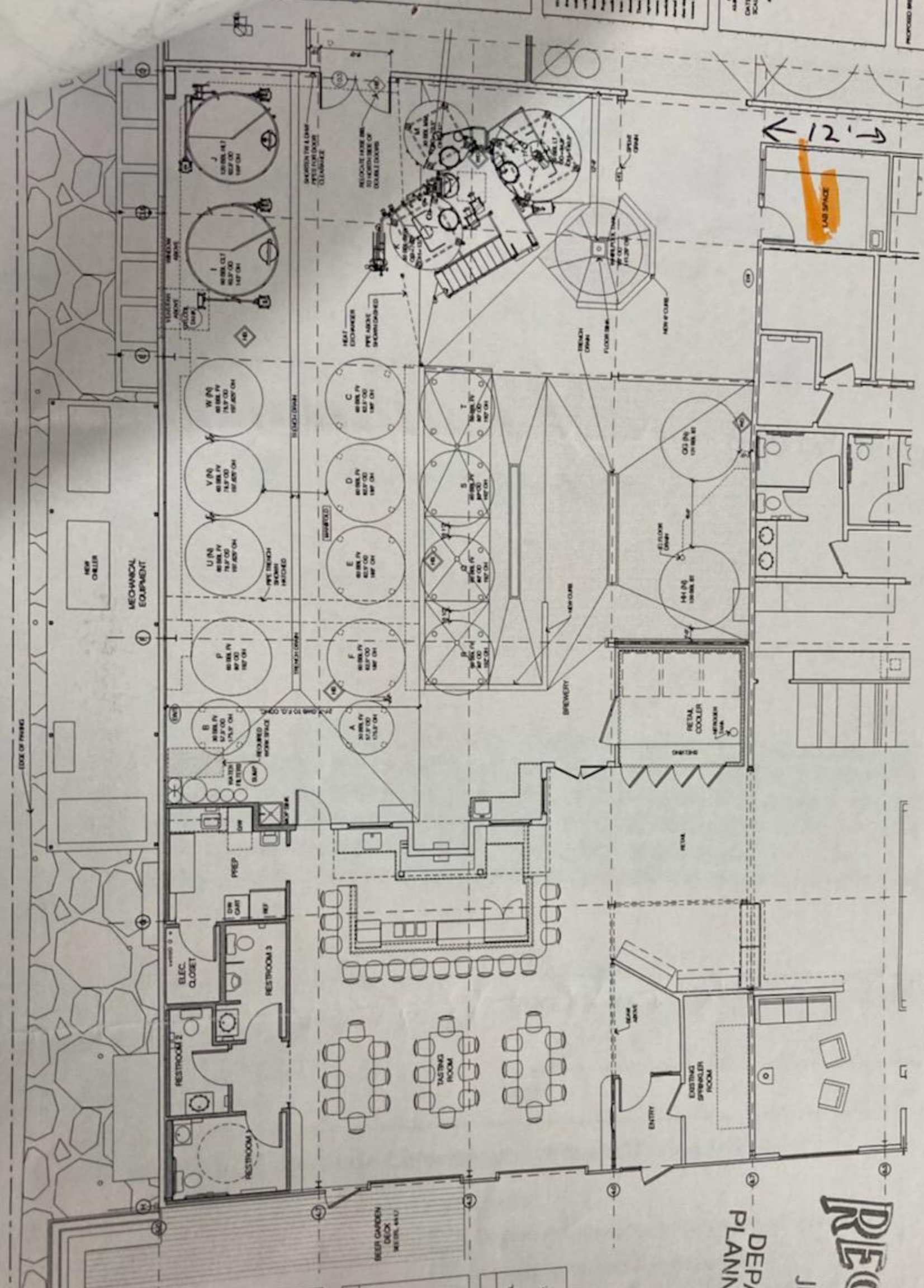
← 8.5' →

PROPOSED BREWERY FLOOR PLAN

RECEIVED

JUN 21 2018

DEPARTMENT OF PLANNING & ZONING



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, Planning Technician
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Ryan Morrison, Associate Planner
DATE: October 5, 2021
RE: ZP-21-645; 130 Mansfield Avenue

=====

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: I Ward: 1E

Owner/Applicant: CSC Mcauley LLC / David Valyou

Request: Request approval to remove up to 13 trees on the property.

Applicable Regulations:

Article 5 (Citywide General Regulations)

Background Information:

The applicant is seeking approval to remove up to 13 trees from within the developed property. Specifically, the applicant notes 11 dead/dying black locust trees and 2 elm trees to be removed. No new development is proposed, and this application is reviewed under the Tree Removal standards of Article 5 of the Comprehensive Development Ordinance.

Previous zoning actions for this property:

- **Zoning Permit 02-200;** install fencing. Approved October 26, 2001.
- **Zoning Permit 17-0090CA;** install a gazebo in the backyard. Approved July 27, 2016.
- **Non-Applicability of Zoning Permit 18-0416NA;** replacement roofing. Approved October 19, 2017.
- **Zoning Permit 20-0401CA;** relocate existing playground and add a new walkway. Approved October 17, 2019.

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

I. Findings

Article 5: Citywide General Regulations

Sec. 5.5.4, Tree Removal

(a) Review criteria for zoning permit requests for tree removal

(1) Grounds for approval

Tree removal involving six (6) or more trees, each of ten (10) inches or greater in caliper or the removal of ten (10) or more trees, each of which is three (3) inches or greater in caliper

during any consecutive twelve (12) month period may be permitted for any of the following reasons:

A. Removal of dead, diseased, or infested trees;

The applicant has provided a quote from DJ's Tree Service that includes the following note:

Highly recommend removal of these trees because they are half dead and losing limbs which make them very dangerous.

The photos provided by the applicant show leafless treetops among otherwise healthy, fully leaved trees. Staff visited the property and observed these trees and concurs that they appear to be a threat to life and/or property. Additionally, the city arborist stated that he has no concerns about the removal of the trees since they present a potential hazard to the residents and property in their current state. **(Affirmative finding)**

B. Thinning of trees for the health of remaining trees according to recognized accepted forestry practices;
(Not applicable)

C. Removal of trees that are a danger to life or property; or,

As the applicant notes, there are 11 dead/dying black locust trees and 2 diseased elm trees. Photos provided show leafless treetops among other healthy trees, thus supporting their dead/dying/diseased status. The quote from DJ's Tree Service provides additional confirmation of the health of these trees. Clearly, these trees are susceptible to falling over/apart and becoming a danger to life or property. **(Affirmative finding)**

D. As part of a development with an approved zoning permit.

No new development is proposed. **(Not applicable)**

(2) Grounds for denial

Tree removal involving six (6) or more trees, each of ten (10) inches or greater in caliper or the removal of ten (10) or more trees, each of which is three (3) inches or greater in caliper during any consecutive twelve (12) month period may be denied if existing healthy trees are known to be:

A. Providing a significant privacy or aesthetic buffer or barrier between properties;

As the site plan (aerial photo) shows, the location of the trees proposed for removal are well within the property, and will not open up any sort of view corridor between the property itself and neighboring properties. **(Not applicable)**

B. Providing stabilization on slopes vulnerable to erosion;
(Not applicable)

C. Located within a riparian or littoral buffer;
(Not applicable)

D. Provide unique wildlife habitat;
(Not applicable)

**E. A rare northern Vermont tree species as listed by the Vermont Natural Heritage Program; or,
(Not applicable)**

**F. A significant element or, or significantly enhances, an historic site.
(Not applicable)**

II. Conditions of Approval

1. Standard permit conditions 1-15.

Ryan Morrison

From: Vincent Comai
Sent: Wednesday, September 29, 2021 8:12 AM
To: Ryan Morrison
Subject: Re: Tree removal - 130 Mansfield Ave - McAuley Square

Hello Ryan,

I have no concerns about the removal of these trees as they present a potential hazard to the residents and property in their current state. V.J.

Sent from my iPhone

On Sep 27, 2021, at 9:48 AM, Ryan Morrison <rmorrison@burlingtonvt.gov> wrote:

Hi Vincent

I have an application going to the Development Review Board next week for the removal of 13 dead/dying trees at 130 Mansfield Ave – 11 black locusts and 2 elms. Attached is the site plan showing the location of the trees to be removed. Curious if you have any concerns with this? Looks pretty harmless to me. Thanks!!

Ryan Morrison
Associate Planner
City of Burlington
802-865-7190

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

<doc088348.pdf>

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
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Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



MEMORANDUM

TO: Development Review Board
FROM: Ryan Morrison, Associate Planner
DATE: October 5, 2021
RE: 21-640; 483 Manhattan Drive

=====

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: RM Ward: 2C

Owner/Applicant: Matt Brouillard / MBVT, Inc.

Request: Demolish existing single family residence and construct a new duplex.

Applicable Regulations:

Article 3 (Applications, Permits, and Project Reviews), Article 4 (Zoning Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards), Article 8 (Parking)

Overview:

The applicant proposes to demolish an existing single family home at 483 Manhattan Drive, and replace it with a new, 3-story duplex. The existing home, ca. 1899, is not listed as a historic structure.

The Design Advisory Board reviewed this application on September 28, 2021, and recommends approval of the project as proposed, with the following recommendations:

1. Widen the pedestrian walkway to approximately 4 ft, or match it to the width of the entrance steps;
2. Consider a larger entry landing by extending it approximately 3 ft toward the street; and
3. Identify the trash/recycling area in the backyard and a walkway along the side of the duplex to the front of the property.

The applicant has revised the plans to reflect the recommendations of the DAB.

There are no previous zoning permit actions associated with this property.

Recommendation: Certificate of Appropriateness Approval as per the following findings:

I. Findings

Article 3: Applications, Permits and Project Reviews

Part 3: Impact Fees

Section 3.3.2 Applicability

Any new development or additions to existing buildings which result in new dwelling units or in any new non-residential buildings square footage are subject to impact fees.

Impact fees shall be calculated based on the total gross square footage of the principal use. A credit of 1,488 sf for the existing home is being applied to the gross square footage of the proposed duplex (5,196 sf). Per the submitted plans, an estimate of the fees is:

SF of Project 3,708

Department	<u>Residential</u>	
	Rate	Fee
Traffic	0.208	771.26
Fire	0.235	871.38
Police	0.047	174.28
Parks	0.789	2,925.61
Library	0.488	1,809.50
Schools	1.019	3,778.45
Total	2.786	\$ 10,330.48

Affirmative finding.

Section 3.3.8 Time and Place of Payment

Impact fees must be paid to the city's chief administrative officer / city treasurer according to the following schedule:

- a) *New buildings: Impact fees must be paid at least seven days prior to occupancy of a new building or any portion thereof.*

Affirmative finding as conditioned.

Article 4: Zoning Maps and Districts

Section 4.4.5 Residential Districts

(a) 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.*

A new duplex is proposed, a will meet the intent of the RM zone. **Affirmative finding.**

(b) Dimensional Standards and Density

Table 4.4.5-1 Minimum Lot Size and Frontage

The RM zoning district requires a minimum lot frontage of 30 ft. The subject property has 42 ft of street frontage. **Affirmative finding.**

Table 4.4.5-2 Base Residential Density

Proposed units: $2 / (4,721 \text{ lot size} / 43,560 \text{ acre})$ or $2 / .1084 = 18.4502$; < 20 units per acre limitation. The proposal complies with base residential density of the RM zoning district.

Affirmative finding.

Table 4.4.5-3 Residential District Dimensional Standards

Zoning	Max. Lot	Setbacks ^{1, 3, 4, 5, 6}
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District	Coverage ¹	Front	Side	Rear	
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'	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	Height: 35-feet
483 Manhattan Drive	48.5% (taking advantage of the 10% coverage bonus allowed)	Average front yard setback is 8.75 ft. The proposed duplex will have a front yard setback of 13.75 ft.	Lot width 42.25 ft. Min. side yard setback proposed is 5 ft.	Lot depth is 111' - 114' = 27.75' - 28.5' min. rear yard setback. Proposed setback is 47'.	35' to midpoint of roof.

Affirmative finding

(c) Permitted and Conditional Uses

A duplex is a permitted use in the RM zoning district. **Affirmative finding.**

(d) District Specific Regulations

1. Setbacks

No setback encroachments are proposed or sought. Not applicable.

2. Lot Coverage

A. Exceptions for Accessory Residential Features

In the RL, RL-W, RM and RM-W districts, and additional ten (10) per cent of lot coverage above the otherwise applicable limit may be permitted for the following amenity features accessory to residential uses provided that such features shall at no time be enclosed or be used for parking:

(i) decks;

(vii) walkways

The duplex and driveway/parking will be 39.5%, less than the 40% max allowance. The rear decks and walkways total 9% of lot coverage. In total, the development will see 48.5% lot coverage. **Affirmative finding.**

3. Accessory Residential Structures and Uses

No accessory residential structures or uses are proposed. Not applicable.

4. Residential Density

The occupancy of each unit within the duplex is limited to members of a family as defined in Article 13. Any divergence from the limitations of functional family and occupancy of more than four unrelated adults is subject to Conditional Use Review and approval by the DRB.

Affirmative finding as conditioned.

5. Uses

There is no Neighborhood Commercial Use at this location. Not applicable.

6. Residential Development Bonuses

No development bonuses are included or sought. Not applicable.

Article 5: Citywide General Standards

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.5-3 and Sec. 4.4.5 (d) (2) above. **Affirmative finding.**

Section 5.2.4 Buildable Area Calculation

The parcel is not greater than 2 acres. Not applicable.

Section 5.2.5 Setbacks

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

Section 5.2.6 Building Height Limits

See Table 4.4.5-3, above. For pitched roofs, height is measured to the midpoint of the roof rise. The proposed height is 35 ft at the midpoint of the roof rise. **Affirmative finding.**

Section 5.2.7 Density and Intensity of Development Calculations

See Section 4.4.5-2, above. **Affirmative finding.**

Section 5.4.9 Brownfield Remediation

Not applicable.

Section 5.5.1 Nuisance Regulations

None identified. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

The applicant has submitted exterior light spec sheets which meet these standards, and the elevation drawings show their locations. **Affirmative finding.**

Section 5.5.3 Stormwater and Erosion Control

An Erosion Prevention and Sediment Control plan will need to be reviewed and approved by the Stormwater Program Manager prior to the release of the zoning permit. **Affirmative finding as conditioned.**

Section 5.5.4 Tree Removal

No trees are identified to be removed for the development. **Affirmative finding.**

Article 6: Development Review Standards

Part 1: Land Division Design Standards

No land division is proposed. Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

There are no important natural features at this location. **Affirmative finding.**

(b) Topographical Alterations:

There are no topographical alterations proposed. The property is flat. **Affirmative finding.**

(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:

Not applicable. The existing home is not listed as historic.

(e) Supporting the Use of Renewable Energy Resources:

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

(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 has submitted an Erosion Prevention and Sediment Control plan and a stormwater plan to the Stormwater Program Manager for review and approval. Approval will be required before the zoning permit is released.

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 shared front entry area will be entirely sheltered from the elements as it is tucked underneath the upper stories. Each unit's rear door accessing the decks will have approx. 1 ft of roof cover. Snow storage will occur within the side yard setbacks and/or the front yard. **Affirmative finding.**

(h) Building Location and Orientation:

Neighboring structures on this block of Manhattan Drive range between 1 and 3 stories, most with gable roofs. One 3-story building at the corner of Manhattan Drive and Intervale Avenue has hip roofing with dormers. Not every home here has clearly identifiable front entrances. The proposal will have a setback front entrance, located at the rear of the driveway, with a clear walkway that will aid in defining an identifiable entrance. While the entrance area is visible from the street, neither unit door actually faces the street, which is a requirement that the DRB has previously upheld on appeal. The Design Advisory Board recommended approval of the plan with the doors as proposed, content that the overall entrance area is visible, but not specifically a door. However, maintaining consistency with the regulation of this requirement is what's important here. Given the floor plan of the western unit, it appears possible to relocate the door to the street facing wall section in this entrance area, and meet this requirement. Or the applicant can explore altering the ground level floor plan and putting in a front door at the forefront wall of the building, with a walkway to the sidewalk (assuming lot coverage doesn't become an issue).

The proposed building will have a similar alignment to the street frontage with neighboring structures, as far as the front yard setback is concerned. In order to accommodate the 4-space parking requirement, and that the driveway be located to the side of the primary structure, the foremost area of the structure juts out in front of the main structural body to comply with front yard setbacks while accommodating the parking. The driveway here will be 16'x36'. **Affirmative finding as conditioned.**

(i) Vehicular Access:

The proposal includes shifting/widening the curb cut along Manhattan Drive. The 16'x36' driveway will meet the 4 parking space requirement. **Affirmative finding.**

(j) Pedestrian Access:

The plan shows a 4 ft wide walkway between the sidewalk and the front entrance at the end of the driveway. This walkway will be of a different material (concrete) than the driveway (asphalt), thus making it discernible from the driveway. Steps leading to a shared entrance stoop at the end of the driveway are proposed. **Affirmative finding.**

(k) Accessibility for the Handicapped:

The building inspector has jurisdiction over ADA requirements and compliance, as required, will need to be addressed during building permit review. **Affirmative finding.**

(l) Parking and Circulation:

The Share Parking District requires 2 parking spaces per unit within a duplex. The plan identifies 4 parking spaces within the 16'x36' driveway. **Affirmative finding.**

(m) Landscaping and Fences

The plans show a flower bed along the front wall of the building. 6 ft tall privacy fencing is proposed along the rear yard property lines, and as a visual barrier between the two units. **Affirmative finding.**

(n) Public Plazas and Open Space:

There is no requirement within the ordinance to provide a public plaza. There will be, however, yard space in the backyard that can provide some outdoor enjoyment. **Affirmative finding.**

(o) Outdoor Lighting:

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

Recessed downlights are proposed in the ceiling above the ground level parking spaces and at the shared entrance, and wall mounted light fixtures are proposed next to the rear, ground level doors. The accompanying manufacturer's spec sheets indicate that these light fixtures comply with the lighting standards of Sec. 5.5.2 CDO. **Affirmative finding.**

(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 applicant proposes to keep trash/recycling totes on the rear decks. Gas and electric meters will be installed on the west wall. Exterior heat pump units will be located along the rear wall, between the rear decks. **Affirmative finding.**

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

The mass of the proposed building will exceed that of the immediate neighboring structures. It should be noted that there is a 3-story residential building two lots to the east, at the corner of Manhattan Drive and Intervale Avenue. So while it will be a full story taller than its immediate neighbors, it won't be out of character with the massing, height and scale of the neighborhood. **Affirmative finding.**

2. Roofs and Rooflines.

Most structures along this section of Manhattan Drive have gabled roofs. The proposed structure will have a 'salt box' roof, which as viewed from the street will have a similar but slightly different gable appearance. Asphalt shingles will be used. **Affirmative finding.**

3. Building Openings

Building openings are strategically placed in each bedroom along the front and rear facades. Due to the floor plan of each floor, centrally located building openings in the upper stories appear to be difficult to include due to the separating wall between the two units. The rear façade has a consistent window and door pattern. The side facades have less openings but are not sporadically placed. **Affirmative finding.**

(b) Protection of Important Architectural Resources:

Not applicable. The existing single family home is not a historic resource.

(c) Protection of Important Public Views:

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

(d) Provide an active and inviting street edge:

Building facades shall be varied along the street edge by the integration of architectural features, building materials, or physical step-backs of the façade along its length. ..This may be accomplished by incorporating fenestration patterns, bays, horizontal and vertical façade articulations, the rhythm of openings and prominent architectural features such as porches, patios, bays, articulated bases, stepping back an elevation relative to surrounding structures, and other street level details. The use of traditional façade components such as parapet caps, cornices, storefronts, awnings, canopies, transoms, kick plates, and recessed entries are highly encouraged. In areas where high volumes of pedestrian traffic are desired, the use of architectural recesses and articulations at the street level are particularly important in order to facilitate the flow of pedestrian traffic.

While the proposed front entrance is tucked back at the end of the driveway, the foremost building section and recessed front wall offer a varying frontage. The driveway/parking location doesn't aid in creating an inviting street edge; however given the lot width, this represents one, if not the only, option to provide vehicular access while being able to develop the duplex. Symmetrical placement of windows in the upper stories, albeit with significant blank wall space between, offers some visual relief. The two planes of the front façade, and the separation between the two units, warrant this blank wall area. **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.

The proposal calls for vinyl board & batten siding and vinyl windows throughout. Doors will be wooden with lites. The elevation plans identify 'metal roof material' to wrap around the front and rear façade as trim and as a canopy. These materials are common in new construction and are durable. **Affirmative finding.**

(f) Reduce energy utilization:

All new construction is required to meet the Guidelines for 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. No signs are proposed.

(h) Integrate infrastructure into the building design:

See Section 6.2.2 (p), above. **Affirmative finding.**

(i) Make spaces secure and safe:

Spaces shall be designed to facilitate building evacuation, accessibility by fire, police or other emergency personnel and equipment, and, to the extent feasible, provide for adequate and secure

visibility for persons using and observing such spaces. Building entrances/entry points shall be visible and adequately lit.

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

Article 8: Parking

Per Table 8.1.8-1, duplexes require 2 parking spaces per unit in the Shared Use Parking District. The site plan shows 4 onsite parking spaces, as required. **Affirmative finding.**

I. Conditions of Approval

1. **At least 7 days prior to the issuance of a certificate of occupancy**, the applicant shall pay to the City Treasurer's Office or Planning and Zoning office impact fees as calculated by staff based on the net new square footage of the proposed development. As submitted, estimated Impact fees are:

SF of Project **3,708**

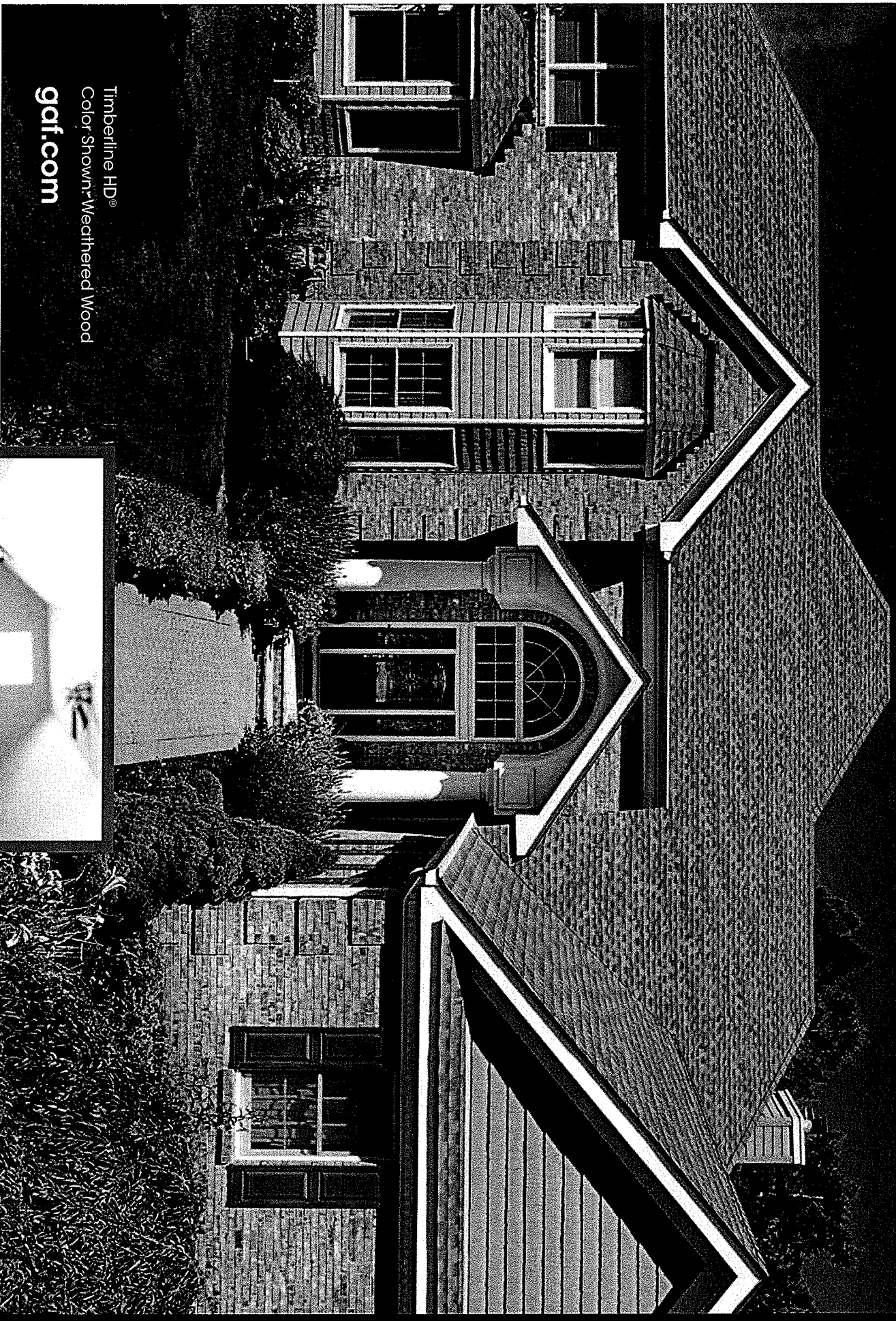
Department	<u>Residential</u>	
	Rate	Fee
Traffic	0.208	771.26
Fire	0.235	871.38
Police	0.047	174.28
Parks	0.789	2,925.61
Library	0.488	1,809.50
Schools	1.019	3,778.45
Total	2.786	\$ 10,330.48

2. **Prior to the release of the zoning permit**, the plans shall be revised so that at least one front entrance door faces Manhattan Drive.
3. **Prior to the release of the zoning permit**, the associate EPSC plan shall be approved by the Stormwater Program Manager.
4. **Prior to the release of the zoning permit**, the applicant shall obtain a letter from the Dept. of Public Works confirming adequate water and sewer capacity.
5. The fencing shall present a finished side to the adjoining properties and public street.
6. All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
7. Each unit within the duplex may be occupied only by a "family" as defined in Article 13 of the Comprehensive Development Ordinance.
8. New utility lines must be buried.
9. The proposed building must comply with all building and life safety code as defined by the building inspector and fire marshal.
10. A State of Vermont wastewater permit is required.
11. Standard Permit Conditions 1-15.

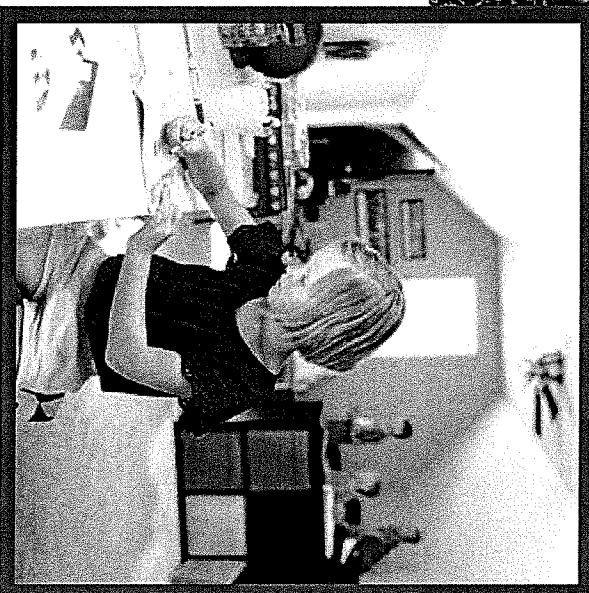


Residential Roofing Guide

The one-stop guide from North America's largest roofing manufacturer



Timberline HD®
Color Shown: Weathered Wood
gaf.com



Choose from hundreds of colors, styles, and essential accessories, and rest assured your new GAF roof has been engineered to provide unrivaled durability.

We protect what matters most™



Board and Batten

Vinyl Siding

General Description: CertainTeed Board and Batten Siding provides the rustic look of alternating wide and narrow cedar board vertical siding, but does not require the upkeep common to wood. Board and Batten siding is appropriate for use in new construction for single family homes, multi-housing projects and light commercial developments. Board and Batten is also an ideal product for remodeling.

Styles:

Profile	Finish	Panel Projection	Wall Thickness (Nominal)	Lock Design	Colors	Accessory Pocket	Length
Single 8" Vertical	Rough Cedar	1/2"	.048"	DuraLock™ post-formed positive lock	10	1/2"	10' and 126"
Single 7" Vertical	Rough Cedar	1/2"	.052"	DuraLock™ post-formed positive lock	22	1/2"	10'

Colors: Board and Batten siding profiles are available in a wide selection of colors. All colors are Spectrophotometer controlled and utilize exclusive PermaColor™ color science.

Colonial White (01)	Savannah Wicker (59)	Natural Clay (60)	Flagstone (97)*	Mountain Cedar (17)*
Desert Tan (07)^	Sterling Gray (33)	Autumn Red (23)*	Forest (47)*	Pacific Blue (27)*
Herringbone (04)	Castle Stone (37)*	Brownstone (40)*	Hearthstone (19)*	Sable Brown (29)*
Light Maple (55)^	Cypress (42)	Charcoal Gray (46)*	Melrose (39)*	Slate (44)*
Sandstone Beige (15)^	Granite Gray (34)*	Espresso (43)*	Midnight Blue (45)*	Spruce (16)*

**Only Available in the S7 Profile*
^Only available in the S8 Profile

Accessories: CertainTeed manufactures a wide range of siding accessories that are compatible with Board and Batten siding styles and colors. Accessory products include installation components, soffit, window and door trim, corner lineals, corner systems and decorative moldings.

Composition: Board and Batten siding is produced using PVC resin.

Technical Data: Board and Batten siding is in compliance with ASTM specification for Rigid Polyvinyl Chloride (PVC) Siding D3679, and the requirements of the 2015, 2018 and 2021 International Residential Code and International Building Code, the 2020 Florida Residential Code and Florida Building Code, and the 2019 California Residential Code and California Building Code. Board and Batten siding meets or exceeds the properties noted in Table 1.

Table 1

ASTM E 84	Meets Class A flame spread requirements as tested according to ASTM E84.	
ASTM D 635	Material is self-extinguishing with no measurable extent of burn when tested in accordance with this specification.	
NFPA 268	Radiant Heat Test - Ignition Resistance of Exterior Walls - Conclusion that CertainTeed met the conditions for allowable use as specified in section 1406 of the International Building Code.	

Important Fire Safety Information: When rigid vinyl siding is exposed to significant heat or flame, the vinyl will soften, sag, melt or burn, and may thereby expose material underneath. Care must be exercised when selecting underlayment materials because many underlayment materials are made from organic materials that are combustible. You should ascertain the fire properties of underlayment materials prior to installation. All materials should be installed in

accordance with local, state and federal Building Code and fire regulations.

Wind Load Testing: CertainTeed Board and Batten Vertical siding has been tested per ASTM D 5206 standard test method for wind load resistance to withstand negative wind load pressures and their mph equivalents as shown in the chart below. All products exceed industry standards for wind load performance. Check with your local building inspector for wind load requirements in your area for the type of structure you are building.

Table 2

Product	Fastener Spacing	2015/2018 IBC/IRC			2021 IBC/IRC		
		Standard Design Pressure Rating	Maximum Windspeed (mph)		Standard Design Pressure Rating	Maximum Windspeed (mph)	
			ASD	ULT		ASD	ULT
Single 8" Vertical	Nails 12" o.c.	98.7	203	261	64.4	164	211
Single 7" Vertical	Nails 12" o.c.	111.1	215	277	73.3	175	225

* Windload calculations based on ASTM D7793, ASCE 7-10, 30ft High, Exposure B

Documents: CertainTeed Vinyl Siding meets the requirements of one or more of the following specifications. Texas Department of Insurance Product Evaluation EC-11
Conforms to ASTM Specification D3679
ICC-ES Evaluation Report ESR-1066
Florida BCIS Approval FL1573
Florida BCIS Approval FL12483
For specific product evaluation/approval information, call 800-233-8990.

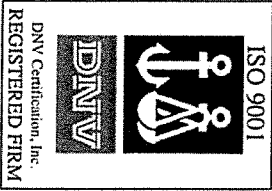
Installation: Prior to commencing work, verify governing dimensions of building, examine, clean and repair, if necessary, any adjoining work on which the siding is in any way dependent for its proper installation. Sheathing materials must have an acceptable working surface. Siding, soffit and accessories shall be installed in accordance with the latest editions of CertainTeed installation manuals on siding and soffit. Installation manuals are available from CertainTeed and its distributors.

Warranty: CertainTeed supports Board and Batten siding products with a Lifetime Limited Warranty including PermaColor Lifetime Fade Protection to the original homeowner. The warranty is transferable if the home is sold.

Technical Services: CertainTeed maintains an Architectural Services staff to assist building professionals with questions regarding CertainTeed siding products. Call 800-233-8990 for samples and answers to technical or installation questions.

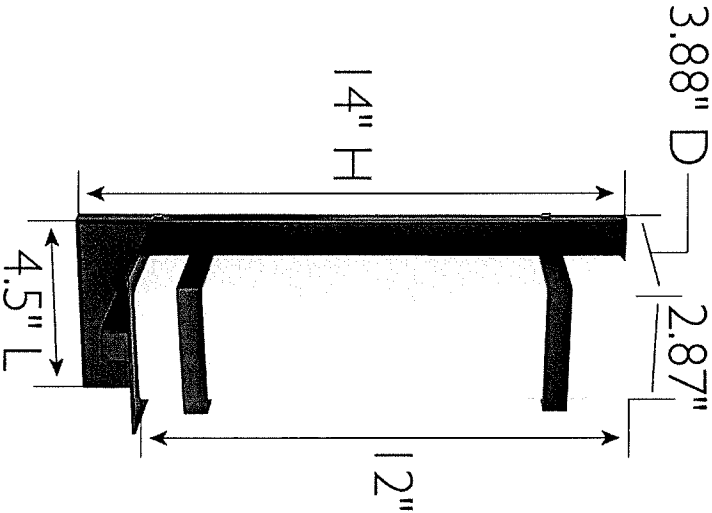
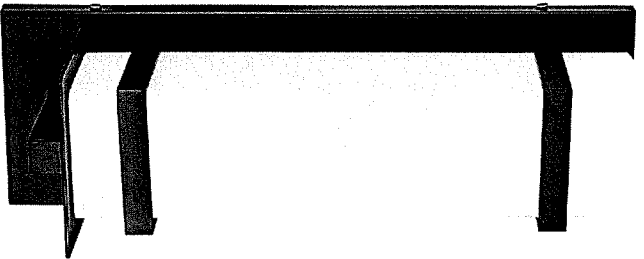
Sample Short Form Specification: Siding as shown on drawings or specified herein shall be Board and Batten Vinyl Siding as manufactured by CertainTeed LLC, Malvern, PA. The siding shall have a .052" nominal thickness for Single 7" profile and .048" for Single 8" profiles. Installation shall be in accordance with manufacturer's instructions.

Three-part Format Specifications: Long form specifications in three-part format are available from CertainTeed by calling our Architectural Services Staff at 800-233-8990. These specifications are also available on our website at www.certainteed.com.



CertainTeed LLC
20 Moores Road
Malvern, PA 19355
certainteed.com
© 01/21

Davis I-Light Indoor/Outdoor Wall Light
Matte Black Finish

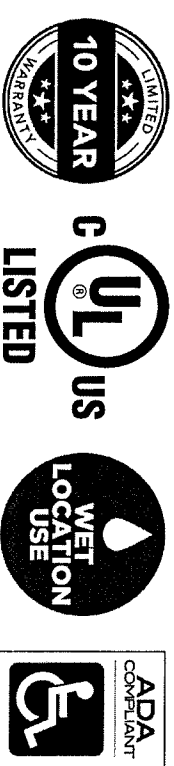


SPECIFICATIONS

MOUNTING:	Wall Mount	LED BRIGHTNESS (LUMENS):	N/A
SLOPED CEILING ADAPTABLE:	No	LED COLOR CORRELATED TEMPERATURE (CCT):	N/A
LAMP TYPE I:	Incandescent	LED COLOR RENDERING INDEX (CRI):	N/A
BULB INCLUDED:	No	LED EFFICACY:	N/A
WATTS PER BULB:	60W or LED equivalent	LED AVERAGE RATED LIFE:	N/A
TOTAL WATTAGE:	60W or LED equivalent	ENERGY EFFICIENT:	No
DIMMABLE:	No	LIGHTING AMPS:	0.5
MATERIAL CONSTRUCTION:	Steel/Aluminum	VOLTAGE:	120V
ASSEMBLED DIMENSIONS:	14" H x 4.5" L x 3.88" D		
WEIGHT:	3.36 lbs.		

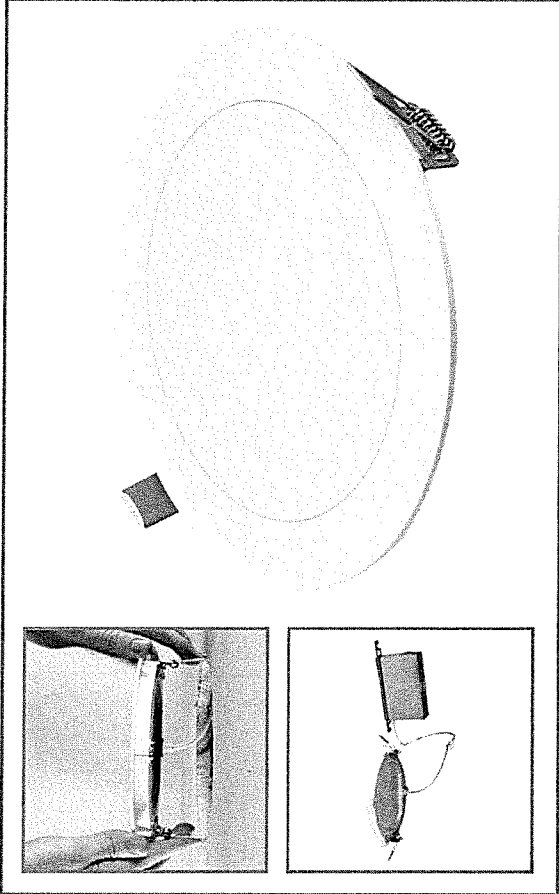
BACKPLATE DIMENSIONS:	14" H x 4.5" W x 0.59" D
CANOPY/PLATE DIMENSIONS:	N/A
GLASS/SHADE DIMENSIONS:	12" H x 2.87" L x 2.87" D
GLASS/SHADE MATERIAL:	Glass
GLASS/SHADE TYPE:	Frosted
GLASS/SHADE COLOR:	White

WARRANTY:	10-Year limited warranty
UL/ETL CERTIFICATION:	UL
WET/DRY/DAMP LISTING:	Wet
ADA COMPLIANT:	Yes
ENERGY STAR CERTIFIED:	No



TYPE:
JOB:
ORDER CODE:
APPROVALS:

Project	Catalog #	Type
Prepared by	Notes	Date



HALO

HLBSL6

6-Inch LED Lens Downlight with Remote Driver / Junction Box

Typical Applications
Residential

Product Certification



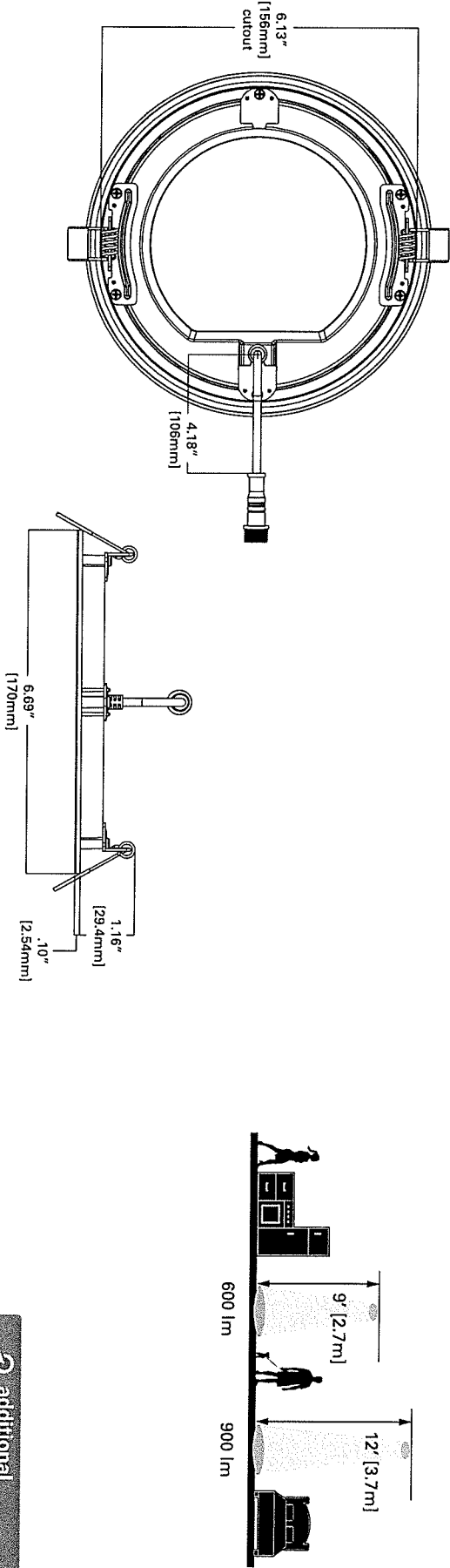
Refer to ENERGY STAR® Certified Products List.
Can be used to comply with California Title 24 High Efficacy requirements.
Certified to California Appliance Efficiency Database under JAB.

Product Features



- #### Top Product Features
- Direct mount - does not require recessed housing or junction box
 - Delivers up to 1,049 lumens
 - Achieves L70 at 35,000 hours in IC and non-IC applications
 - 2700, 3000, 3500, 4000 and 5000, 6000K field selectable CCT

Dimensional and Mounting Details



additional product diagrams

Order Information

Icon Key: A Configurable Product

SAMPLE ORDER NUMBER: HLBSL6099FS351EMWR

Models	Lumens	CRI / CCT	Driver	Finish	Packaging
Models	Lumens	CRI / CCT	Driver	Finish	Packaging
HLBSL6 = 6-inch LED smooth lens downlight with plastic housing and remote driver / junction box	09 = 900 lumens (nominal)	9FS23 = 90 CRI minimum, field selectable 2700K, 3000K, 3500K CCT 9FS35 = 90 CRI minimum, field selectable 3000K, 4000K, 5000K CCT 9FS46 = 90 CRI minimum, field selectable 4000K, 5000K, 6000K CCT	1E = 120V 60Hz, LE & TE phase cut 10% dimming	MW = matte white flange	R = recyclable 4-color unit carton suitable for point of purchase merchandising display
Notes	Notes	Notes	Notes	Notes	Notes

Accessories

Accessories	Notes
HL6RSMF = 6" new construction mounting frame HLB6ROTMMW = 6" round oversized trim ring, 8.875" OD, matte white	
Extension Cable selectTable Driver/Jbox HLB06FSEC = 6 ft. extension cable HLB12FSEC = 12 ft. extension cable HLB20FSEC = 20 ft. extension cable	
Notes	

Product Specifications

Housing

- Plastic mounting frame with integral flange provides passive thermal cooling achieving L70 at 35,000 hours in IC and non-IC applications

Optics

- Precision acrylic light guide organizes source flux into wide distribution with 1.28 spacing criteria, useful for general area illumination

LED Array

- Plurality of mid power LED's provides a uniform source with high efficiency and long life
- Available in 90 CRI minimum, R9 greater than 50 provides high color rendering
- Field Selectable color temperature (3 colors)
 - 2700K, 3000K, 3500K
 - 3000K, 4000K, 5000K
 - 4000K, 5000K, 6000K
- Color accuracy of 4 step at the ends, 7 step in the middle
- Meets ENERGY STAR® color angular uniformity requirements, deviation is less than 0.006 u° v°

Remote Driver / Junction Box

- Die formed metal driver / junction box with captive hinged junction box cover
- Listed for (6) #12 AWG 90° C splice conductors, 2-in, 2-out plus (2) ground
- (4) ½" conduit pry-outs
- Accepts 14-2, 14-3, 12-2, 12-3 U.S. and 14-2, 14-3, 12-2 Canadian NM cable
- (3) wire nuts for quick and reliable mains voltage connections
- Integral mounting facilitates direct mounting to building structure or mounting frame

Driver

- 120V 60 Hz constant current driver provides noise free operation
- Continuous, flicker-free dimming from 100% to 10% with select leading or trailing edge 120V phase cut dimmers

Installation

- Can be installed in 3/8" to 5/8" thick ceilings
- Round ceiling cutout
- Heat treated springs hold fixture fitting securely in the ceiling eliminating light leaks
- Housing is less than ½" thick and can span a 2" nominal framing member
- Can be removed from below the ceiling for service or replacement

Compliance

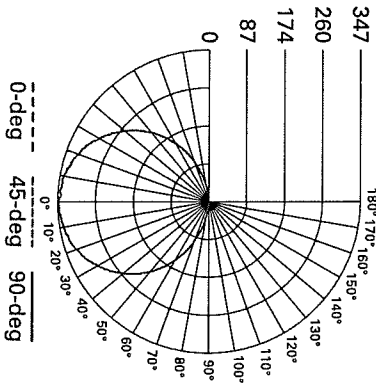
- cULus certified type IC suitable for direct contact with air permeable insulation
- Not recommended for use in direct contact with spray foam insulation, reference NEMA LSD57-2013
- Wet location listed and IP44 ingress protection
- Airtight per ASTM-E283-04
- Suitable for use in clothes closets when installed in accordance with the NEC 410.16 spacing requirements
- EMI/RFI emissions per FCC 47CFR Part 15 consumer limits
- Contains no mercury or lead and RoHS compliant
- Photometric testing in accordance with IES LM-79-08
- Lumen maintenance projections in accordance with IES LM-80-08 and TM-21-11
- Can be used for State of California Title 24 high efficacy LED compliance under JA8, reference Modernized Appliance Efficiency Database System (MAEDBS) for 2019 JA8 High Efficacy Lighting
- ENERGY STAR® certified, reference "Certified Light Fixtures" database

Warranty

- Five year warranty standard.

Photometric Data

 View IES files



HLBSL6099FS351EMWR
Spacing criterion: (0-180) 1.28
(90-270) 1.24
(Diagonal) 1.38
Beam Angle: 112.9°
Field Angle: 161.5°
Lumens: 866
Input Watts: 12.9 W
Efficacy: 67.13 LPW
Test Report:
HLBSL6099FS351EMWRlies

Zonal lumen	Lumens	% Lumens
0-30	233.8	27
0-40	383.6	44.3
0-60	682.4	78.8
0-90	866.0	100



COLOR METRIC SUMMARY

HLBSL6099FS231EMW

2700K		3000K		3500K	
TM-30-15	Rf = 91.0	TM-30-15	Rf = 91.0	TM-30-15	Rf = 91.0
	Rg = 98.0		Rg = 99.0		Rg = 99.0
CRI/CIE	Ra = 93.1	CRI/CIE	Ra = 94.2	CRI/CIE	Ra = 93.6
	R9 = 60.1		R9 = 68.7		R9 = 69.3

HLBSL6099FS351EMW

3000K		4000K		5000K	
TM-30-15	Rf = 92.0	TM-30-15	Rf = 90.0	TM-30-15	Rf = 90.0
	Rg = 99.0		Rg = 98.0		Rg = 97.0
CRI/CIE	Ra = 94.4	CRI/CIE	Ra = 95.6	CRI/CIE	Ra = 94.4
	R9 = 72.4		R9 = 86.1		R9 = 80.6

HLBSL6099FS461EMW

4000K		5000K		6000K	
TM-30-15	Rf = 91.0	TM-30-15	Rf = 91.0	TM-30-15	Rf = 91.0
	Rg = 98.0		Rg = 99.0		Rg = 99.0
CRI/CIE	Ra = 94.0	CRI/CIE	Ra = 94.9	CRI/CIE	Ra = 95.1
	R9 = 78.1		R9 = 84.9		R9 = 84.4

Energy and Performance Data

	Lumens		Power (W)		LPW
HLBSL6099FS231EMW	2700K	940	12.6	74.6	
	3000K	1018	12.5	81.4	
	3500K	1005	12.5	80.4	
HLBSL6099FS351EMW	3000K	866	12.9	67.1	
	4000K	954	12.7	75.1	
	5000K	957	12.9	74.2	
HLBSL6099FS461EMW	4000K	991	12.5	79.3	
	5000K	1049	12.3	85.3	
	6000K	1015	12.5	81.2	

Note: Refer to IES files for more product data.

HLBSL6099FS231EMW

PRODUCT SPECIFICATIONS				
Lumens	954			
Watts	12.7			
Lumens Per Watt (Efficacy)	75.1			
Color Accuracy (CRI)	93			
Light Color (CCT)	3000K			
Correlated Color Temperature (CCT)				
warm white	3000K	soft white	4500K	bright white 6500K

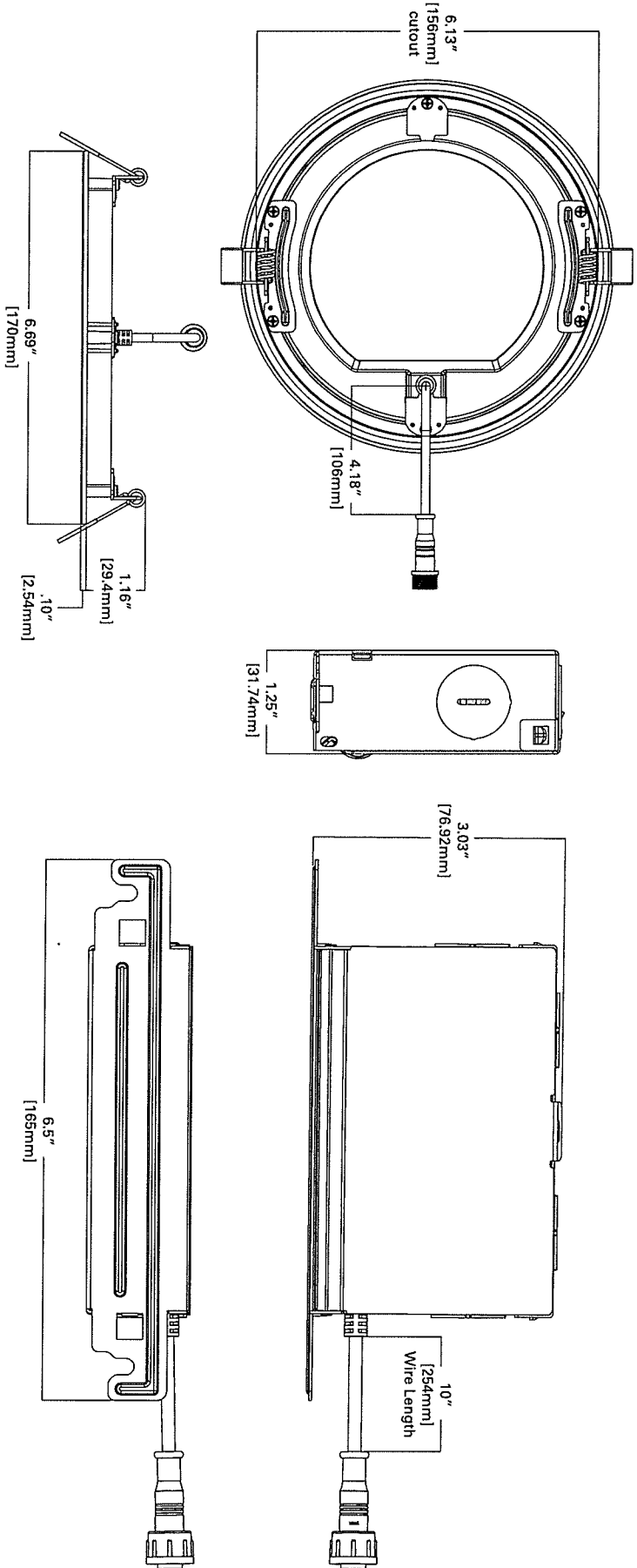
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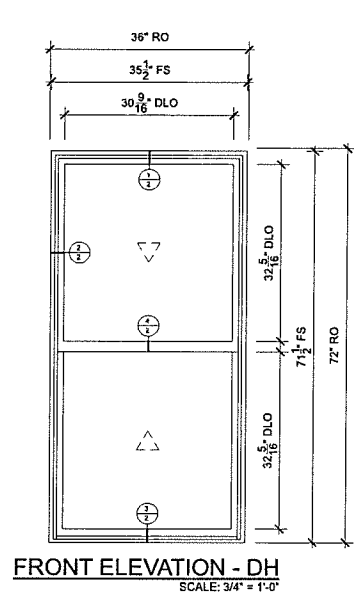
PRODUCT SPECIFICATIONS				
Lumens	940			
Watts	12.6			
Lumens Per Watt (Efficacy)	74.6			
Color Accuracy (CRI)	93			
Light Color (CCT)	3000K			
Correlated Color Temperature (CCT)				
warm white	soft white		bright white	
2700K	3000K	4500K	6500K	

HLBSL6099FS461EMW

PRODUCT SPECIFICATIONS				
Lumens	991			
Watts	12.5			
Lumens Per Watt (Efficacy)	79.3			
Color Accuracy (CRI)	93			
Light Color (CCT)	4000K			
Correlated Color Temperature (CCT)				
warm white	soft white		bright white	
2700K	3000K	4500K	6500K	

Dimensional Details

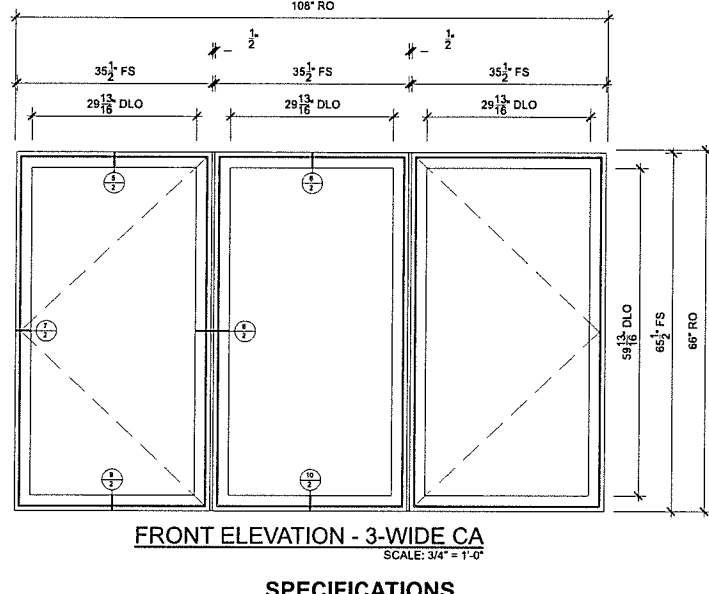




SPECIFICATIONS

Mark Unit: Front Elevation - DH
Product Line: Essential
Unit Description: Double Hung
Rough Opening: 36" X 72"
Frame Size: 35 1/2" X 71 1/2"
Sash Opening: 36" X 72"
Exterior Finish: Ebony
Interior Finish: Ebony
Glass Information: IG, Low E2 w/Argon, Stainless
Hardware Type: Sash Lock
Hardware Color: Matte Black, Ebony
Jamb Depth: 2" Base Frame

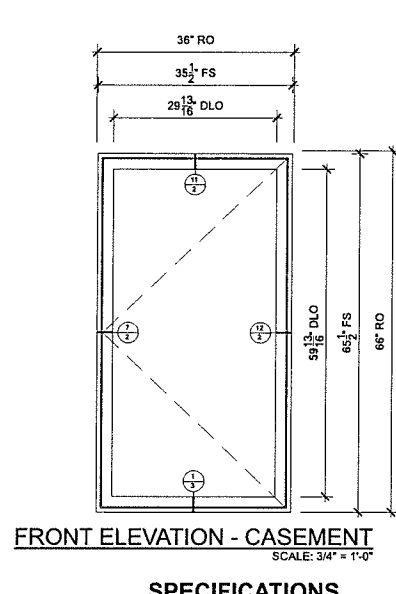
FOR DESIGN INTENT ONLY, NOT FOR MANUFACTURE.



SPECIFICATIONS

Mark Unit: Front Elevation - 3-Wide CA
Product Line: Essential
Unit Description: Essential Assembly
Rough Opening: 108" X 66"
Frame Size: 107 1/2" X 65 1/2"
Sash Opening: 108" X 66"
Exterior Finish: Ebony
Interior Finish: Ebony
Glass Information: IG, Low E2 w/Argon, Stainless
Hardware Type: [A1/A3] Folding Handle, Sash Limiter : None, [A2] None
Hardware Color: [A1/A3] Matte Black, [A2] None
Jamb Depth: 2" Base Frame

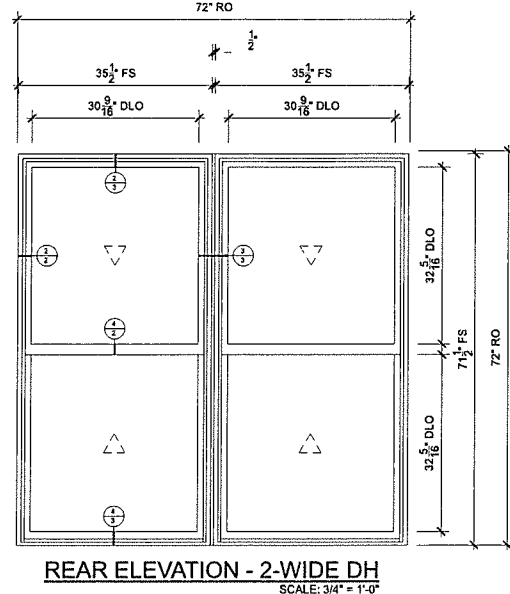
FOR DESIGN INTENT ONLY, NOT FOR MANUFACTURE.



SPECIFICATIONS

Mark Unit: Front Elevation - Casement
Product Line: Essential
Unit Description: Casement
Rough Opening: 36" X 66"
Frame Size: 35 1/2" X 65 1/2"
Sash Opening: 36" X 66"
Exterior Finish: Ebony
Interior Finish: Ebony
Glass Information: IG, Low E2 w/Argon, Stainless
Hardware Type: Folding Handle, Sash Limiter : None
Hardware Color: Matte Black
Jamb Depth: 2" Base Frame

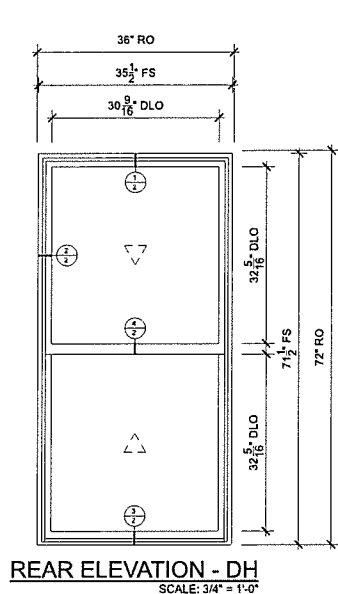
FOR DESIGN INTENT ONLY, NOT FOR MANUFACTURE.



SPECIFICATIONS

Mark Unit: Rear Elevation - 2-Wide DH
Product Line: Essential
Unit Description: Essential Assembly
Rough Opening: 72" X 72"
Frame Size: 71 1/2" X 71 1/2"
Sash Opening: 72" X 72"
Exterior Finish: Ebony
Interior Finish: Ebony
Glass Information: IG, Low E2 w/Argon, Stainless
Hardware Type: Sash Lock
Hardware Color: Matte Black, Ebony
Jamb Depth: 2" Base Frame

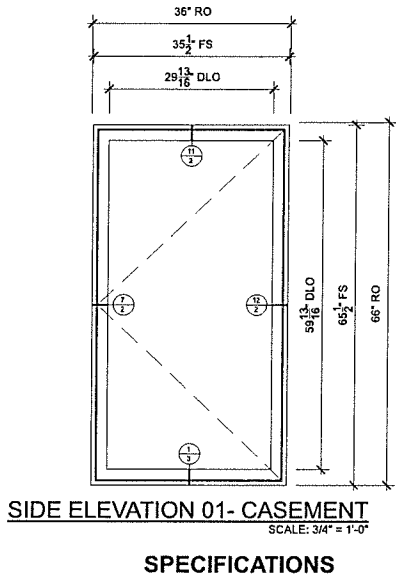
FOR DESIGN INTENT ONLY, NOT FOR MANUFACTURE.



SPECIFICATIONS

Mark Unit: Rear Elevation - DH
Product Line: Essential
Unit Description: Double Hung
Rough Opening: 36" X 72"
Frame Size: 35 1/2" X 71 1/2"
Sash Opening: 36" X 72"
Exterior Finish: Ebony
Interior Finish: Ebony
Glass Information: IG, Low E2 w/Argon, Stainless
Hardware Type: Sash Lock
Hardware Color: Matte Black, Ebony
Jamb Depth: 2" Base Frame

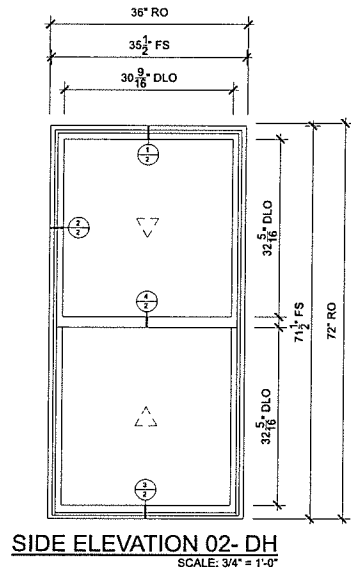
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SPECIFICATIONS

Mark Unit: Side Elevation 01- Casement
Product Line: Essential
Unit Description: Casement
Rough Opening: 36" X 66"
Frame Size: 35 1/2" X 65 1/2"
Sash Opening: 36" X 66"
Exterior Finish: Ebony
Interior Finish: Ebony
Glass Information: IG, Low E2 w/Argon, Stainless
Hardware Type: Folding Handle, Sash Limiter : None
Hardware Color: Matte Black
Jamb Depth: 2" Base Frame

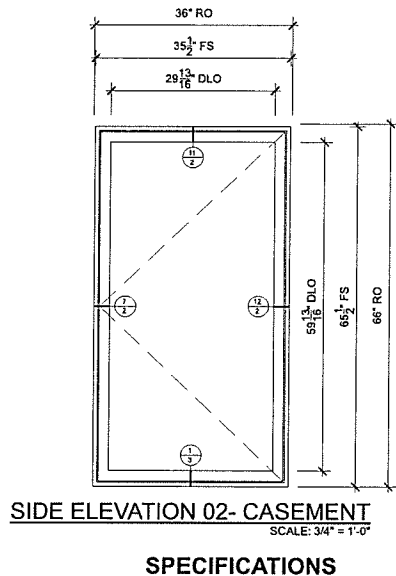
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SPECIFICATIONS

Mark Unit: Side Elevation 02- DH
Product Line: Essential
Unit Description: Double Hung
Rough Opening: 36" X 72"
Frame Size: 35 1/2" X 71 1/2"
Sash Opening: 36" X 72"
Exterior Finish: Ebony
Interior Finish: Ebony
Glass Information: IG, Low E2 w/Argon, Stainless
Hardware Type: Sash Lock
Hardware Color: Matte Black, Ebony
Jamb Depth: 2" Base Frame

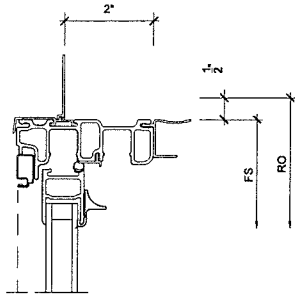
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SPECIFICATIONS

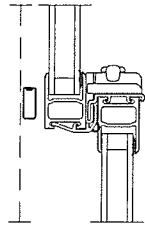
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Product Line: Essential
Unit Description: Casement
Rough Opening: 36" X 66"
Frame Size: 35 1/2" X 65 1/2"
Sash Opening: 36" X 66"
Exterior Finish: Ebony
Interior Finish: Ebony
Glass Information: IG, Low E2 w/Argon, Stainless
Hardware Type: Folding Handle, Sash Limiter : None
Hardware Color: Matte Black
Jamb Depth: 2" Base Frame

FOR DESIGN INTENT ONLY, NOT FOR MANUFACTURE.



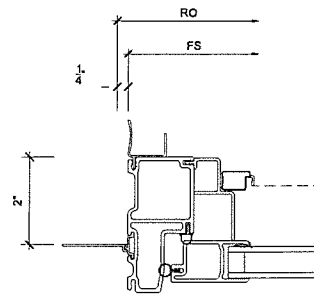
1
2 Head

SCALE: 6" = 1'-0"



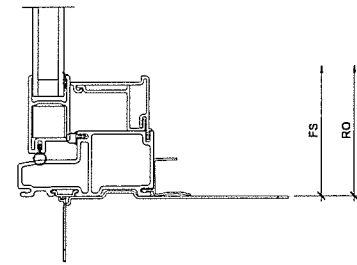
4
2 Check Rail

SCALE: 6" = 1'-0"



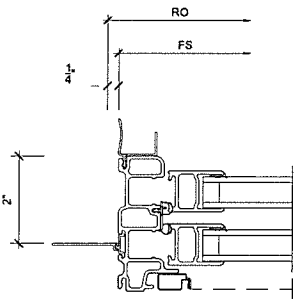
7
2 Jamb

SCALE: 6" = 1'-0"



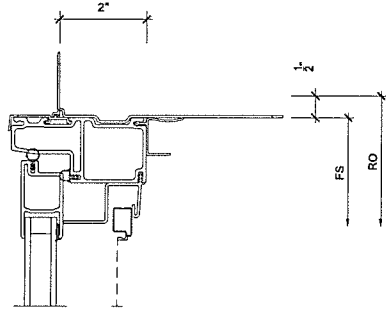
10
2 Sill

SCALE: 6" = 1'-0"



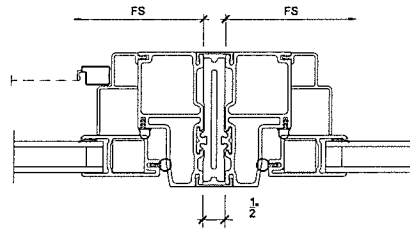
2
2 Jamb

SCALE: 6" = 1'-0"



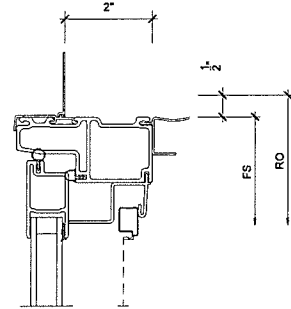
5
2 Head

SCALE: 6" = 1'-0"



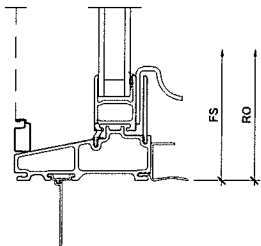
8
2 Vertical Mullion

SCALE: 6" = 1'-0"

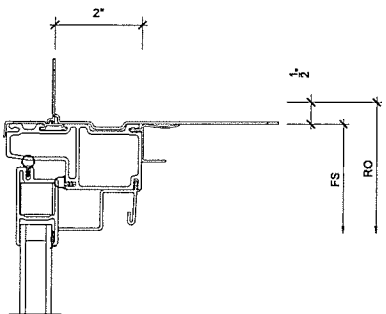


11
2 Head

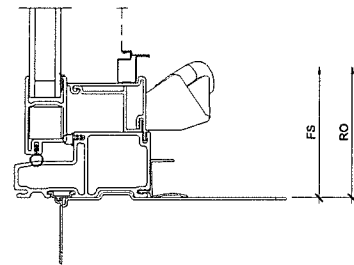
SCALE: 6" = 1'-0"



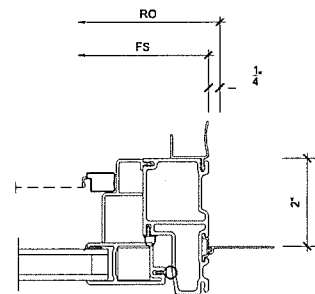
3
2 Sill



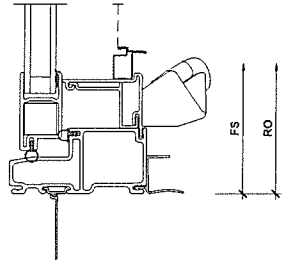
6
2 Head



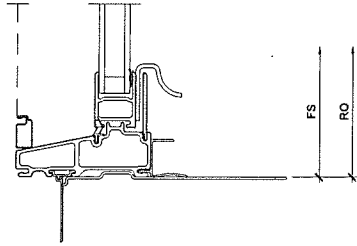
9
2 Sill



12
2 Jamb



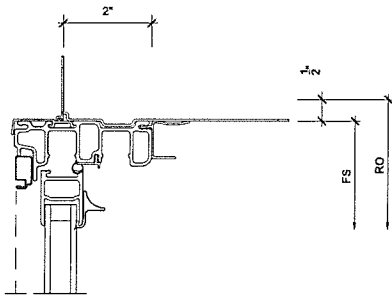
1
3 Sill SCALE: 6" = 1'-0"



4
3 Sill SCALE: 6" = 1'-0"

7
3 NOT USED SCALE: 6" = 1'-0"

10
3 NOT USED SCALE: 6" = 1'-0"

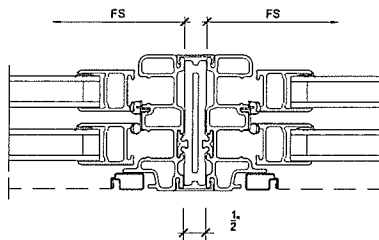


2
3 Head SCALE: 6" = 1'-0"

5
3 NOT USED SCALE: 6" = 1'-0"

8
3 NOT USED SCALE: 6" = 1'-0"

11
3 NOT USED SCALE: 6" = 1'-0"



3
3 Vertical Mullion

6
3 NOT USED

9
3 NOT USED

12
3 NOT USED



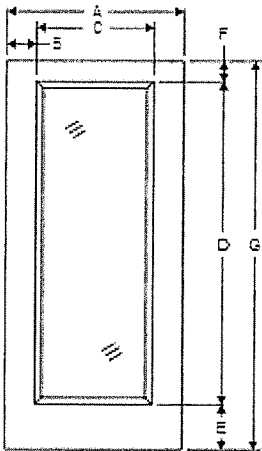
ORDERING PRODUCTS WITH REFERENCE TO SHOP DRAWINGS:
Before ordering the Marvin Window and Door products illustrated within these shop drawings, the purchaser must obtain the approved signature of the purchaser must be returned to the Architectural Division at Marvin Windows & Doors, P.O. Box 100, Warroad, Minnesota 55763. If the Marvin products included herein are ordered without reference to the approved shop drawings, Marvin Windows and Doors assumes no responsibility in guaranteeing product coordination with the drawings.

PROJ/JOB: MBVT / 483 Manhattan Dr
DIST/DEALER: WINDOWS & DOORS BY BROWNELL-GO
DRAWN: NOAH BOETSMA

THERMA-TRU

DOORS

6/8 Fiber-Classic/
Smooth-Star/ Steel



Full Lite Flush

Daylight Opening:
1454 13" x 63" (819 sq.in.)
1654 14-31/32" x 62-31/32" (941 sq.in.)
2064 18-29/32" x 62-29/32" (1189 sq.in.)
2264 20-15/16" x 62-15/16" (1317 sq.in.)

Notes:
For Optional Grit Locations, See Arch 1.
Impact Options Available.
Noise Reduction Options Available.

Available In:
Fiber-Classic Oak
Fiber-Classic Mahogany
Smooth-Star
Profiles
Traditions

Fiber-Classic/
Smooth-Star/
Steel Panel
Dimensions

Fiber-Classic and Smooth-Star										
Width	Glass	A	B	C	D	E (6/8)	E (6/8)	E (7/0)	F (6/8, 6/8)	F (7/0)
2/0Δ	1454	24"	4-1/8"	15-3/4"	65-3/4"	6-23/32"	9-9/32"	-	4-7/32"	-
2/4□	1654	28"	5-1/32"	17-31/32"	65-31/32"	6-5/8"	9-3/16"	-	4-1/8"	-
2/6*	2064	30"	4-1/16"	21-29/32"	65-29/32"	6-21/32"	9-7/32"	-	4-5/32"	-
2/8N	2064	32"	5-1/16"	21-29/32"	65-29/32"	6-21/32"	9-7/32"	-	4-5/32"	-
2/8	2264	32"	4-1/16"	23-7/8"	65-7/8"	6-21/32"	9-7/32"	10-11/32"	4-5/32"	7-1/32"
2/10	2264	34"	5-1/16"	23-7/8"	65-7/8"	6-21/32"	9-7/32"	10-11/32"	4-5/32"	7-1/32"
3/0	2264	38"	6-1/16"	23-7/8"	65-7/8"	6-21/32"	9-7/32"	10-11/32"	4-5/32"	7-1/32"
3/6†	2264	42"	9-1/16"	23-7/8"	65-7/8"	6-21/32"	9-7/32"	10-11/32"	4-5/32"	7-1/32"

†Only available in 6/8 Smooth-Star.
*Not available in 7/0 Smooth-Star.
□Only available in 6/8 and 5/8.
ΔOnly available in 6/8.

Profiles and Traditions										
Width	Glass	A	B	C	D	E (6/8)	E (6/8)	E (7/0)	F (6/8 & 6/8)	F (7/0)
2/0□	1454	23-31/32"	4-1/8"	15-3/4"	65-3/4"	6-13/16"	9-3/8"	-	4-1/8"	-
2/0□	1454 Impact	23-31/32"	4-1/16"	15-7/8"	65-7/8"	6-3/4"	9-5/16"	-	4-3/32"	-
2/4□	1654	27-31/32"	5"	17-31/32"	65-31/32"	6-5/8"	9-3/16"	-	4-1/8"	-
2/6N	1654	29-31/32"	6"	17-31/32"	65-31/32"	6-5/8"	9-3/16"	-	4-1/8"	-
2/8	2064	29-31/32"	4-1/32"	21-29/32"	65-29/32"	6-21/32"	9-7/32"	10-11/32"	4-5/32"	7"
2/8N	2064	31-31/32"	5-1/32"	21-29/32"	65-29/32"	6-21/32"	9-7/32"	10-11/32"	4-5/32"	7"
2/8	2264	31-31/32"	4-1/16"	23-7/8"	65-7/8"	6-21/32"	9-7/32"	10-11/32"	4-5/32"	7-1/32"
2/10	2264	33-31/32"	5-1/16"	23-7/8"	65-7/8"	6-21/32"	9-7/32"	10-11/32"	4-5/32"	7-1/32"
3/0	2264	35-31/32"	6-1/16"	23-7/8"	65-7/8"	6-21/32"	9-7/32"	10-11/32"	4-5/32"	7-1/32"
3/6*	2264	41-31/32"	9-1/16"	23-7/8"	65-7/8"	6-21/32"	9-7/32"	10-11/32"	4-5/32"	7-1/32"

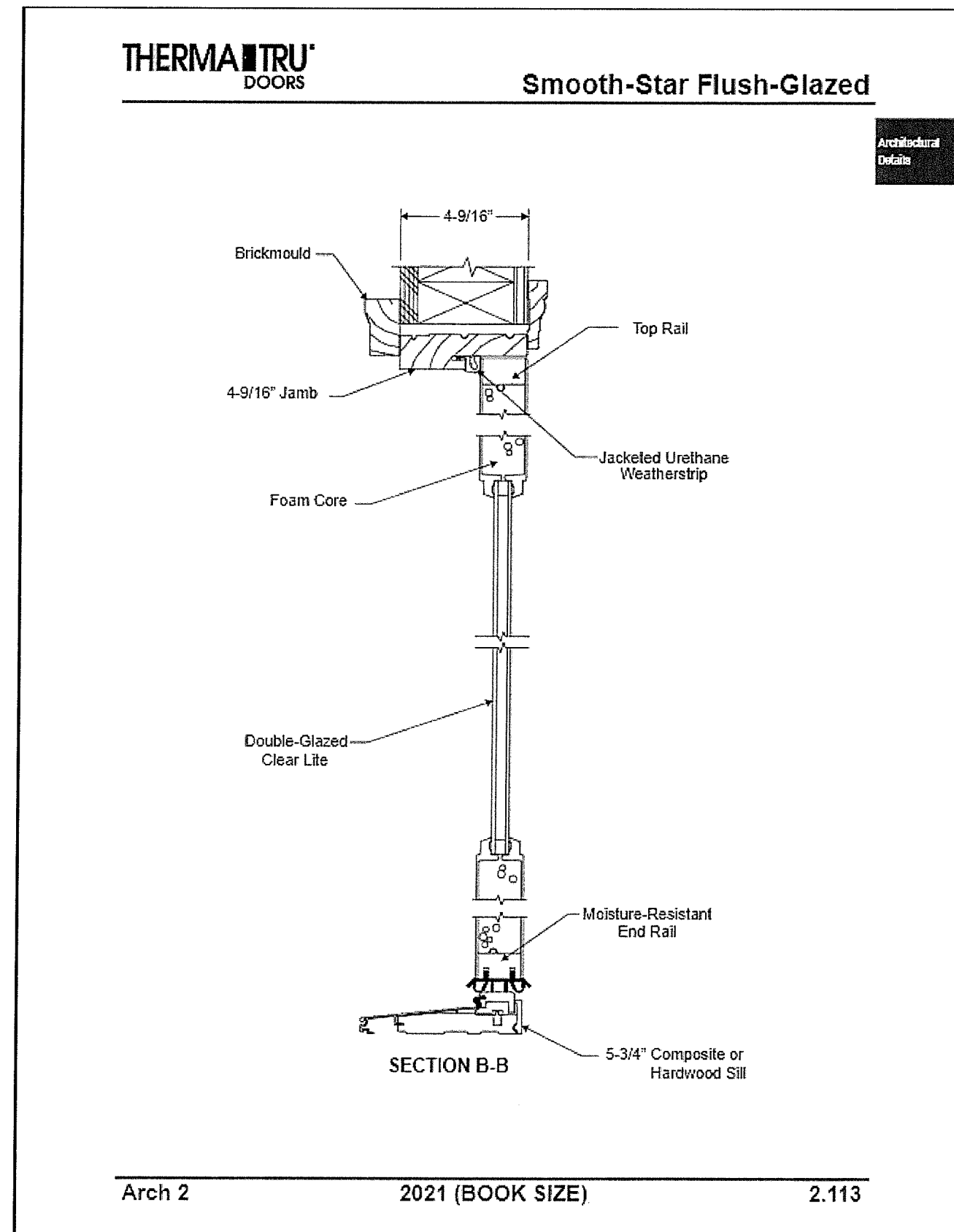
*Only available in Profiles.
□Only available in 5/8 and 6/8.

Fiber-Classic and Smooth-Star	
Height	G
6/8□	76-11/16"
6/8	75-1/4"
7/0	83-1/4"

□Not available in Fiber-Classic Mahogany.

Profiles and Traditions	
Height	G
6/8□	76-11/16"
6/8	79-1/4"
7/0*	83-1/4"

*Only available in Traditions.
□Only available in Profiles.
□Only available in 2/4 and 2/10.

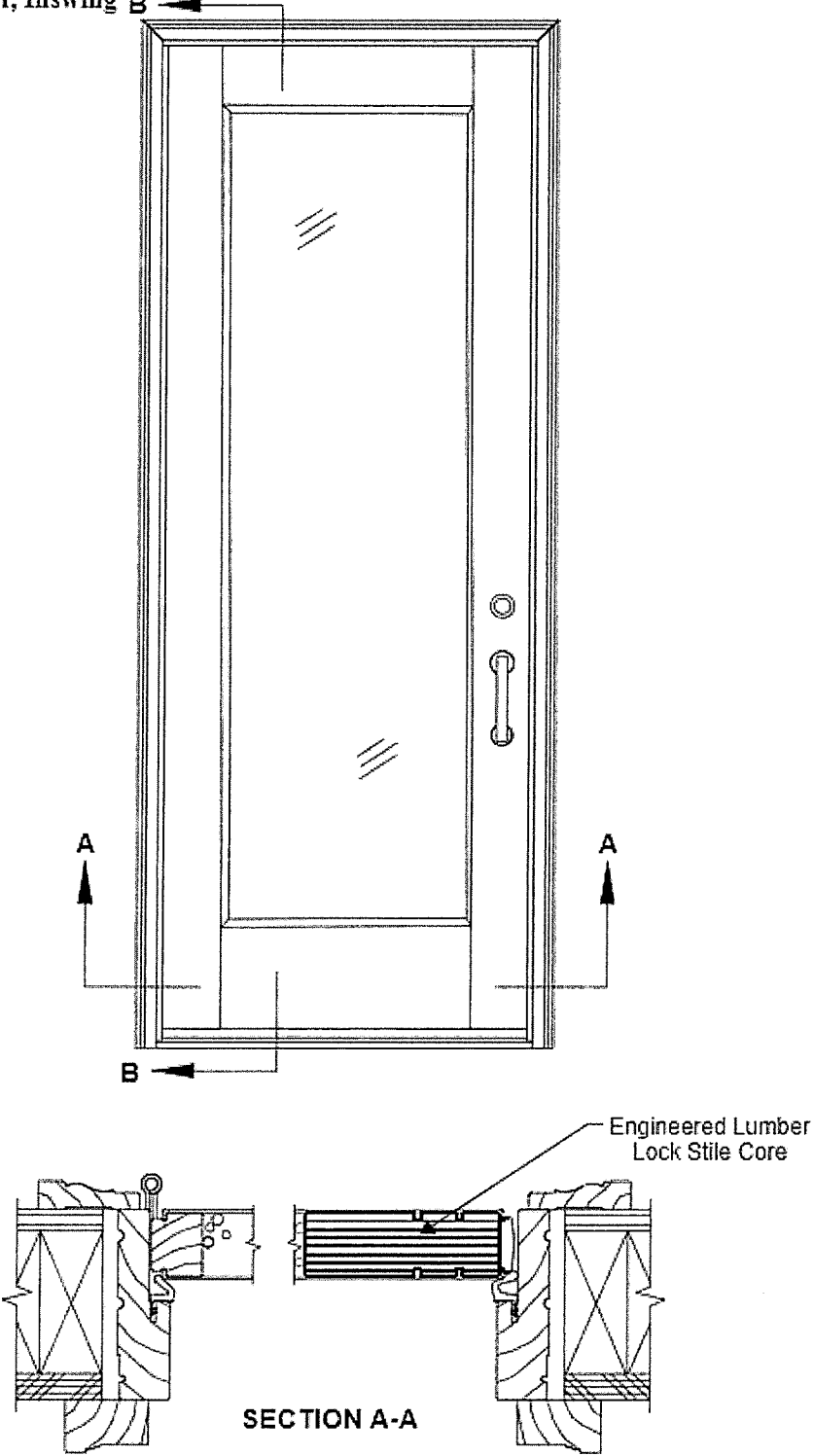


Smooth-Star Flush-Glazed

THERMA TRU
DOORS

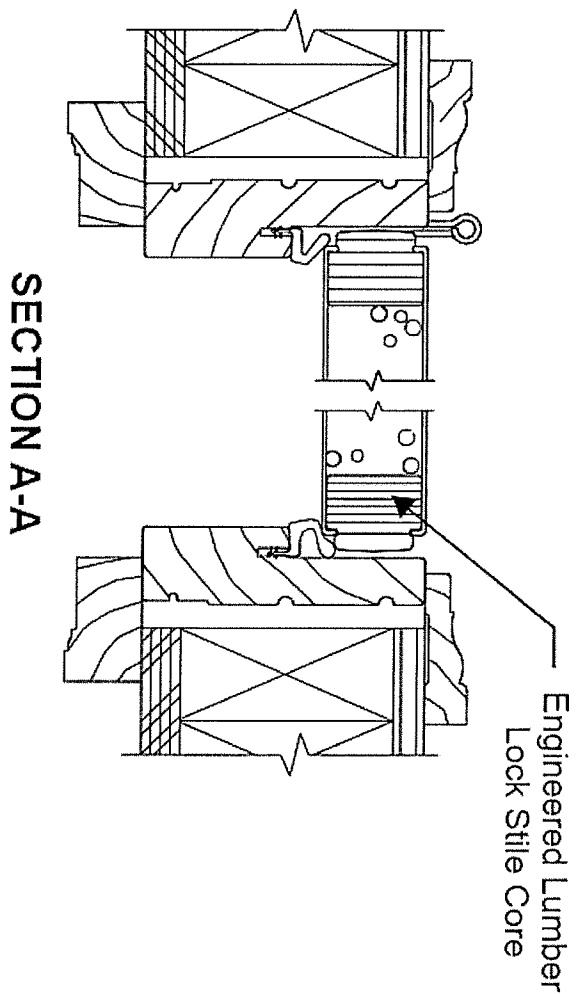
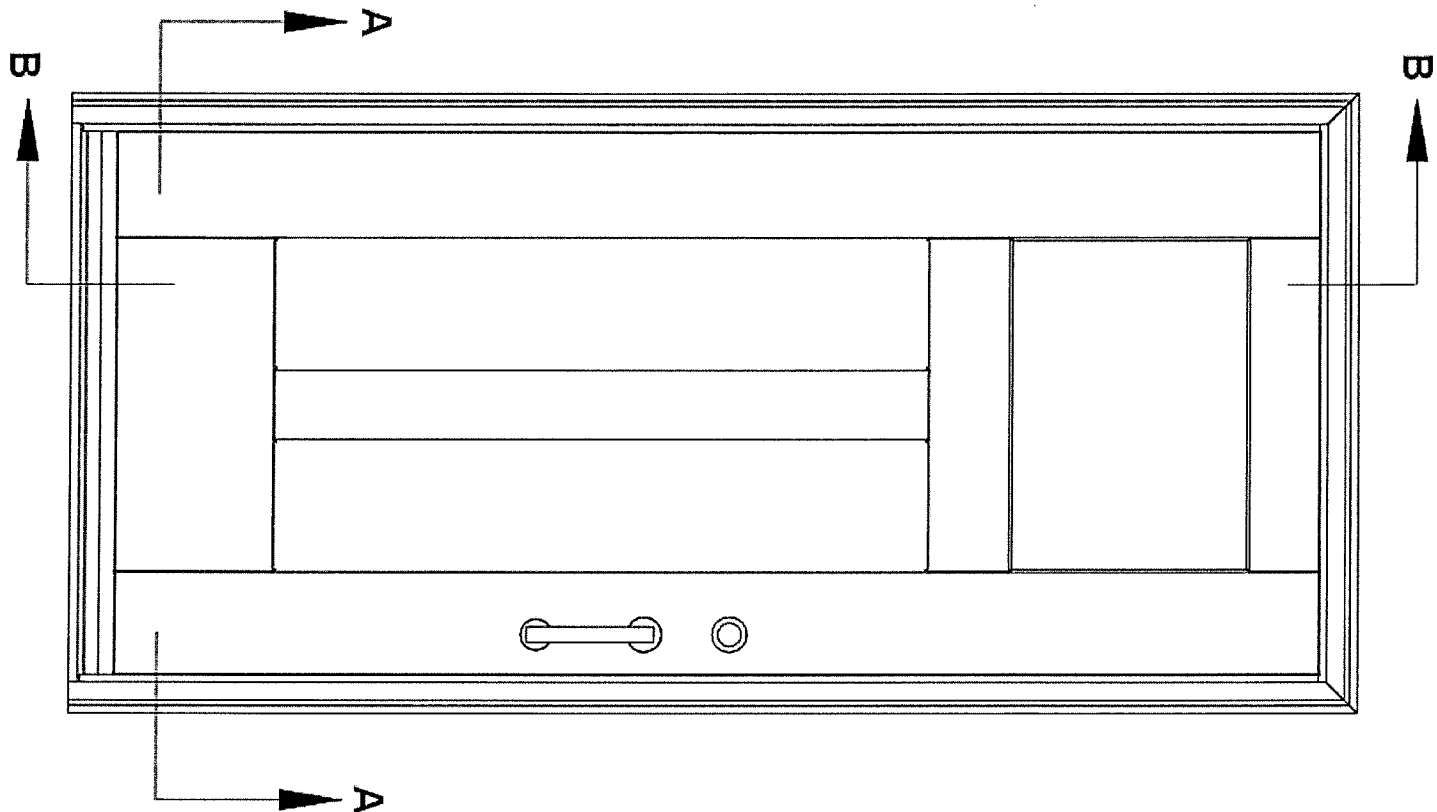
Architectural
Details

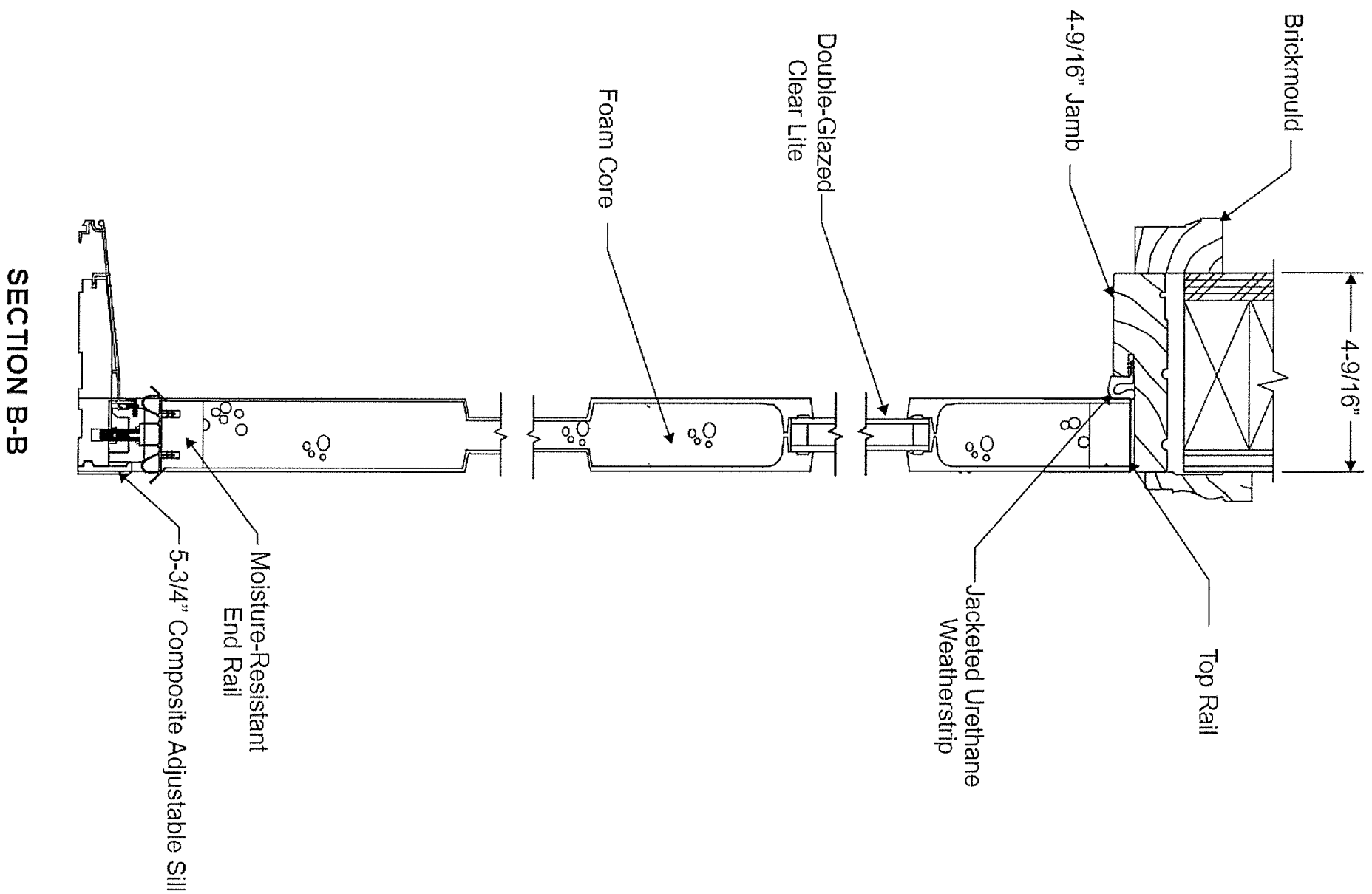
8/0 Single Door, Inswing B



Smooth-Star Shaker Flush-Glazed

6/8 Single Door, Inswing





483 Manhattan Drive - Brouillard Multi-Family

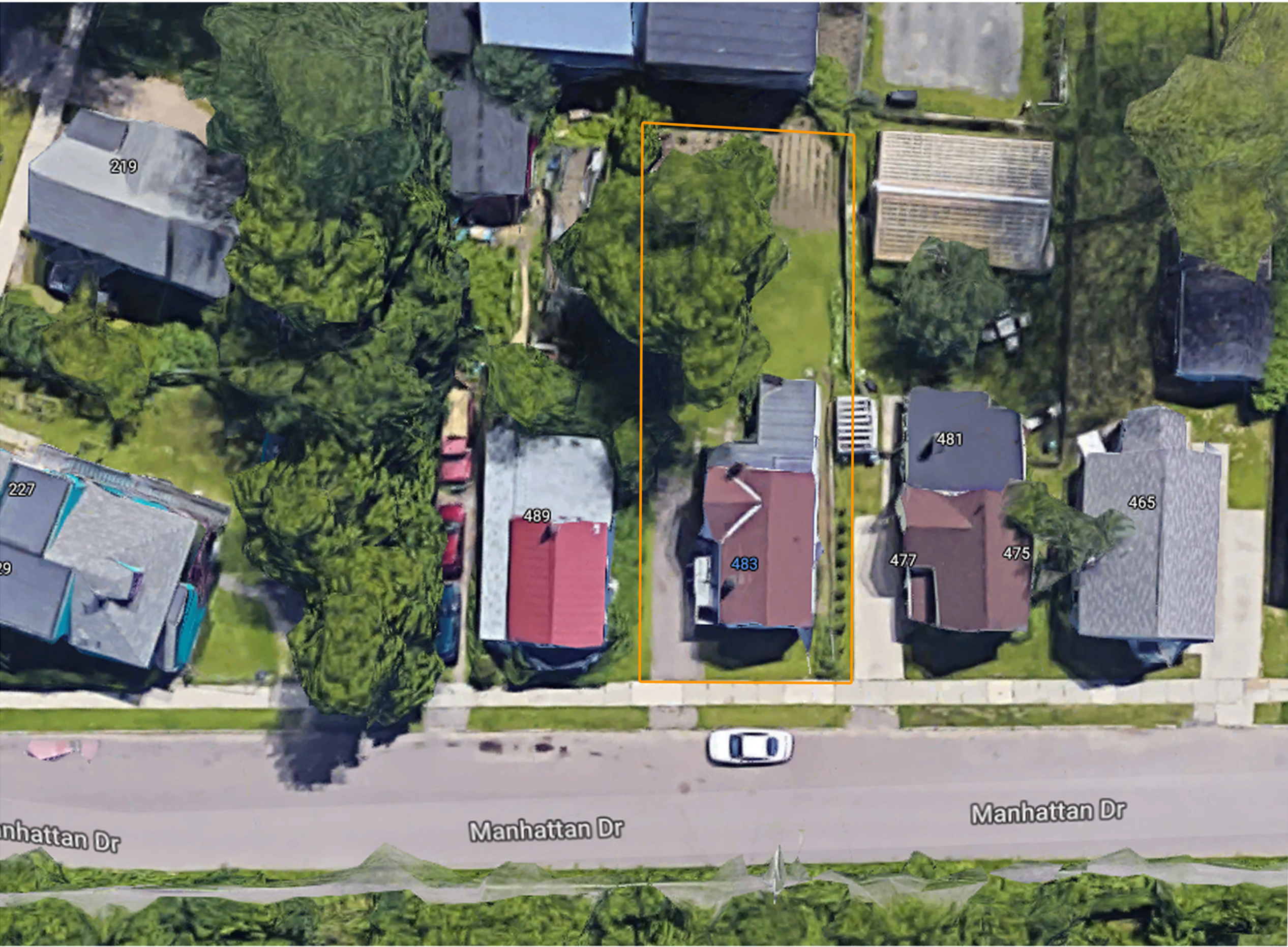
BURLINGTON VERMONT

JRMA design studio - architecture - development - planning

DRB HEARING

OCTOBER 2021

PERMIT DRAWINGS



project

483 MANHATTAN DRIVE
BURLINGTON, VERMONT

owner

MR. MATT BROUILLARD

architect

JRMA design studio
architecture - development - planning

contractor

engineer

notes

revisions

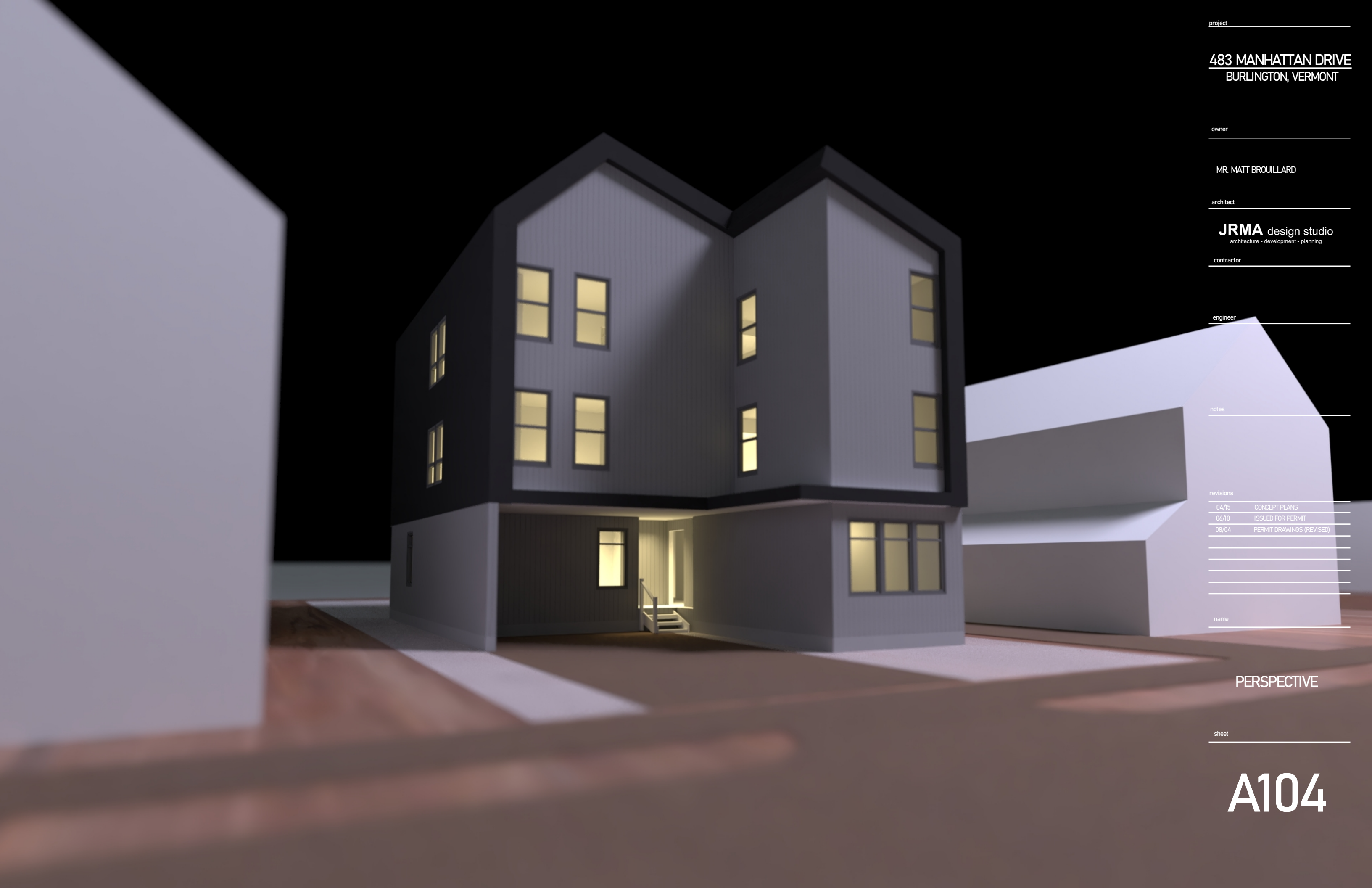
04/15	CONCEPT PLANS
08/04	PERMIT DRAWINGS (REVISED)
10/01	PERMIT DRAWINGS (REVISED)

name

AERIAL LOCATION
MAP

sheet

AA



project

483 MANHATTAN DRIVE
BURLINGTON, VERMONT

owner

MR. MATT BROUILLARD

architect

JRMA design studio
architecture - development - planning

contractor

engineer

notes

revisions

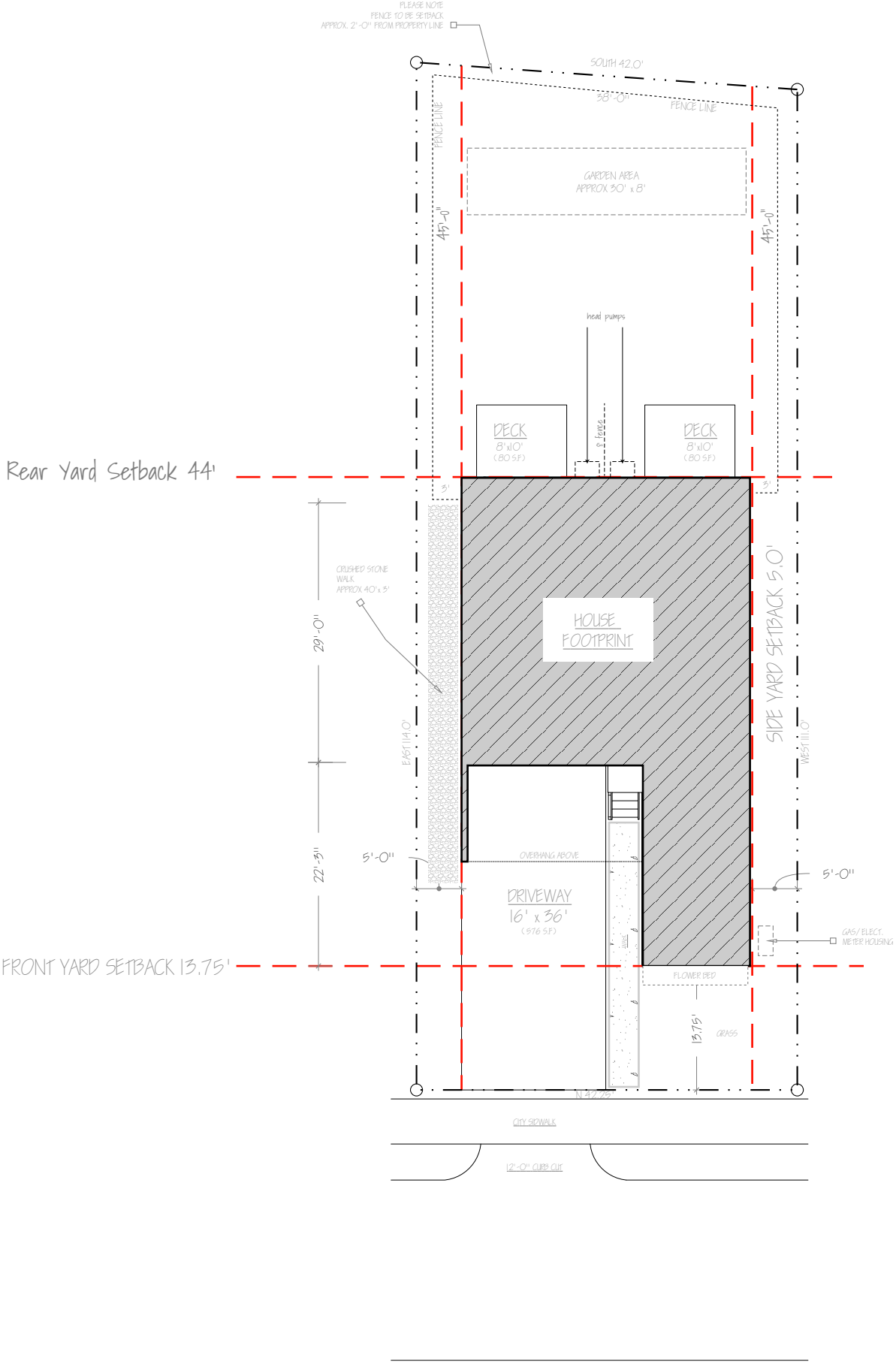
04/15	CONCEPT PLANS
06/10	ISSUED FOR PERMIT
08/04	PERMIT DRAWINGS (REVISED)

name

PERSPECTIVE

sheet

A104



ZONING CALCULATIONS

ZONING RM (MEDIUM DENSITY RESIDENTIAL)
ARTICLE 4.3.5 40% LOT COVERAGE ALLOWED
FRONT SETBACK AVERAGE 2 ADJACENT LOTS + / - 5'-0'

LOT SIZE
42.0' x 112.4'
4,721 SQ.FT

HOUSE FOOTPRINT 1291 SQ.FT
DRIVEWAY 576 SQ.FT (16' x 36')

TOTAL 1843 SQ.FT
LOT COVERAGE 1867 / 4721 = 39.5% LOT COVERAGE

DECKS 160 SQ.FT 2x (8' x 10')
WALK-WAY 264 SQ.FT

TOTAL 2291 SQ.FT
2291 / 4721 = 48.5% LOT COVERAGE

project

483 MANHATTAN DRIVE
BURLINGTON, VERMONT

owner

MR. MATT BROUILLARD

architect

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notes

revisions

04/15	CONCEPT PLANS
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08/04	PERMIT DRAWINGS (REVISED)
10/01	PERMIT DRAWINGS (REVISED)

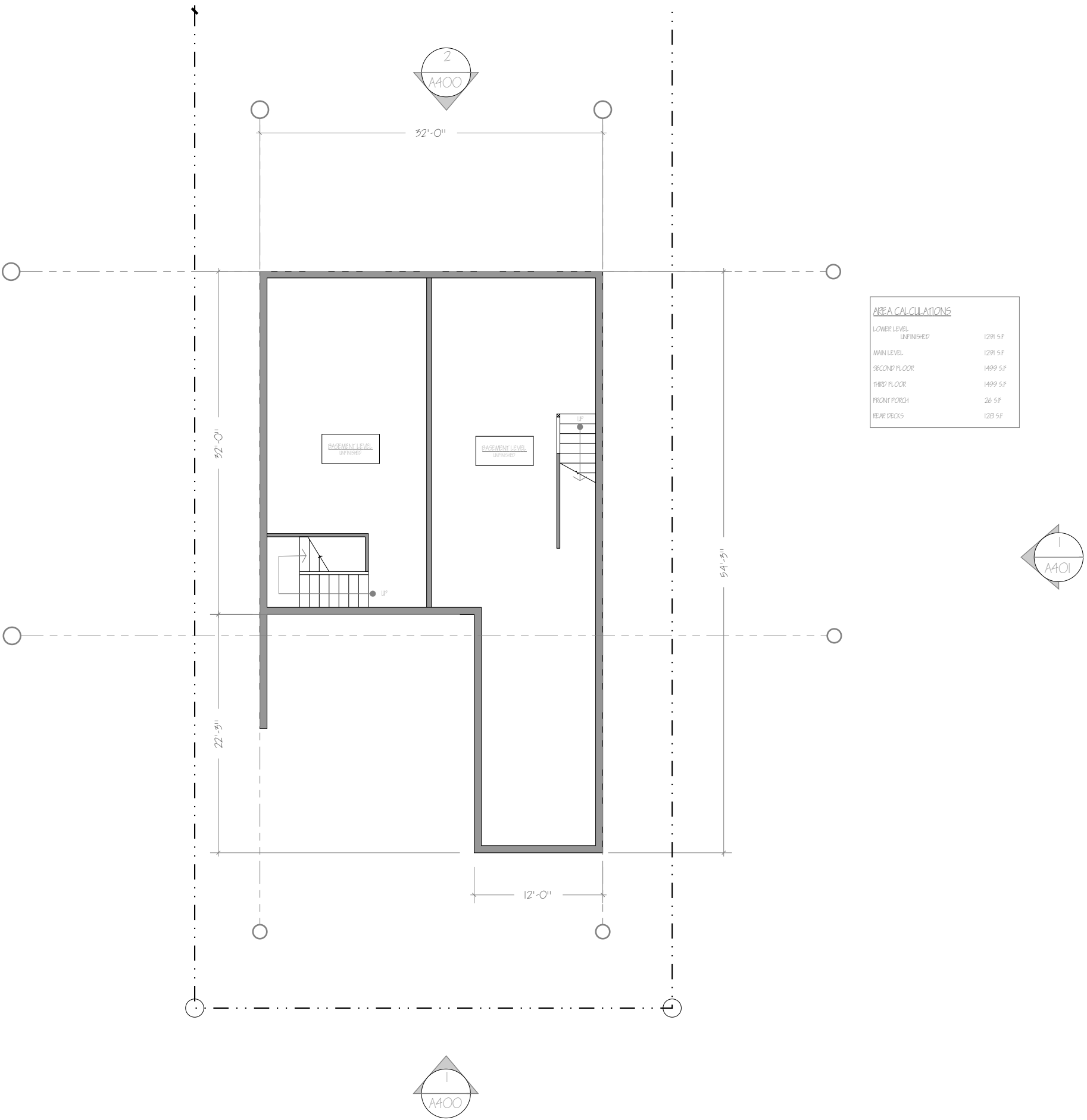
name

ZONING ANALYSIS

sheet

AZ 100

01 | 200 - FOUNDATION LEVEL
3/32" = 1'-0"



project

483 MANHATTAN DRIVE
BURLINGTON, VERMONT

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notes

revisions

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06/10	ISSUED FOR PERMIT
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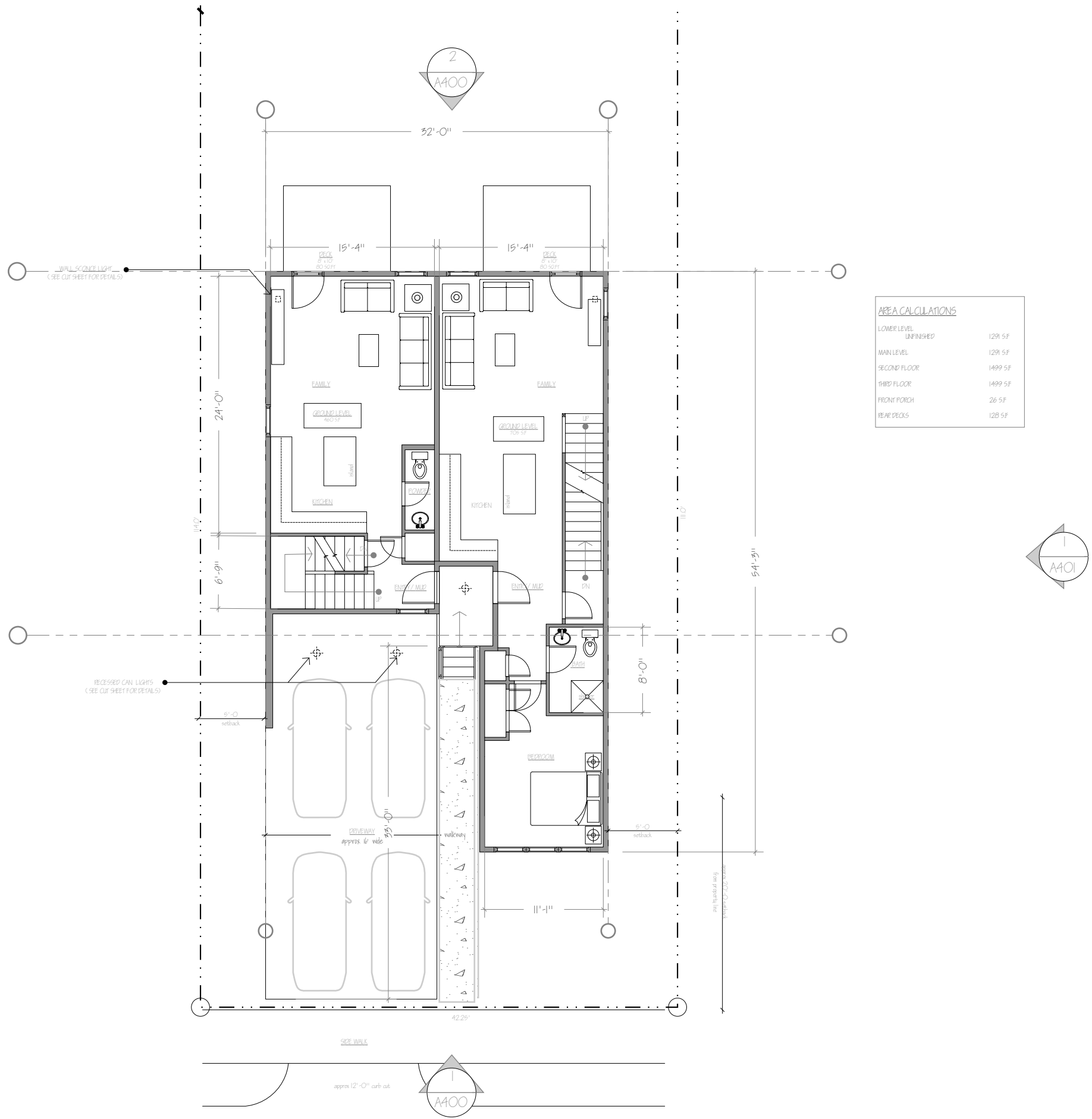
name

FOUNDATION PLAN

sheet

A200

01 | 201 - GROUND FLOOR PLAN
3/32" = 1'-0



project

483 MANHATTAN DRIVE
BURLINGTON, VERMONT

owner

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notes

revisions

04/15	CONCEPT PLANS
06/10	ISSUED FOR PERMIT
08/04	PERMIT DRAWINGS (REVISED)
10/01	PERMIT DRAWINGS (REVISED)

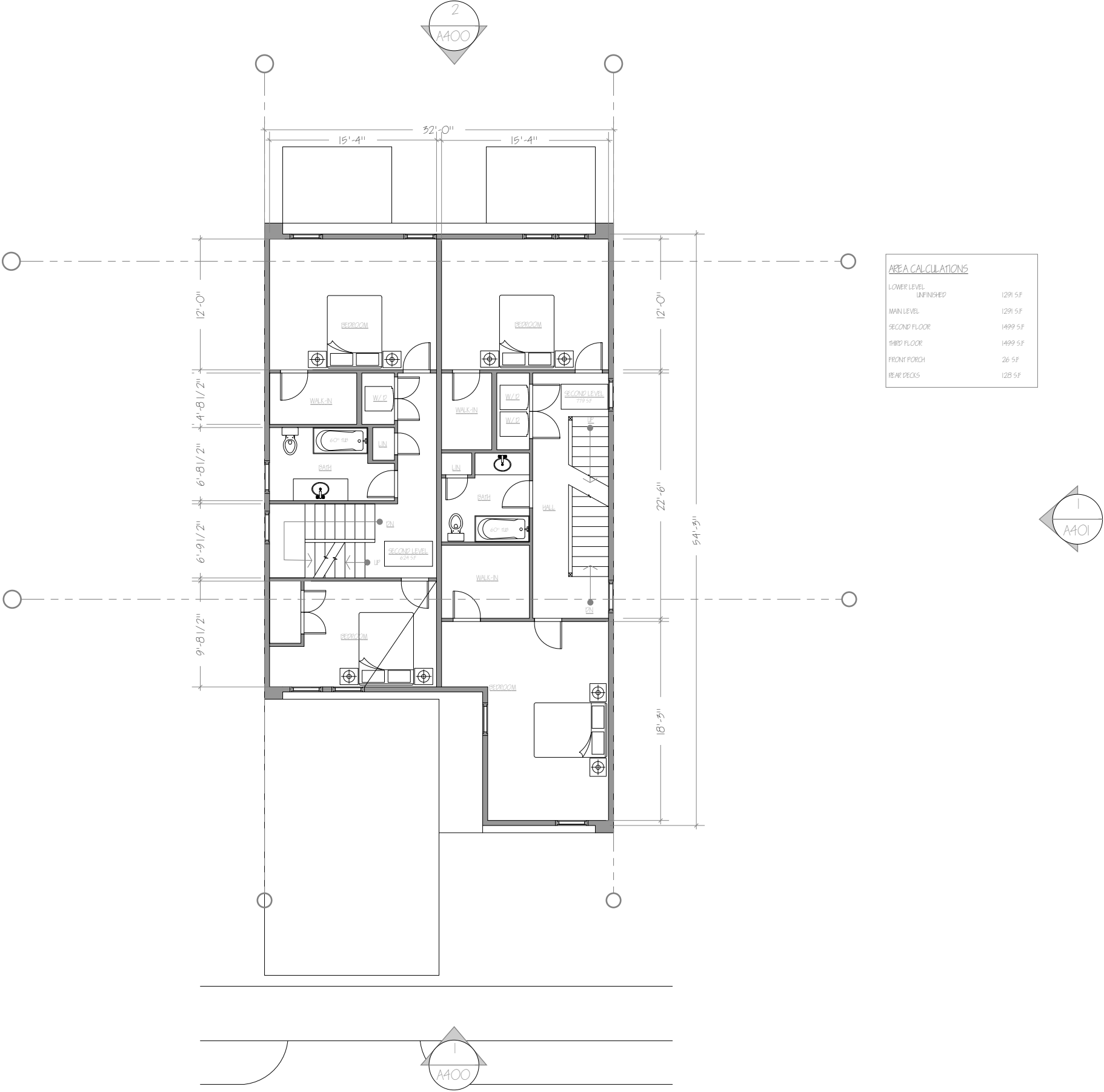
name

GROUND FLOOR PLAN

sheet

A201

01| 202 - SECOND FLOOR PLAN
3/32" = 1'-0



project

483 MANHATTAN DRIVE
BURLINGTON, VERMONT

owner

MR. MATT BROUILLARD

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revisions

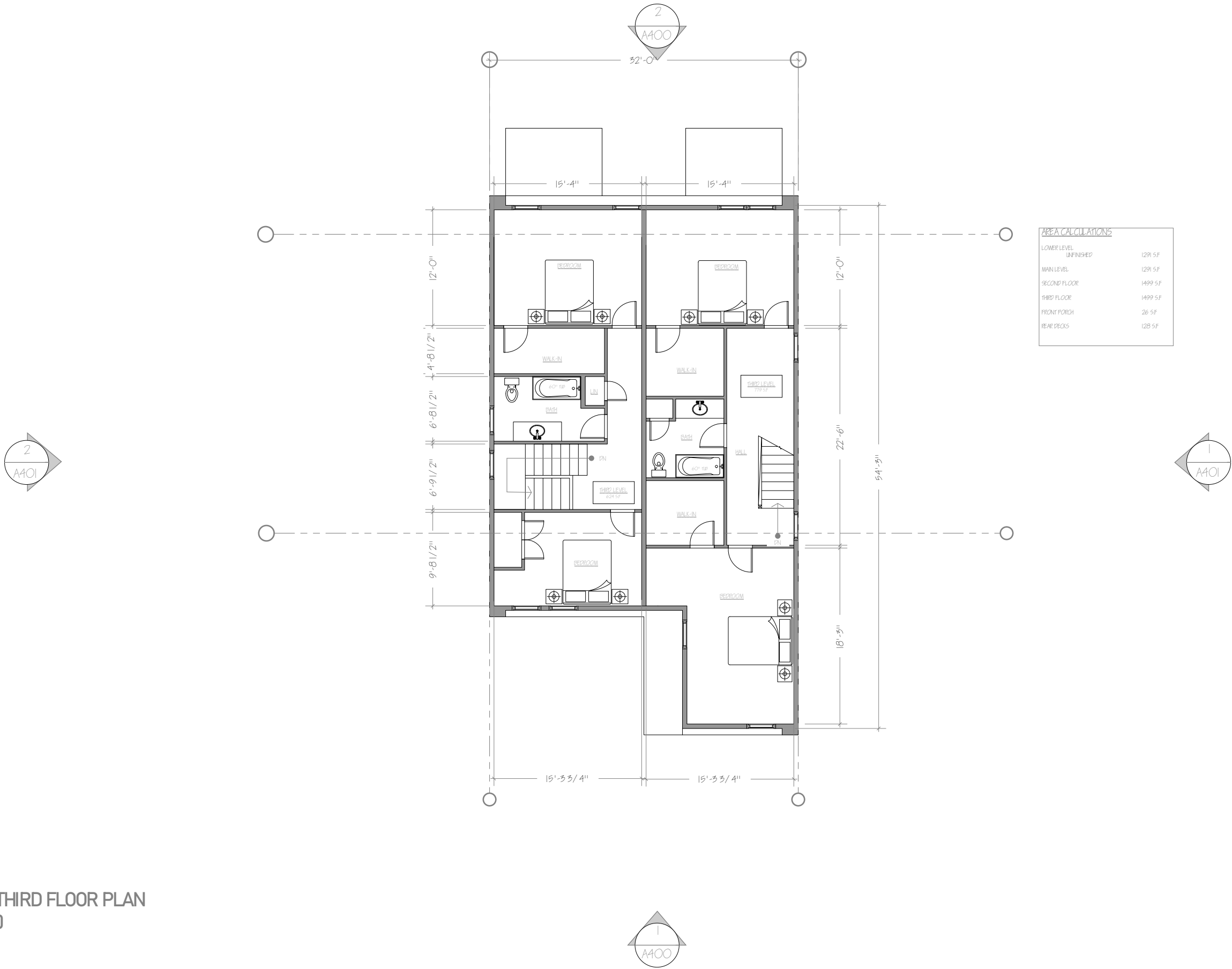
04/15	CONCEPT PLANS
06/10	ISSUED FOR PERMIT
08/04	PERMIT DRAWINGS (REVISED)
10/01	PERMIT DRAWINGS (REVISED)

name

SECOND FLOOR PLAN

sheet

A202



project

483 MANHATTAN DRIVE
BURLINGTON, VERMONT

owner

MR. MATT BROUILLARD

architect

JRMA design studio
architecture - development - planning

contractor

engineer

notes

revisions

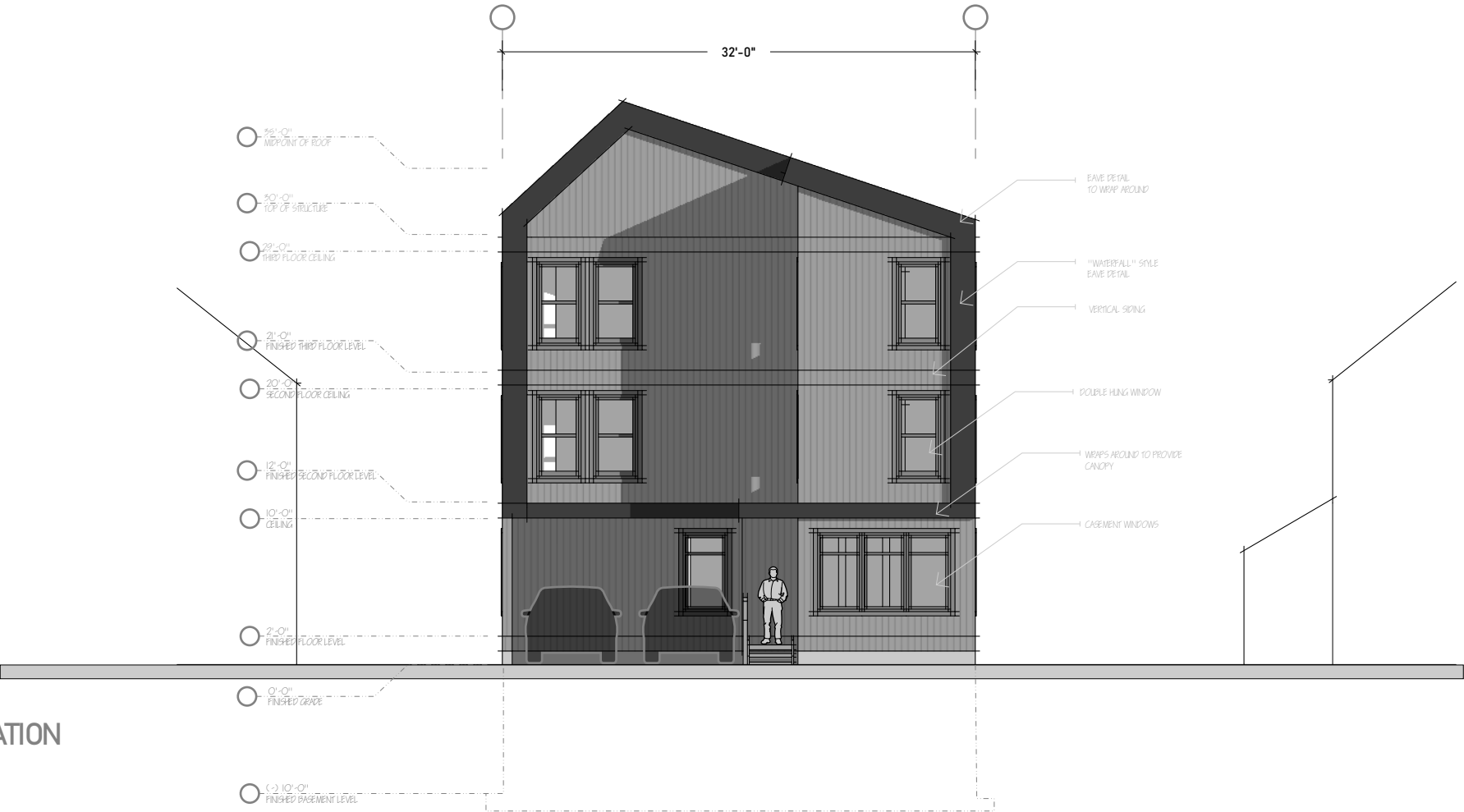
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06/10	ISSUED FOR PERMIT
08/04	PERMIT DRAWINGS (REVISED)
10/01	PERMIT DRAWINGS (REVISED)

name

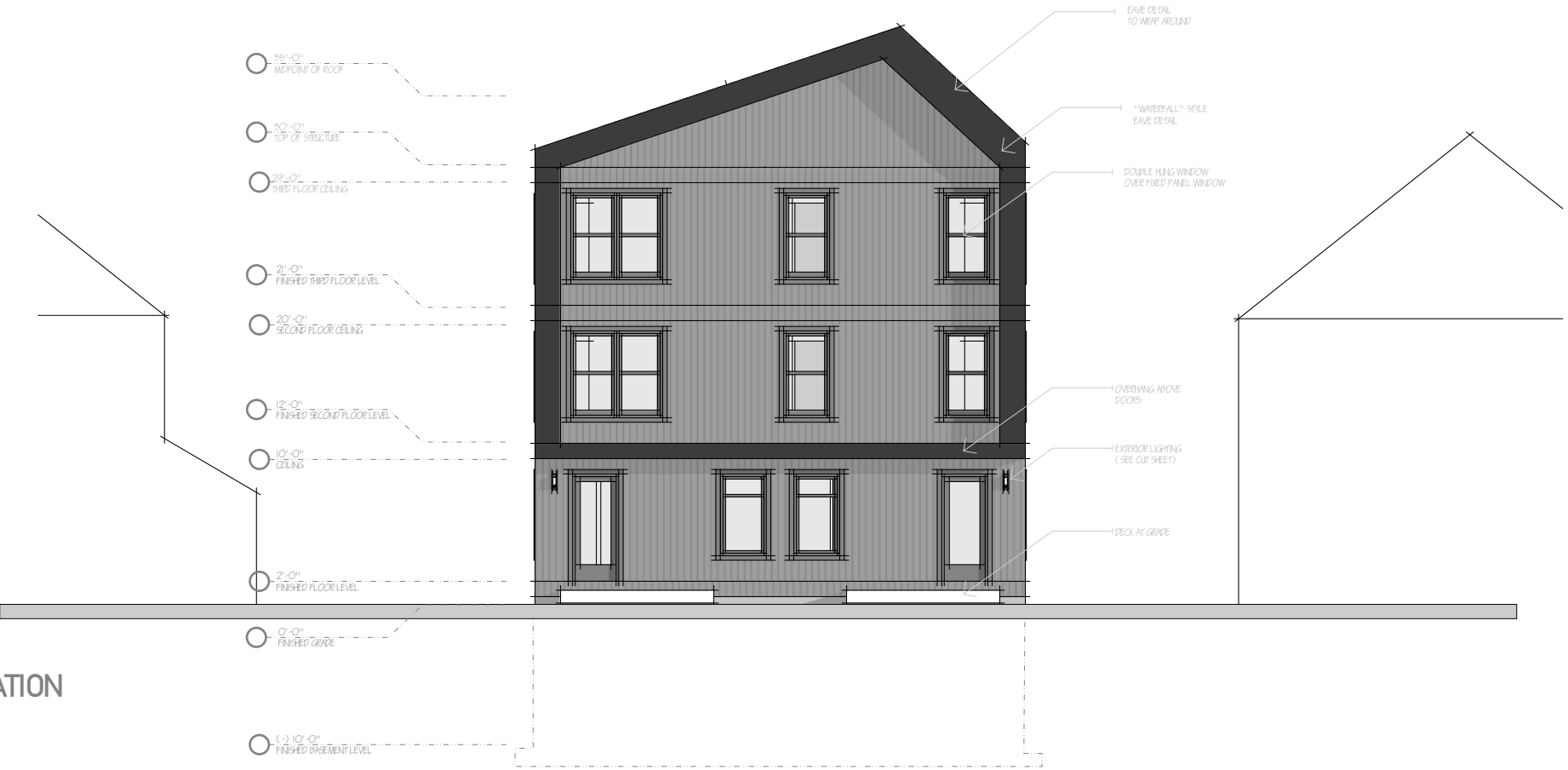
THIRD FLOOR PLAN

sheet

A203



01 | 400 - FRONT ELEVATION
3/32" = 1'-0



02 | 400 - REAR ELEVATION
3/32" = 1'-0

project

483 MANHATTAN DRIVE
BURLINGTON, VERMONT

owner

MR. MATT BROUILLARD

architect

JRMA design studio
architecture - development - planning

contractor

engineer

notes

revisions

04/15	CONCEPT PLANS
06/10	ISSUED FOR PERMIT
08/04	PERMIT DRAWINGS (REVISED)
10/01	PERMIT DRAWINGS (REVISED)

name

ELEVATIONS

sheet

A400

01 | 401 - SIDE ELEVATION
3/32" = 1'-0



02 | 401 - SIDE ELEVATION
3/32" = 1'-0

project

483 MANHATTAN DRIVE
BURLINGTON, VERMONT

owner

MR. MATT BROUILLARD

architect

JRMA design studio
architecture - development - planning

contractor

engineer

notes

revisions

04/15	CONCEPT PLANS
06/10	ISSUED FOR PERMIT
08/04	PERMIT DRAWINGS (REVISED)
10/01	PERMIT DRAWINGS (REVISED)

name

ELEVATIONS

sheet

A401

483 MANHATTAN DRIVE
BURLINGTON, VERMONT

owner

MR. MATT BROUILLARD

architect

JRMA design studio
architecture - development - planning

contractor

engineer

notes

revisions

04/15	CONCEPT PLANS
06/10	ISSUED FOR PERMIT
08/04	PERMIT DRAWINGS (REVISED)
10/01	PERMIT DRAWINGS (REVISED)

name

LIGHTING SPECIFICATIONS

sheet

A800

Project		Catalog #		Type	
Prepared by		Notes		Date	



HALO

HLBSL6

6-Inch LED Lens Downlight with Remote Driver / Junction Box

Typical Applications

Residential

Product Certification



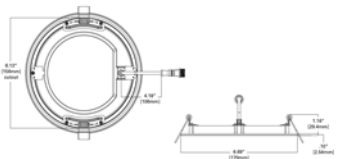
Product Features



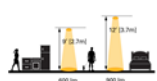
Top Product Features

- Direct mount - does not require recessed housing or junction box
- Delivers up to 1,049 lumens
- Achieves L70 at 35,000 hours in IC and non-IC applications
- 2700, 3000, 3500, 4000 and 5000, 6000K field selectable CCT

Dimensional and Mounting Details



Scale



additional product diagrams



PS118054EN page 1
version 5.0 (2021-03-01)

HALO HLBSL6

Photometric Data

View IES files



COLOR METRIC SUMMARY

HLBSL6099FS231EMW

TM-30-15	RF = 91.0	TM-30-15	RF = 91.0	TM-30-15	RF = 91.0
TM-30-15	R _f = 91.0	TM-30-15	R _f = 91.0	TM-30-15	R _f = 91.0
CRi/CIE	R _a = 93.1	CRi/CIE	R _a = 94.2	CRi/CIE	R _a = 93.6
CRi/CIE	R ₉ = 65.1	CRi/CIE	R ₉ = 68.7	CRi/CIE	R ₉ = 69.3

HLBSL6099FS351EMW

TM-30-15	RF = 92.0	TM-30-15	RF = 92.0	TM-30-15	RF = 92.0
TM-30-15	R _f = 92.0	TM-30-15	R _f = 92.0	TM-30-15	R _f = 92.0
CRi/CIE	R _a = 94.6	CRi/CIE	R _a = 95.8	CRi/CIE	R _a = 94.4
CRi/CIE	R ₉ = 72.4	CRi/CIE	R ₉ = 86.1	CRi/CIE	R ₉ = 80.6

HLBSL6099FS461EMW

TM-30-15	RF = 91.0	TM-30-15	RF = 91.0	TM-30-15	RF = 91.0
TM-30-15	R _f = 91.0	TM-30-15	R _f = 91.0	TM-30-15	R _f = 91.0
CRi/CIE	R _a = 94.0	CRi/CIE	R _a = 94.9	CRi/CIE	R _a = 95.1
CRi/CIE	R ₉ = 78.1	CRi/CIE	R ₉ = 84.9	CRi/CIE	R ₉ = 84.4

Energy and Performance Data

	Lumens	P _{nom} (W)	LPW
HLBSL6099FS231EMW	2700K 940	12.6	74.6
	3000K 1018	12.5	81.4
	3500K 1005	12.5	80.4
HLBSL6099FS351EMW	3000K 866	12.9	67.1
	4000K 954	12.7	75.1
	5000K 957	12.9	74.2
HLBSL6099FS461EMW	4000K 991	12.5	79.3
	5000K 1049	12.3	85.3
	6000K 1015	12.5	81.2

Note: Refer to IES files for more product data.



PS118054EN page 2
version 5.0 (2021-03-01)

HALO HLBSL6

Order Information

Icon Key: Configurable Product

SAMPLE ORDER NUMBER: HLBSL6099FS351EMW

Models	Lumens	CRi / CCT	Driver	Finish	Packaging
HLBSL6 - 6 inch LED lens downlight with remote driver / junction box	940 - 1018 lumens (nominal)	80 - 90 CRI (nominal)	80 - 120V 60Hz, 12.6 & 12.9 Watts, 1% dimming	White	8 - 6 inch (152mm) diameter, 12.6 & 12.9 Watts, 1% dimming
HLBSL6 - 6 inch LED lens downlight with remote driver / junction box	866 - 1049 lumens (nominal)	80 - 90 CRI (nominal)	80 - 120V 60Hz, 12.6 & 12.9 Watts, 1% dimming	White	8 - 6 inch (152mm) diameter, 12.6 & 12.9 Watts, 1% dimming
Notes	Notes	Notes	Notes	Notes	Notes

Accessories

HLBSL6099FS351EMW - 6 inch (152mm) diameter, 12.6 & 12.9 Watts, 1% dimming

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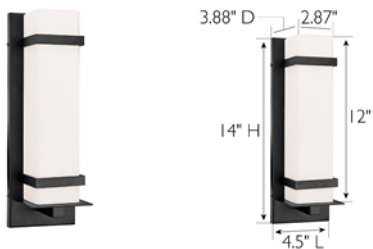
FRONT (RECESSED LIGHTS)



588590-BLK

OUTDOOR LIGHTING

Davis I-Light Indoor/Outdoor Wall Light
Matte Black Finish



SPECIFICATIONS

MOUNTING:	Wall Mount	LED BRIGHTNESS (LUMENS):	N/A
SLOPED CEILING ADAPTABLE:	No	LED COLOR CORRELATED TEMPERATURE (CCT):	N/A
LAMP TYPE I:	Incandescent	LED COLOR RENDERING INDEX (CRI):	N/A
BULB INCLUDED:	No	LED EFFICACY:	N/A
WATTS PER BULB:	60W or LED equivalent	LED AVERAGE RATED LIFE:	N/A
TOTAL WATTAGE:	60W or LED equivalent		
DIMMABLE:	No	ENERGY EFFICIENT:	No
MATERIAL CONSTRUCTION:	Steel/Aluminum	LIGHTING AMPS:	0.5
ASSEMBLED DIMENSIONS:	14" H x 4.5" L x 3.88" D	VOLTAGE:	120V
WEIGHT:	3.36 lbs.		
BACKPLATE DIMENSIONS:	14" H x 4.5" W x 0.59" D		
CANOPY/PLATE DIMENSIONS:	N/A		
GLASS/SHADE DIMENSIONS:	12" H x 2.87" L x 2.87" D		
GLASS/SHADE MATERIAL:	Glass		
GLASS/SHADE TYPE:	Frosted		
GLASS/SHADE COLOR:	White		

WARRANTY: 10-Year limited warranty
UL/ETL CERTIFICATION: UL
WET/DRY/DAMP LISTING: Wet
ADA COMPLIANT: Yes
ENERGY STAR CERTIFIED: No



TYPE:
JOB:
ORDER CODE:
APPROVALS:

Design House reserves the right to make changes in materials, specifications & models at any time. Design House also reserves the right to discontinue product without notice or obligation.

1/21/20

Design House • 800.558.8700 • www.todaydesignhouse.com

REAR LIGHTING

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
Brad Rabinowitz
Caitlin HaLee Perry
Chase Taylor
Vacant
Sean McKenzie, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, October 5, 2021, 5:00 PM

Minutes

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

Zoom: <https://us02web.zoom.us/j/81232279645?pwd=Z0FhNy9ZcDRRdmowY0ttcm4rV3p2QT09>

Password: 360747

Webinar ID: 812 3227 9645

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

Board Members Present: Brad Rabinowitz, AJ LaRosa, Caitlin Halpert, Chase Taylor, Kienan Christiansen, Sean McKenzie (Alt)

Board Members Absent: Brooks McArthur, Geoff Hand. AJ LaRosa leaves early.

Staff Members: Scott Gustin, Mary O'Neil, and Ryan Morrison

I. Agenda

An Executive Session has been added. No other changes.

II. Communications

III. Minutes are posted.

IV. Public Hearing

1. ZP-21-648; 702 Lake Street (UR, Ward 3C) City of Burlington

Conditional use application for continued snow storage in the Urban Reserve. (Project Manager, Scott Gustin)

Lee Perry, Division for Maintenance Division, Department of Public Works. Mr. Perry defines the application.

Brad Rabinowitz: Same area used in the past?

Lee Perry – I have been here 14 years; same area.

Brad Rabinowitz - any damage from salt, etc./

Lee Perry – Fine. Sediment control area, sediment pond. It is an elevated area. Vegetation is really good.

Kienan Christiansen: Is the whole area clean?

Lee Perry – Try not to push into the swales, into the bank. There is path down to the dump area by the skate park. People do get down in there. We frequent it through the summer, homeless camps. Trash that is scooped up in the snow piles; we go down and pick up the junk. The snow is piled at the north end, higher. Trash is contained in the snow piles. Does not blow around, wet in the snow.

Scott Gustin – Conservation Board reviewed last night recommended approval.

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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Brad Rabinowitz – closes public hearing. 5:08pm.

2. ZAP-21-14; 716 Pine Street (E-LM, Ward 5S) 716 Pine Street, LLC

Appeal denial of zoning application for new main entrance to the building and change of use to food & beverage processing with tasting room). (Project Manager, Scott Gustin)

Donna Church, representing the applicant.-

Matt Wilson – with Rob Downey.

Sworn in.

Scott Gustin – explains application and appeal. A number of breweries in the E-LM zone. Definition of Food and Beverage Processing says Cafes and restaurants are only allowed as an accessory use. IN the Enterprise zone, Cafes are allowed; restaurants are not. A tasting room is not your typical café. It serves beer, but also food service. We have made a point of sticking with the 2000 sf size limit for cafes. Citizen Cider is permitted with 1500 sf food and drink service area. Queen City was permitted for 2000 sf. Burlington Brad Brewery was permitted with 2000 sf expressly approved. Switchback predates CDO; approved May 2006. They have a floor plan that shows 830 sf of tasting room. Applicable standards are not crystal clear. There is interpretation that needs to take place. But our responsibility is being consistent in our interpretation. The 2000 sf fits into the accessory box, is allowed in the enterprise zone. Zero Gravity came in above the 2000 sf, so it was denied.

AJ LaRosa – where in the regulations, defining accessory.

Scott Gustin – Size, sale, temporal extent.

Brad Rabinowitz – percentage of food versus liquor?

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DC – Yes. Seasonally.

Brad Rabinowitz – but you have not added those areas in your calculations...

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Matt Wilson – during the nice parts of the year, everybody sits outside. During the crummy parts, everyone sits inside.

Sean McKenzie – Your tasting room is almost 5,000 sf. Is this an accessory bar, given the definition of a restaurant versus the definition of the bar?

DC – Tasting room is specific to a brewery. About exposing your product to everybody. People come to taste the beer all day long.

Rob – The connection with craft brewery – there are now 8700 in the country. The vast number have adopted, rely on tasting rooms – tourists come in; take that experience back to Boston or wherever they came from. That how Zero Gravity has defined itself. To reach those customers, affect the brewery throughout the region.

Matt Wilson – some grey area – interpretation needed. Change we are requesting is a minor change; allow both businesses survive.

Brad Rabinowitz – close public hearing 5:44 PM.

3. ZP-21-481; 166 East Avenue (RL, Ward 1E) Cynthia Cook

Short-term rental of downstairs unit of owner-occupied duplex. *Continued hearing.* (Project Manager, Ryan Morrison).

Cynthia Cook present.

Sworn in.

Applicant presents revised site plan.

Brad Rabinowitz – closes hearing 5:49 PM.

V. Certificate of Appropriateness

1. ZP-21-640; 483 Manhattan Drive (RM, Ward 2C) Matt Brouillard / MBVT, Inc

Demolish existing single family dwelling and construct duplex. (Project Manager: Ryan Morrison)

Matt Brouillard present.

Neighbor present. Both sworn in.

Matt Brouillard – DAB recommended revisions. We planned to make the walkway 4' wide, Brought the landing closer to the street to make it more inviting. Vertical board and batten siding.

Brad Rabinowitz – No eave detail. Metal overlapping

Matt Brouillard – a slight eave. Garden area in the front.

Caitlin Halpert – you have not detailed what you plan to plant.

Matt Brouillard – No.

Brad Rabinowitz – Is tree in backyard staying?

Matt Brouillard – that is being removed.

Brad Rabinowitz – curb cut stays the same?

Matt Brouillard – widened a little bit. We are talking with Caleb (Manna.)

Brad Rabinowitz – is the green belt wide enough for trees? This is a part of the city that has a dearth of street trees.

Brad Rabinowitz – a fairly bleak set of plan drawings. Bedrooms?

Matt Brouillard – 5 and four bedrooms.

Neighbor – 489 Manhattan Drive – (signed Scott Gustin.) Building is fairly tall. Snow will come down. Where will they park? How many stack there?

Brad Rabinowitz – asks to show site plan.

Neighbor – I do not see that happening. Snow removal has always been an issue with that residence. If it is going to be pushed to the left, that will be where my furnace vent is.

Brad Rabinowitz – You are right. Snow will come off, pile up. He will be obligated to keep it off your property.

Neighbor – parking looks good. No company. Parking is very challenging. Keep that in mind.

Matt Brouillard – there will be a walkway on the left so residents can walk to take out the trash.

Brad Rabinowitz – crushed stone? You are setting yourself up for some challenges in snow removal. Something you need to maintain.

Ryan Morrison – front door, went against what the DAB recommended. DRB decisions in the past have required that the door face the street. What the applicant proposes, door does not face the street.

Brad Rabinowitz – it looks like an entrance, as it was designed. We will discuss at deliberative.

Brad Rabinowitz – closes public hearing 6:04 pm.

2. ZP-21-645; 130 Mansfield Avenue (I, Ward 1E) David Valyou / CSC McAuley, LLC

Remove 13 trees from northwest corner of property. (Project Manager: Ryan Morrison)

Applicant David Valyou present via Zoom.

Sworn in.

Brad Rabinowitz – arborist has looked at this. You are cutting 13 trees out of how many?

David Valyou – 40-50, mostly black locust. Near the walkways, buildings. Showing signs of deterioration.

Brad Rabinowitz – what do you do with the wood?

David Valyou – tree service will take it.

Brad Rabinowitz – too bad. Nice wood.

Caitlin Halpert – Just taking them down, not replacing them.

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Brad Rabinowitz – stump grinding?

David Valyou – no, do not want to disturb the area.

Brad Rabinowitz - how high above the stump?

David Valyou – within 6-8 inches of the ground. There is young growth in there already.

Brad Rabinowitz - this is an area that does not lack trees.

Closes PH 6:08PM.

Two people in attendance for a Wells Street review. Ryan informs that the application for a short-term rental was withdrawn.

VI. Executive Session

Motion to go into executive session: Caitlin Halpert.

I move to find that premature general public knowledge of a discussion of pending litigation of DRB decisions and attorney client communications made for the purpose of providing professional legal services to the DRB would clearly place the DRB/City at a substantial disadvantage because it risks disclosing its legal strategy if discussed in public.

2nd – Chase Taylor

Vote 5-0

Kim Sturtevant present.

Sharon Bushor and Zero Gravity folks put in a waiting room.

Zoom recording stopped.

Caitlin Halpert makes second motion:

Based upon finding of substantial disadvantage, I move that we enter into executive session to discuss pending litigation and receive attorney-client communications regarding pending litigation pursuant to 1 V.S.A. Section 313 (a) (1) (E) and (F). I request the presence of Assistant City Attorney Kim Sturtevant and Assistant Administrator Officers Scott Gustin, Mary O'Neil and Ryan Morrison during the Executive Session.

Kienan Christiansen – 2nd.

Vote 5-0

Motion to leave executive session: Kienan Christiansen.

2nd – Chase Taylor
Vote 5-0.

VII. Adjournment 6:30 pm.

VIII. Deliberative Session

Motions recorded separately in project findings.

Bradford L. Rabinowitz, Chair of Development Review Board

Date

Mary O'Neil, Principal Planner

Date

The City of Burlington will not tolerate unlawful harassment or discrimination based on 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.

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
Brad Rabinowitz
Caitlin HaLee Perry
Chase Taylor
Vacant
Sean McKenzie, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, October 5, 2021, 5:00 PM

Minutes

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

Zoom: <https://us02web.zoom.us/j/81232279645?pwd=Z0FhNy9ZcDRRdmowY0ttcm4rV3p2QT09>

Password: 360747

Webinar ID: 812 3227 9645

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

Board Members Present: Brad Rabinowitz, AJ LaRosa, Caitlin Halpert, Chase Taylor, Kienan Christiansen, Sean McKenzie (Alt)

Board Members Absent: Brooks McArthur, Geoff Hand. AJ LaRosa leaves early.

Staff Members: Scott Gustin, Mary O'Neil, and Ryan Morrison

I. Agenda

An Executive Session has been added. No other changes.

II. Communications

III. Minutes are posted.

IV. Public Hearing

1. ZP-21-648; 702 Lake Street (UR, Ward 3C) City of Burlington

Conditional use application for continued snow storage in the Urban Reserve. (Project Manager, Scott Gustin)

Lee Perry, Division for Maintenance Division, Department of Public Works. Mr. Perry defines the application.

Brad Rabinowitz: Same area used in the past?

Lee Perry – I have been here 14 years; same area.

Brad Rabinowitz - any damage from salt, etc./

Lee Perry – Fine. Sediment control area, sediment pond. It is an elevated area. Vegetation is really good.

Kienan Christiansen: Is the whole area clean?

Lee Perry – Try not to push into the swales, into the bank. There is path down to the dump area by the skate park. People do get down in there. We frequent it through the summer, homeless camps. Trash that is scooped up in the snow piles; we go down and pick up the junk. The snow is piled at the north end, higher. Trash is contained in the snow piles. Does not blow around, wet in the snow.

Scott Gustin – Conservation Board reviewed last night recommended approval.

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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Brad Rabinowitz – closes public hearing. 5:08pm.

2. ZAP-21-14; 716 Pine Street (E-LM, Ward 5S) 716 Pine Street, LLC

Appeal denial of zoning application for new main entrance to the building and change of use to food & beverage processing with tasting room). (Project Manager, Scott Gustin)

Donna Church, representing the applicant.-

Matt Wilson – with Rob Downey.

Sworn in.

Scott Gustin – explains application and appeal. A number of breweries in the E-LM zone. Definition of Food and Beverage Processing says Cafes and restaurants are only allowed as an accessory use. IN the Enterprise zone, Cafes are allowed; restaurants are not. A tasting room is not your typical café. It serves beer, but also food service. We have made a point of sticking with the 2000 sf size limit for cafes. Citizen Cider is permitted with 1500 sf food and drink service area. Queen City was permitted for 2000 sf. Burlington Brad Brewery was permitted with 2000 sf expressly approved. Switchback predates CDO; approved May 2006. They have a floor plan that shows 830 sf of tasting room. Applicable standards are not crystal clear. There is interpretation that needs to take place. But our responsibility is being consistent in our interpretation. The 2000 sf fits into the accessory box, is allowed in the enterprise zone. Zero Gravity came in above the 2000 sf, so it was denied.

AJ LaRosa – where in the regulations, defining accessory.

Scott Gustin – Size, sale, temporal extent.

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Bradford L. Rabinowitz, Chair of Development Review Board

October 20, 2021

Date



Date

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