

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
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Brooks McArthur
Kienan Christianson
vacant
Sean McKenzie, (Alternate)
Ravi Venkataraman, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, September 15, 2020, 5:00 PM

PUBLIC HEARING NOTICE

REMOTE MEETING

Zoom: <https://us02web.zoom.us/j/82129791692?pwd=QmFQZ1VqZnFiZk5wZjJSTU9uSDJsdz09>

Webinar ID: 821 2979 1692

Password: 842557

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

- 1. 21-0076CA/CU; 426 South Winooski Avenue (RM, Ward 6S) Scott Mapes**
Time extension request for zoning permit to demolish existing detached garage and replace with new detached garage with accessory dwelling unit.
- 2. 20-0488SD; 95 Derway Drive (RL, Ward 7N) Larkin Realty**
Final subdivision of the Claire Pointe planned community into five (5) parcels. One each for Buildings A, B, C and D, and one common land parcel.
- 3. 21-0202CU; 820 North Avenue (RCO-C, RCO-A, Ward 7N) Winooski Valley Park District**
Expansion of existing preschool/daycare use.

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

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Consent**
 1. **21-0076CA/CU; 426 South Winooski Avenue (RM, Ward 6S) Scott Mapes**
Time extension request for zoning permit to demolish existing detached garage and replace with new detached garage with accessory dwelling unit. (Project Manager: Scott Gustin)
 2. **20-0488SD; 95 Derway Drive (RL, Ward 7N) Larkin Realty**
Final subdivision of the Claire Pointe planned community into five (5) parcels. One each for Buildings A, B, C and D, and one common land parcel. (Project Manager: Ryan Morrison)
 3. **21-0202CU; 820 North Avenue (RCO-C, RCO-A, Ward 7N) Winooski Valley Park District**
Expansion of existing preschool/daycare use. (Project Manager: Scott Gustin)
 4. **21-0116CA; 24 Alexis Drive (RL-W, Ward 4N) Suzanne & Dave Gaensbauer**
Construct new single family home and related site work. (Project Manager: Ryan Morrison)
- V. **Public Hearing**
 1. **20-0717CA/MA; 273 Pearl Street (RH, Ward 8E) Triple Tree Group, LLC, (Bruce Baker, Greg Doremus)**
Planned Unit Development involving 273 Pearl St, 11 Hungerford Terrace, 15 Hungerford Terrace and 21 Hungerford Terrace. Demolish porch and move garage at 21 Hungerford; demolish garage at 11 Hungerford. Construct 12-unit residential building with related parking and supporting infrastructure. (Project Manager: Mary O'Neil)
- VI. **Certificate of Appropriateness**
 1. **21-0076CA; 400 North Street (RL, Ward 1E) William McKenna**
Demolish garage and construct accessory dwelling unit, seeking additional nonconforming lot coverage. (Project Manager: Ryan Morrison)
- VII. **Other Business**
 1. **19-0355CA; 441 Shelburne Street (RM, Ward 5S) Mitchell Richardson**
Project status update only – Conversion of boarding house to 10 apartments.

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Zoning Division
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William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Alison Davis, Planning & Zoning Clerk
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



MEMORANDUM

TO: Development Review Board
FROM: Ryan Morrison, Associate Planner
DATE: September 15, 2020
RE: 21-0144SD; 95 Derway 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: RL Ward: 7N

Owner/Applicant: Claire Pointe Owners Association, Inc. / John Larkin, Inc.

Request: Final plat application for the subdivision of the Claire Pointe planned community into five (5) parcels. One lot each for Buildings A, B, C and D, and one for the common land parcel. No new development is proposed.

Applicable Regulations:

Article 2 (Administrative Mechanisms), Article 4 (Zoning Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards), Article 10 (Subdivision Review), Article 11 (Planned Development)

Background Information:

This five lot subdivision received preliminary DRB subdivision approval on December 5, 2019. The application is to subdivide five lots within the Claire Pointe planned community. The planned community, originally named 'The Bluffs at Northshore', received final Planned Residential Development (PRD) approval in 1999, and currently contains 4 buildings containing a total of 56 residential units, and associated surface parking. The 434,655 sf property will be subdivided as follows: Buildings A-C (Lots 1-3 respectively) will each be 9875 sf; Building D (Lot 4) will be 12,180 sf, and the common land lot (Lot 5) will be 392,850 sf. No new development is proposed in conjunction with this subdivision request. As part of the preliminary process, the application was reviewed by the City Engineer's office, the Burlington Fire Marshal, the Director of the Parks & Recreation Department, Burlington Electric, and the Burlington School District as required. No comments were received by any of these offices during the preliminary subdivision review.

Previous zoning actions for this property are noted below.

- **Zoning Permit 98-240;** preliminary plat to construct three 4-story structures containing a total of 60 residential units. Approved November 13, 1997.
- **Zoning Permit 00-245;** final plat review to construct four residential structures, each with under-building parking, for a total of 56 units. Approved October 28, 1999.

- **Zoning Permit 01-462**; amend approved buildings by adding gas meters, vents and hose bibs, smaller light fixtures, add a hip roof above garage exit, add dormers to the buildings, and add roofs over entryways. Approved May 24, 2001.
- **Zoning Permit 02-216**; amend approved building elevations as follows: replace roof with decks; and add skylight windows. Approved November 6, 2001.
- **Zoning Permit 02-339**; amend the building design of the PRD to enclose a deck on buildings B, C, and D only. Approved February 5, 2002.
- **Zoning Permit 03-606**; install a new privacy fence. Approved June 12, 2003.
- **Zoning Permit 04-027**; zoning permit extension request to complete previously approved construction. Approved July 21, 2003.
- **Zoning Permit 07-699CA**; relocation of 5 parking spaces adjacent to building D, including minor site changes (grading, sidewalks). Approved May 18, 2007.
- **Zoning Permit 08-637CA**; construct 14 new parking spaces. Approved April 11, 2008.
- **Zoning Permit 10-0956CA**; replace broken dumpster enclosure with new fence. Approved May 28, 2010.
- **Zoning Permit 20-0488SD**; five lot preliminary subdivision of the Claire Pointe planned community. Approved December 5, 2019.

Recommendation: **Consent Approval for final subdivision** as per the following findings:

I. Findings

Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

Per this standard, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989, prior to issuance of a Certificate of Occupancy for this permit. Immediate review indicates ZP10-0956CA has not been issued a Certificate of Occupancy.

Affirmative finding as conditioned.

Article 4: Zoning Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(1) Residential Low Density (RL)

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

The property is located in the RL zone. The subdivision will result in new lots within the PRD for each of the four existing buildings, with the remaining lot encompassing all remaining common space. Because the property was approved as a Planned Residential Development, lot size requirements, in terms of density allowance, is not a factor here since it is calculated across the entire PRD itself, rather than for each lot itself. Article 11 (Planned Development) requires no setbacks for internal lots within a PUD (or similarly, the existing PRD). The only setback concerns for such developments exist for the peripheral lot lines of the PUD itself. Since the proposal simply involves placing each existing building onto their own lot, no changes to the existing setbacks to the peripheral development boundary will occur. See Article 11 below.

Affirmative finding

(b) Dimensional Standards & Density

Because of the PUD status, dimensional requirements apply to the property as a whole, not as individual parcels. Multi-family attached dwellings are also permissible. So technically, the density, lot frontage, lot coverage, and setback requirements of this section do not apply in respect to the placement of the new lots. **Affirmative finding**

(c) Permitted & Conditional Uses

No new construction is included in this proposal. Single family dwellings are permitted uses in the RL zone, while duplexes are conditional uses. Multifamily uses are not permitted in the underlying zone. However, multifamily uses can be permitted within a PUD development. See Article 11 below. No changes are proposed to any existing use. **Affirmative finding**

(d) District Specific Regulations

1. Setbacks

A. Encroachment for Residential Driveways

Not applicable.

B. Encroachment into the Waterfront Setback

Not applicable.

2. Height

A. Exceptions in the Waterfront RM District

Not applicable.

3. Lot Coverage

A. Exceptions for Accessory Residential Features

Not applicable.

4. Accessory Residential Structures and Uses

Not applicable.

5. Residential Density

Not applicable.

6. Uses

Not applicable.

7. Residential Development Bonuses

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.2, Required Frontage of Access

Not applicable for the new lots within the PUD. As per Sec. 11.1.4 CDO, frontage requirements apply to the entire project rather than on an individual lot-by-lot basis.

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable. No new development is proposed.

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

Not applicable.

Sec. 5.5.3, Stormwater and Erosion Control

Not applicable.

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

(a) Protection of important natural features

The subdivision itself will have no impact on important natural features. **Affirmative finding**

(b) Block size and arrangement

Not applicable.

(c) Arrangement of Lots

The property, and the adjacent Village at Northshore, are unique in that they were developed as Planned Residential Developments, and do not reflect nearby lot arrangements of those along North Avenue and Hardy Avenue. Since the property is tucked away from other nearby development, there is no standard lot arrangement for the proposed lots to conform with.

Affirmative finding

Interior lot lines extending from a street should be perpendicular or radial to the street right-of-way line to the greatest extent possible.

Not applicable. While Derway Drive is a private street, none of the proposed lots will have frontage on it.

(d) Connectivity of streets within the city street grid

Not applicable.

(e) Connectivity of sidewalks, trails, and natural systems

Not applicable.

Article 10: Subdivision Review

Sec. 10.1.8, Preliminary Plat Review

(g) Time Limits for a Preliminary Plat

A preliminary plat approved or conditionally approved by the DRB shall be valid for a period of one (1) year after the date of decision after which the approval shall be void and the applicant shall be required to submit a new subdivision application for approval.

The DRB approved the preliminary subdivision on December 5, 2019. The preliminary approval is still valid. **Affirmative finding**

Sec. 10.1.9, Final Plat Approval Process

During such time that an approved preliminary plat remains effective, the applicant may submit an application for approval of a final plat.

As noted above, the DRB approved the preliminary subdivision on December 5, 2019, thus rendering the preliminary approval still in effect. **Affirmative finding**

(a) Final Plat and Construction Detail Submission Requirements

The applicant may seek approval of a final plat by filing the following items with the administrative officer...

The applicant has submitted a complete application. **Affirmative finding**

(b) Completeness of Submission, Administrator's Action

The final subdivision application was deemed complete on September 2, 2020. **Affirmative finding**

(c) Public Hearing on final plat

The public DRB hearing on September 15, 2020 satisfies this requirement. **Affirmative finding**

(d) Review Criteria

The review of an application for final plat shall also take into consideration modifications to the preliminary plat as required by the DRB, and address all infrastructure designs and detailed site development including the stormwater management systems, erosion control, water and sanitary sewage, utility systems; architectural design, and streets and sidewalks...

No development is proposed with this subdivision. Applicable city departments reviewed the application and offered no comments or recommended conditions of approval. No modifications by the applicant or required by the DRB at preliminary subdivision approval have been made.

Affirmative finding

(e) DRB approval of final plat

Pursuant to Art. 3, Sec. 3.2.8, within forty-five (45) days from the close of the public hearing on the final plat the DRB shall issue Findings of Fact regarding the proposed application's conformance with each of the review standards of (d) above, and may attach such additional reasonable conditions and safeguards as it may deem necessary to implement the purposes of this ordinance and the city's municipal development plan. The decision of the DRB may be to approve, approve with modifications (conditions), or disapprove the final plat. Failure of the DRB to issue a decision within this period shall be deemed approval and shall be effective on the 46th day.

The final subdivision application meets the review standards of (d) above and of Article 11 – Planned Development for its existing PUD status. **Affirmative finding**

Sec. 10.1.10 Performance Bond and Guarantee of Completion

Not applicable. No construction is proposed with this subdivision.

Sec. 10.1.11 Recording of Final Plats

(a) Certifications and Endorsement

Every approved final plat seeking recording in the city land records shall carry the following executed certifications...

All required signature blocks/certifications are included on the final subdivision plan, and will have to be included on the final mylar for recording. **Affirmative finding as conditioned**

(b) Recording within 180-days

The final subdivision must be recorded into the city land records within 180 days from the date of DRB approval. **Affirmative finding as conditioned**

(c) Plat Void if Revised After Approval

No changes, erasures, modifications, or revisions shall be made on any subdivision plat after approval has been given by the DRB and endorsed in writing on the plat, unless said plat is first resubmitted to the DRB and the DRB approves any modification. In the event that such subdivision plat is recorded without complying with this requirement, the plat shall be considered null and void and the DRB shall institute proceedings to have the plat stricken from the records of the chief administrative officer...

This shall be a condition of approval. **Affirmative finding as conditioned**

Sec. 10.1.12 Dedication and Acceptance of Public Facilities

Not applicable. The property is already developed, and no further development is proposed as part of this subdivision.

Sec. 10.1.13 Waivers for Required Improvements

Not applicable.

Sec. 10.1.14 As-built Drawings

Not applicable.

Article 11: Planned Development

Part 1 – Planned Unit Development

Sec. 11.1.4 Modification of Regulations

With the approval of the DRB after a public hearing, the following modifications of the requirements of the underlying zoning may be altered within a planned unit development:

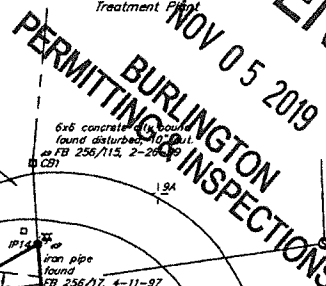
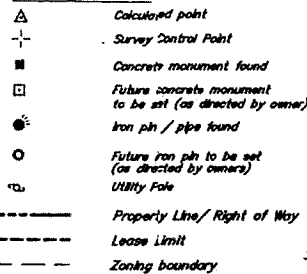
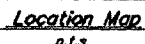
- *density, frontage, lot coverage, and setback requirements may be met as calculated across the entire project rather than on an individual lot-by-lot basis;*
- *required setbacks may apply only to the periphery of the project rather than on an individual lot-by-lot basis;*
- *more than one principal use and more than one principal structure may be permitted on a single lot; and*
- *buildings may be of varied types including single detached, attached, duplex or apartment construction.*

As noted above, the density, frontage, lot coverage, and setback requirements of Sec. 4.4.5 (b) do not apply. The density, frontage, lot coverage and setbacks will all remain as existing.

Affirmative finding

II. Conditions of Approval

1. **Within 180 days of the date of final approval**, the subdivision plat mylar, with all applicable endorsement signatures, shall be filed with the City Clerk per Sec. 10.1.11 of the Comprehensive Development Ordinance. Failure to do so shall render void the final plat approval.
2. **Prior to filing the mylar** in the city land records, the subdivision plat shall be revised to reflect the following:
 - a. Sheet size of 24"x36" with one inch margins on three sides and a two-inch margin on the side to be bound.
 - b. A scale of 1" = 40'.
 - c. Obtain signatures for all certifications and endorsements required under Sec. 10.1.11 (a) of the Comprehensive Development Ordinance. These signature blocks shall be included on the final plat plan.
3. No new construction is included in this preliminary subdivision approval.
4. No changes, erasures, modifications, or revisions shall be made on the subdivision plat after approval has been given by the DRB and endorsed in writing on the plat, unless said plat is first resubmitted to the DRB and the DRB approves any modification. In the event that such subdivision plat is recorded without complying with this requirement, the plat shall be considered null and void and the DRB shall institute proceedings to have the plat stricken from the records of the chief administrative officer.
5. Per **Section 2.7.8, Withhold Permit**, all zoning permits issued after July 13, 1989 must be closed out (issued a Certificate of Occupancy) prior to issuance of a Final Certificate of Occupancy for this permit. See attached permit list. Upon expiration of this new zoning permit, no additional zoning permits may be issued until it, and all prior zoning permits, have been closed out with final certificate(s) of occupancy. It is recommended that certificates of occupancy for the old zoning permits be sought prior to seeking a certificate of occupancy for the new zoning permit.
6. Standard permit conditions 1-15.



<u>Grantor</u>	<u>Grantee</u>	<u>Volume/Page</u>	<u>Date</u>
Walter and Mira Griffith	to Rutland Railroad Company	70 476	April 11, 1917
Joseph and Fannie Denney	to Rutland Canadian Railroad	44 413	November 14, 1900
Union of Vermont and State Agricultural College	to Rutland Canadian Railroad	44 353	July 13, 1900
Rutland Canadian Railroad	to Joseph and Fannie Denney	46 229	September 26, 1899
John S. Denney	to Lizzie Chambers	37 80	January 14, 1895
Fannie Denney	to Jennie Denney	48 559	January 6, 1906
Estate of John Denney, Sr.	to Joseph and Fannie Denney	48 216	August 28, 1899
John Denney	to Fannie Denney	48 558	January 6, 1906
City of Burlington	to The Northshore Partnership	328 459	January 2, 1986
City of Burlington	to The Northshore Partnership	328 463	January 2, 1986
Ruth Millington	to The Northshore Partnership	324 219	September 23, 1985
John Denney	to The Northshore Partnership	324 211	September 6, 1985

1. All bearings are calculated and referenced to Astronomic North. Magnetic North was observed to be approximately 14° 20' west of Astronomic North.
2. Topographic survey was completed in April 1897 and December 1898 by Kruse and Lansing Consulting Engineers. Vertical control and wetland limits were established in reference to drawings prepared by Truett Consulting Engineers titled "The Haven of North Shore, Wetland points 7 and 10" were adjusted to be west from the original delineation. Vertical datum is approximately 0.31 feet higher than U.S.C.S. datum.
3. The common line between Brown and Stord on the north and John Larkin, Inc. on the south was created in 1955. This line results in the addition of the John Derry property in which 28 acres were sold to Lizzie Chambers. This line was surveyed by H. M. McIntosh as part of the takings for the Rutland - Canadian Railroad.
4. The Derry - Chambers line was surveyed again in 1850 by A. Hoag. Mr. Hoag converted the original astronomic azimuth established by the Railroad to a magnetic bearing (C10) and buried the line on the original location of the corner Maple tree. Monumentation noted on C10 and C42 were set by A. Hoag.
5. This line was retraced by Henry Swider in 1983. Monumentation noted as P2 and P3 were set by Swider. The right of way reserved to Lizzie Chambers in Volume 37 Page 80 attorneys only to the limits of the original parcel, not as shown on Swider's survey.
6. The lots along North Avenue Extension were conveyed by Howard and Ruth Miltgen in the early 1860's. Prior to these conveyances, in 1850, the Miltgen's conveyed the C11, C12 and C13 lots to a woman named Freeman and then the conveyance descriptions to the lot owners (3047 North Ave. to 3073 North Ave.) recite and call for the west line of the land of the City of Burlington as the beginning point. Some records available on the west line of the City of Burlington. The lots were calculated based on the full revised depths from the west line of the City of Burlington.
7. RECORDS make the approximate location of the Maple tree called for in the first Derry subdivision to Lizzie Chambers in 1805 (see Vol. 37 Page 8). The location of this tree was shown to Arthur Hoag in 1850 by Mr. Raymond Derrick. Mr. Hoag recorded this city and county line and the location of the tree on the map of the Burlington Water Dept. removed the pipe. Hoag set a new pipe November 29, 1850.

1. North Avenue Sewage Disposal Plant 1965
2. City of Burlington from Howard and Ruth Millington
3. Plot of Survey - Nature Conservancy - North Avenue Extension - Burlington, Vermont by Trudell Consulting Engineers #91052-40 dated July 10, 1991
4. Sketch - lots 205-209 Sold to New England Buildings by Howard Millington dated May 1, 1963
5. Plot of Survey for The Village of North Shore by Trudell Consulting Engineers #94049 dated January 1985
6. Plan showing Drawing of the Estate of John S. Darway, Burlington, Vermont by H.M. McWhiston 1905
7. The Village of Northshore ! by Trudell Consulting Engineers #94049 3 sheets
8. Right - of-Way and Track Map - Rutland Railroad Company Valuation Sections 2 Sheets 126, 126, 127 dated June 30, 1917 Redated January 1, 1964
9. Sketch of Mill-Half Plot - Proposed Laidoff North Half of lot 40 by Howard Millington October 1936
10. Property Plan - Aszurak and Sylvia Boudreau - North Avenue Extension by William Rabenstein #530-96 June 17, 1996
11. Storm drain Easement - Burlington Storm Extension - North Avenue Extension by Phibam Engineering Associates #65231 revised May 17, 1989
12. North Avenue Extension - Sewer Separation Job - Burlington Electric Department #0-441 revised March 8, 1987
13. Rutland Canadian Railroad Location Maps sheets 8, 10 and 11
14. Property Survey for Lawrence and Michelle Brown, Burlington Vermont by Henry Smiler December 1983
15. Plan of Line Surveyed for Raymond Brown by Hoag and Associates, Inc. #988 dated September 1990 revised November 28, 1999
16. Plot of Survey of Riverside Park - January 12, 1985
17. Plan of "The Bluffs at Northshore R.O.W. and easements" dated 5/17/01, recorded in V. 330, P. 247-8
18. Final Plot of "The Bluffs at Northshore" by Krueh and Lonsing Consulting Engineers, dated Sept. 2, 1993, last revised June 1, 2004.

1. The descriptions controlling the locations of the boundaries of the land surveyed and the physical evidence located on or within the grounds were compared and analyzed to provide boundary locations that are most indicative of the original intent of the deeds and is harmony with existing nomenclature. Where conflicts between physical evidence and written evidence are substantial, deeds and/or documents must be used to be executed to eliminate any color of title or conflict.
2. This plot of survey depicts boundary location of lands under the title of John Larkh, Inc. and also includes the location of the easements, licenses, and rights that may encumber or benefit the surveyed premises.
3. Monuments have been set in and on the ground where shown on the plot of survey where, in the opinion of the surveyor, it was necessary to perpetuate a corner not otherwise monumented. Monuments shown as "to be set" will be set at the title holder's direction.
4. Any boundary line location, based on deeds or documents recorded in the public records by which title or rights were conveyed to John Larkh, Inc. or title or rights in lands of John Larkh, Inc. were otherwise delineated, is subject to accuracy and legality of these deeds or documents. Where such deeds or documents are found to be defective or are based on contradictory omissions in fact, or contain or are based upon erroneous conclusions of law, then the depicted boundary locations may not be valid.
5. The boundary line locations shown are also subject to accuracy and legality or lack of authority of any grantor or grantee who possessed the right or ability to convey, receive or condemn property or rights in the surveyed property.
6. Any depiction on the plots of survey of boundary lines or other structures, exclusive of boundary lines and easements, is not intended for technicality. The location and depiction of boundary lines other than those of John Larkh, Inc. are not warranted and all boundary lines depicted are subject to the accuracy and completeness of the public record.
7. This plot of survey is for the sole use of John Larkh, Inc. and the use by other property owners, private or municipal, is specifically unauthorized.
8. In addition to this survey plot, a surveyor's abstract and surveyor's report were prepared. This surveyor's abstract includes the chronological chain of title for the lands of John Larkh, Inc. the historical chain of title for adjoining properties and other documents and deeds related to easements, water rights, and other interests in the surveyed lands from 1793 through February 1989. The surveyor's report narrates the analysis and evaluation, logic, and conclusions used to locate the boundaries depicted on this plot of survey. The surveyor's abstract and report are available for review upon request.

It is hereby certified that, to the best of my knowledge, this plot fully complies with all engineering requirements set forth in the subdivision regulations of the City of Burlington and all other published engineering requirements of Burlington, Vermont.

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or persons under my supervision; that all monuments shown hereon actually exist or are marked as "future" and their location, size, type and materials are correctly shown. No additional survey boundary work has been completed since 9/2/88.

OF VER

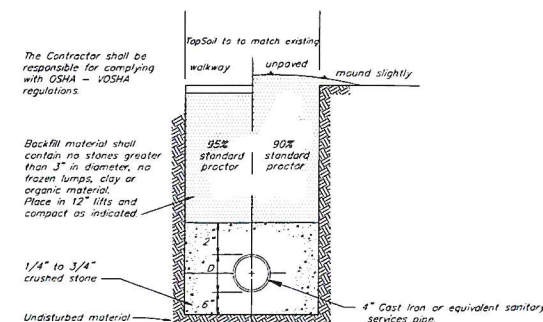
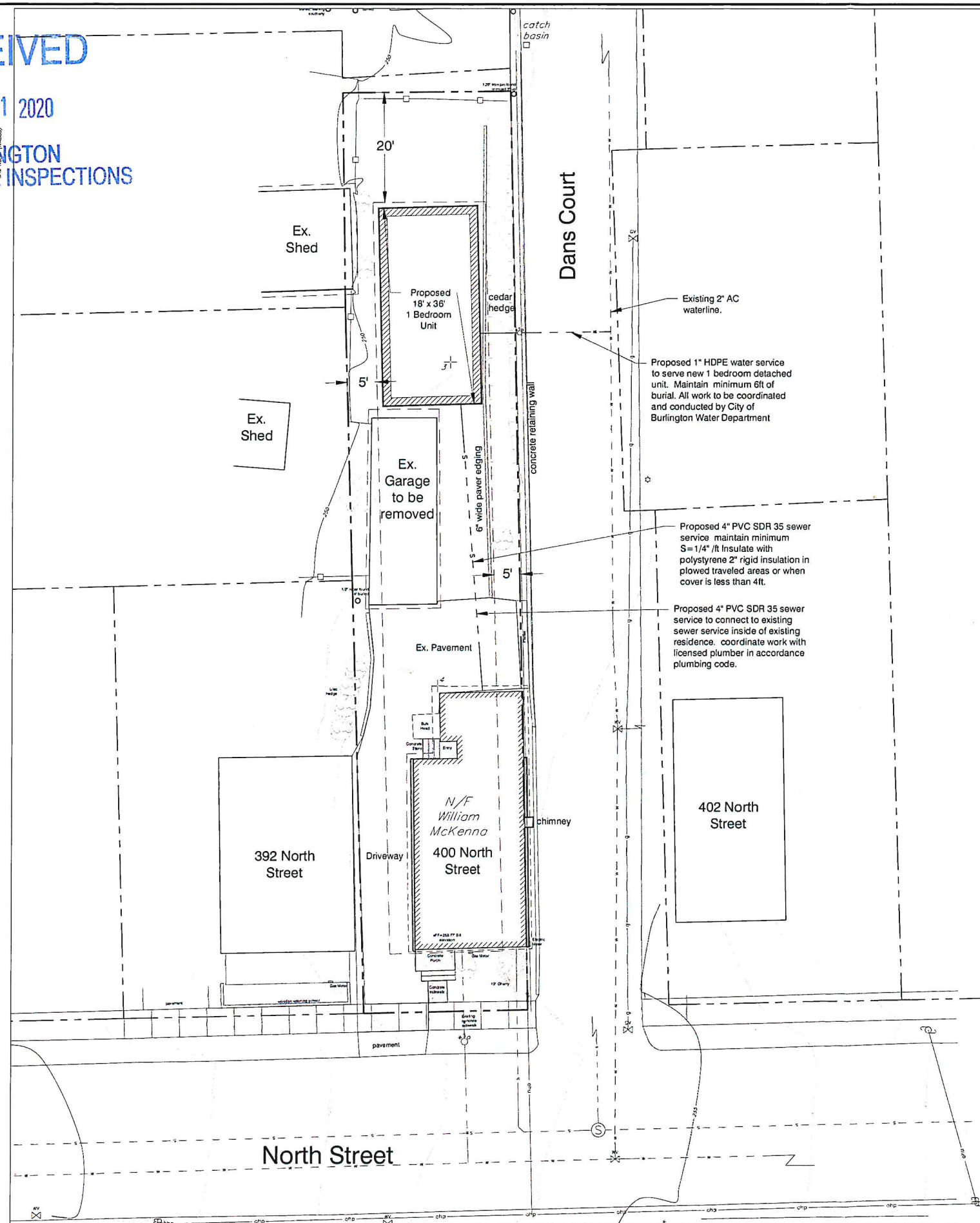
This survey is based on physical evidence found in the field and information abstracted from deeds and other pertinent records and this survey is consistent with that evidence. This plot conforms to 27 V.S.A. section 140. No additional survey boundary work has been completed since 8/2/00.

		C70698	DATB
P-1	BCK 11 /		

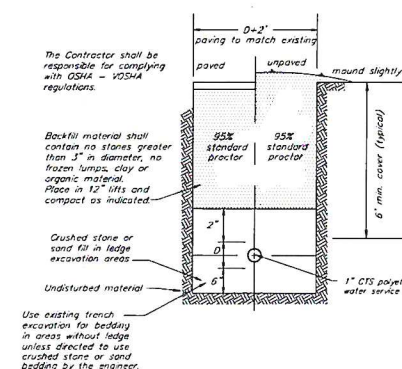
Date September 2, 1963

[illegible]

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PERMITTING & INSPECTIONS



Typical Sanitary Trench Detail



Typical Water Trench Details

Basis of Design Flows

Water & Sewer Design 400 North Street:

Existing House:

Water: 350 gpd/gallons/day/living unit = 350 gallons per day

Sewer: 210 gpd for single family unit connected to system serving more than 50,000 gpd

Proposed Configuration 1-New Unit (One 1 bedroom accessory unit)

Water Supply:

For 1 bedroom accessory unit

70 gallons/persons/day * 2 persons / bedroom * 1 living Unit = 140 gpd/bedroom

Wastewater Disposal:

For 1 bedroom accessory unit

70 gallons/persons/day * 2 persons / bedroom * 1 living Unit = 140 gpd/bedroom

City of Burlington
Planning and Zoning Information

Owner: William McKenna
Location Address: 400 North Street
Deed Reference: Vol. 1419 Page 96
Date 09/28/2018

Existing Lot Area: 5,071 sqft

Parcel ID: 045-1-096-000

Zoning District:

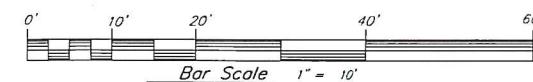
Residential Low Density
Allowable Entire Lot Coverage = 35%
Primary Building Max. Height = 35 ft.
Approximate Existing lot coverage = 50% ±

Legend

- Survey control point
- Iron pipe found
- Hydrant
- Utility pole
- Temporary bench mark
- Overhead power line
- Right of Way monument
- Direction of surface water flow
- Existing Sign
- Pre-construction Excavation
- Existing Light Pole
- Existing Deciduous Tree
- Existing Spot Grade Elevation
- Existing Water Line/Hydrant/Valve/Shutoff
- Existing ground contour
- Existing gas pipeline / valve
- Existing underground power
- Existing overhead power
- Approximate property line / right of way
- Approximate zoning setbacks
- Existing Gas Line/Valve
- Existing Sewer Line/Manhole
- Existing concrete
- Existing pavement
- Existing edge of woods/ tree line

Notes:

- This plan is not a boundary survey. The property lines shown are based on Burlington Tax Map dated 2018 and are considered approximate.
- The underground utilities shown on this plan are based on visible utilities located during a topographic survey performed by Krebs & Lansing in April 20, 2020. Underground utilities are approximate and not warranted to be exact or complete. Dig Safe shall be contacted prior to any excavation.
- Elevations are based on the NAVD 88 (Geoid 12A) vertical datum.
- Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch.



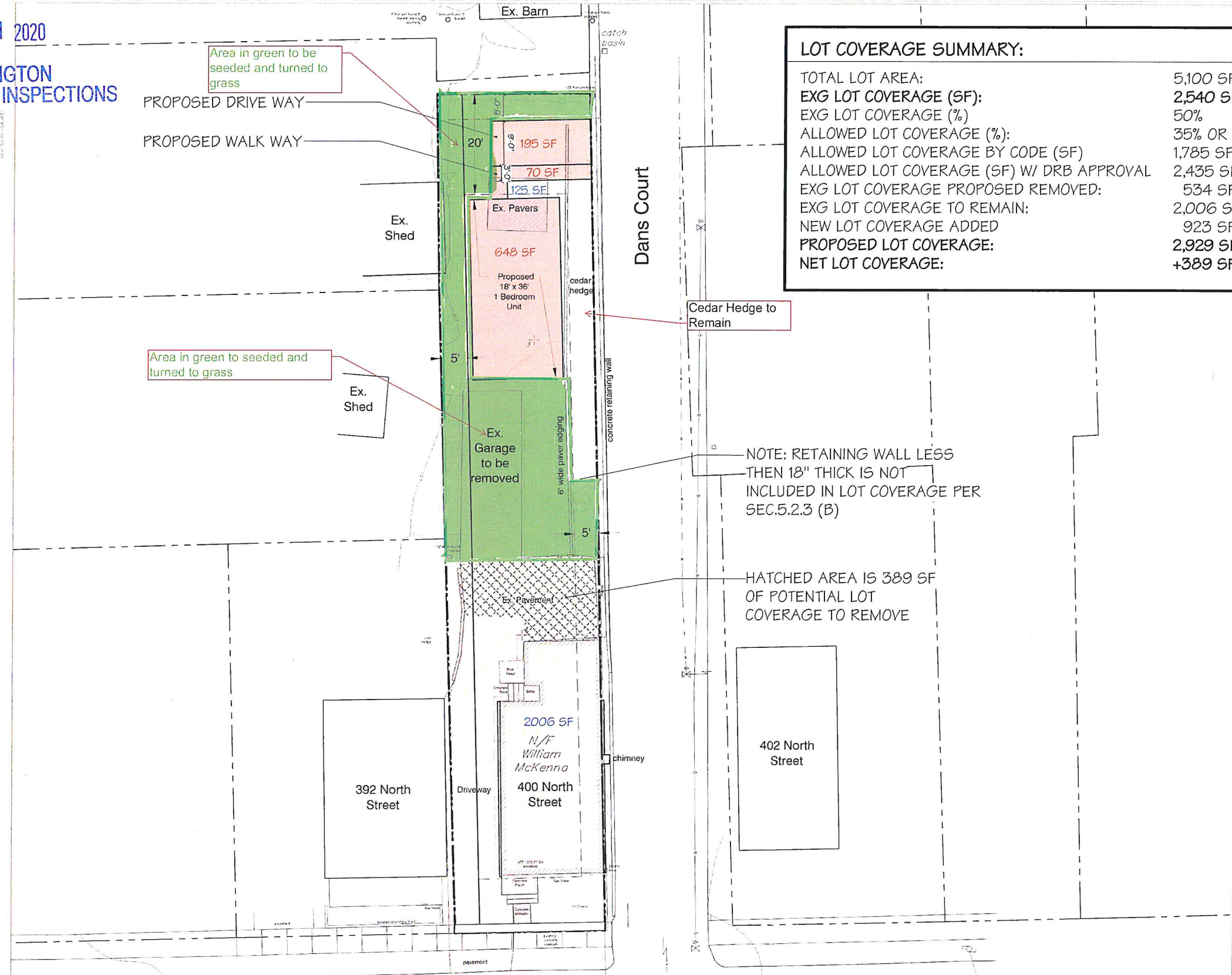
Progress Print Draft

Date raised	Description	Checked	Date
Design	for		
Drawn	for		
Checked	see/SHH		
Scale	1"=10'		
Date	June 18, 2020		
Project	20177		
Site Plan			
McKenna Property			
400 North Street Burlington, Vermont			
KREBS & LANSING Consulting Engineers, Inc. 164 Main Street, Colchester, Vermont 05446			

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PERMITTING & INSPECTIONS



400 NORTH STREET

BURLINGTON VT

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A Professional Corporation

SCHEMATIC DESIGN

Duncan
Wisniewski
ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T: 802.854.6593

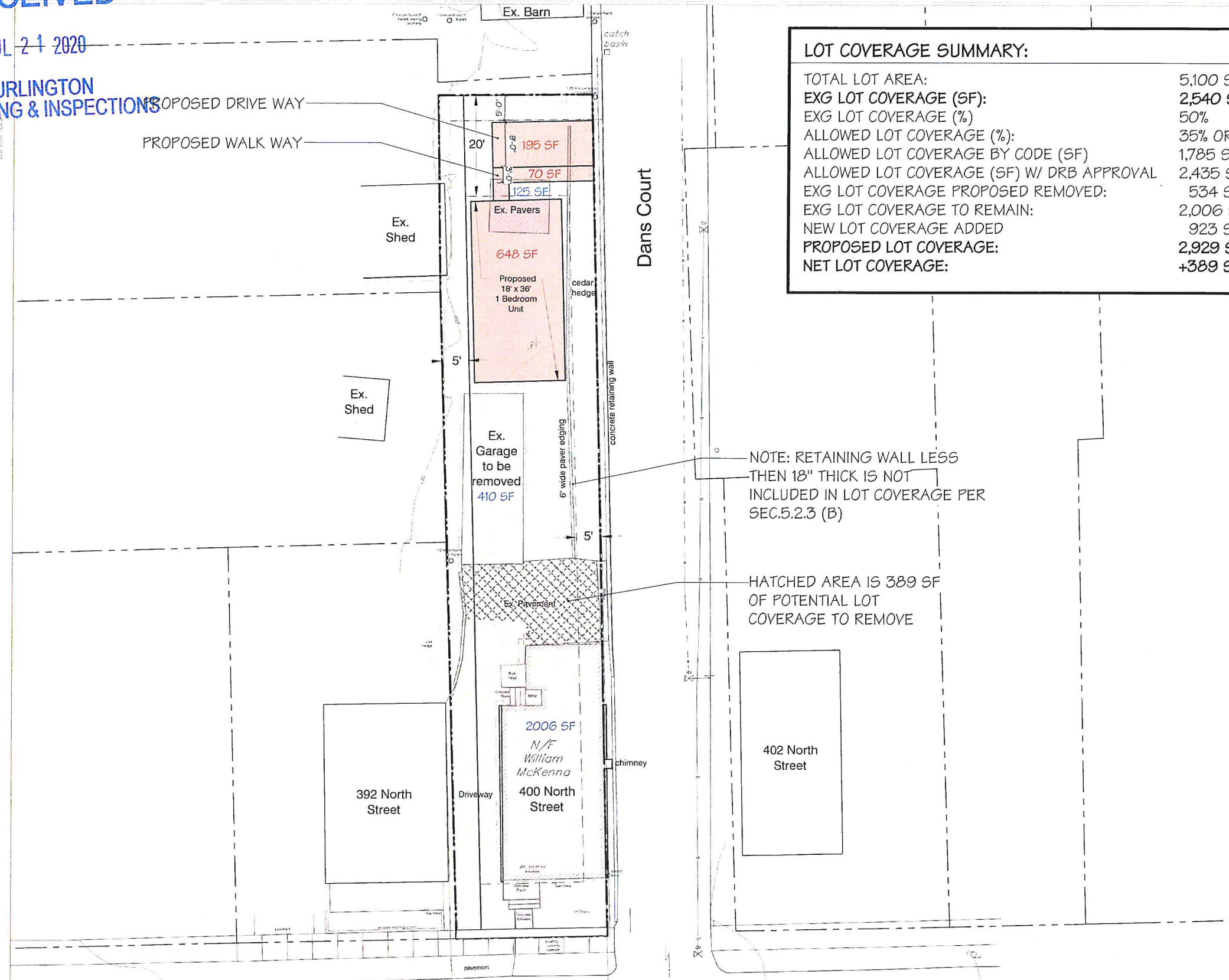
DATE: 06.25.2020
DRAWN: XXX, XXX

L1-1.1

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City of Burlington
Planning and Zoning Information

Owner: William McKenna
Location Address: 400 North Street
Deed Reference: Vol. 1419 Page 96
Date 09/28/2018

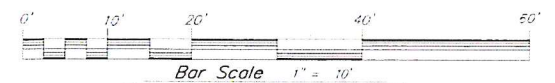
Zoning District: Residential Low Density
Allowable Entire Lot Coverage = 35%
Primary Building Max. Height = 35 ft.
Approximate Existing lot coverage = 50% ±

Legend

- Survey control point
- Iron pipe found
- Hydrant
- Utility pole
- Temporary bench mark
- Overhead power line
- Right of Way monument
- Direction of surface water flow
- Existing Sign
- Pre-construction Excavation
- Existing Light Pole
- Existing Deciduous Tree
- Existing Spot Grade Elevation
- Existing Water Line/Hydrant/Valve/Shutoff
- Existing ground contour
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- Existing underground power
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Notes:

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- The underground utilities shown on this plan are based on visible utilities located during a topographic survey performed by Krebs & Lansing in April 20, 2020. Underground utilities are approximate and not warranted to be exact or complete. Dig Safe shall be contacted prior to any excavation.
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- Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch.



Progress Print Draft

400 NORTH STREET

BURLINGTON VT

Duncan
Wisniewski
ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T. 802.864.6693

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A Professional Corporation

SCHEMATIC DESIGN

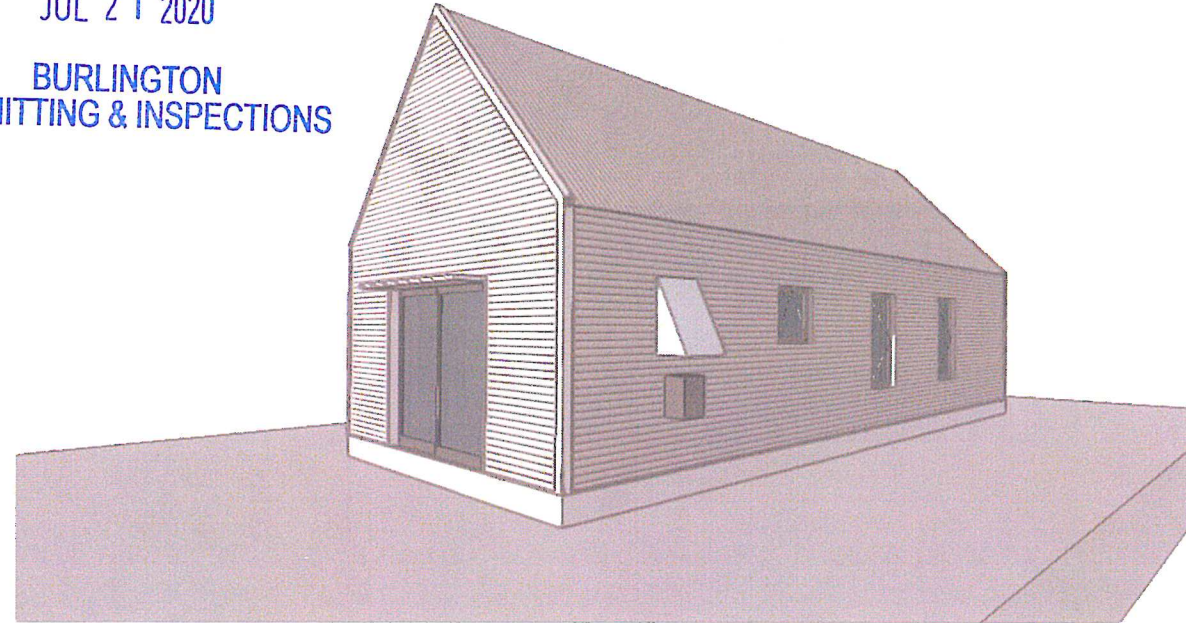
DATE: 06.25.2020
DRAWN: XXX, XXX

L1-1.1

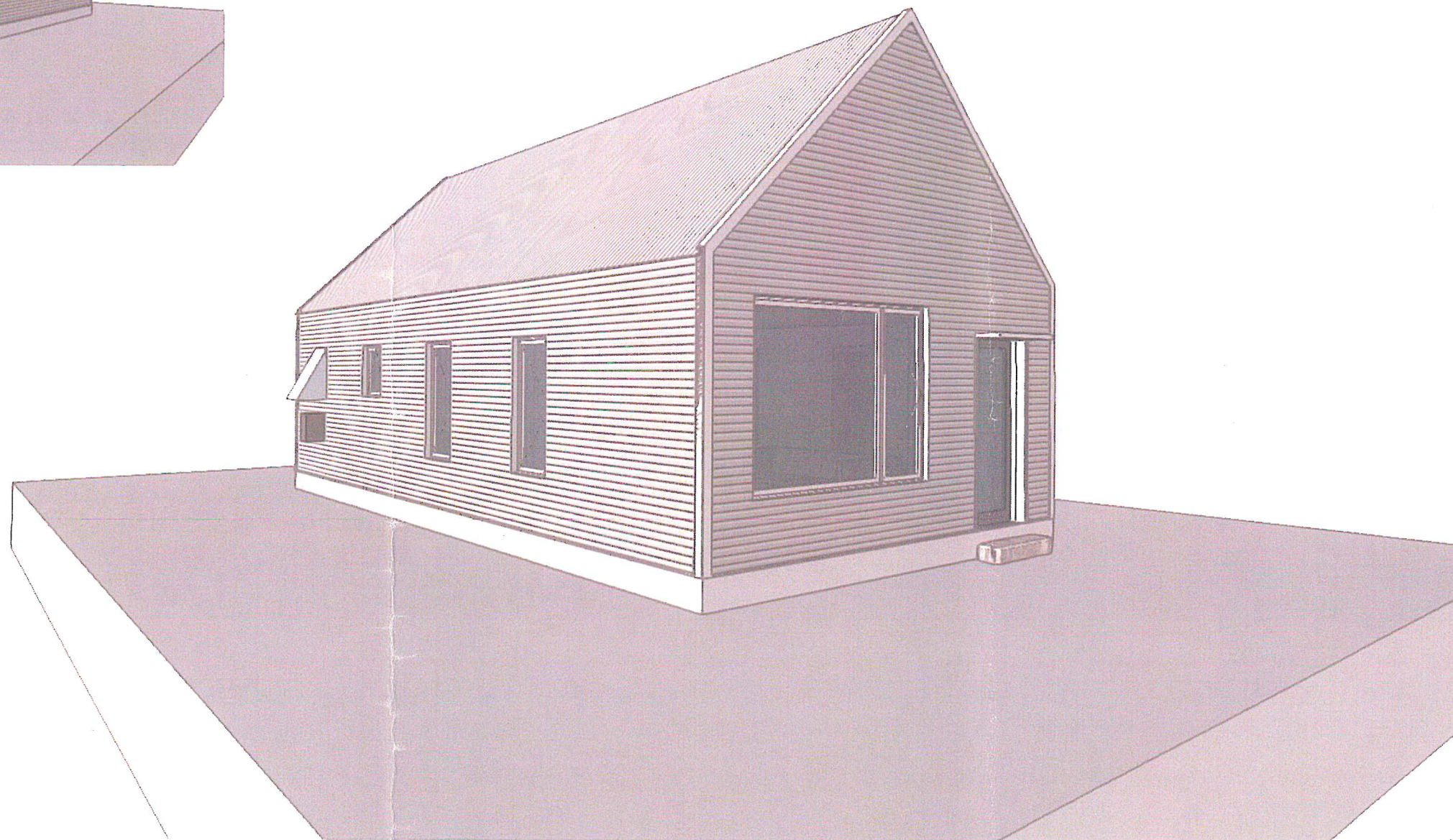
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VIEW FROM SOUTH



VIEW FROM NORTH

400 NORTH STREET

BURLINGTON VT

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A Professional Corporation

DESIGN DEVELOPMENT

Duncan
Wisniewski 
ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T: 802.864.6693

DATE: 07.14.2019
DRAWN: ABC

A0-0

**BURLINGTON
PERMITTING & INSPECTIONS**

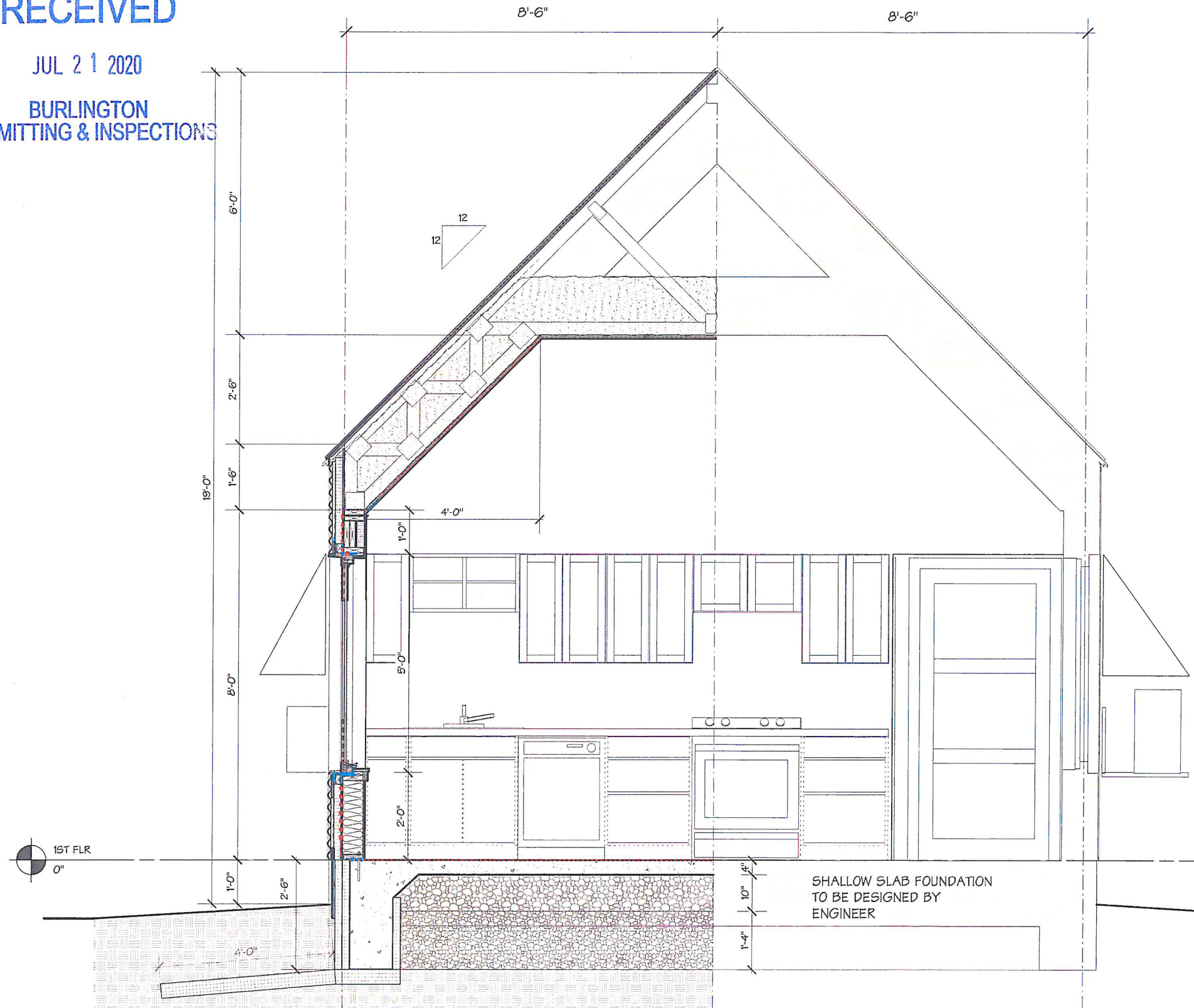


A1-0

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1 SECTION A
Scale: 3/8" = 1'-0"

400 NORTH STREET

BURLINGTON VT

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A Professional Corporation

DESIGN DEVELOPMENT

ENVELOPE THERMAL SUMMARY:

ROOF:

-SEMI-DENSE PACK 16"X R-3.7/IN= R-59.2
-CODE R-VALUE R-49

WALLS:

-DENSE PACK 5 1/2" X R-3.5/IN= R-19.25
-RIDGED POLYISO CONT. 2"X R-6/IN= R-12
APPROXIMATE TOTAL R-VALUE: R-31.25
CODE R-VALUE R-23

WINDOWS:

TRIPPLE GLAZED FIBERGLASS- U- 0.18 (R-5.5?)
CODE R-VALUE U-.033 (R-3.0)

SLAB EDGE:

-EPS RIGID FOAM INSULATIO- 4" X R-4/IN= R-16
CODE R-VALUE R-15

BELLOW SLAB:

GRAVEL- 12"X R-2.2/IN = R-26.4
CODE R-VALUE NONE

Duncan
Wisniewski
ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T: 802.864.6883

DATE: 07.14.2019

DRAWN: ABC

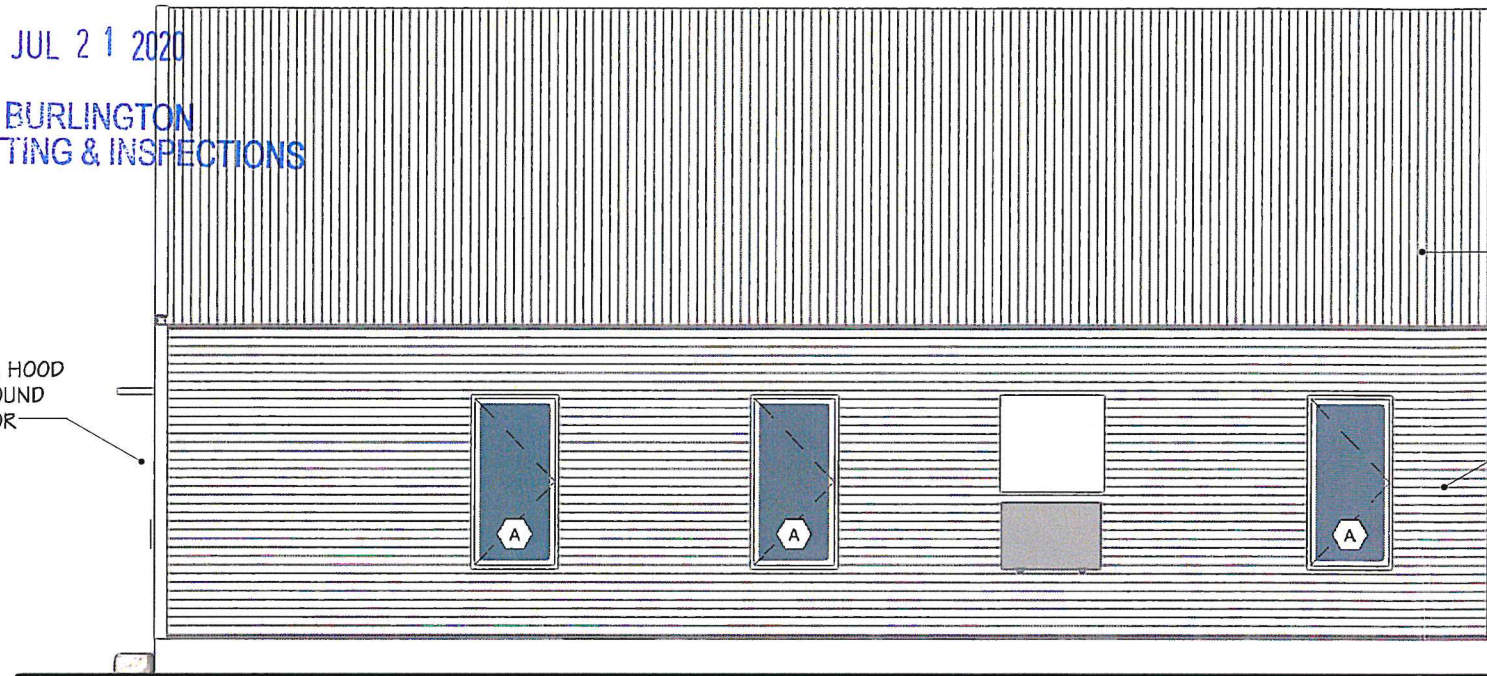
A3-0

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MTL HOOD
AROUND
DOOR



East
NORTH ELEVATION
Scale: 3/16" = 1'-0"



4" MTL ROOF
EDGE

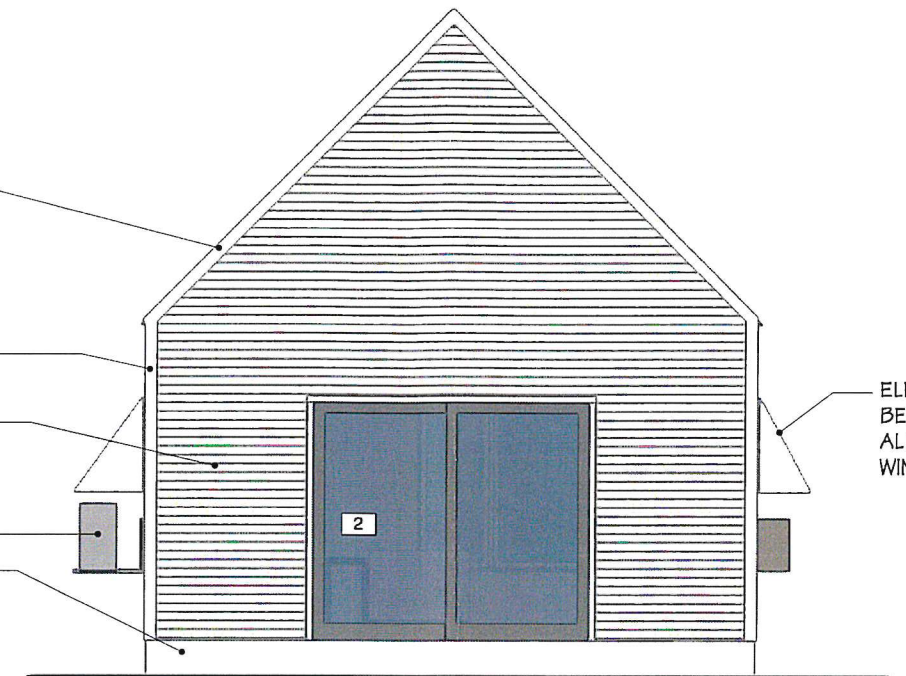
CORRUGATED
MTL ROOF

4" BENT MTL
CORNER, TYP

CORRUGATED
MTL SIDING

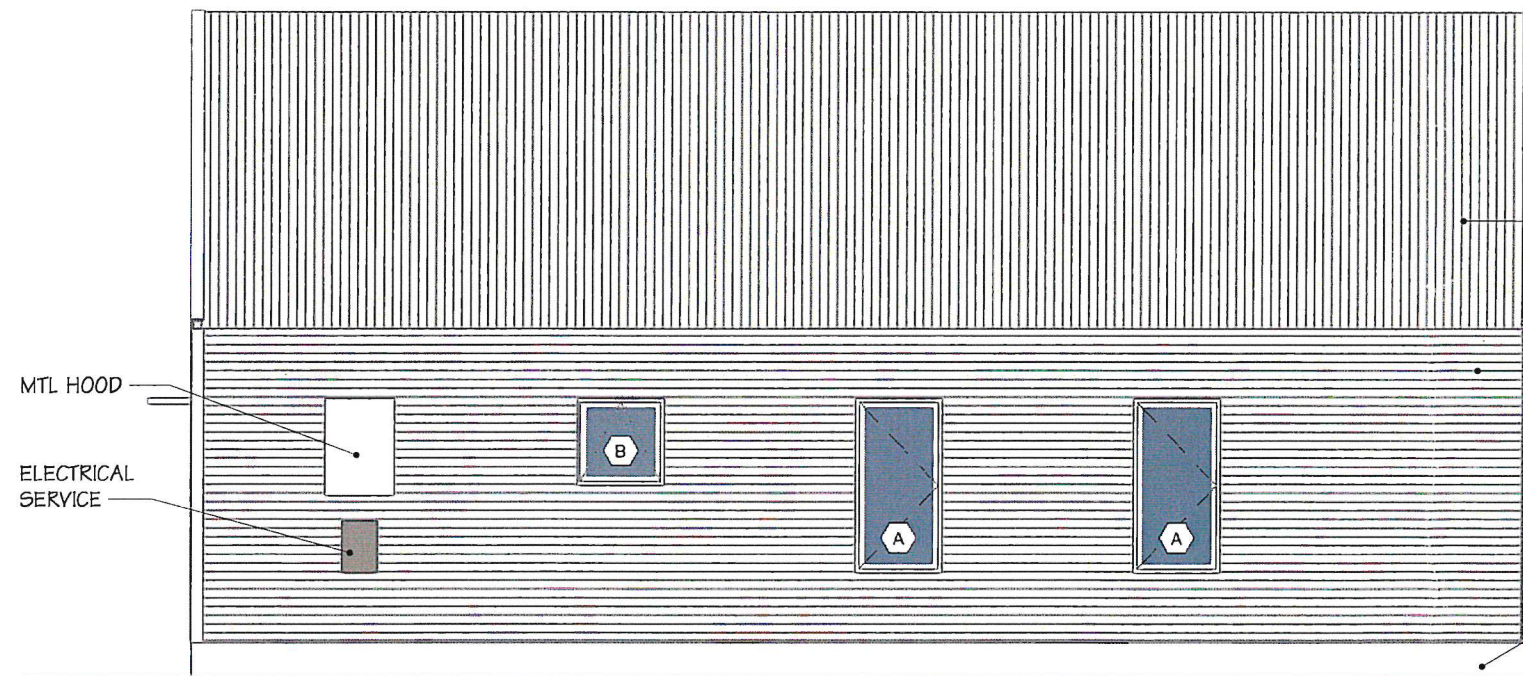
CONDENSING
UNIT W/ BENT
MTL HOOD

MTL FLASHING



ELECTRICAL SERVICE W/
BENT MTL HOOD,
ALIGN TOP ADJACENT
WINDOWS

North
EAST ELEVATION
Scale: 3/16" = 1'-0"



MTL HOOD
ELECTRICAL
SERVICE

West
SOUTH ELEVATION
Scale: 3/16" = 1'-0"

400 NORTH STREET

BURLINGTON VT

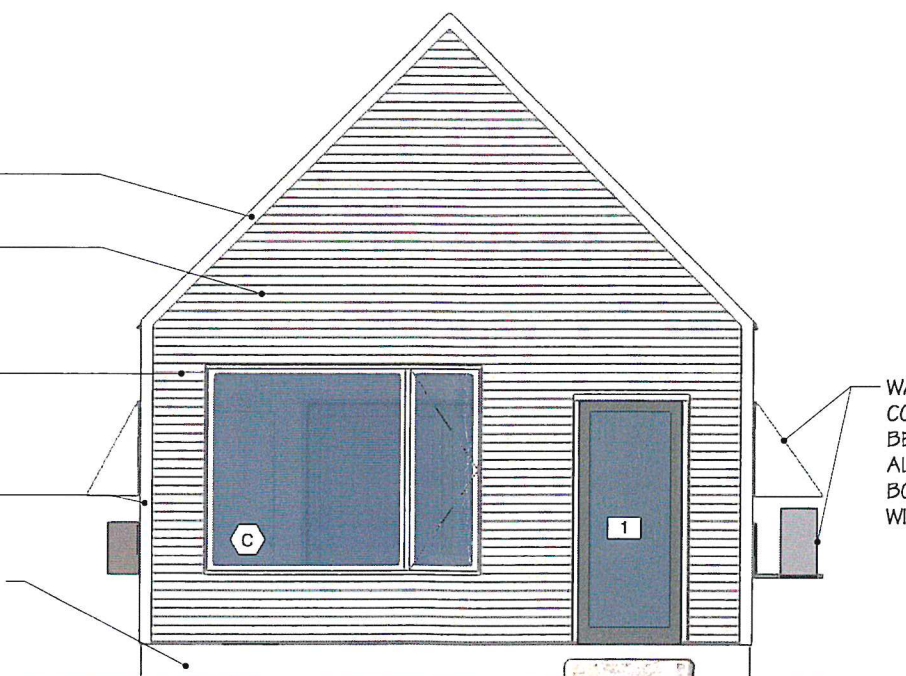
4" MTL ROOF
EDGE

CORRUGATED
MTL ROOF

CORRUGATED
MTL SIDING

4" BENT MTL
CORNER, TYP

MTL FLASHING



WALL HUNG
CONDENSING UNIT W/
BENT MTL HOOD,
ALIGN TOP AND
BOTTOM W/ ADJACENT
WINDOWS

South
WEST ELEVATION
Scale: 3/16" = 1'-0"

Duncan
Wisniewski
ARCHITECTURE

DATE: 07.14.2019
DRAWN: ABC

255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T: 802.864.6693

A4-0

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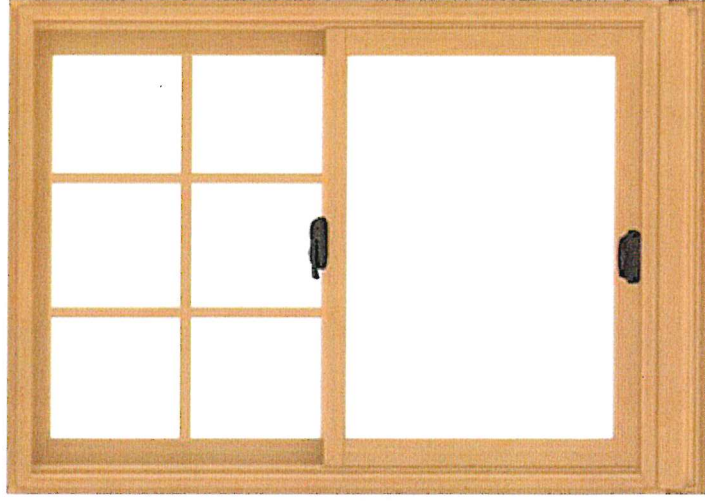
DESIGN DEVELOPMENT

24 Alexis – Main Exterior Elements

Inventory of Exterior Elements: 24 Alexis Drive

	Elevation	Quantity	Manufacturer	Model	Description	Preferred Supplier
Front	all	36	Andersen	Series 400	All windows of this series, various sizes and grills per drawings	Rice Lumber
Front	front	2	Andersen	Straightline 181	ea 3'0" x 6'8" Black, open in, 4 panel grill per door	Rice Lumber
Garage man door	right	1	Andersen	Arts and Crafts 402	3'0" x 6'8" Black	Rice Lumber
Room family room	rear	1	Andersen	Straightline 102	ea 3'0" x 6'8" Black, open in, 4 panel grill per door	Rice Lumber
Room rear hall	rear	1	Andersen	Series 400 Frenchwood	gliding patio door	Rice Lumber
Room MBR	left	1	Andersen	Series 400 Frenchwood	gliding patio door	Rice Lumber
Doors - Vehicle	front	2	Haas	American Tradition 921 series	Ash finish, three pane windows at top of each door	Overhead Door
Front	all	1	James Hardie	HardiePlank	Select Cedarmill finish, cement fiber lap siding	Rice Lumber
Front	all	1	Harvey	seamless aluminum	3105 alloy, charcoal gray accent to HardiePlank	Architectural Metal Supply
Front	all	1	Harvey	seamless aluminum	3105 alloy, charcoal gray accent to HardiePlank	Architectural Metal Supply
Front	all	1	Owens Corning	Duration Flex	Estate Gray	Rice Lumber
Front	front	1	Harvey	Standing Seam	aluminum, 21" flat x 1" rib, charcoal gray / black	Architectural Metal Supply
Garage man door shelter	right	1	Harvey	Standing Seam	aluminum, 21" flat x 1" rib, charcoal gray / black	Architectural Metal Supply
Rear covered porch	rear	1	Harvey	Standing Seam	aluminum, 21" flat x 1" rib, charcoal gray / black	Architectural Metal Supply
Front sconces	front	2	Millenium	2931-PBK	One light outdoor wall bracket, 10" dia x 16" h x 11" ext, black	Walsh Electric
Garage man door	right	1	Millenium	2921-PBK	One light outdoor wall bracket, 9" dia x 14" h x 10" ext, black	Walsh Electric
Rear covered porch	rear	2	Millenium	2697-PBK	Three light outdoor hanging lantern 11" dia x 18" high, black	Walsh Electric
Rear open porch	rear	2	Millenium	2921-PBK	One light outdoor wall bracket, 9" dia x 14" h x 10" ext, black	Walsh Electric

Windows – opening 400 Series



400 SERIES

DOUBLE-HUNG WINDOW

★★★★★ 4.5 (40)

400 Series double-hung windows have two operating sash that move up and down allowing for ventilation on the top, bottom or both. The sash tilt in for easy cleaning from the inside of your home. Made of wood protected by a vinyl exterior, it's our best-selling double-hung window.

- Our best-selling double-hung
- Wood protected by vinyl exterior
- Durable and time-tested
- Standard sizes up to 3'10 1/8" wide and 7'8 7/8" high. Custom sizes available.

Need help with installation? Find an [Andersen Certified Contractor](#) in your area.



Windows – fixed 400 Series (at rear)

400 SERIES

PICTURE WINDOW

★★★★ 4.4 (8)

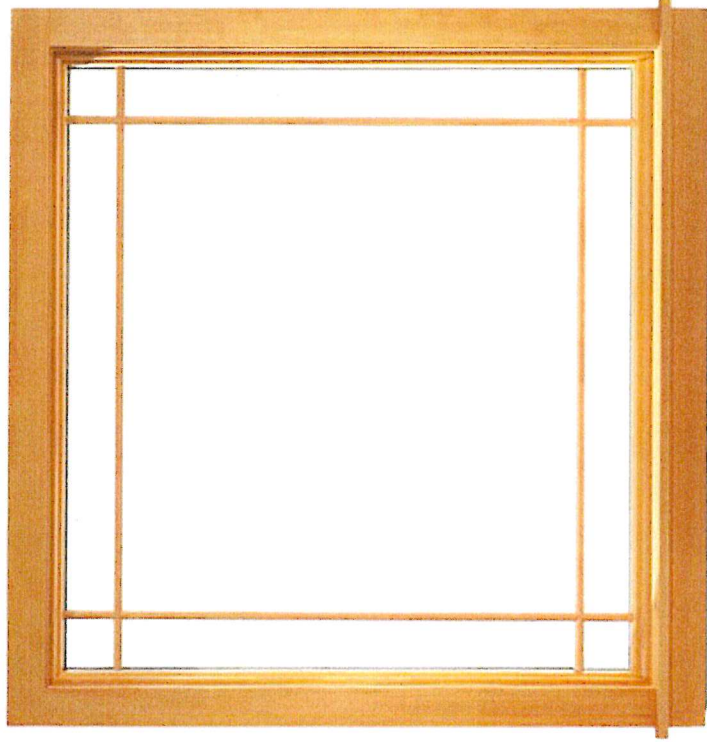
400 Series picture windows are stationary and designed to be used alone to maximize a view or combined with venting windows to create large combinations. Made of wood protected by a vinyl exterior, it's our best-selling picture window.

- Our best-selling picture window
- Wood protected by vinyl exterior
- Durable and time-tested
- Standard sizes up to 5' wide and 6' high. Custom sizes available.

Need help with installation? Find an [Andersen Certified Contractor](#) in your area.

[DESIGN THIS WINDOW](#)

[REQUEST A QUOTE](#)



Door – front



RESIDENTIAL

ENTRY DOORS

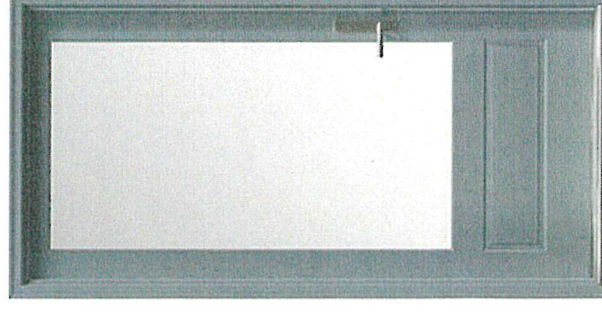
★★★★★ 4.4 (5)

Andersen® residential entrances are handcrafted from the finest wood available and introduce your home with uncommon elegance. They showcase artistry, intricacy and exceptional beauty to complement the character of your home and those who live inside.

- Available for both inswing or outswing operation
- Low-profile sill option available
- Wood can be left natural, stained or protected by aluminum exteriors

Need help with installation? Find an [Andersen Certified Contractor](#) in your area.

[REQUEST A QUOTE](#)



Straightline (181)

Door – garage man door

RESIDENTIAL

ENTRY DOORS

★★★★★ 4.4 (5)

Andersen® residential entranceways are handcrafted from the finest wood available and introduce your home with uncommon elegance. They showcase artistry, intricacy and exceptional beauty to complement the character of your home and those who live inside.

- Available for both inswing or outswing operation
- Low-profile sill option available
- Wood can be left natural, stained or protected by aluminum exteriors

Need help with installation? Find an [Andersen Certified Contractor](#) in your area.

[REQUEST A QUOTE](#)



Arts & Crafts (402)

Door – from family room to patio

RESIDENTIAL

ENTRY DOORS

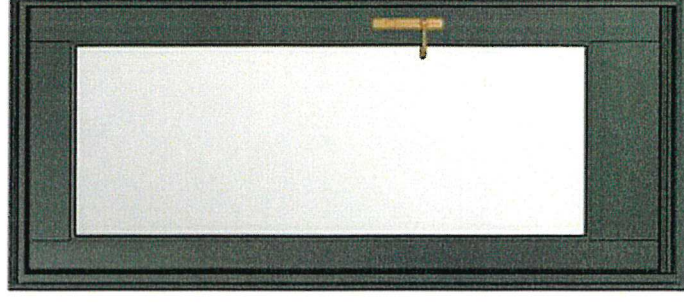
★★★★★ 4.4 (5)

Andersen® residential entranceways are handcrafted from the finest wood available and introduce your home with uncommon elegance. They showcase artistry, intricacy and exceptional beauty to complement the character of your home and those who live inside.

- Available for both inswing or outswing operation
- Low-profile sill option available
- Wood can be left natural, stained or protected by aluminum exteriors

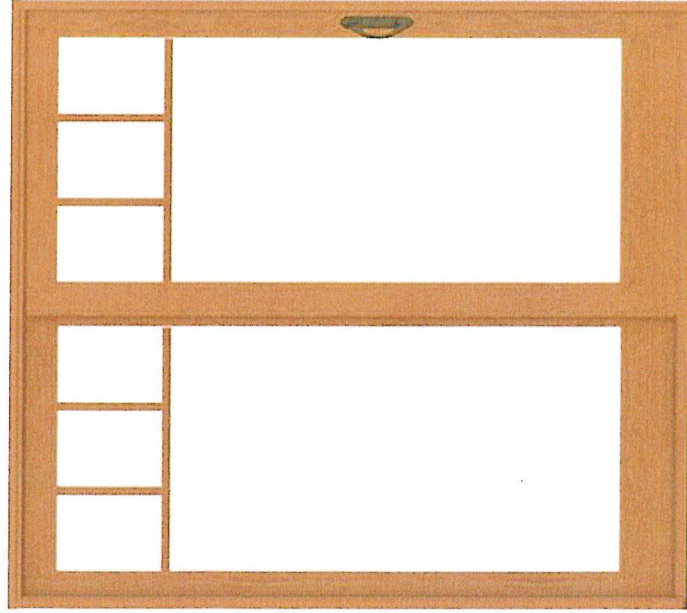
Need help with installation? Find an [Andersen Certified Contractor](#) in your area.

[REQUEST A QUOTE](#)



Straightline (102)

Doors – gliding patio: rear hall, MBR



400 SERIES

FRENCHWOOD® GLIDING PATIO DOOR

With their wide wood profiles, Frenchwood® gliding patio doors have the old-world character of traditional French doors, but also offer the convenience and space savings no hinged door can provide. Available with an extensive array of options and accessories in two- and four-panel configurations to fit virtually any size requirement.

- Our best-selling gliding patio door
- Wood protected by vinyl exterior
- Durable and time-tested
- Blinds-between-the-glass option
- Available in standard sizes as single panel, 2-panel and 4-panel configurations. Custom sizes also available.

Need help with installation? Find an **Andersen Certified Contractor** in your area.

Doors – Garage vehicle (2)

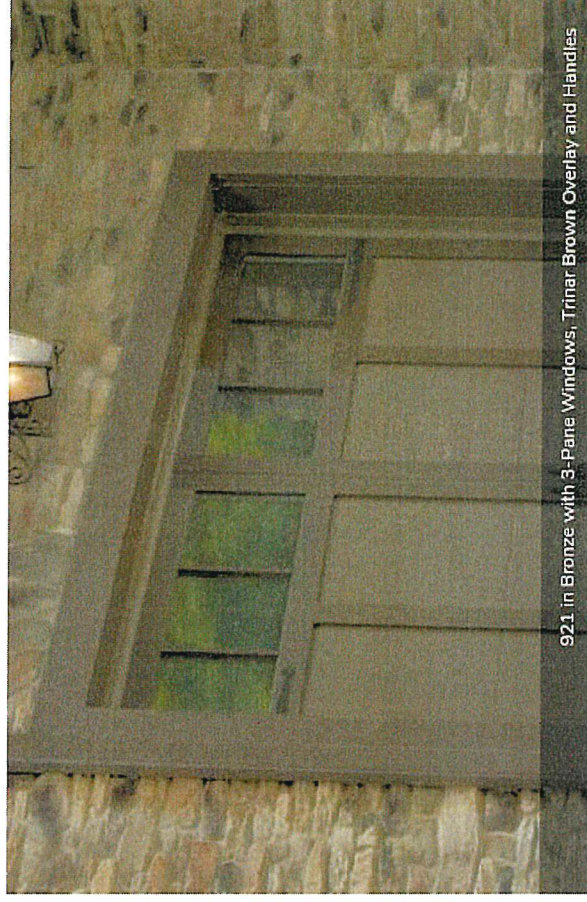
AMERICAN TRADITION™ SERIES

We've taken the elegance of the original handcrafted wooden carriage house doors and the detail of the wrought iron hardware to produce a classic style made with modern technology and materials. Backed by a Lifetime Limited Warranty, American Tradition™ doors are the ideal choice to add the classic look to a genuine carriage house door.

- 2" Thick with Full Thermal Break
- 13.45 Calculated R-Value
- CFC-Free Polyurethane Insulation
- 26-Gauge Galvanized Steel
- Polyurethane Overlay Boards
- 17 Base & 16 Overlay Colors
- 12 Door Designs
- 10 Window Options
- 4 Impact Polycarbonate Glazing Options

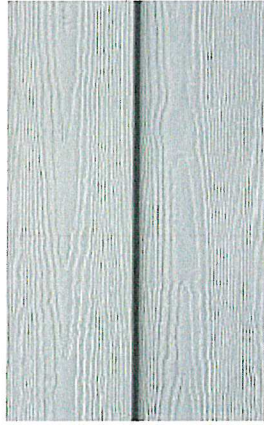
- 15 Insulated Glass Options
- 9 Non-Insulated Glass Options
- Available with Wind Load
- Industry Leading Warranty
- Lifetime Rust & Delamination
- 6-Year Hardware
- 5-Year Overlay Delamination
- 3-Year Spring

CREATE YOUR DOOR
Haas Online



921 in Bronze with 3-Pane Windows, Trinar Brown Overlay and Handles

Siding



HARDIEPLANK® LAP SIDING SELECT CEDARMILL®

Our natural cedar look has a soft texture that mimics wood.

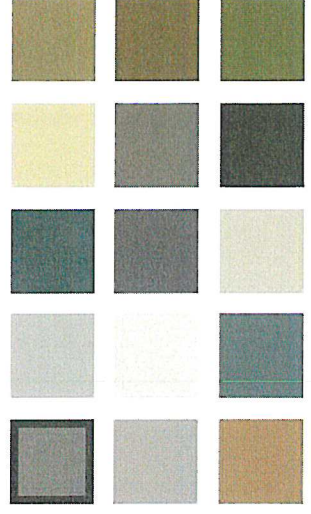
THE STATEMENT COLLECTION™

Classic shades—engineered with long-lasting ColorPlus® Technology—will make a statement that resonates for generations. The tried and true colors of James Hardie's Statement Collection™ products were designed for every home. They're our most popular hues. And they are readily available in your region.



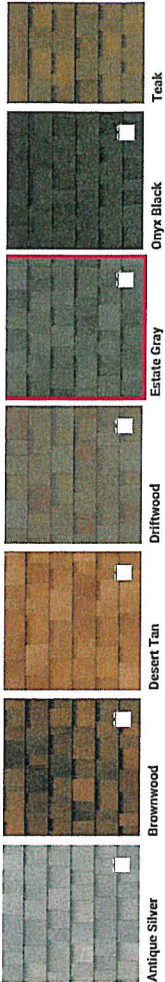
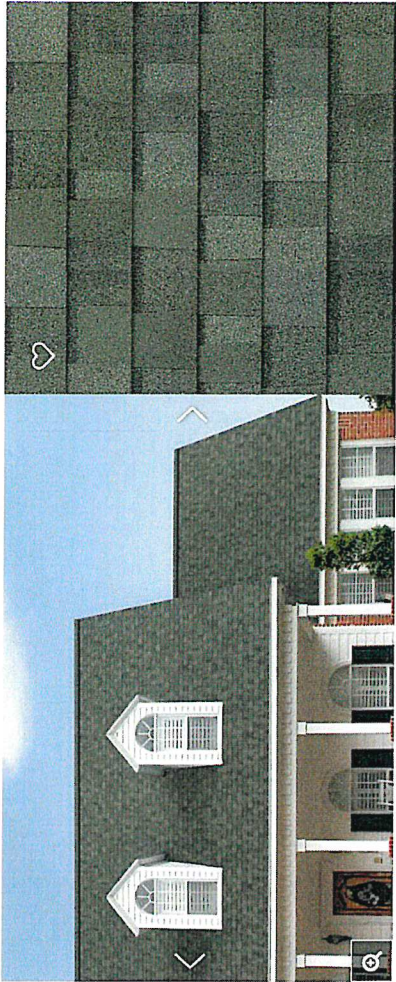
SIDING COLORS

Gray Slate



Roof

COLORS



TECHNICAL INFORMATION

Technical Characteristics (nominal values)

PROPERTY (UNIT)	VALUE
Warranty	Limited Lifetime
Wind Resistance	130 MPH (1209 KMH)
Algae Resistance	10 Years
Nominal Size	13 1/4" x 39 3/8"
Exposure	5 5/8"
Shingles Per Square	64
Bundles Per Square	3
Coverage Per Square	98.4 sq. ft.

Technical Documents

- [Data Sheet PDF | 39.7 MB](#)
- [Install Instructions](#)
- [PRI Evaluation Report PDF | 0.5 MB](#)
- [LEED Certification - Roofing Shingles PDF | 0.3 MB](#)
- [3 part spec \(pdf\)](#)
- [3 part spec \(word\)](#)

Applicable Standards

- CSA A123.5
- ASTM D228
- ASTM D3018 (Type 1)
- ASTM D3462
- ASTM D3163 (Class F Wind Resistance)
- ASTM D7158 (Class H Wind Resistance)
- ASTM E108 (Class A Fire Resistance)
- UL 2218 (Class 4 Impact Resistance)
- UL 790 (Class A Fire Resistance)
- PRI EN 1378E01



TruDefinition®
DURATION FLEX®
SHINGLES

FAVORITES (0)

FIND A CONTRACTOR

Colors Inspiration Gallery Features

Technical Information

Related Items

Accent roofing – porch,
garage overhang, screen
porch

Harvey Standing Seam Metal Roofing

Inventory

We stock a full inventory of metal roofing colors and accessories, along with tools you need to complete your project, available for rent and/or purchase.

Training

We will provide you with hands-on training at your jobsite. We also hold regular product installation demonstrations; check your local branch for details.

Service

Our truck will roll out, cut, and drop panels at your jobsite so there's no crating or long lead times.

Estimating

A Harvey sales rep can visit your jobsite and address any questions before your job begins.

Profiles



Panels are available in steel, aluminum, copper and lead coated copper.

Stock Colors



Slate
Gray



Charcoal
Gray



Matte
Black



Burgundy



Colonial
Red



Forest
Green



Hartford
Green



Mansard
Brown



Medium
Bronze



Dark
Bronze

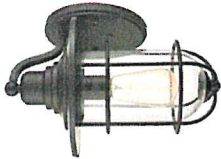


Drexelume



Lighting

Front
Sconces (2)



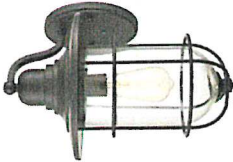
\$99.90

One Light Outdoor Wall Bracket

In Powder Coat Black by Millennium from the Nene collection.

- Print Spec Sheet
- Email Product
- Ask a Question
- SKU: 3630339
- Millennium#: 2931-PBK

Side door
sconce (1)



\$85.90

One Light Outdoor Wall Bracket

In Powder Coat Black by Millennium from the Nene collection.

- Print Spec Sheet
- Email Product
- Ask a Question
- SKU: 3630332
- Millennium#: 2921-PBK

Patio
hanging
lights (2)



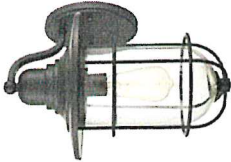
\$139.90

Three Light Outdoor Hanging Lantern

In Powder Coat Black by Millennium from the Belvoir collection.

- Print Spec Sheet
- Email Product
- Ask a Question
- SKU: 3630362
- Millennium#: 2697-PBK

Rear patio
Sconces (2)



\$85.90

One Light Outdoor Wall Bracket

In Powder Coat Black by Millennium from the Nene collection.

- Print Spec Sheet
- Email Product
- Ask a Question
- SKU: 3630332
- Millennium#: 2921-PBK

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
Layne Darfler, Planning Technician
Alison Davis, Planning & Zoning Clerk
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



MEMORANDUM

TO: Development Review Board
FROM: Ryan Morrison, Associate Planner
DATE: September 15, 2020
RE: 21-0116CA; 24 Alexis 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: RL Ward: 4N

Owner/Applicant: Suzanne & Dave Gaensbauer

Request: Construction of a single family house with a two car garage on vacant Lot 2 of Historic Reproductions subdivision.

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 project is to construct a single family home on existing Lot #2 of Historic Reproductions subdivision.

Recommendation: Consent 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 including attached accessory uses (i.e. garage). Per the submitted plans, an estimate of the fees is:

SF of Project 6,271

Department	<u>Residential</u>	
	Rate	Fee

Traffic	0.200	1,254.20
Fire	0.226	1,417.25
Police	0.045	282.20
Parks	0.759	4,759.69
Library	0.470	2,947.37
Schools	0.981	6,151.85
Total	2.554	\$ 16,812.56

The applicant shall submit a final calculation of gross square footage to make final an Impact Fee assessment. **Affirmative finding as conditioned.**

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

A single detached dwelling is proposed. **Affirmative finding.**

(b) Dimensional Standards and Density

Table 4.4.5-1 Minimum Lot Size and Frontage

See **Section 4.5.5 RL Larger Lot Overlay District**, below.

Table 4.4.5-2 Base Residential Density

See Section 4.5.5 below for modified density provision. Proposed units: 1 / (19,195 lot size / 43,560 acre) or 1/ .4406 = 2.27; < 4.4 unit per acre limitation (see **Section 4.5.5, RL Large Lot Overlay**, below.). The proposal complies with base residential density of the Large Lot Overlay.

Affirmative finding.

Table 4.4.5-3 Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}		
		Front	Side	Rear

RL; WRL	35%	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
24 Alexis Drive	29.24%, based on applicant's lot size of 19,195 sf.	The only adjacent homes are 32 and 42 Alexis Drive, and they both have 35 ft front yard setbacks – thus an average front yard setback of 35 ft. The proposed home will have a front yard setback of 30 ft.	A 98.51' frontage results in side yard setbacks of 9.85'. The proposed structure meets the minimum side yard setback requirement.	25% of a 130'10" deep lot results in a rear yard setback requirement of 32' 8 ½". The proposed structure meets this setback.	28.6' to roof top

Affirmative finding

(c) Permitted and Conditional Uses

A single family detached dwelling is a permitted use in the RL-W zoning district. **Affirmative finding.**

(d) District Specific Regulations

1. Setbacks

No setback encroachments are proposed or sought. Not applicable.

2. Height

No height exception is proposed or sought. Not applicable.

3. Lot Coverage

No exceptions to lot coverage are included or sought. Not applicable.

4. Accessory Residential Structures and Uses

The garage is integrated into the design of the home, and is subject to applicable standards of Section 6.2.2 (h), below.

5. Residential Density

The occupancy of the dwelling unit 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.

6. Uses

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

7. Residential Development Bonuses

No development bonuses are included or sought. Not applicable.

Section 4.5.5 RL Larger Lot Overlay District

(a) Purpose

The RL Larger Lot Overlay District is intended to maintain the existing residential development pattern of larger residential lots reflective of the respective neighborhoods' development history.

(c) District Specific Regulations: RL Larger Lot Overlay

1. Minimum Lot Size and Density

The density and intensity of development and dimensions of building lots in the RL Larger Lot Overlay shall be modified from the underlying RL or RL-W standards of Table 4.4.5- and 4.4.5-2 as follows:

Table 4.5.5-1: Residential Density, Minimum Lot Size and Frontage: RL Larger Lot Overlay

	Minimum Lot Frontage¹ <i>(In linear feet)</i>	Minimum Lot Size <i>(In square feet)</i>	Maximum dwelling units per acre² <i>(without bonuses or any Inclusionary Zoning allowances)</i>
Single detached dwelling	75 feet	9,900 sqft	4.4 units/acre
24 Alexis Drive proposal	98.51' frontage	19,195 sq. ft.	4.4 units/acre on a 19,195 sf lot = 2.27 units. 1 dwelling unit is proposed.

Affirmative finding.

Article 5: Citywide General Standards

Section 5.2.3 Lot Coverage Requirements

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

Section 5.2.7 Density and Intensity of Development Calculations

See Section 4.5.5-1, 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 has been prepared and submitted. On August 19, 2020 it was approved by the Stormwater Engineering team. **Affirmative finding.**

Section 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*
- B. Thinning of trees for the health of remaining trees according to recognized accepted forestry practices*
- C. Removal of trees that are a danger to life or property; or*
- D. As part of a development with an approved zoning permit*

There will be tree removal to accommodate the project. To mitigate for the loss of several trees, the proposal will include the installation of six new deciduous trees around the home, and the retention of one existing tree at the front of the lot as indicated on the landscape plan. **Affirmative finding.**

Article 6: Development Review Standards

Part 1: Land Division Design Standards

Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

This is a grassy and wooded parcel. Original subdivision plans note “Existing stand of large white pines to be thinned as required for placement of houses only.” (COA 84-055A) While the footprint of the home is clear, the plans do not include clearing limits. As directed on the original subdivision, the stand of white pines are to be removed as required for the placement of houses only. Clearing beyond what is reasonable for the proposed home should not occur. The applicant will have to submit an updated plan that indicates the proposed clearing limits.

The submission does include a landscape plan that shows the retention of one tree at the front of the lot, as well as the installation of 6 new deciduous trees around the home. Planting beds are also included along the front of the home. An updated landscape plan that identifies the proposed

landscaping and planting sizes will need to be submitted to staff for review and approval. Lawn space is expected around the home. **Affirmative finding as conditioned.**

(b) Topographical Alterations:

There are no notable topographic alterations proposed; the site is flat. **Affirmative finding.**

(c) Protection of Important Public Views:

There are no protected public views from this site. Not applicable.

(d) Protection of Important Cultural Resources:

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

There are no historic structures or sites on this parcel. Not applicable.

(e) Supporting the Use of Renewable Energy Resources:

There is nothing within the application to preclude the use of wind, water, geothermal, solar or other alternative energies. **Affirmative finding.**

(f) Brownfield Sites:

None identified. Not applicable.

(g) Provide for nature's events:

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

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

The applicant has submitted an Erosion Prevention and Sediment Control plan which approved by the Stormwater Engineering team on August 19, 2020. The design provides several sheltered entrances for resident comfort and shelter from inclement weather. The large lot and driveway configuration provide ample area for snow storage. **Affirmative finding.**

(h) Building Location and Orientation:

The new home will have a clearly defined front entrance with a covered front porch. The street facing garage wall is set back approximately 55' from the road edge; subtracting the 15' ROW places it 40+' from the front property line. The building location meets the required 25' setback to prevent parked vehicles from blocking the sidewalk (even if there are no sidewalks on this side of Alexis Drive.)

The garage entrance does not constitute more than 50% of the width of the street facing façade, nor does it exceed the 24' maximum width allowance.

The primary pedestrian entrance offers a clear and welcoming entrance. The door is visible from the street, meeting this standard.

This standard also requires that each bay of the garage shall have a separate entrance door of no more than 10' in width. The garage entrance doors are illustrated as 9' in width; in compliance with this standard. **Affirmative finding.**

(i) Vehicular Access:

An Assessor's photo and Google Earth indicate an existing curb cut. Most of the driveway is proposed to meet the 18' limitation for residential driveways; however, it widens beyond 18' in width closer to the garage, and certainly within the front yard setback, which is not allowed. The site plan will have to be revised to show the full driveway with a width of no more than 18'.

Affirmative finding as conditioned.

(j) Pedestrian Access:

A walkway is proposed from the principal entrance to the driveway. There are no public sidewalks on this side of Alexis Drive. However, it is recommended that a walkway between the home and the street curb be installed. **Affirmative finding.**

(k) Accessibility for the Handicapped:

This is not a requirement for a single family home. **Affirmative finding.**

(l) Parking and Circulation:

For a single family residence, 2 parking spaces will be required. The application proposes a two car garage, and a driveway that will accommodate tandem parking. Photos indicate an existing curb cut. **Affirmative finding.**

(m) Landscaping and Fences:

A landscaping plan has been included, with six new deciduous trees around the home, and planting beds at the front of the dwelling. The plans indicate no new fencing. **Affirmative finding.**

(n) Public Plazas and Open Space:

None are required from this private parcel. Not applicable.

(o) Outdoor Lighting:

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

See Section 5.5.2, above. **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.

New utility lines must be buried. There are no exterior mechanical units indicated on the plans, and if they are proposed, the plans will need to be revised to show their locations. A utility meter is illustrated on the left side of the home (south). There is no gas connection illustrated (if applicable.) Screening may be required for meters, utility connections and HVAC equipment. Mail is delivered to a central street cluster mailbox. Trash and recycling will be located within the garage.

Affirmative finding as conditioned.

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

In low and medium density residential districts, the height and massing of existing residential buildings are the most important consideration when evaluating the compatibility of additions and infill development.

The proposed new structure is 2 stories, consistent in height and scale with the original “Historic Reproductions” house models approved as part of the original 1984 subdivision.

Buildings should maintain consistent massing and perceived building height at the street level, regardless of the overall bulk or height of the building. Buildings should maintain a relationship to the human scale through the use of architectural elements, variations of proportions and materials, and surface articulations. Large expanses of undifferentiated building wall along the public street or sidewalk shall be avoided. The apparent mass and scale of buildings shall be broken into smaller parts by articulating separate volumes reflecting existing patterns in the streetscape, and should be proportioned to appear more vertical than horizontal in order to avoid monotonous repetition.

The massing of the building is broken into smaller segments, with alternating planes within each façade; recesses, projections, and visual interest to avoid monotony. **Affirmative finding.**

2. Roofs and Rooflines.

The project location is within a neighborhood of traditional domestic style architecture featuring eaves front Colonial and Cape style homes, the latter sometimes articulated with dormers. This integrated gable and shed roof assembly is consistent with neighboring roof types. **Affirmative finding.**

3. Building Openings

Windows are rhythmically placed, aligned between floors and consistent in size within the building volume. Doors are illustrated on the east and west facades to living space, and on the north façade as pedestrian access to the garage. **Affirmative finding.**

(b) Protection of Important Architectural Resources:

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

Not applicable.

(c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:

In arrangement, design and appearance, the design provides an active and inviting street edge. The principal entrance is clearly discernable. The front porch provides a comfortable area to greet guests or take shelter from the summer sun or winter snowfall. **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 applicant has defined Hardie board lap and shingle siding and trim material; roofing will be a combination of asphalt shingles above the living space and metal standing seam above the porches.

Wood windows with vinyl cladding are proposed. All doors are proposed to be of a wooden material as well. **Affirmative finding.**

(f) Reduce energy utilization:

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

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

Ample fenestration will exploit passive solar opportunities on the site. No impact from shadow cast is anticipated, as these residences are situated on large lots with substantial distances between them. **Affirmative finding as conditioned.**

(g) Make advertising features complementary to the site:

No signage is proposed. Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

The proposed building must comply with all building and life safety code as defined by the building inspector and fire marshal. **Affirmative finding as conditioned.**

Article 8: Parking

Per Table 8.1.8-1, single family dwellings require 2 parking spaces in the Neighborhood Parking District. The integrated garage and driveway will provide all required parking for the use.

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. The applicant shall submit a final calculation of gross square footage to make final an Impact Fee assessment. As submitted, estimated Impact fees are:

SF of Project **6,271**

Department	<u>Residential</u>	
	Rate	Fee
Traffic	0.200	1,254.20
Fire	0.226	1,417.25
Police	0.045	282.20
Parks	0.759	4,759.69
Library	0.470	2,947.37
Schools	0.981	6,151.85
Total	2.554	\$ 16,812.56

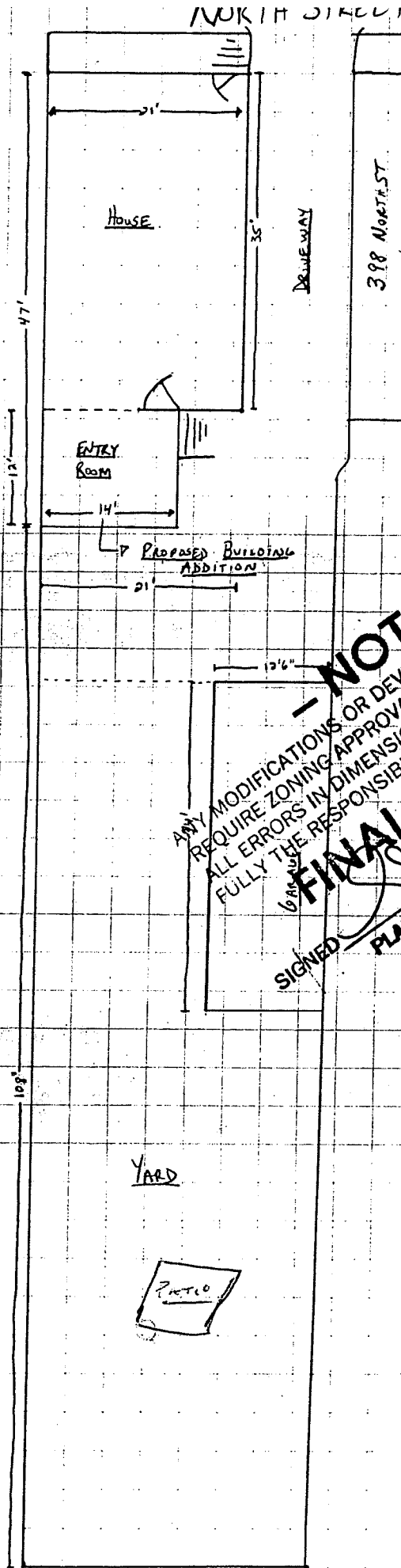
2. **Prior to the release of the zoning permit**, the landscape plan shall be updated to include specific species identification, the size of each specie at the time of planting, and clearing limits of the existing trees on the property.
3. **Prior to the release of the zoning permit**, the site plan shall be revised so that no portion of the driveway within the front yard setback is wider than 18 ft.
4. **Prior to the release of the zoning permit**, if there are exterior mechanical units, utility connections, etc. proposed, they shall be identified on a revised site plan, with applicable screening if within view from the street.
5. **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.
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. Hours of construction are limited to Monday-Friday 7:00 am to 5:30 pm; Saturday construction hours are limited to interior work unless specific allowances are granted by the DRB. Construction is not permitted on Sundays.
8. The single detached dwelling may be occupied only by a "family" as defined in Article 13 of the Comprehensive Development Ordinance.

9. New utility lines must be buried.
10. The proposed building must comply with all building and life safety code as defined by the building inspector and fire marshal.
11. A State of Vermont wastewater permit is required.
12. Standard Permit Conditions 1-15.

400 NORTH STREET
BURLINGTON, VT
05401
863-4640

PROPOSED ADDITION
WITH NEW FOOTPRINT
and PROPERTY LINES

DANS COURT (ROAD)



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

FINAL APPROVAL
SIGNED: *[Signature]* DATE: 5.1
PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT

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PERMITTING & INSPECTIONS



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PERMITTING & INSPECTIONS







2013



Ryan Morrison

From: James Sherrard
Sent: Wednesday, September 09, 2020 2:12 PM
To: Ryan Morrison
Subject: RE: 400 North St.

Ryan,

At this point I would request that the applicant respond to my email and address the concerns brought forth by the applicant to facilitate my review.



James Sherrard | Stormwater Program Coordinator
Water Resources Division

235 Penny Lane | P.O. Box 878
Burlington, VT 05401
(802) 863-4501 office | (802) 503-7027 mobile
jsherrard@burlingtonvt.gov

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

From: Ryan Morrison
Sent: Tuesday, September 8, 2020 12:54 PM
To: James Sherrard <jsherrard@burlingtonvt.gov>
Subject: Re: 400 North St.

It does seem reasonable. I will certainly add this and your email to the applicant to the DRB packet for next week's meeting. If you wish to provide additional detail in writing highlighting your concerns to the DRB, I will include that for their review.

From: James Sherrard <jsherrard@burlingtonvt.gov>
Sent: Tuesday, September 8, 2020 12:35 PM
To: Ryan Morrison <rmorrison@burlingtonvt.gov>
Subject: RE: 400 North St.

Ryan,

This does seem to be a reasonable concern from Mr. Cleary. So you know, I reached out to the applicant on August 28th and have yet to receive a reply. My email to him is attached.

How do you suggest we proceed? I think we should take Mr. Cleary's outreach seriously and that would involve putting the onus on the applicant to provide a plan addressing these concerns.

James



James Sherrard | Stormwater Program Coordinator
Water Resources Division

235 Penny Lane | P.O. Box 878
Burlington, VT 05401
(802) 863-4501 office | (802) 503-7027 mobile
jsherrard@burlingtonvt.gov

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

From: Joseph Campanella Cleary <campanella.cleary@gmail.com>

Sent: Tuesday, September 8, 2020 9:33 AM

To: Ryan Morrison <rmorrison@burlingtonvt.gov>; James Sherrard <jsherrard@burlingtonvt.gov>

Subject: 400 North St.

[WARNING]: External Message

Thanks,

A couple more questions:

Do you see anywhere in the proposal that shows the difference in elevation/grade between Dans Ct. and the lot, or explains how the driveway will be built? It will have to either be filled/graded up several feet, or have a very steep entry, both of which concern us. I've attached photos which show Dan's court during a rainstorm. There are views looking North and South West, where you can see how our garage sits just below grade at the property line. You can see that water collects in this area to drain, and already overflows the curb when the storm drain cannot handle the volume. A curb cut or driveway would drain all of this water directly into our backyard and garage. If the city allows this, it will be an absolute failure of the new ADU standard to protect current homeowners.

I've copied James Sherrard on this to share my concerns about stormwater...

Even if the driveway is rejected, the whole area is on a grade, and we are very concerned about stormwater pouring down the back of our garage from the roof in that area. The plans don't seem to address the grade of the property, or propose regrading (which seems to be necessary), or include any drainage work that would minimize damage to our garage. Due to the grade, and current runoff problems, it seems that 5' is not enough of a setback in this area.

The garage is labeled "exterior shed" in the plans, but it is a full 2 car garage, and I have worked to stop water from flowing into the east side of the building since we purchased our property. A large roof shedding water and snow in this area will absolutely cause real damage to the building, in an area that is difficult to deal with, i.e. the garage wall is on the property line, and it is impossible for me to install runoff mitigation, and difficult to repair.

From Dan's court to the 400 N. St property there is a 2-3' retaining wall, and then another 1' drop to our property, and the driveway continues

to grade down toward

Is there any other information that you can provide at this time? I'm very concerned about the application of the n
ADU
ordinance in an area that already has problems with runoff and stormwater.

Thanks,

Joe Cleary
158 N. Willard St.

Begin forwarded message:

From: Ryan Morrison <rmorrison@burlingtonvt.gov>
Subject: Re: 400 North St.
Date: July 31, 2020 at 9:18:56 AM EDT
To: Joseph Campanella Cleary <campanella.cleary@gmail.com>

Hi Joseph.

As long as the pre-existing lot coverage is legit (either pre-dating the current regulations or grandfathered), then the City Council allowed for there to be an excess in lot coverage up to 650 sf for accessory dwelling units - the new ordinance was passed several months ago.

Regarding the curb cut and increase in runoff, those are Public Works Dept. matters...

Contact Caleb Manna about the curb cut - cmanna@burlingtonvt.gov
Contact James Sherrard about the runoff - jsherrard@burlingtonvt.gov

You can submit written comments any time that the DRB will see, and/or attend the hearing.

DRB meetings are being held online (Zoom). This application is being heard on Sept. 15th. Here is the link to the page that will have the agenda and meeting link uploaded within a week or so of that meeting. <https://www.burlingtonvt.gov/DPI/DRB/Agendas>

I am working from home 3-4 days a week, so feel free to call me anytime. 802-496-7221.

Ryan Morrison
Associate Planner
City of Burlington

From: Joseph Campanella Cleary <campanella.cleary@gmail.com>
Sent: Thursday, July 30, 2020 12:32 PM
To: Ryan Morrison <rmorrison@burlingtonvt.gov>
Subject: Re: 400 North St.

[WARNING]: External Message

Thanks! We do have a lot of questions, especially regarding the proposed expansion of (existing but non-conforming) lot coverage, the proposed driveway from Dan's Ct. which would require a curb cut into a 3' drop/retaining wall, and the exponential increase

in runoff our garage and property would receive as a result. I don't think that the drawings or plan show the change in grade from Dan's Ct westward, but it is a major concern that the additional impervious area, up to 57% coverage (as proposed), would cause flooding of our garage and property damage on an ongoing basis. I believe other neighbors have similar concerns.

For reference, we are at 158 N. Willard St. and are inquiring re: ZP# 21-0076CA/CU.

I'm also curious about the permit process during the pandemic and office closures. What is the timeline for permit processing, and how are DRB hearings being held?

Could you give me a call when you have a chance? I think that would be the most efficient way to address our questions, if we both have the proposal in front of us. 802.310.4666

Best,
Joe Cleary

On Jul 30, 2020, at 7:27 AM, Ryan Morrison <rmorrison@burlingtonvt.gov> wrote:

Joe.

I am the person to contact with questions. Let me know if you have any.

Ryan Morrison
Associate Planner
City of Burlington

From: Joseph Campanella Cleary <campanella.cleary@gmail.com>
Sent: Wednesday, July 29, 2020 6:41 PM
To: Alison Davis <adavis@burlingtonvt.gov>
Cc: Ryan Morrison <rmorrison@burlingtonvt.gov>
Subject: Re: 400 North St.

[WARNING]: External Message

Thanks, Ali...is Ryan (whom you cc'd) the point person/planner to direct further questions?

best,
Joe Cleary

> On Jul 28, 2020, at 10:23 AM, Alison Davis <adavis@burlingtonvt.gov> wrote:

>

> Hi Joe,

> Attached is the application for 400 Street to remove garage, construct accessory dwelling unit in backyard, with driveway and parking reconstruction. Please let me know if you have trouble viewing the application.

>

> Thanks,

> Ali

>
> Alison Davis
> Zoning Clerk
>
> Department of Permitting and Inspections
> City of Burlington
> 645 Pine Street- Suite A
> Burlington, VT 05401
> 802-865-7188 (main)
> 802-863-0466 (fax)
> www.burlingtonvt.gov/PZ
> Check on your permit's status here: <https://www.burlingtonvt.gov/PZ/Status>
>
> 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.
>
>
>
> -----Original Message-----
> From: Joseph Campanella Cleary <campanella.cleary@gmail.com>
> Sent: Monday, July 27, 2020 1:18 PM
> To: Alison Davis <adavis@burlingtonvt.gov>
> Subject: 400 North St.
>
> [WARNING]: External Message
>
>
> Hello,
> I'm looking for more information on ZP# 21-0076CA/CU, demolition and construction proposed for 400 N. Street.
> Do you have the application and plans (all documents submitted by applicant) in an electronic form that you could email, or do I need to stop by the office?
>
> Thanks!
>
> Joe Cleary
> 158 N. Willard St.
> <400 north st052546.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
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Alison Davis, Planning & Zoning Clerk
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: September 15, 2020
RE: 17-1117CA/CU; 426 South Winooski 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: RM Ward: 6S

Owner/Applicant: Scott Mapes

Request: Time extension for zoning permit to demolish existing garage and construct new garage with accessory apartment

Applicable Regulations:

Article 3 (Applications, Permits, & Project Reviews)

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

Background Information:

The applicant is seeking a second extension for zoning permit 17-1117CA/CU. That permit included approval to demolish an existing detached garage and to replace it with a new detached garage with an accessory apartment and related site improvements. An initial extension was granted August 12, 2019.

Article 3: Applications, Permits, and Project Reviews

Sec. 3.2.9, Zoning Permits

(d) Time Limit on Zoning Permits

Work related to the subject permit commenced within 1 year of approval as required, and work is nearly, but not completely, done. Outstanding items as to building permit requirements remain. The zoning permit had a 2-year timespan – commence work within 1 year and complete it by the end of the 2nd year. The zoning permit was approved July 13, 2017, and work related to the permit was to be complete by July 13, 2019.

The work is mostly, but not entirely, complete. This second extension request was submitted June 10, 2020, prior to the July 13, 2020 expiration date of the permit.

This subsection enables the DRB to approve zoning permit extensions up to 1 year so long as the permitted work remains compliant with the current zoning regulations. Such is the case here. No

changes to the zoning code have occurred that would preclude the approved project. A second and final 1-year time extension for the zoning permit may be granted. **(Affirmative finding)**

II. Conditions of Approval

1. All conditions of approval of zoning permit 17-1117CA/CU remain in effect, except that the permit expiration date is changed to July 13, 2021. No further time extensions of this zoning permit may be granted.

SCOTT MICHAEL MAPES, P.E., ESQ.
ENVIRONMENTAL ENGINEERING AND LAW

8 June 2020

City Of Burlington
Department of Planning & Zoning
Attn: Scott Gustin
149 Church Street
Burlington, VT 05401

RECEIVED
JUN 10 2020
BURLINGTON
PERMITTING & INSPECTIONS

Re: Mapes 426 South Winooski
New Garage and Accessory Unit
Zoning Permit #17-1117CA/CU

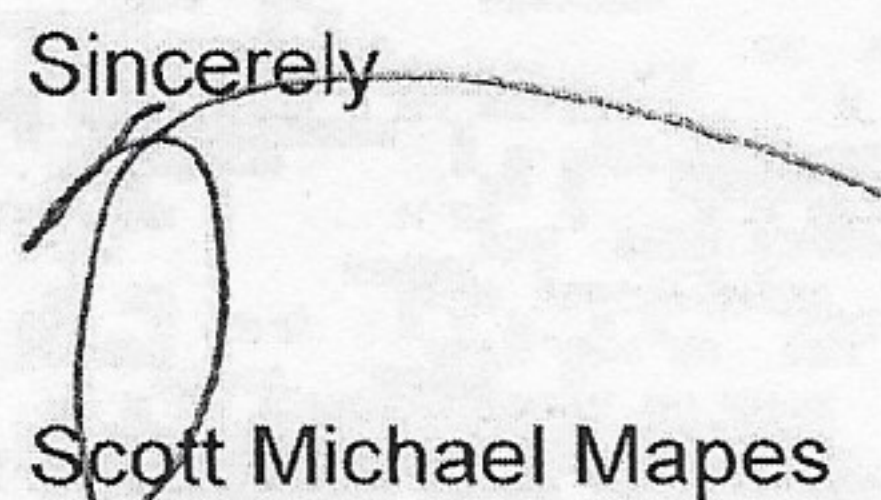
Dear Scott:

Pursuant to the 15 May 2020 reminder letter I received from Planning & Zoning regarding the pending expiration of the above referenced permit, I am writing to request an administrative extension of one year due to delays caused by covid-19 and the inability of the Mayor's office to schedule a meeting to resolve one last code matter.

If you have any questions please do not hesitate to call me.

Thank you.

Sincerely



Scott Michael Mapes

SMM:sjm

cc: Mayor's Office

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/PZ/Boards/Development-Review-Board

Phone: (802) 865-7188

Fax: (802) 865-7195

Austin Hart
Brad Rabinowitz
Israel Smith
AJ LaRosa
Alexandra Zipparo
Geoffrey Hand
Samantha Tilton
Jim Drummond (Alt.)
Robert Purvee (Alt.)



Burlington Development Review Board

Findings of Fact Deliberative Hearing Tuesday, July 5, 2017

In RE: 17-1117CA/CU; 426 South Winooski Ave. (Ward 6S, RM) (Tax Lot No. 053-3-010-000)

Owner/Applicant: Scott Mapes

Request: Demolish existing garage and construct new garage with accessory apartment

Members Present:

Austin Hart
Brad Rabinowitz
AJ LaRosa
Alexandra Zipparo
Israel Smith
Geoff Hand
Samantha Tilton

Evidence Presented:

The Board examined the materials submitted in support of this request.

I. FINDINGS

Background Information:

The applicant is seeking approval to demolish an existing detached garage and to replace it with a new detached garage with an accessory apartment. The garage footprint will remain unchanged. An existing area of driveway by the garage will be revamped with pervious pavers. Other minor improvements such as a new walkway to access the apartment and reconstructed front steps for the primary dwelling unit are also proposed.

Previous zoning actions for this property are noted below:

- 4/5/13, Approval to replace portion of asphalt shingle roof with EPDM

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Section 3.5.6 (a) Conditional Use Review Standards

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

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

The property is served by municipal utilities. Sufficient water and sewer service are available. A State of Vermont wastewater permit may be required. A capacity letter issued by the Dept. of Public Works has been obtained. **(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 property is located within an established residential neighborhood in the medium density residential zoning (RM) district. The RM zoning district is intended primarily for medium-density residential development in the form of single detached dwellings, duplexes, and multi-family dwellings. The proposed accessory dwelling unit is consistent with this intent. The MDP provides the following support:

- Support the development of additional housing opportunities within the city... (MDP, Housing Plan, Page IX-1.
- Support the creation of new rental and owner-occupied housing on every parcel of land in Burlington that is zoned for residential development at the number of units allowed by zoning. (MDP, Housing Plan, Page IX-12.) **(Affirmative finding)**

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

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

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

No traffic analysis has been provided or is required for this application. The proposed accessory apartment is expected to generate minimal additional traffic. **(Affirmative finding)**

and,

5. *The utilization of renewable energy resources;*

While not required, the applicant is considering the installation of rooftop solar units. **(Affirmative finding)**

and,

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

City building and energy efficiency codes will apply 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 proposed apartment is not expected to produce offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

2. Time limits for construction.

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

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

Hours of operation are not applicable to this residential use.

Construction hours are not noted in the application. Typical construction hours are Monday – Friday from 7:00 AM – 5:00 PM. Saturday construction may be allowed upon request. No work on Sunday. **(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.

5. Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.

See the recommended conditions.

Article 4: Maps & Districts

Sec. 4.4.1, Downtown Mixed Use Districts:

(a) Purpose

(2) Residential Medium Density (RM)

The Residential Low Density (RL) district is intended primarily for medium-density residential development in the form of single detached dwellings, duplexes, and multi-family dwellings. As noted previously, the single family dwelling and proposed accessory apartment are consistent with this intent. **(Affirmative finding)**

(b) Dimensional Standards and Density

Residential density remains unchanged. Accessory dwelling units specifically do not count towards allowable residential density per Sec. 5.4.5, *Accessory Dwelling Units*.

Lot coverage is presently 36.3%. As proposed, lot coverage will increase to 39.2%, under the 40% maximum permissible in the RM zone. Note that total impervious surface will be reduced with the introduction of pervious pavers. These pavers; however, constitute lot coverage and are reflected in the 39.2% figure.

The front yard setback will remain unchanged. Side and rear setbacks remain unchanged as well; however, the taller replacement structure (> 15' tall) triggers standard setbacks rather than the 5' accessory structure setbacks applicable to the existing garage (< 15' tall). In this case, the standard side yard setback of 10% of lot width equals 5' anyway. The lot is 50' wide. The proposed structure complies with the minimum side yard setback requirement. The rear yard setback is 25% of the lot depth, in this case 49'. As proposed, the structure will be 59' from the rear boundary.

Based on the average finished grade, overall building height will increase to 18.5.' **(Affirmative finding)**

(c) Permitted and Conditional Uses

An accessory dwelling unit is a permitted use; however, new construction triggers conditional use review. **(Affirmative finding)**

(d) District Specific Regulations

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Article 4 above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable to the subject property.

Sec. 5.2.5, Setbacks

See Article 4 above.

Sec. 5.2.6, Building Height Limits

See Article 4 above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Article 4 above.

Sec. 5.4.5, Accessory Dwelling Units

(a) Accessory Units, General Standards/Permitted Uses

Where there is a primary structure on a lot which exists as an owner-occupied single family residence, one accessory dwelling unit, that is located within or appurtenant to such single

family dwelling, shall be allowed as a permitted use if the provisions of this subsection are met. An accessory dwelling unit means an efficiency or one bedroom apartment that is clearly subordinate to the primary dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation. No accessory unit shall be inhabited by more than 2 adult occupants. An accessory unit shall not be counted as a dwelling unit for the purposes of density calculation.

The proposed apartment is accessory to the existing detached single family home and is laid out as a 1-bedroom unit. **(Affirmative finding)**

Additionally, there must be compliance with all the following:

1. *The property has sufficient wastewater capacity as certified by the Department of Public Works;*

The applicant has obtained a letter of adequate capacity from DPW for wastewater.
(Affirmative finding)

2. *The unit does not consist of more than 30 percent of the total habitable floor area of the building, inclusive of the accessory dwelling unit;*

The apartment will be 592 sf, or 19.8% of the total 2,984 sf habitable area of the existing home and proposed apartment. **(Affirmative finding)**

3. *Applicable setback and coverage requirements are met;*

See Article 4.

4. *One additional parking space which may be legally allocated to the necessary unit must be provided for the accessory unit;*

One onsite parking space will be provided for the accessory apartment. **(Affirmative finding)**
and

5. *A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of the certificate of occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.*

This provision will be included as a condition of approval. **(Affirmative finding)**

(c) Discontinuance of Accessory Units

Approval of an accessory dwelling unit is contingent on owner occupancy of the single-family dwelling unit as a primary residence. For purposes of this section, owner occupancy means that, after the creation of the accessory unit all individuals listed on the deed for the property must reside in the primary unit or in the accessory unit. If either the primary unit or the accessory unit is no longer owner occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory dwelling unit must be removed within 90 days with the

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

As with A. 5 above, this provision will be included as a condition of approval. **(Affirmative finding)**

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

New outdoor lighting is proposed. Fixtures will illuminate the garage doors, the apartment's deck and doorway, and related walkway. The proposed fixtures are typical for residential applications and utilize acceptable low output lamps. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

The required small project erosion prevention and sediment control plan has been reviewed and approved by the city's stormwater program. **(Affirmative finding)**

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

Site layout remains virtually unchanged. The rear portion of the driveway will be redone with a pervious paver system. A new walkway and deck will be installed for the benefit of the new accessory apartment. **(Affirmative finding)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

Although larger than the single story detached garage that it will replace, the new structure remains clearly subordinate to the primary dwelling onsite. It is set well behind the primary residence and is set into the sloping grade. Different cladding for the 1st and 2nd floors and the gambrel roof further lessen the perceived mass of the structure. Height remains modest at 18.5.' **(Affirmative finding)**

2. Roofs and Rooflines

A gambrel roof is proposed on the new structure. This roof form is unusual as compared to the typical gable roofs on many residences. In this case, the gambrel roof reflects the roof style on the primary residence. As proposed; however, the gambrel roof is significantly compressed with a resultant pitch dissimilar to that on the house. Increasing the overall building height to afford a steeper roof pitch is encouraged. **(Affirmative finding)**

3. Building Openings

Fenestration varies between the primary and secondary elevations of the proposed building. It effectively accents the building design and affords access to natural light throughout the structure. **(Affirmative finding)**

(b) Protection of important architectural resources

The primary dwelling is historically significant; however, the existing detached garage is not. Its demolition and replacement with new construction will not adversely affect the significance of the primary dwelling unit. **(Affirmative finding)**

(c) Protection of important public views

There are no identified view corridors from or through the subject property. **(Affirmative finding)**

(d) Provide an active and inviting street edge

The front elevation of the proposed building contains a doorway but is deliberately understated. The intent is for the front residence to remain primary and for the new building to read as accessory thereto. **(Affirmative finding)**

(e) Quality of materials

The new structure will be set on a concrete foundation. It will be clad in wood or wood composite clapboard siding and cedar shakes. Both appear the same, and either is acceptable. Asphalt roofing will be installed. Clad wooden windows are proposed. The proposed materials are of acceptable quality and durability. **(Affirmative finding)**

(f) Reduce energy utilization

The proposed construction must comply with the city's current energy efficiency requirements and with the State Residential Building Energy Code. **(Affirmative finding as conditioned)**

(g) Make advertising features complimentary to the site

Not applicable.

(h) Integrate infrastructure into the building design

No exterior machinery or equipment is proposed on the building. Service lines will be extended to the new structure underground. **(Affirmative finding)**

(i) Make spaces safe and secure

The new construction will be subject to current egress requirements. Building entries are illuminated. **(Affirmative finding as conditioned)**

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

Total onsite parking required is 3 spaces (2 for the existing home and 1 for the apartment). As proposed, all 3 spaces will be provided onsite. The 2 spaces for the single family home are in the garage. The accessory apartment parking space is within the driveway between the primary dwelling unit and the garage/apartment structure. **(Affirmative finding)**

II. MINUTES

The meeting minutes will be distributed separately upon review and approval by the Development Review Board.

III. MOTION

Motion: Israel Smith

I move that the Board grant certificate of appropriateness and conditional use approval for demolition of an existing garage and construction of a new garage with accessory apartment at 426 South Winooski Avenue, in the RM zone, in accordance with Articles 3, 4, 5, 6, and 8. Approval is subject to the following conditions:

1. The Board is open to alterations of the proposed roof design that would be steeper and taller, within height limits, to result in a more appropriate design.
2. The accessory dwelling unit shall be occupied by no more than 2 adults.
3. A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit **prior to the issuance of the certificate of occupancy** for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.
4. Approval of an accessory dwelling unit is contingent on owner occupancy of the single-family dwelling unit as a primary residence. For purposes of this section, owner occupancy means that, after the creation of the accessory unit all individuals listed on the deed for the property must reside in the primary unit or in the accessory unit. If either the primary unit or the accessory unit is no longer owner occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory dwelling unit must be removed within 90 days with the entirety of the property being occupied as a single unit. When an accessory unit that is the result of additional square footage and/or a new accessory structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval. Furthermore, where additional square footage is added to a single family home for purposes of creating an accessory unit and the accessory unit is at any point discontinued, none of the additional square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.
5. Days and hours of construction are limited to Monday – Friday 7:00 AM – 5:00 PM. Saturday construction within those hours may be allowed upon request to the DRB. No construction activity on Sunday.

6. A State of Vermont wastewater permit may be required.
7. All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
8. Standard Conditions 1-15.

Seconded: Brad Rabinowitz

Vote: 7-0-0, motion carried.

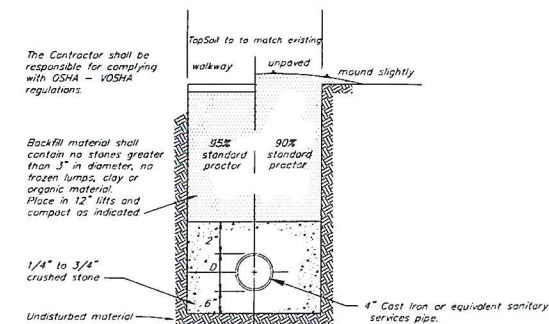
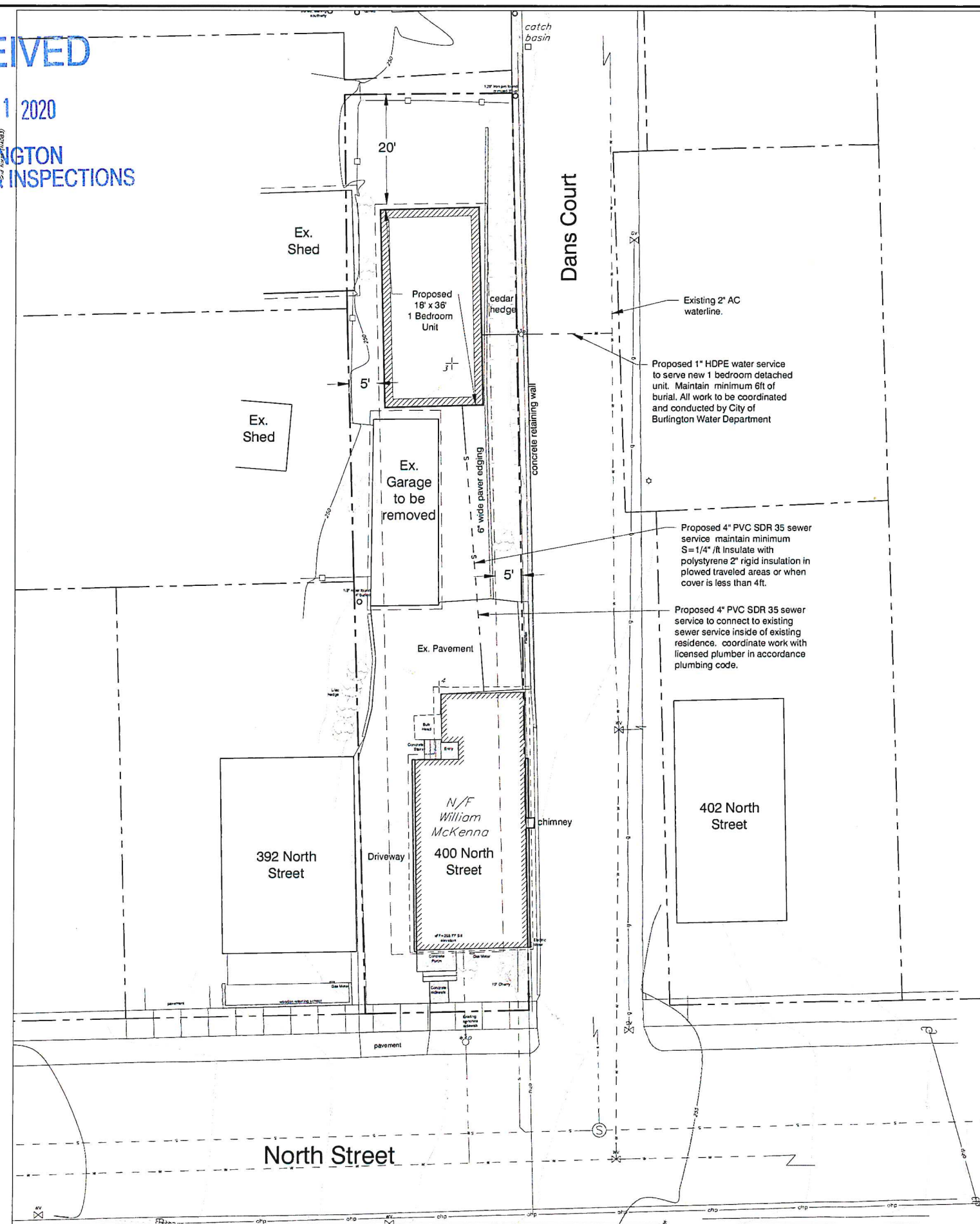
Dated at Burlington, Vermont, this ____ day of July, 2017

Respectfully Submitted,

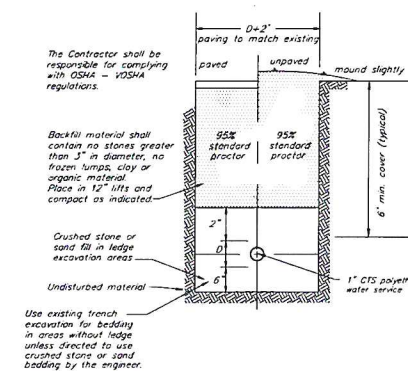
Austin D. Hart, Development Review Board Chair

Please note that an interested person may appeal a decision of the Development Review Board to the Vermont Superior Court Environmental Division. (Zoning Ordinance Article 17, Section 17.1.7, Appeals of Development Review Board Decisions: An interested person may appeal a decision of the Development Review Board to the Vermont Superior Court Environmental Division. The appeal shall be taken in such a manner as the supreme court may by rule provide for appeals from state agencies governed by Sections 801 through 816 of Title 3). The Court rules may require that such an appeal be commenced within Thirty (30) days of the Board's decision.

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Typical Sanitary Trench Detail



Typical Water Trench Details

Basis of Design Flows

Water & Sewer Design 400 North Street:

Existing House:

Water: 160 gpd/gallons/day/living unit = 360 gallons per day

Sewer: 210 gpd for single family unit connected to system serving more than 50,000 gpd

Proposed Configuration 1-New Unit: (One 1 bedroom accessory unit)

Water Supply:

For 1 bedroom accessory unit
70 gallons/persons/day * 2 persons / bedroom * 1 living Unit = 140 gpd/bedroom

Wastewater Disposal:

For 1 bedroom accessory unit
70 gallons/persons/day * 2 persons / bedroom * 1 living Unit = 140 gpd/bedroom

City of Burlington Planning and Zoning Information

Owner: William McKenna
Location Address: 400 North Street
Deed Reference: Vol. 1419 Page 96
Date 09/28/2018

Existing Lot Area: 5,071 sqft
Parcel ID: 045-1-096-000

Zoning District:

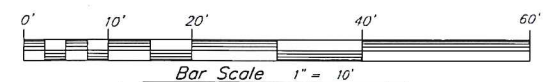
Residential Low Density
Allowable Entire Lot Coverage = 35%
Primary Building Max. Height = 35 ft.
Approximate Existing lot coverage = 50% ±

Legend

- 1/4" Topo 9545 Survey control point
- Iron pipe found
- Hydrant
- Utility pole
- TRM #1 Temporary bench mark
- Overhead power line
- Right of Way monument
- Direction of surface water flow
- Existing Sign
- Pre-construction Excavation
- Existing Light Pole
- Existing Deciduous Tree
- Existing Spot Grade Elevation
- Existing Water Line/Hydrant/Valve/Shutoff
- Existing ground contour
- Existing gas pipeline / valve
- Existing underground power
- Existing overhead power
- Approximate property line / right of way
- Approximate zoning setbacks
- Existing Gas Line/Valve
- Existing Sewer Line/Manhole
- Existing concrete
- Existing pavement
- Existing edge of woods/ tree line

Notes:

- This plan is not a boundary survey. The property lines shown are based on Burlington Tax Map dated 2018 and are considered approximate.
- The underground utilities shown on this plan are based on visible utilities located during a topographic survey performed by Krebs & Lansing in April 20, 2020. Underground utilities are approximate and not warranted to be exact or complete. Dig Safe shall be contacted prior to any excavation.
- Elevations are based on the NAVD 88 (Geoid 12A) vertical datum.
- Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch.



Progress Print Draft

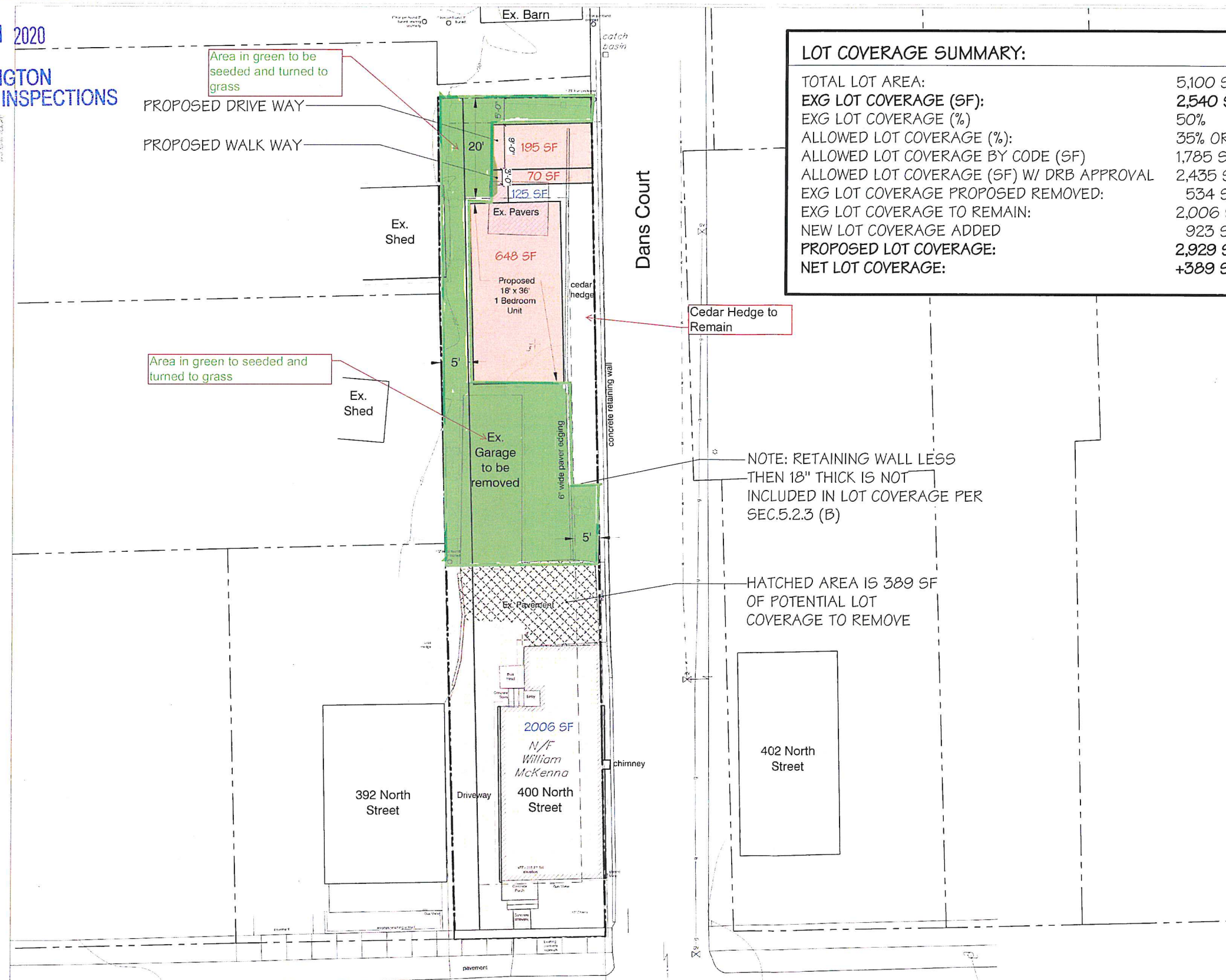
Date revised	Description	Checked	Date
Design	for		
Drawn	for		
Checked	kee/SBH		
Scale	1"=10'		
Date	June 18, 2020		
Project	20177		

Site Plan	McKenna Property
400 North Street	Burlington, Vermont
KREBS & LANSING Consulting Engineers, Inc.	164 Main Street, Colchester, Vermont 05446

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JUL 21 2020

BURLINGTON
PERMITTING & INSPECTIONS



City of Burlington
Planning and Zoning Information

Owner: William McKenna
Location Address: 400 North Street
Deed Reference: Vol. 1419 Page 96
Date: 09/28/2018

Existing Lot Area: 5,071 sqft
Parcel ID: 045-1-096-000

Zoning District:

Residential Low Density
Allowable Entire Lot Coverage = 35%
Primary Building Max. Height = 35 ft.
Approximate Existing lot coverage = 50% ±

Legend

- Topographic Survey control point
- Iron pipe found
- Hydrant
- Utility pole
- Temporary bench mark
- Overhead power line
- Right of Way monument
- Direction of surface water flow
- Existing Sign
- Pre-construction Excavation
- Existing Light Pole
- Existing Deciduous trees
- Existing Spot Grade Elevation
- Existing Water Line/Hydrant/Valve/Shutoff
- Existing ground contour
- Existing gas pipeline / valve
- Existing underground power
- Existing overhead power
- Approximate property line / right of way
- zoning setbacks
- Existing Gas Line/valve
- Existing Sewer Line/Manhole
- Existing concrete
- Existing pavement
- Existing edge of woods/ tree line

Notes:

- This plan is not a boundary survey. The property lines shown are based on Burlington Tax Map dated 2018 and are considered approximate.
- The underground utilities shown on this plan are based on visible utilities located during a topographic survey performed by Kres & Lansing in April 20, 2020. Underground utilities are approximate and not warranted to be exact or complete. Dig Safe shall be contacted prior to any excavation.
- Elevations are based on the NAVD 88 (Geoid 124) vertical datum.
- Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch.



Progress Print Draft

400 NORTH STREET

BURLINGTON VT

Duncan
Wisniewski
ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T: 802.854.6693

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DUNCAN • WISNIEWSKI ARCHITECTURE
A Professional Corporation

SCHEMATIC DESIGN

#

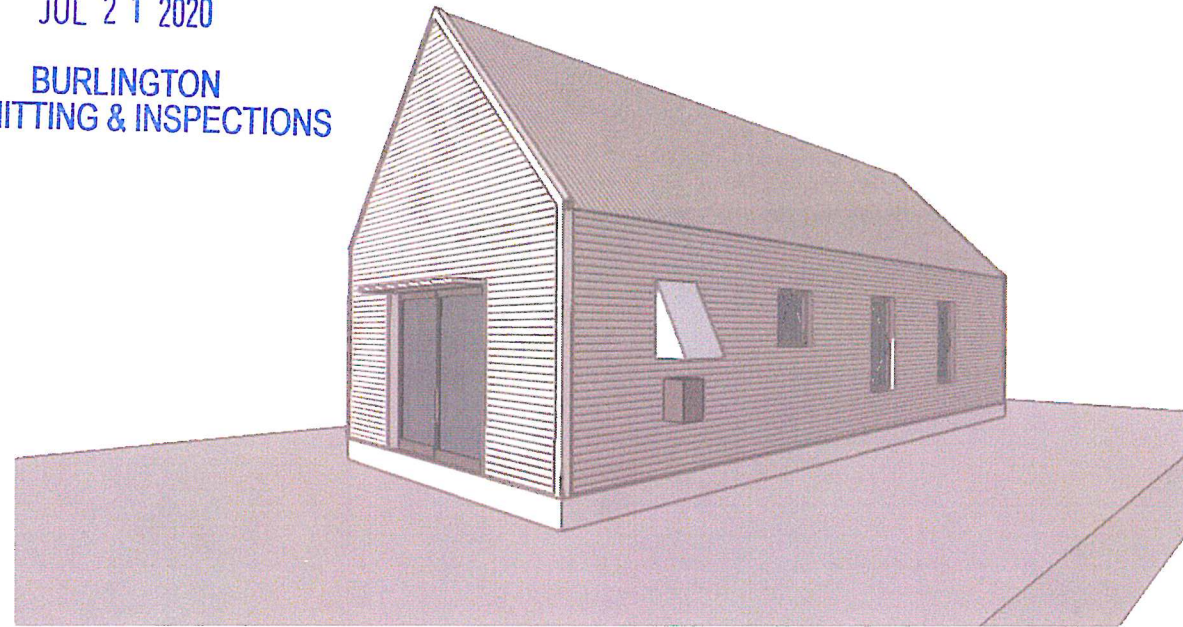
DATE: 06.25.2020
DRAWN: XXX, XXX

L1-1.1

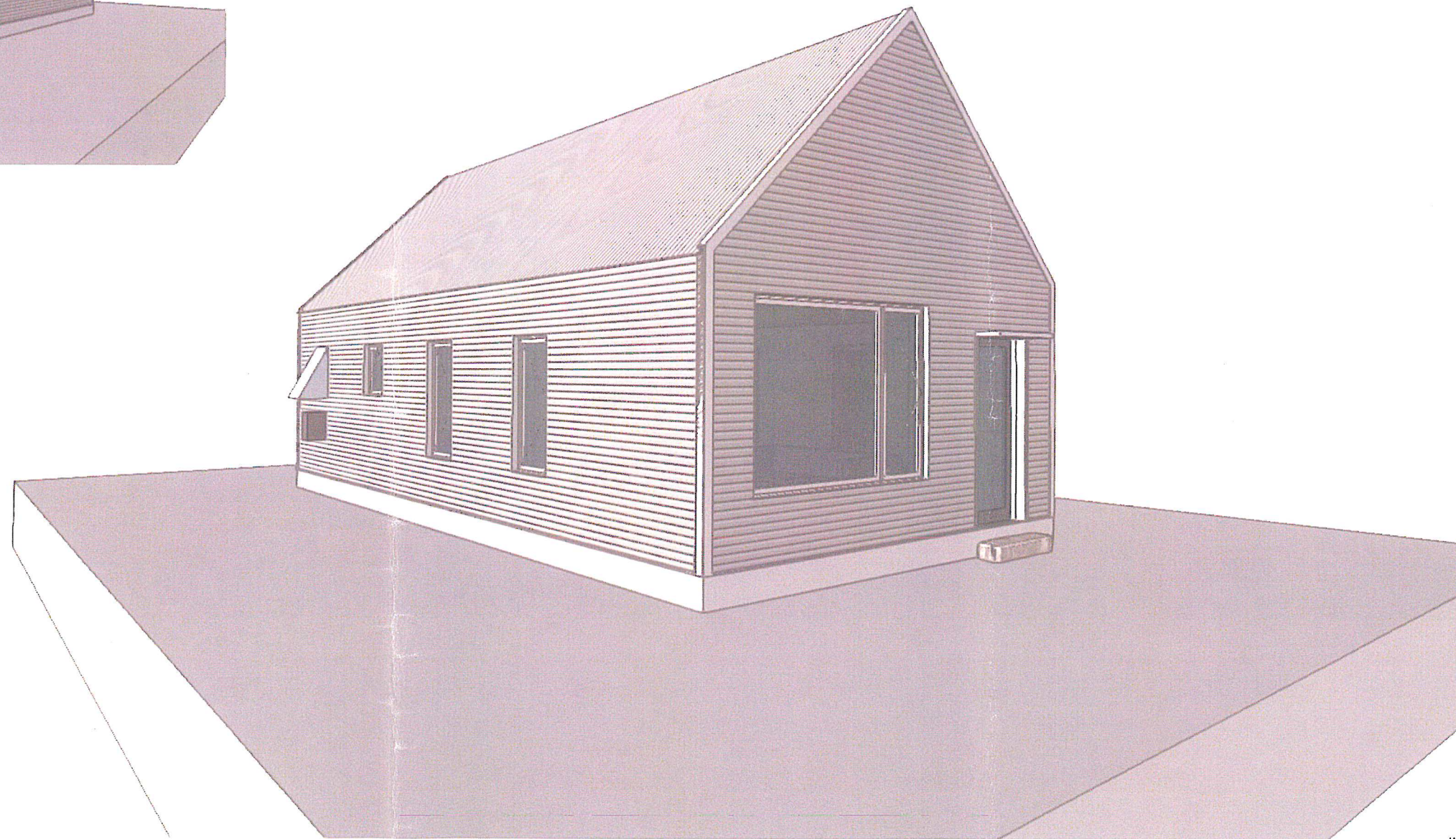
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BURLINGTON
PERMITTING & INSPECTIONS



VIEW FROM SOUTH



VIEW FROM NORTH

400 NORTH STREET

BURLINGTON VT

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A Professional Corporation

DESIGN DEVELOPMENT

Duncan
Wisniewski 
ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T: 802.864.6693

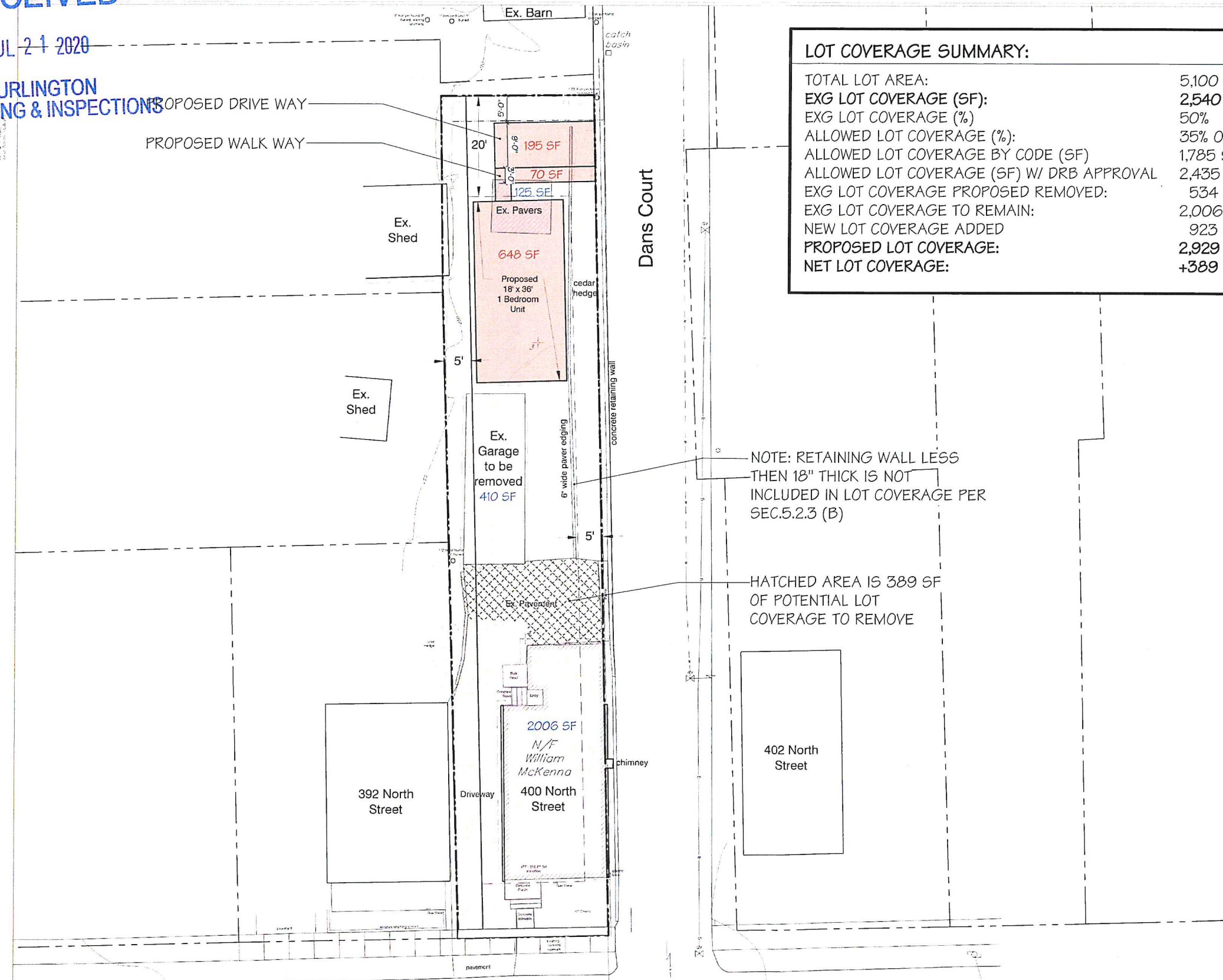
DATE: 07.14.2019
DRAWN: ABC

A0-0

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LOT COVERAGE SUMMARY:

TOTAL LOT AREA:	5,100 SF
EXG LOT COVERAGE (SF):	2,540 SF
EXG LOT COVERAGE (%):	50%
ALLOWED LOT COVERAGE (%):	35% OR EXG
ALLOWED LOT COVERAGE BY CODE (SF)	1,785 SF
ALLOWED LOT COVERAGE (SF) W/ DRB APPROVAL	2,435 SF
EXG LOT COVERAGE PROPOSED REMOVED:	534 SF
EXG LOT COVERAGE TO REMAIN:	2,006 SF
NEW LOT COVERAGE ADDED	923 SF
PROPOSED LOT COVERAGE:	2,929 SF
NET LOT COVERAGE:	+389 SF

NOTE: RETAINING WALL LESS THEN 18" THICK IS NOT INCLUDED IN LOT COVERAGE PER SEC.5.2.3 (B)

HATCHED AREA IS 389 SF OF POTENTIAL LOT COVERAGE TO REMOVE

City of Burlington
Planning and Zoning Information

Owner: William McKenna
Location Address: 400 North Street
Deed Reference: Vol. 1419 Page 96
Date 09/28/2018

Existing Lot Area: 5,071 sqft
Parcel ID: 045-1-056-000

Zoning District:

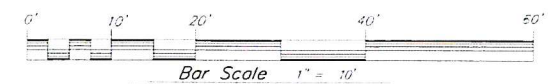
Residential Low Density
Allowable Entire Lot Coverage = 35%
Primary Building Max. Height = 35 ft.
Approximate Existing lot coverage = 50% ±

Legend

- Survey control point
- Iron pipe found
- Hydrant
- Utility pole
- Temporary bench mark
- Overhead power line
- Right of Way monument
- Direction of surface water flow
- Existing Sign
- Pre construction Excavation
- Existing Light Pole
- Existing Deciduous Tree
- Existing Spot Grade Elevation
- Existing Water Line/Hydrant/Valve/Shutoff
- Existing ground contour
- Existing gas pipeline / valve
- Existing underground power
- Existing overhead power
- Approximate property line / right of way
- existing setbacks
- Existing Gas Line/Valve
- Existing Sewer Line/Manhole
- Existing concrete
- Existing pavement
- Existing edge of woods / tree line

Notes:

- This plan is not a boundary survey. The property lines shown are based on Burlington Tax Map dated 2018 and are considered approximate.
- The underground utilities shown on this plan are based on visible utilities located during a topographic survey performed by Kress & Lansing in April 20, 2020. Underground utilities are approximate and not warranted to be exact or complete. Dig Safe shall be contacted prior to any excavation.
- Elevations are based on the NAVD 88 (Geoid 12A) vertical datum.
- Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch.



Progress Print Draft

400 NORTH STREET

BURLINGTON VT

Duncan
Wisniewski
ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T: 802.864.6693

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DUNCAN • WISNIEWSKI ARCHITECTURE
A Professional Corporation

SCHEMATIC DESIGN

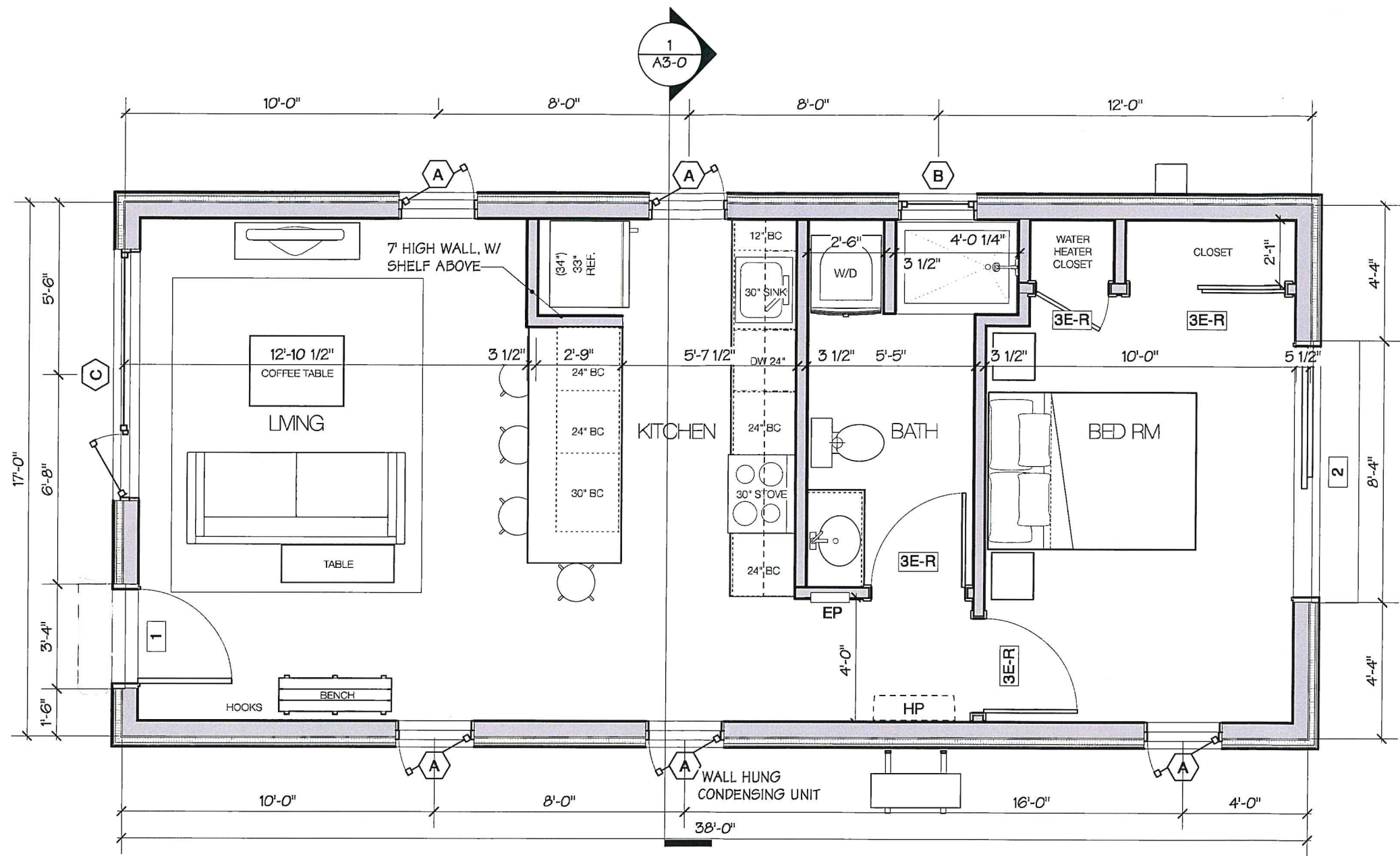
DATE: 06.25.2020
DRAWN: XXX, XXX

L1-1.1

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JUL 21 2020

BURLINGTON
PERMITTING & INSPECTIONS



FIRST FLOOR PLAN
Scale: 1/4" = 1'-0"

400 NORTH STREET

BURLINGTON VT

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DESIGN DEVELOPMENT

**Duncan
Wisniewski**
ARCHITECTURE

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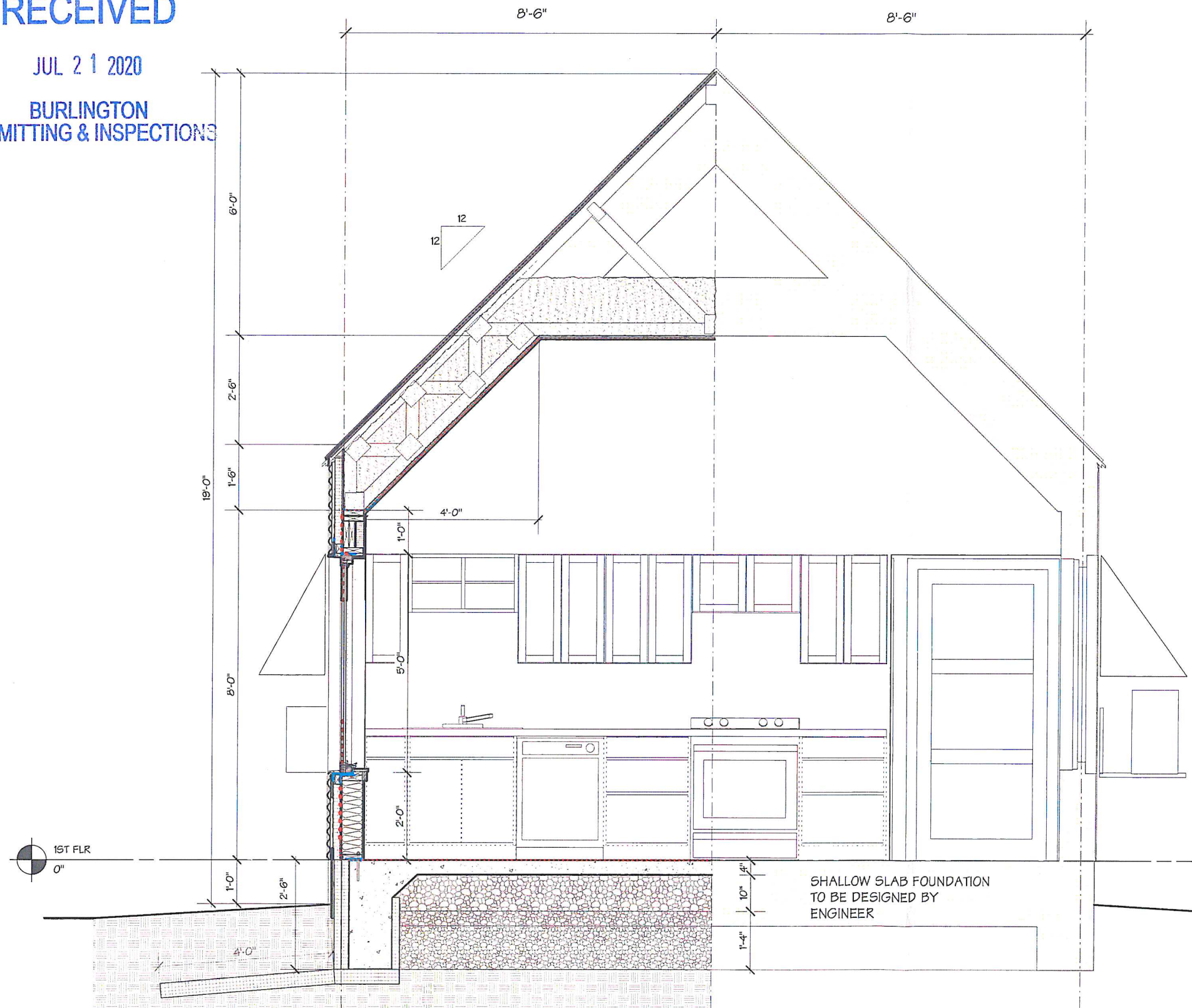
DATE: 07.14.2019
DRAWN: ABC

A1-0

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BURLINGTON
PERMITTING & INSPECTIONS



1 SECTION A
Scale: 3/8" = 1'-0"

400 NORTH STREET

BURLINGTON VT

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DESIGN DEVELOPMENT

ENVELOPE THERMAL SUMMARY:

ROOF:

-SEMI-DENSE PACK 16"X R-3.7/IN= R-59.2
-CODE R-VALUE R-49

WALLS:

-DENSE PACK 5 1/2" X R-3.5/IN= R-19.25
-RIDGED POLYISO CONT. 2"X R-6/IN= R-12
APPROXIMATE TOTAL R-VALUE: R-31.25
CODE R-VALUE R-23

WINDOWS:

TRIPPLE GLAZED FIBERGLASS- U- 0.18 (R-5.5?)
CODE R-VALUE U-.033 (R-3.0)

SLAB EDGE:

-EPS RIGID FOAM INSULATION- 4" X R-4/IN= R-16
CODE R-VALUE R-15

BELLOW SLAB:

GRAVEL- 12"X R-2.2/IN = R-26.4
CODE R-VALUE NONE

Duncan
Wisniewski
ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T: 802.664.6693

DATE: 07.14.2019

DRAWN: ABC

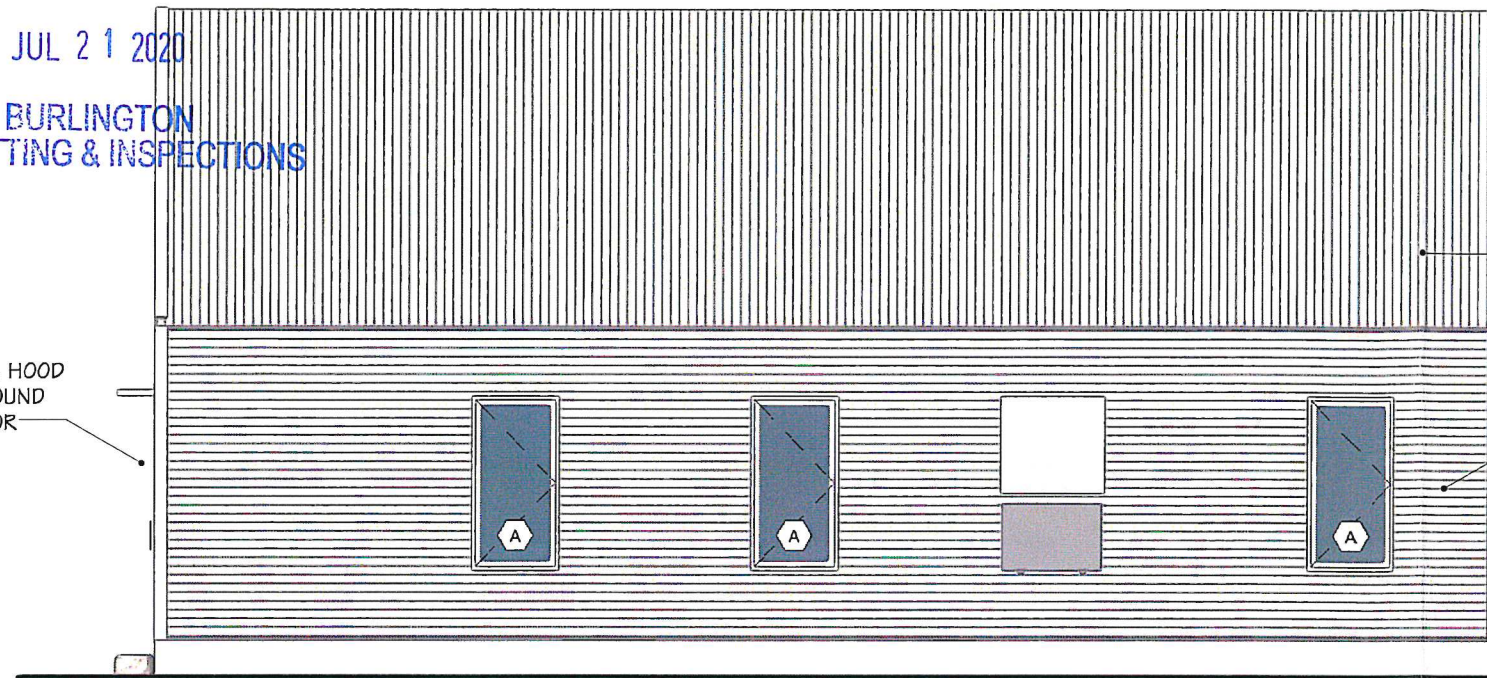
A3-0

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JUL 21 2020

BURLINGTON
PERMITTING & INSPECTIONS

MTL HOOD
AROUND
DOOR



East
NORTH ELEVATION

Scale: 3/16" = 1'-0"

0 5 6 7 8 9 10 FT

4" MTL ROOF
EDGE

CORRUGATED
MTL ROOF

4" BENT MTL
CORNER, TYP

CORRUGATED
MTL SIDING

CONDENSING
UNIT W/ BENT
MTL HOOD

MTL FLASHING



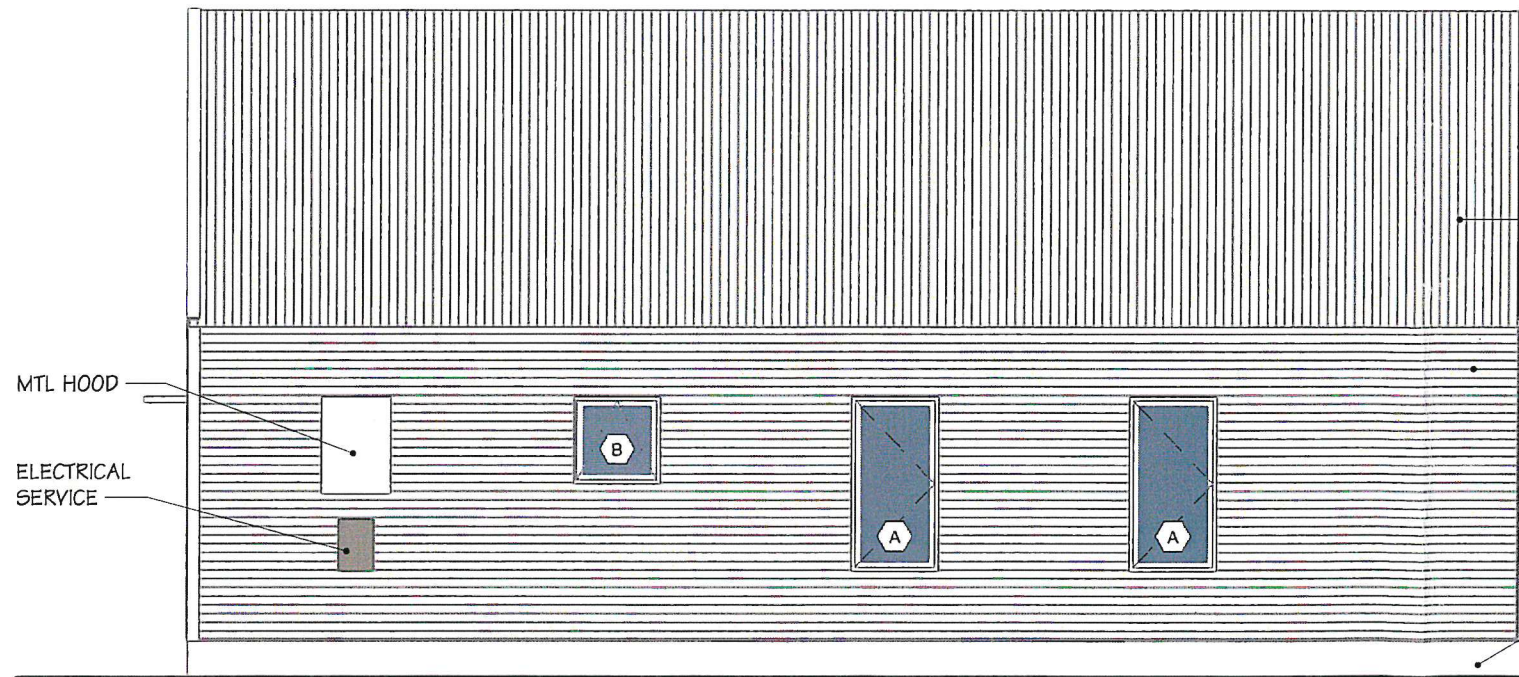
North
EAST ELEVATION

Scale: 3/16" = 1'-0"

ELECTRICAL SERVICE W/
BENT MTL HOOD,
ALIGN TOP ADJACENT
WINDOWS

MTL HOOD

ELECTRICAL
SERVICE



West
SOUTH ELEVATION

Scale: 3/16" = 1'-0"

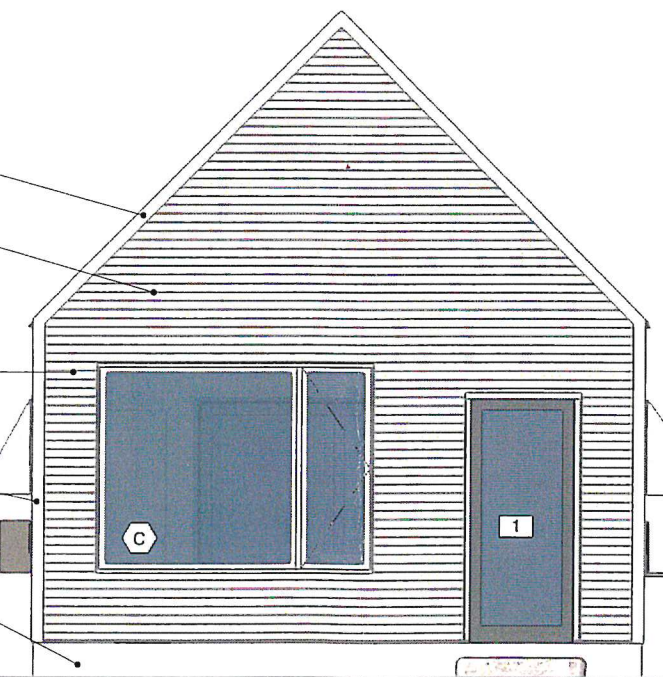
4" MTL ROOF
EDGE

CORRUGATED
MTL ROOF

CORRUGATED
MTL SIDING

4" BENT MTL
CORNER, TYP

MTL FLASHING



South
WEST ELEVATION

Scale: 3/16" = 1'-0"

WALL HUNG
CONDENSING UNIT W/
BENT MTL HOOD,
ALIGN TOP AND
BOTTOM W/ ADJACENT
WINDOWS

400 NORTH STREET

BURLINGTON VT

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DESIGN DEVELOPMENT

Duncan
Wisniewski
ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
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T: 802.664.6693

DATE: 07.14.2019

DRAWN: ABC

A4-0

Department of Permitting & Inspections

Zoning Division
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Telephone: (802) 865-7188

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Alison Davis, Planning & Zoning Clerk
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: September 15, 2020
RE: 20-0202CU; 820 North 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: RCO-A&C Ward: 7N

Owner/Representative: Winooski Valley Park District

Request: Expand existing daycare use. No construction proposed.

Applicable Regulations:

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

Background Information:

The applicant is seeking conditional use approval to expand an existing "small daycare" in association with an existing "small museum" at the Ethan Allen Homestead. The existing conditional use approval for the daycare is limited to just 2 employees and 10 children. As proposed, there will be up to 6 employees and (eventually) 33 children.

Small daycares are presently allowed as a conditional use in the RCO-A&C zones and are limited to 50% of the floor area of the small museum that must host them. There is a pending zoning amendment that would remove the distinction between small and large daycares and also eliminate the 50% floor area restriction. That amendment has not yet passed; however, the City Council passed a resolution August 24, 2020 to enable daycares in the RCO-A&C zones to apply for conditional use approval to expand beyond the present "small" daycare standards during the COVID-19 state of emergency. That is the case with this application.

No exterior building or site alterations are included in this proposal.

Previous zoning actions for this property are as follows:

- 7/16/19, Approval to construct an Abenaki wigwam structure
- 7/3/18, Approval to construct an open sided shelter
- 7/23/15, Approval to establish a small daycare
- 6/20/14, Approval to remove storage shed and install new storage shed
- 4/18/14, Approval to install new fencing around community garden
- 4/30/10, Approval to install exterior foundation insulation
- 5/9/08, Approval to construct tool shed
- 10/20/03, Approval to construct bench & platform structure associated with picnic shelter

- 5/28/92, Approval to construct wooden walkway through wetland
- 8/10/88, Approval of modified outdoor lighting
- 4/14/88, Approval of building and site renovations
- 2/13/87, Approval of two building additions
- 10/24/86, Approval of exterior renovations to office/garage building
- 1/12/84, Approval to replace overhead door with windows
- 7/2/82, Approval for temporary mobile trailer
- 7/22/82, Approval for restoration of original homestead, relocation of additional residential structure, construction of information center, restrooms, and caretaker's residence, and parking
- 5/12/78, Approval to erect picnic shelter and restroom buildings

Recommendation: **Consent 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:

Section 3.5.6 (a) Conditional Use Review Standards

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

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

The proposed daycare expansion will have little, if any, impact on the capacity of community facilities. The facility is served by city water and onsite septic. A state wastewater permit has been obtained. **(Affirmative finding)**

- 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 in the RCO-A & C zones. The RCO-A zone is intended to protect productive agricultural soils, provide opportunities for viable commercial agricultural production, and to protect natural resources and working forest lands. The RCO-C zone is intended to preserve the function, integrity, and health of the city's significant natural communities and features, both land and water, in their natural state for scientific, ecological, wildlife, educational, or scenic purposes. The existing small museum, the Ethan Allen Homestead, is consistent with the educational goals of this zone. The daycare is consistent with the mission of the Ethan Allen Homestead and fits within the educational goals of this zone, even as expanded. **(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 daycare is set relatively far from neighboring residences. The proposed expansion is not expected to generate nuisance impacts affecting neighboring properties. **(Affirmative finding)**

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

No traffic information has been provided; however, additional traffic associated with the expanded daycare is expected to be modest and easily accommodated by the existing highway access to the property. **(Affirmative finding)**

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;*

Daycares are subject to standards set by 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.*

No impacts in need of mitigation are anticipated. **(Affirmative finding)**

2. *Time limits for construction.*

No construction requiring zoning approval is proposed. **(Not applicable)**

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

The existing daycare is permitted to operate from 8:00 AM – 4:30 PM, Monday – Friday. Closed on weekends. No changes are included in this application for expansion. These hours are within the typical range for a small daycare and are acceptable. **(Affirmative finding)**

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

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

5. *Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*

Not applicable.

Article 4: Maps & Districts

Sec. 4.4.6, Recreation, Conservation, and Open Space Districts:

(a) Purpose

(1) RCO-Agriculture (RCO-A) & (3) RCO-Conservation (RCO-C)

As noted above, the property is situated within the RCO-A and RCO-C zones. These zones are intended primarily for working agricultural and forest lands and for preservation of significant natural communities, respectively. As related to these overarching goals, these lands may also be used for scientific, ecological, wildlife, educational, or scenic purposes. The existing small museum and proposed daycare expansion are consistent with these purposes. **(Affirmative finding)**

(b) Dimensional Standards & Density

No site or building changes are proposed. Setbacks, building height, and lot coverage all remain unchanged. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The existing small daycare is a conditional use in the RCO-A and RCO-C zones. Conditional use criteria are addressed under Article 3 above. As noted previously, the City Council has acted to enable expansion of daycares in these RCO zones, subject to conditional use review, during the COVID-19 state of emergency. A zoning amendment is underway to enable such expansion beyond the declared state of emergency. **(Affirmative finding)**

(d) District Specific Regulations

(Not applicable)

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located in the Neighborhood Parking District. The daycare requires 1 parking space per 2 employees, plus 1 drop-off space per 5 children. With 6 employees and up to 33 children proposed, 10 parking spaces are required (3 for employees and 7 drop-off spaces). This is an increase of 9 spaces over the 1 space previously required. The associated small museum requires 1 parking space per 1,000 sf GFA. In this case, the 6,232 sf museum requires 6 parking spaces. There are two parking lots onsite. One contains 25 spaces, and the other contains 30 spaces. There is sufficient parking onsite for the existing and expanded uses. **(Affirmative finding)**

Sec. 8.2.5, Bicycle Parking Requirements

At an increased area of just 944 sf (576 existing + 368 proposed), the daycare remains too small to require any bicycle parking. Existing bike parking facilities at the museum will remain unchanged. **(Affirmative finding)**

II. Conditions of Approval

1. This approval expires with the current COVID-19 state of emergency unless the pending zoning amendment to allow daycares greater than “small” and larger than 50% of the small museum floor area is adopted prior to expiration of said state of emergency.

2. The small daycare is limited to 33 children and days/hours of operation of Monday-Friday, 8:00 AM – 4:30 PM.
3. It is the applicant's responsibility to comply with applicable daycare requirements established by the State of Vermont.
4. Standard permit conditions 1-15.

Department of Permitting and Inspections

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<http://www.burlingtonvt.gov/PZ/>
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(802) 865-7195 (FAX)

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Theodore Miles, Interim Code Compliance Officer
Charlene Orton, Permitting and Inspections Administrator
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Alison Davis, Zoning Clerk



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: September 15, 2020
RE: ZP20-0717CA/MA, ZP20-0718CA, ZP20-0719CA, ZP20-0720CA; 273 Pearl St., 11, 15 and 21 Hungerford Terrace

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

File: ZP20-0717CA/MA, ZP20-0718CA, ZP20-0719CA, ZP20-0720CA.

Location: 273 Pearl Street, 11, 15 and 21 Hungerford Terrace

Zone: RH **Ward:** 8E

Parking District: Neighborhood

Date application accepted: February 20, 2020. Project review delayed by Covid 19. Plan revisions (submitted June 11, 2020 and August 7, 2020.)

First DAB Meeting: July 14, 2020

2nd DAB Meeting: August 25, 2020

Applicant/ Owner: 18138 Parking LLC, Triple Tree Group, LLC, 15 Hungerford Terrace, LLC and 21 Hungerford Terrace LLC. (Bruce Baker, Greg Doremus.)

Request: Planned Unit Development to include demolition of a single family home at 15 Hungerford Terrace and a garage at 11 Hungerford Terrace; demolish south porch and move garage at 21 Hungerford Terrace; construct 12 unit residential building. Net new units = 11 (if earlier duplex approvals are relinquished.) Site changes, including retaining walls, stormwater infrastructure. Parking changes with 17 space parking waiver request (42% of required residential parking.)



Background:

273 Pearl Street (constructed 1952)

- **Zoning Permit 16-0273CA**; replace 3 windows. September 2015.
- **Zoning Permit 15-0427CA**; regrade portion of lot and install retaining wall. Also see 15 and 21 Hungerford Terrace. September 2014.
- **Non-applicability of Zoning Permit Requirements 15-1015NA**; roof replacement. April 2015.
- **Zoning Permit 12-0231FC**; install chain link security fence on top of existing concrete block wall. September 2011.
- **Zoning Permit 00-466**; reside existing medical (dental) office in vinyl siding with new front elevation changes that include new windows, door and unenclosed entry roof canopy. No increase in coverage. Front yard setback encroachment allowed as per 5.3.6 (g). April 2000.
- **Zoning Permit 81-305**; change existing office to dental office. January 1981.
- **Zoning Permit n.n.**; Enlarge existing non-conforming use by addition of 21' x 16'. Approved May 1965.
- **Zoning Permit n.n.**; three unilluminated signs. Approved July 1960.
- **Notice to Gates Professional Pharmacy**, sign exceeding size permitted in Zone One. August 1952.
- **Petition to building a one story building approximately 24' x 40' to be used as prescription laboratory, doctor's office or professional use.** Approved December 1951.



11 Hungerford Terrace (constructed 1912)

- **Zoning Permit 18-10990CA**; handicap ramp, stoop, addition, parking changes. Convert a portion of the garage's front wall into a retractable wall to accommodate interior parking. July 2018.
- **Zoning Permit 18-0812CA**; replacement windows. April 2018.
- **Non-applicability of Zoning Permit Requirements 12-0252NA**; replace retaining wall in kind at same location & same height. August 2011.



15 Hungerford Terrace (constructed 1994)

- **Zoning Permit 18-1091CA**; change of use from single family to duplex. Parking changes. July 2018.
- **Zoning Permit 15-0428CA**; regrade portion of lot and install retaining wall. See also 21 Hungerford Terrace and 273 Pearl Street. Issued September 2014; permit relinquished.
- **Zoning Permit 02-377**; Construct 60' retaining wall. Issued March 2002, permit relinquished.
- **Zoning Permit 96-407**; installation of skylight in single family home. April 1996.
- **Zoning Permit 094-059 and 94-059A**; construction of a single-family home on existing vacant lot. February 1994.



21 Hungerford Terrace (constructed 1922)

- **Zoning Permit 18-1092CA**; Change of use from single family to duplex; add habitable space to basement. Shared parking and driveway with 11 and 15 Hungerford. See related permits AP18-1090CA and ZP18-1091CA. July 2018.
- **Zoning Permit 15-0429CA**; regrade portion of lot and install retaining wall. See also 15 Hungerford Terrace and 273 Pearl Street. Permit issued September 2014; permit relinquished.
- **Zoning Permit n.n.**; Use two front rooms for doctor's office. ZBA approved April 1966.



Overview:

The application is for a Planned Unit Development, utilizing 273 Pearl Street, 11, 15 and 21 Hungerford Terrace to create a new 12 unit residential building on the site of 15 Hungerford which will be demolished. No changes will occur to 273 Pearl Street, but are included as part of the shared infrastructure improvements. One accessory building (garage, 11 Hungerford) and a porch (21 Hungerford) are proposed to be demolished and the garage at 21 Hungerford relocated to the rear of the lot. A retaining wall will be constructed to ameliorate the grade change west of Hungerford Terrace. Parking changes, 17 space (47.22% residential) parking waiver request.

The **Design Advisory Board** reviewed the application at their July 14 and August 25, 2020 meetings. The motion, which passed unanimously was:

I move we forward this project to the DRB with a recommendation for approval, with the following comments:

1. *The demolition of the garage at 11 Hungerford and the porch at 21 Hungerford will not notably diminish the historic character of those houses, and is recommended for*

approval.

2. In response to recommendations from the DAB, the applicant has revised the design of the streetfront façade, with changes to cladding materials and the front porch that bring the building into an acceptable level of compatibility with the surrounding buildings.

3. Based on the Parking Management Plan submitted by the applicant and the site topography, the DAB recommends that the requested parking waiver be granted, to allow for 19 parking spaces in lieu of the required 36.

4. Mailboxes should be relocated from the public sidewalk to an interior or sheltered location, such as the Common Entry on the South Elevation or the Common Entry / Lounge.

5. Solar PV is recommended for the large, flat roof.

Applicable Regulations:

Article 2 (Administrative Mechanisms), Article 3 (Applications, Permit and Project Reviews), Article 4 (Zoning Maps and Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards), Article 8 (Parking), Article 9 (Inclusionary and Replacement Housing), and Article 11 (Planned Unit Development).

Recommended motion: Certificate of Appropriateness and Major Impact approval, contingent upon DRB support of the reduced parking dimensional standards, the requested parking waiver and the Parking Management Plan, and per the following Findings and Conditions:

I. Findings

Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

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

Article 3: Applications, Permits and Project Reviews

Section 3.2.1 Pre-Application Conferences

A pre-application presentation at the Wards 1 and 8 Neighborhood Planning Assemblies occurred January 8, 2020. **Affirmative finding.**

Part 3: Impact Fees

Article 3.3.2 Applicability

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

Impact fees will be calculated by staff based on the gross new area. New gross area has been provided as 10,176 sq. ft. (see below.) An estimate of applicable Impact Fees are as follows:

Impact Fee Calculation

273 Pearl St., 11, 15, 21 Hungerford Terrace
ZP20-0717CA/MA

Existing gross sf. 15 Hungerford Terrace (proposed for demo)

2,464 Assessor's Data

Proposed SF 15 Hungerford Terrace

3,160 / floor x 4 floors = 12,640 sf

Difference: 10,176

SF of
Project 10,176

Department	Residential	
	Rate	Fee
Traffic	0.199	2,025.02
Fire	0.225	2,289.60
Police	0.045	457.92
Parks	0.754	7,672.70
Library	0.467	4,752.19
Schools	0.975	9,921.60
Total	2.665	\$ 27,119.03

Impact Fees may be waived in whole or in part by the Housing Trust Fund Manager, based upon the number of inclusionary units. See Article 9, below. **Affirmative finding as conditioned.**

Section 3.3.7 Time and Place of Payment

(a) *New Buildings: Impact fees must be paid at least seven (7) days prior to occupancy of a new building or any portion thereof.*

As noted. **Affirmative finding as conditioned.**

Part 5, Conditional Use & Major Impact Review:

Section 3.5.6 Review Criteria

Within the Residential High Density Zoning District, Major Impact Review is required for the addition of 10 or more residential units.

(b) Major Impact Review Standards

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

Stormwater Management and EPSC plans have been forwarded to the Department of Public Works. The project was reviewed by the Conservation Board July 6, 2020 and received their recommendation for approval with the following conditions:

1. Need geo technical borings for infiltration and soil quality testing of the native soils to determine suitability for infiltration.

2. Consider installing a couple of monitoring wells for pre- and post-infiltration to measure ground water.

Chapter 26 compliance has not yet been received, but will be a condition of approval. As the proposed use is exclusively residential (with the exception of the existing dental use at 273 Pearl Street), use is consistent with the zoning district and established use. No undue air pollution is anticipated. Any potential noise pollution related to the increased number of residential units will be addressed by the applicants' submitted Property Management Plan, intended to assure the new residential tenancy a peaceful co-existence within the neighborhood. Applicants refer to their requirement of tenants to sign a "Good Neighbor Policy." See *Major Impact Review Standards*, applicant submission, p. 2

Affirmative finding as conditioned.

2. *Have sufficient water available for its needs;*

A letter of adequate capacity for water/sewer will be a permit requirement. **Affirmative finding as conditioned.**

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

See above for confirmation of capacity. **Affirmative finding as conditioned.**

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

An erosion prevention and sediment control plan is under review for compliance with Chapter 26, Wastewater, Stormwater, & Pollution Control. Written approval from the Stormwater Administrator will be a condition of any approval. **Affirmative finding as conditioned.**

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

The applicants' submission defines the high allowance for density within the zoning district, the proximity to downtown, the parking management strategies that discourage vehicular use by tenants, and the robust availability of public transit. Applicants will be offering amenities to all residential tenants to persuade bicycle use convenient. Emphasis in their tenant education practices includes the expense of keeping a vehicle on-site, and the ease of pedestrian/bicycle use in the downtown. The application proposes 40% less parking than required by the ordinance, which (if approved) will diminish the number of vehicles on site and lessen the anticipated traffic that would otherwise come with a development of this size. **Affirmative finding as conditioned.**

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

The intended occupancy is by university-aged adults, not families that would typically include young children. Payment of required Impact fees, however, will help offset any impact to the school system. **Affirmative finding as conditioned.**

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

The proposed development will generate additional impacts on city services; however, Impact Fees will offset those impacts. **Affirmative finding as conditioned.**

8. *Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;* See Section 5.4.8, 6.2.2. and 6.2.3, below.

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

The project seeks to utilize open space on the interior of multiple lots. There will be increased demands on city infrastructure; however, the location is advantageous in its proximity to area institutions, travel ways, pedestrian paths and the downtown. **Affirmative finding as conditioned.**

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

The project supports the aspirations of the MDP in the following way:

From **Plan BTV**, as adopted in 2019:

*Burlington will preserve and foster its distinctive identity by 3)protecting historic buildings, architectural features, and archaeological resources, while encourage the adaptive reuse and historically sensitive redevelopment of underutilized sites and buildings.*¹ **Affirmative finding.**

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

The proposal is infill in undeveloped rear yards of existing adjoining parcels. The proposed new residential units will moderately contribute to the city's housing stock. The location is probably the most desirable feature; in close proximity to area institutions: UVM Medical Center, the university, local businesses and downtown.

Inclusionary housing units will be required. The project will be providing an estimated 2 inclusionary housing units as well. **Affirmative finding as conditioned.**

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

Modest impacts on the city's park and recreation needs are anticipated. Payment of impact fees will help offset such impacts. The project will be enhanced with some open air for tenant gathering and bike racks with similar amenities for use of the immediate residents. **Affirmative finding.**

(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 application includes an evolved landscape plan (See Plan A0, A1 and A7.) Tree requirements must be consistent and compliant with the requirements of 6.2.2. (l). The

¹ Burlington Planning Department, "Plan Btv: Comprehensive Plan," 37.

applicants' Management Plan, including their "Good Neighbor Policy" will be essential in maintaining a climate that assures no unreasonable noise or other negative impacts to the immediate residential area. **Affirmative finding as conditioned.**

2. Time limits for construction.

Zoning permits are valid for three years. Redevelopment following the demolition of any historic structure (garage behind 11 Hungerford and porch at 21 Hungerford) must begin within one year of their demolition.

The specific hours of construction are typically limited to M-F 7:00 am to 5:30 pm, with Saturday hours restricted to interior work. The DRB has the discretion to alter those hours based on the demands of the project and the context of the development area. **Affirmative finding as conditioned.**

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

There is no restriction on the hours of residential use. See above for hours of construction.

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

As a PUD and a Major Impact project, this is a statutory requirement. Any future enlargement or alteration will be reviewed under the regulations in effect at the time of the request. **Affirmative finding as conditioned.**

And,

5. Such additional reasonable performance standards, conditions and safeguards as it may deem necessary to implement the purposes of this chapter and the zoning regulations.

Any such performance standards are at the discretion of the DRB.

Article 4: Zoning Maps and Districts

Sec. 4.4.5 Residential Districts

a) Purpose:

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

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

The proposed replacement residential building at 15 Hungerford Terrace presents a large building with higher lot coverage than currently exists, consistent with this standard. Parking is placed behind the buildings.

Affirmative finding.

(c) Dimensional Standards and Density

Table 4.4.5-2: Base Residential Density

High Density: RH - 40 units/acre

The total area of all four lots is 27,318 sf, or .627 acres. At 40 units/acre, the site might accommodate 25 dwelling units. With 1 existing at 273 Pearl, 5 at 11 Hungerford, 12 at 15 Hungerford and 1 at 21 Hungerford, a total of **19 units** are proposed; within the base residential density for the zoning district. **Affirmative finding.**

Table 4.4.5-3: Residential District Dimensional Standards

In the RH zoning district, coverage is limited to 80% of the lot (before bonuses.) Plan A2 defines proposed coverage at **78%**.

Under the PUD regulations, setbacks apply to the periphery of the project. As a corner development, there are two fronts and two sides. Establishment of the (new) front yard setback of 15 Hungerford Terrace utilizes both the existing (non-conforming) setback, and the average of one building north of this, and the two buildings south. The proposed replacement building exercises the existing non-conformity, but expands at the required front yard setback as averaged. (Average = 47.41'; setback is +/- 5', providing an acceptable front yard setback of 42.41-52.41.) Setbacks are illustrated on plan A2. The relocated garage (behind 21 Hungerford) meets the minimum 5' for an accessory structure. The encroachment of the driveway access at 21 Hungerford will be corrected. The remaining setbacks at 273 Pearl and 221 Hungerford remain as existing. See setback standards for retaining walls under Article 5.

Building height will not exceed 35' as measured from the sidewalk on Hungerford Terrace.

Affirmative finding.

(c) Permitted and Conditional Uses:

Attached dwellings, Multi family 3 or more is a permitted use in the RH zoning District.

Affirmative finding.

(d) District Specific Regulations

1. Setbacks

A. Encroachment for Residential Driveways

Not applicable.

B. Encroachment into the Waterfront Setback.

Not applicable.

2. Height

A. Exceptions in the Waterfront RM District.

Not applicable.

3. Lot Coverage

A. Exceptions for Accessory Residential Features.

This does not apply to the RH zoning district. Not applicable.

4. Accessory Residential Structures and Uses

One of the existing garages will be relocated to the west/rear of 21 Hungerford Terrace to be repurposed for trash/recycling, and located the minimum required 5' setback. The other garage at 11 Hungerford Terrace is proposed to be demolished. **Affirmative finding.**

5. Residential Density

A. Additional Unit to Multi-Family.

Not applicable.

B. Additions to Existing Residential Structures.

Not applicable.

C. Residential Occupancy Limits.

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

Not more than four unrelated adults may occupy any single residential unit. **Affirmative finding as conditioned.**

6. Uses

A. Exception for Existing Neighborhood Commercial Uses.

Not applicable.

7. Residential Development Bonuses.

No residential development bonuses are sought. Not applicable.

Article 5: Citywide General Regulations

Section 5.2.3 Lot Coverage Requirements

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

Section 5.2.4 Buildable Area Calculation

Not applicable in RH.

Section 5.2.5 Setbacks

See Table 4.4.5-3, above.

Section 5.2.6 Building Height Limits

See Table 4.4.5-3, above.

Section 5.2.7. Density and Intensity of Development Calculations

See Table 4.4.5-2, above. This meets the limitation for intensity of use including IZ. **Affirmative finding.**

Part 3: Non-Conformities

Section 5.3.5 Nonconforming Structures

(a) Changes and modifications:

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

- 1. Such change or modification may reduce the degree of nonconformity and shall not increase the nonconformity except as provided below.*
- 2. Such change or modification shall not create any new nonconformity,*

The existing 15 Hungerford Terrace is non-conforming to front yard setback. The proposed redevelopment will continue this non-conformity to the same degree. The expanded structure will meet the required front yard setback as calculated using the average front yard setbacks of 11, 21 and 27 Hungerford Place.

Affirmative finding.

Sec. 5.4.8 Historic Buildings and Sites

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

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

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

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

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

(a) Applicability:

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

11 and 21 Hungerford Terrace (and their garages) are listed on the Vermont State Register of Historic Places and the National Register of Historic Places within the **Buell-Bradley Street Historic District**.

15 Hungerford Terrace is of construction that is more modern and identified as non-contributing due to age.

273 Pearl Street falls within the **Pearl Street Historic District** (#50, Lavoie Offices), but was identified as non-contributing to the district.

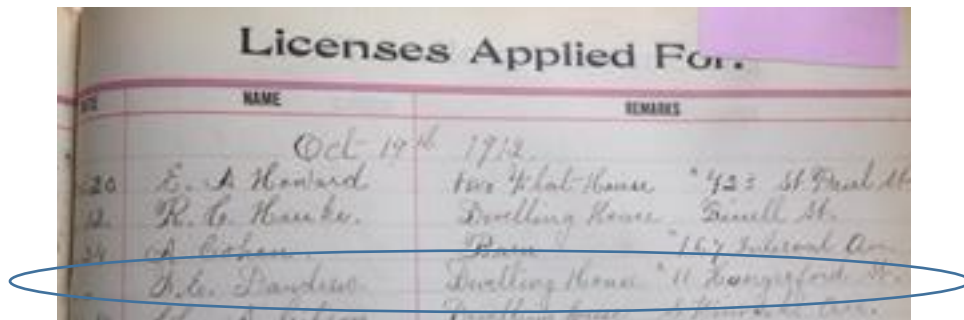
The following standards apply to 11 and 21 Hungerford Terrace:

(b) Standards and Guidelines:

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

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

11 and 21 Hungerford Terrace will remain residential, although 11 Hungerford is now multi-unit. The existing garage at 11 Hungerford is proposed to be demolished in support of new development, as well as the southerly side porch at 21 Hungerford Terrace. The garage at 21 Hungerford will be moved to the rear of the lot to be utilized for one parking space and a trash location.



Issuance of a building permit for the construction of 11 Hungerford Terrace
October 24, 1912.

The elimination of the 11 Hungerford garage (1912) and porch at 21 Hungerford (between 1936-1942) alters the essential characteristics of the lot configuration, and alters the integrity of the overall context of the site as documented in the National Register nomination. The DAB has accepted the garage and porch loss in support for the overall development proposal.
Affirmative finding as conditioned.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

See response above.



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

No conjectural features are proposed.

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

The southerly sunporch on 21 Hungerford Terrace is a typical feature that characteristically was added after the original construction of the single family home, adding to the significance of the overall structure. The porch is a feature that has acquired significance, consistent with 20th century evolutionary changes to residential architecture as promoted by Sears, Aladdin, Montgomery Wards and other national building plan creators. 21 Hungerford Terrace appears to be based on the Sears “Rembrandt” or “Van Jean” design, both of which were offered an option of a side porch.

The DAB offered their support of the proposal within the overall application at their July 14, 2020 meeting and within their motion to recommend approval August 25 2020. **Affirmative finding.**



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

The location of the garages behind residential buildings is characteristic of residential construction during the period of origin. The removal of the garage at 11 Hungerford and replacement with a paved surface parking lot advances development intensification rather than the original character of a residential neighborhood. Similarly, the addition of a side porch (popularized particularly in house plan catalogs) strongly supports the residential nature of this neighborhood as it was listed on the National Register of Historic Resources. Its proposed removal will diminish those essential and concomitant characteristics that collectively contribute to the overall feeling, association, and arrangement of the neighborhood. The DAB has, however, provided their support for the loss of the garage and porch within the overall redevelopment proposal. **Affirmative finding.**

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

The object of the application is to remove a 1994 home and replace it with a 12 unit three story building with associated parking. The retaining walls will be new construction. A garage at 11 Hungerford that is in disrepair is proposed for demolition rather than repair and reuse. The applicant has provided a narrative (Exhibit G-11H) as to the condition of the garage at 11 Hungerford and Exhibit SP-21H for the proposed porch removal at 21 Hungerford. **Affirmative finding.**

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

Building demolition of a garage and a porch is a permanent physical treatment. The structural loss is understood to be in support of a larger redevelopment plan, and acceptable within that context. **Affirmative finding.**

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

No archaeological resources have been identified on these parcels. Not applicable.

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

Although the proposed new multi unit residential building is larger in massing than the abutting buildings, it is minimized by design at the street front and articulated with a modern

vocabulary that is differentiated from the older building stock that surrounds it. **Affirmative finding.**

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Although unlikely, if the replacement building at 15 Hungerford Terrace were removed, 11 and 21 Hungerford Terrace would remain and retain sufficient integrity to merit retention on the National Register of Historic Places. **Affirmative finding.**

Section 5.5.1 Nuisance Regulations

With adequate tenant oversight, nothing in the proposal appears to constitute an identified nuisance under this criterion. Lighting, must meet the standards of Section 5.5.2, below.

Affirmative finding as conditioned.

Section 5.5.2 Outdoor Lighting

A photometric submitted July 30, 2020 continued to have a few “hot spots.” The lighting shall be revised to meet the lower illumination levels as required. **Affirmative finding as conditioned.**

Section 5.5.3 Stormwater and Erosion Control

A stormwater management plan, and Erosion Prevention and Sediment Control Plan has been submitted and currently under review by the Stormwater Engineering division. Written approval by that department will be a condition of any approval. Additionally, compliance post construction must be assured prior to issuance of any Certificate of Occupancy. **Affirmative finding as conditioned.**

Article 6: Development Review Standards

Part 1: Land Division Design Standards

No land division or boundary line adjustments are proposed. As a Planned Unit Development (PUD), the development area will be reviewed by the DRB under Article 11.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features

The most significant feature of the site is the topographic change from east to west. See “Topographical alterations”, below.

There are two mature trees within the ROW in front of 21 Hungerford that are identified on Plan A1 for retention, and a large tree in the front yard of 15 Hungerford Terrace to be removed. At least 17 trees are proposed to be removed from the collective project area. A landscaping plan has been provided (A3) defining new plantings and location. **Affirmative finding.**

(b) Topographical alterations

The rear of this development area reflects a tangible remnant of Burlington's physical geography, the Burlington Ravine. Previous permitting illustrates the efforts made to address the significant grade changes in the rear of these four properties. Plan A0 defines the grade low as 220' on the west of the site; increasing to 240' on the east (Hungerford Terrace) side. The plan includes retention of the existing concrete block retaining wall behind 273 Pearl Street, with a connecting retaining wall running around the west and south end of the development area raising the grade from 220 to 232 (see Civil Plan C2.2.) The proposed retaining wall will reach heights of 11' along the westerly wall, requiring approval of the City Engineer. **Affirmative finding as conditioned.**



Hungerford Terrace at the top, Pearl to the left. Grade change to the west (bottom) evident.

(c) Protection of important public views

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

(d) Protection of important cultural resources

See Section 5.4.8 (b).

(e) Supporting the use of alternative energy

Floor plans illustrate ERV (Energy Recovery Ventilator) closets. Other alternative energy options, including solar for the large flat roof, are specifically encouraged by the Design Advisory Board. **Affirmative finding.**

(f) Brownfield sites

The properties are not listed on the Vermont DEC Hazardous Waste Site. Not applicable.

(g) Provide for nature's events

A subsurface stormwater treatment vault is present on Civil plans C2.2 and includes a Stormwater Retention component located under the new parking area. The EPSC and Stormwater management plans were forwarded to Stormwater Engineering Division for review.

The Conservation Board included two conditions in their recommendation for approval. See *Conditions of Approval*, below.

Snow storage is identified on the northerly end of the parking area just north of the three parking spaces. **Affirmative finding as conditioned.**

(h) Building location and orientation

The demolition of 15 Hungerford Terrace affords the location of the new, 3 story 12 unit residential building. The front setback duplicates that of the building to be demolished, with the footprint expanding further west, consistent with the setback average of the three neighboring properties. (Average setback is 47.4' when averaging 11, 21 and 27 Hungerford. Front setback may be +/- 5' of that average.) Retention of the existing setback, to the same degree, is acceptable. **Affirmative finding.**

(i) Vehicular access

The access drive for all units is proposed south of 21 Hungerford Terrace, via an existing driveway. Plans A0 and A1 both define existing driveway encroachment onto a neighboring property. All access must be established within the PUD property boundaries, with no further encroachment into setbacks than existing conditions. **Affirmative finding as conditioned.**

(j) Pedestrian access

Existing front entrance walks connecting to the city public sidewalk will remain at 11 and 21 Hungerford. A new walkway will be introduced to the immediate south of the 3 story residential building, with common ground floor entry at its terminus. **Affirmative finding.**

(k) Accessibility for the handicapped

Unit 1 is identified as fully accessible, with Units 2, 3 and 4 as “adaptable”. The eight remaining units on the 2nd and third floor will meet Visitability standards for access.

2 ADA parking spaces are provided (one immediately behind 21 Hungerford, and one to the north of the new building at 15 Hungerford; both providing a loading area.) The building inspector has jurisdiction relative to the acceptability of the number of spaces and their specific dimensions. **Affirmative finding.**

(l) Parking and circulation

Plan A1 provides 25 parking spaces:

273 Pearl Street will retain its 6 existing permitted parking spaces for the dental office/1 residential unit.

11, 15 and 21 Hungerford (18 units) will share 19 parking spaces.

The requirements within the Neighborhood Parking District are 2 parking spaces for every residential unit.

Zoning Permit 18-1090CA allowed a shared parking arrangement among 11 Hungerford (5 units), 15 and 21 Hungerford Terrace that provided a total of 19 parking spaces. For the total 9 units, that plan met required on-site parking (2 per unit, or $2 \times 9 = 18$ spaces.)

The current plan proposes **19 spaces** for residential use while the required parking for 18 units (5 units at 11 Hungerford, 12 units at 15 Hungerford, and 1 unit at 21 Hungerford, and discounting the uses/unit at 273 Pearl *and* if earlier permit for duplex is relinquished) is now **36 spaces**. Only one net new additional space is provided greater than the previously approved shared use parking plan for 11, 15 and 21 Hungerford Terrace. With a substantial increase in bedroom count (33 bedrooms in 15 Hungerford), the parking deficiency is marked.

Discounting the dental office/1 apartment use at 273 Pearl which remains constant, the proposal is deficient (36-19) by **17 parking spaces**, requiring a **47.22% parking waiver**.

Parking spaces north of the new building are standard parking spaces (9 x 20); all of the spaces on the westerly boundary are compact (8 x 18); and the four immediately west of 15 Hungerford are undersized (8 x 16) per Table 8.1.8-11 of the ordinance. All spaces lack the required backup space (24' for 90° standard size angled parking spaces) although the most westerly meet the requirement for compact spaces (20' backup.) The h/c space south of 15 Hungerford, the lone garage space, and the southerly space immediately west of 15 Hungerford are all deficient in back-up space. The applicant will rely Section 8.1.11 that permits the DRB discretionary review to determine a lesser standard necessary due to site topography, location of existing or proposed structures, lot configuration, and/or the need to preserve existing trees and vegetation.

A Parking management Plan has been submitted, weighing largely on tenants without cars, advantageous location near the downtown, and shared parking by critical use periods. The plan proposes use of 5 residential parking spaces by the dentist office during business hours, when residential tenants would vacate their spaces. The plan further hinges on specific tenant selection practices and required tenant education. Both of these tools rely on the methods and practices of current owners; their continued success largely reliant under practices of unknown future ownership.

Finally, the applicant/owners include up-front monthly charges for parking on-site to discourage vehicular ownership. Parking is permitted on-site by permit and assigned space only, with towing enforced. As proposed, there is just one parking space per residential unit.

Owners will provide information to tenants about ridesharing programs and maintain a group membership with Car Share Vermont, offering to tenants free of charge. CCTA bus passes are provided to tenants on a first-come basis. Bicycle parking and storage is provided on site. Grocery trollies will be made available to tenants.

The applicants have also requested consideration of sharing all parking from their 5 commonly owned lots within 3 blocks; a total of 128 parking spaces. An examination of all those parcels and their parking requirements are outside this project review, but anticipate the exercise of TDM (Transportation Demand Management) within the City. An amendment to the Comprehensive Development Ordinance is currently under review that would include TDM as part of a new Mixed Use Multi Modal Parking District. The affected parcels (11, 15 and 21 Hungerford) do not front a major thoroughfare (Pearl Street) and therefore could not be considered under that amendment.

Article 8 defines the requirement to meet the parking demand of new development effectively. A proposed parking management plan must guarantee present and future success, enforceable over

the long term. The creation of 33 new bedrooms with only one new parking space is challenging; and hinged in this application with active and enduring management by owners.

Surface parking requires shading to reduce the effect on the local microclimate, air quality, and stormwater runoff. New or substantially improved parking areas must shade at least 30% of the parking lot. 1 shade tree shall be provided for every 5 parking spaces with a minimum caliper size of 2 ½ -3" at planting. A significant number of existing trees will be removed for this redevelopment. Plan A3 details the addition of 2 Honey Locust and 2 Elms; the remainder of the plantings shrubs and ornamentals. Plan A4 illustrates site shading. While a portion of the paved area is shaded in late June (a.m.), the 30% shading requirement is functionally met during the winter months when the sun is at its lowest.

Bicycle parking is provided along a walkway to the newly developed 15 Hungerford Terrace. Long Term bicycle parking is afforded in a separate room in the basement of 15 Hungerford Terrace. (See plan A5.) With 33 new bedrooms, at least 17 long term bicycle parking spaces will be required for the residential use. (1 bike parking/2 bedrooms requirement). This is more fully addressed under Article 8. **Affirmative finding as conditioned.**

(m) Landscaping, fences and retaining walls

A separate landscaping plan has been provided, and alluded to in plan A0, A7 and A8. Plan A3 provides Boston Ivy (K) as one of the plantings, its location unidentified on the site plan. There is inconsistency between Plans A3 and A9 relative to landscaping and proposed locations. ("Karl Forrester grass, Boston Ivy" on the retaining wall; not illustrated on A3.)

This standard requires:

Retaining walls greater than 5 feet tall shall incorporate textured surfaces, terracing, and/or vegetation to avoid long monotonous unarticulated expanses and to minimize adverse visual impacts to neighboring properties. As with fences, retaining wall styles, materials, and dimensions shall be compatible with the context of the neighborhood and use of the property.

Civil plans C2.2 and C4.2 and Plan A8 define the gravity wall as terraced with plantings.

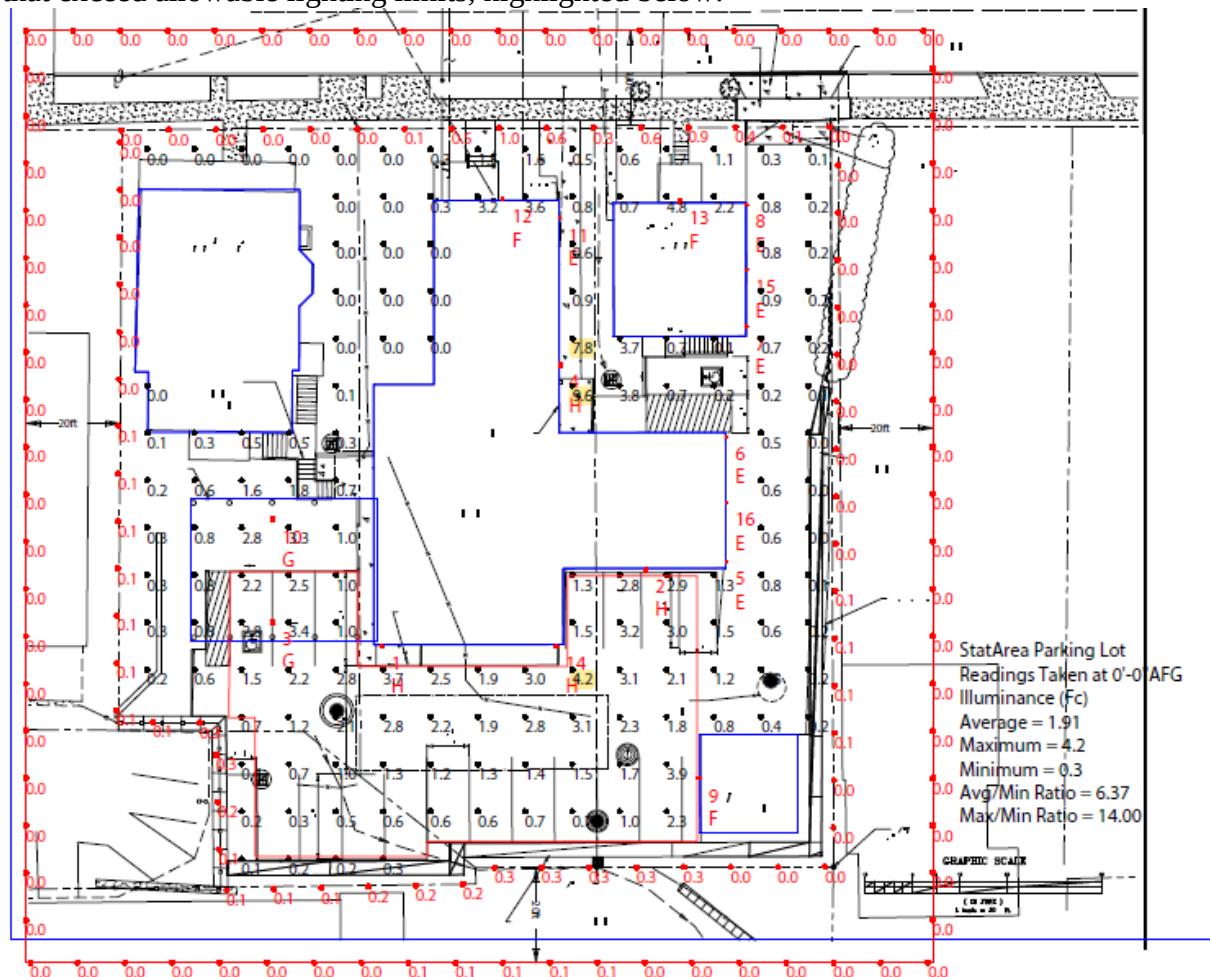
Heights vary from 2-12'. As the involved properties all sit on the cusp of the Burlington Ravine and have consistently struggled with the changing grade inherent to their site, this is the context of the neighborhood. Review of retaining walls greater than 3' in height is the responsibility of the City Engineer. **Affirmative finding as conditioned.**

(n) Public plazas and open space

While there are no formal public plazas included in the plan, "open green space" is annotated on Plan A1. This occurs between 11 Hungerford and the new 12 unit residential building, and north of the parking area. Given the large number of residential units proposed for the combined site, some outdoor amenity space is encouraged to be identified and programmed for the enjoyment of the tenants. Open space / common land is a requirement of PUDs under Article 11. **Affirmative finding as conditioned.**

(o) Outdoor lighting

A photometric has been provided, with a revised plan received 7.30.2020. There are three spots that exceed allowable lighting limits, highlighted below.



- Building entrances, unless designated handicap access, may not exceed 5 fc. The common entry to 15 Hungerford Terrace has measurements as high as 9.6 fc, and should be adjusted downward.
- Parking lots are limited to a maximum illumination of 4 fc. There is a single reading that exceeds 4 fc (west of 15 Hungerford) which will require attention to bring light levels down.

Affirmative finding as conditioned.

(p) Integrate infrastructure into the design

Civil plan C2.3 shows a continuation of overhead electric service to both 21 Hungerford and the new 15 Hungerford building. New construction demands undergrounding of on-site utilities, Meters, utility connections, HVAC or similar mechanical equipment should be coordinated with the design of the building, and grouped in a service court out of public view. All need to be illustrated on elevations and/or site plans to determine appropriateness of location and necessity of screening.

No rooftop mechanicals are identified. If such units are proposed, they need to be provided with plans to be assessed for compliance with the standards of the ordinance.

The location of trash and recycling facilities is re-defined within the relocated garage at the southwesterly corner of the collective lots.

Residential mailboxes are identified along the public sidewalk, presumably in cluster box unit (“CBU”). This is an undesirable solution for residential use, due to its commercial appearance. An interior or sheltered porch location where unit boxes can be accessed by tenants is preferable and more consistent with residential use. The Common Entry on the south elevation or alternately at the Lounge location are recommended for resident mail delivery, and has been recommended by the DAB. **Affirmative finding as conditioned.**

Part 3, Architectural Design Standards

Section 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

Plan A9, A10 and A11 provide a modeled street view, illustrating the new building approximately the same height as the hipped roof of 11 Hungerford Terrace, to its north and 295 Pearl Street; on the corner of Pearl and Hungerford. The flat roof, however, allows for a building mass (and occupied third floor) that exceeds any of the existing buildings surrounding it. See rendered elevations A6, A7 for modeled views from the south and west. The automotive service station on Pearl Street somewhat ameliorates the view from the north. **Affirmative finding.**

2. Roofs and Rooflines.

The new building has connected flat roofs; differing from either the north or south detached building that will abut it. The roof scheme will help ameliorate its massing. **Affirmative finding.**

3. Building Openings

Building openings are symmetrically arranged on the primary façade, with rhythmic structural punctures on other elevations. Openings are grouped to provide the same floorplan plate-to-plate. **Affirmative finding.**

(b) Protection of Important Architectural Resources:

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

See Section 5.4.8.

(c) Protection of Important Public Views:

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

(d) Provide an active and inviting street edge:

The removal and replacement of 15 Hungerford Terrace has introduced a substantially larger and more imposing structure to the streetscape. While style or massing provide a counterpoint to the context of the older street, it does offer an identifiable front portal, the welcome of porches, and larger windows to warm the streetface. Easterly porches have been extended to strengthen the horizontal element of the design, tying it in with neighboring properties. **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 applicants have revised their exterior sheathing plans at the recommendation of the DAB, now favoring fiber cement clapboards with a smaller area in fiber cement panels. Changes are intended to provide greater horizontality, as guided by the Board. Boral trim (with more interest provided to break up the visual massing) and MDO accent bands will complete the finish. Brick veneer has been extended vertically on the east, north and south as suggested by the DAB. Windows and doors are detailed on Plan A7. All are acceptable for new construction. **Affirmative finding.**

(f) Reduce energy utilization:

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

(g) Make advertising features complementary to the site:

No signage is proposed. Any signs will require a separate sign permit, consistent with the regulations of Article 7 and compliant to the residential zoning district standards. **Affirmative finding as conditioned.**

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p.)

(i) Make spaces secure and safe:

All applicable building and life safety code as defined by the building inspector and fire marshal will be required. Building entrances need to be adequately illuminated (but not to exceed 5 fc.) Adequate lighting at building entrances will support resident safety. See lighting standards of Section 5.5.2 and 6.2.2. (o), above.

An intercom system is recommended to maximize personal safety of the residents in the new 12-unit structure. **Affirmative finding as conditioned.**

Article 8: Parking

Section 8.1.8 Minimum Off-Street Parking Requirements

Within the Neighborhood Parking District, 2 parking spaces are required for every residential unit. The application requests a 17 space parking waiver.

(6 current spaces at 273 Pearl, and 19 proposed behind the Hungerford addresses = 25 spaces. Requirement is 6 spaces for dental office and one unit at 273; and 36 spaces for 18 residential units = 42 total required parking spaces.) 42-25 provided = 17 space deficiency. A parking waiver (47%) is requested, and based on the Parking Management Plan. See 8.1.15, below.

Section 8.1.15 Waivers from Parking Requirements / Parking Management Plans

A Parking management Plan has been submitted, anticipating in great part tenants without cars, the proximity of downtown and local institutions, and shared parking by critical use periods. The plan proposes use of 5 residential parking spaces by the dentist office during business hours, when residential tenants would vacate their spaces. The plan further hinges on specific tenant selection practices and required tenant education. Both of these tools rely on the methods and practices of current owners; their continued success reliant under active management.

The applicant/owners include up-front monthly charges for parking on-site to discourage vehicular ownership. Parking is permitted on-site by permit and assigned space only, with towing enforced. As proposed, there is just one parking space per residential unit.

Owners will provide information to tenants about ridesharing programs and maintain a group membership with Car Share Vermont, offering to tenants free of charge. CCTA bus passes are provided to tenants on a first-come basis. Bicycle parking and storage is provided on site. Grocery trollies will be made available to tenants. **Affirmative finding as conditioned.**

Section 8.2.5 Bicycle Parking Requirements

Table 8.2.5-1 defines the bicycle parking requirement as 1 per 2 bedrooms for long term storage, and 1 per 10 units for short term. In consideration of the new 12 unit residential building (36 bedrooms - 3 in existing 15 Hungerford = 33 net new bedrooms) 17 Long Term bicycle parking spaces are required, and 1 short term space. Bike parking will be provided within the basement of the new building and along the Hungerford Terrace street entrance (see plan A5.)

Affirmative finding as conditioned.

Article 9: Inclusionary and Replacement Housing

Section 9.1.5 Applicability (As amended by the City Council 8/10/2015.)

As the proposed development includes more than 5 new dwelling units, it is subject to the inclusionary housing provisions of this Article. Fifteen percent of the total unit count must be inclusionary (Per Section 9.1.10, 15% of 11 new units = 2 IZ units). Approval for the adequacy of the inclusionary units will be required from the manager of the city's Housing Trust Fund. Any stipulations would be included as a condition of approval. **Affirmative finding as conditioned.**

Sec. 9.1.7 Certificate of Inclusionary Housing Compliance

No certificate of occupancy for a project covered by this chapter shall be granted unless and until a Certificate of Inclusionary Housing Compliance has been issued by the Housing Trust Fund Manager. Affirmative finding as conditioned.

Section 9.1.13 Off-Site and Payment in Lieu Options

(a) Off-Site Option

The developer of a covered project may construct inclusionary units on a lot (or lots) within the City of Burlington other than that on which the covered project is located as determined by HUD's Low- and Moderate-Income Summary Data as updated annually. The offsite option may be utilized by right per the following scenario:

- 1) Covered projects located in a census block where more than fifty-one percent (51%) of the residents are below eighty percent (80%) AMI as determined by HUD's Low- and Moderate-Income Summary Data may utilize the off-site option by right.*
- (2) In areas where less than fifty-one percent (51%) of the residents are below eighty percent (80%) AMI as determined by HUD's Low- and Moderate Income Summary Data, utilization of the off-site option shall not be allowed. In all cases, utilization of the off-site option shall be subject to the following conditions:*
 - i. The number of inclusionary units to be provided by the developer or by the developer's designee through off-site development shall be equivalent to the number otherwise required by this Article;*
 - ii. No additional development provisions as outlined in Sec. 9.1.12 shall be granted to the development of units constructed off-site or to the project constructed on-site;*
 - iii. Off-site inclusionary units must be located within the City of Burlington;*
 - iv. All of the provisions of Sections 9.1.8 through 9.1.11 shall apply without exception to off-site inclusionary units under the provisions of this section; and,*
 - v. Waiver of provisions from the HTF with regard to minimum square footage and bedroom count relative to average size and bedroom count in a covered project is not permitted.*

The off-site option shall not apply to a project located within a waterfront zoning district nor shall it apply to off-campus student housing projects as defined by this Article. For the purposes of this Sec. 9.1.13, "site" shall consist of all adjacent lots which are the subject of a PUD or other single development application.

(b) Payment In-Lieu Option *The developer of a covered project may provide a payment in lieu to the Housing Trust Fund rather than construct inclusionary units on or offsite contingent on AMI as determined by HUD's Low- and Moderate-Income Summary Data. The payment in lieu option may be utilized by right under the two following scenarios:*

(1) Covered projects located in a census block where more than fifty-one percent (51%) of the residents are below eighty percent (80%) AMI as determined by HUD's Low- and Moderate-Income Summary Data may utilize the payment in lieu option subject to the following standards:

i. The payment in lieu fee shall be \$35,000 per dwelling unit for projects containing 5-16 dwelling units.

The applicants have not expressed an intention to meet the IZ requirements offsite or as a payment in lieu; however if they are intending to utilize either option for the required Inclusionary Units, they must demonstrate compliance with the noted conditions and subject to confirmation of compliance by the Housing Trust Fund Manager.

Affirmative finding as conditioned.

Section 9.1.14 General Requirements for Inclusionary Units

(a) In order to assure an adequate distribution of inclusionary units by household size, the bedroom mix of inclusionary units in any project shall be in the same ratio as the bedroom mix of the non-inclusionary units of the project.

As noted. Additional provisions of Inclusionary standards, including gross floor area, interior amenities, marketing, and affordability will be required to meet the approval of the City's Housing Trust Manager. **Affirmative finding as conditioned.**

Sec. 9.1.18 Timeline for Availability/Phasing of Inclusionary Units for Issuance of Certificate of Occupancy

Inclusionary units shall be made available for occupancy on approximately the same schedule as a covered project's market units, except that certificates of occupancy for the last 10% of the market units will be withheld until certificates of occupancy have been issued for all inclusionary units. If the project is approved to be constructed in phases on an extended permit timeline, certificates of occupancy may be issued on a phased basis consistent with the conditions of approval per Section 9.1.17. **Affirmative finding as conditioned.**

Article 11: Planned Unit Development

Section 11.1.3 General Requirements and Applicability *Any development involving multiple lots, tracts or parcels of land to be developed as a single entity, or seeking to place multiple structures and/or uses on a single lot where not otherwise permitted, may be permitted as a PUD subject to the provisions of this Article.*

A Planned Unit Development may be permitted subject to minimum project size as follows in the following districts:

Residential High Density – no minimum project size.

This standard allows development of multiple lots with no minimum lot size for a PUD in the Residential High Density Zone. **Affirmative finding.**

Section 11.1.4 Modification of Regulations

With the approval of the DRB after a public hearing, the following modifications the requirements of the underlying zoning may be altered within a planned unit development:

- *Density, frontage, lot coverage and setback requirements may be met as calculated across the entire project rather than on an individual lot-by-lot basis.*
- *Required setbacks may apply only to the periphery of the project rather than on an individual lot-by-lot basis;*
- *More than one principal use and more than one principal structure may be permitted on a single lot, and*
- *Buildings may be of varied types including single detached, attached, duplex or apartment construction.*

Any proposed modifications of regulations shall be listed in a statement accompanying the application submission and such modifications shall be subject to the provisions of Section 11.1.5 and Section 11.1.6.

Calculations for lot area, intensity of use and setbacks have been provided for 273 Pearl Street, 11, 15 and 21 Hungerford Terrace. See Table 4.4.5-3. Parking has been calculated for the uses on those lots, in addition to the existing uses. More than one principal use and more than one principal structure are proposed within the PUD. Buildings are of varied types, including apartment construction. **Affirmative finding.**

Section 11.1.5 Approval Requirements

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

There is no minimum project size for a PUD within the Residential High Density Zone.

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

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

See Articles 3 and 6, above.

(d) The project shall meet the requirements of Article 10 for subdivision review where applicable;

Not applicable.

(e) Density, frontage, and lot coverage requirements of the underlying zoning district have been met as calculated across the entire project;

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

(f) All other requirements of the underlying zoning district have been met as calculated across the entire project;

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

(g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB

Areas for green common use are identified on Plan A2. Most units have balconies to connect tenant and the outdoors. **Affirmative finding.**

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

The applicant has not requested any phasing schedule. The permit will have a typical three year life in which to complete the development. Redevelopment after demolition of historic structures have a one-year clock to begin. Any proposed phasing plan will need to be approved by the DRB and included as part of decision and conditions. **Affirmative finding as conditioned.**

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

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

The concept of developing underutilized area behind existing structures is a traditional method of infill and intensification of use where encouraged though the Municipal Development Plan. See Section 3.5.6. (b) 10, above. **Affirmative finding.**

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

The proposed new structure can be served by extended access road(s) within the site and utilizing public utilities. **Affirmative finding as conditioned.**

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

Although the rear (west) of the properties is proposed for development of a parking area, there remains the terraced grade change with views to the west. Within the more densely developed neighborhood, the remaining green space north of 15 Hungerford, and residential balconies will offer exposure to scenery and open space. **Affirmative finding.**

(d) Provide for a variety of housing types;

The new units in the replacement building at 15 Hungerford are proposed to be three bedroom units. The remaining units at 273 Pearl, 11 Hungerford and 21 Hungerford will remain as existing. **Affirmative finding.**

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

The project area retains an existing amount of infrastructure, buildings and parcels that abut the Burlington Ravine, one of the most challenging redevelopment components within the city. This project proposal allows for greater development and density within the buildable area of the collective parcels while addressing the complex challenge of the topography to the west.

Enhanced infrastructure, including stormwater management for all four parcels, enables and enhances the overall project. **Affirmative finding.**

And;

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

As proposed, the building design proposes intensifying the density with construction of a single multi-unit residential building. The building is articulated with differentiated materials and building planes; welcoming building entrances, porches and balconies. Project plans include typical and welcome amenities for attractive residential complexes, particularly within established neighborhoods. **Affirmative finding.**

(j) The proposed development shall be consistent with the Municipal Development Plan
See Sec. 3.5.6 (b) 10.

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

Section 11.1.6 Accessory Facilities

(a) A planned unit development may contain a building or buildings intended for non-residential uses, such as but not limited to a community center, recreation facility, and child care center and/or business office if the DRB determines that such use or uses are compatible with the intended principle residential use.

No accessory facilities are proposed. Not applicable.

II. Conditions of Approval

1. Impact Fees shall be paid based on the gross new area, and paid at least seven days prior to the occupancy of any part of the building. Based upon submitted gross new area, impact fees are estimated to be:

SF of
Project 10,176

Department	Residential	
	Rate	Fee
Traffic	0.199	2,025.02
Fire	0.225	2,289.60
Police	0.045	457.92
Parks	0.754	7,672.70
Library	0.467	4,752.19
Schools	0.975	9,921.60
Total	2.665	\$ 27,119.03

Said fees may be waived in whole or in part based on the number of inclusionary housing units. Any waiver shall be substantiated by the Housing Trust Fund Manager and formalized with a letter of compliance from that office.

2. Per Section 2.7.8, all expired zoning permits issued after July 1989 for any of the involved parcels (273 Pearl St., 11, 15 or 21 Hungerford Terrace) shall be closed out and Certificates of Occupancy issued **prior to issuance of any FCO** for this permit.²
3. Conditions imposed by the Conservation Board:
 - i. Geo technical borings for infiltration and soil quality testing of the native soils to determine suitability for infiltration.
 - ii. Installing a couple of monitoring wells for pre- and post-infiltration to measure ground water.
4. Conditions from the Design Advisory Board:
 - i. Mailboxes should be relocated from the public sidewalk to an interior or sheltered location, such as the Common Entry on the South Elevation or the Common Entry / Lounge.
 - ii. Solar PV is recommended for the large, flat roof.
5. **Prior to release of the zoning permit**, the applicants must submit a copy of their “Good Neighbor Policy” and defined tenant education plan, to demonstrate comprehensive ongoing oversight and management of all residential units.
6. **Prior to release of the zoning permit**, a revised photometric shall be submitted correcting the high illumination levels or demonstrate compliance with accepted national standards.
7. **Prior to release of the zoning permit**, a letter of water/sewer capacity shall be provided.
8. **Prior to release of the zoning permit**, written approval of the Erosion Prevention and Sediment Control Plan, as well as the Stormwater Management Plan shall be submitted. Review of the Conservation Board conditioned submissions are subject to approval by the Stormwater Engineer.
9. Residential occupancy limits apply. Occupancy of each residential unit is limited to a Family as defined in Article 13. Not more than four unrelated adults may occupy any unit.
10. The proposed retaining wall is subject to review and approval by the City Engineer.
11. All vehicular access must be established within the PUD property boundaries, with no further encroachment into setbacks than existing conditions.
12. Hours of construction are limited to M-F 7:00 am to 5:30 pm, with Saturday hours restricted to interior work. No work shall occur on Sundays.
No certificate of occupancy for a project shall be granted unless and until a Certificate of Inclusionary Housing Compliance has been issued by the Housing Trust Fund Manager. For 11 net new units, 2 IZ units are required. Exercise of

² ZA 17-03, Section 2.7.8: *The administrative officer is also authorized to deny all zoning permits for any property with an expired zoning permit without a final certificate of occupancy. Instead of withholding or denying a zoning permit, the administrative officer may grant such permit subject to the condition that the uncorrected zoning violation is corrected or the expired zoning permit is closed out with a final certificate of occupancy. Such action(s) shall take place before the issuance of a final certificate of occupancy on the new permit.*

Section 9.1.13 Off-Site and Payment in Lieu Options shall meet the conditions and requirements of that Section, and be subject to confirmation of compliance by the Housing Trust Fund Manager.

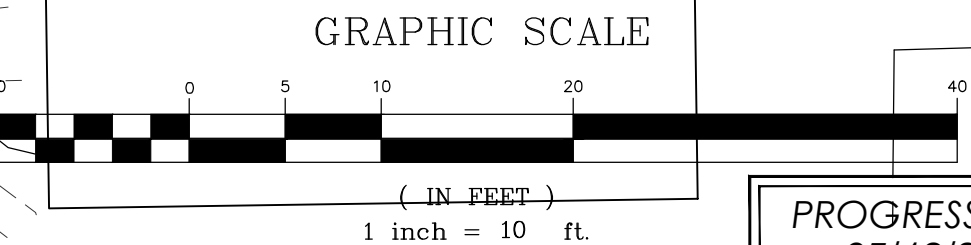
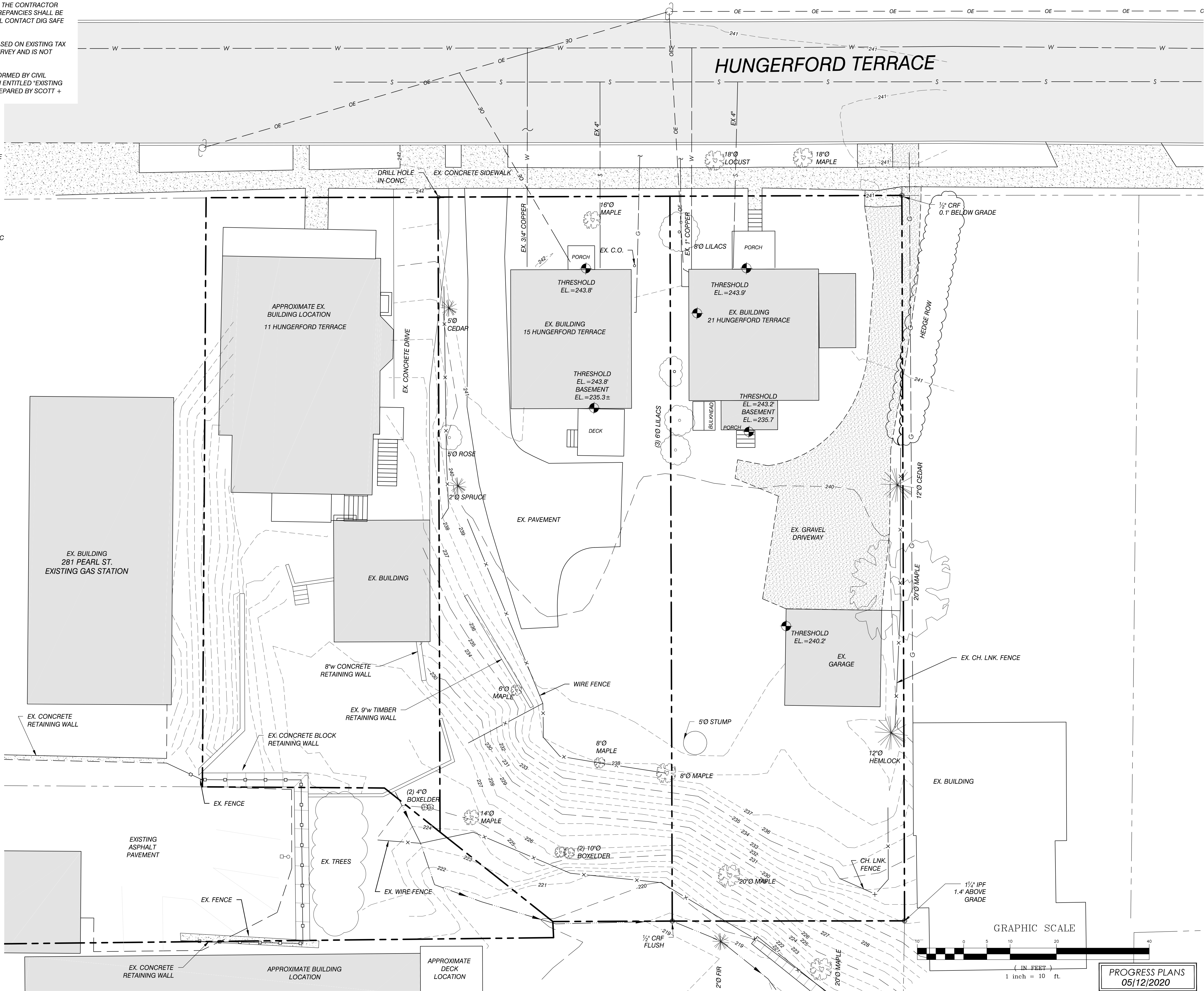
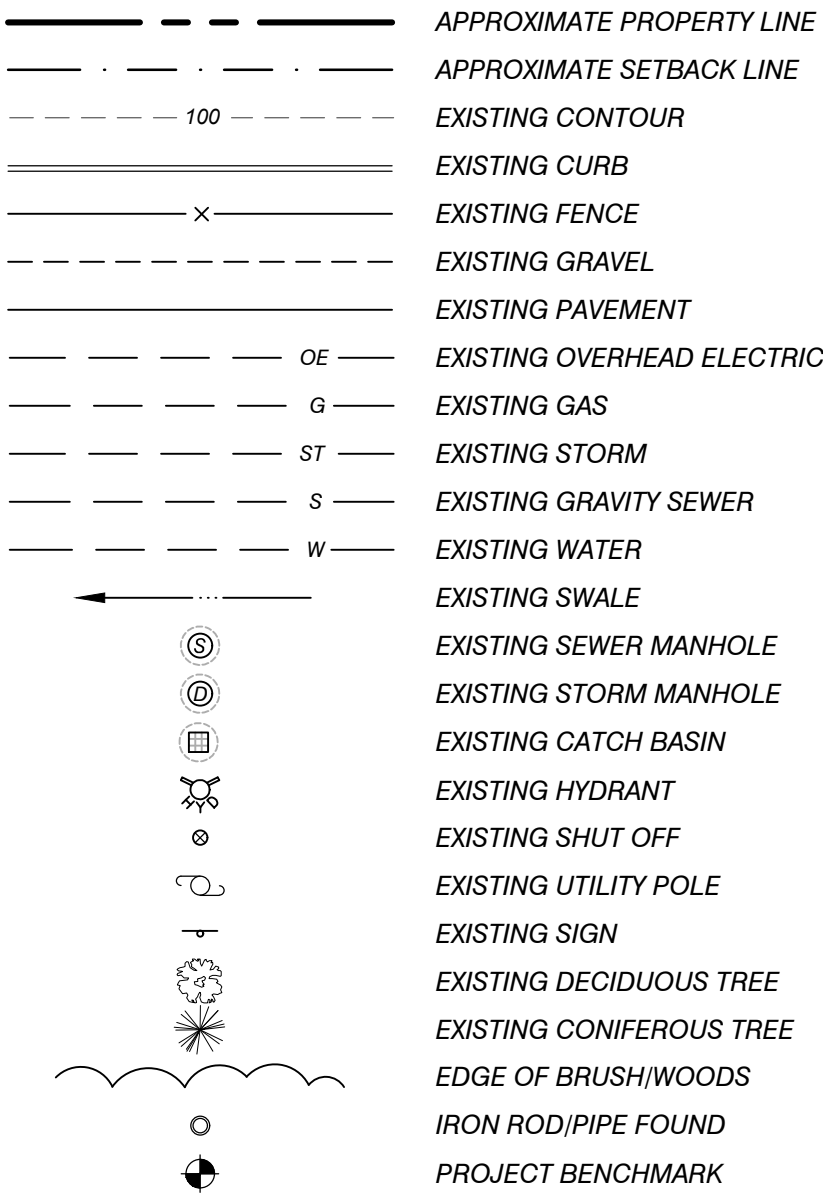
13. For the 11 new units, **17 long term spaces, and 1 short term bike parking spaces** are required.
14. The driveway curb cut must conform with VTrans Standard B-71 drawing.
15. New construction must commence within 6 months of the removal of the accessory garage.
16. All new construction is required 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.
17. An intercom system is recommended to maximize personal safety of the residents in the new 12-unit structure.
18. Any signs will require a separate sign permit.
19. Standard Permit Conditions 1-15.

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

NOTES

1. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY CONFLICTS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER. THE CONTRACTOR SHALL CONTACT DIG SAFE (888-344-7233) PRIOR TO ANY CONSTRUCTION.
2. PROPERTY LINE INFORMATION IS APPROXIMATE AND BASED ON EXISTING TAX MAP INFORMATION. THIS PLAN IS NOT A BOUNDARY SURVEY AND IS NOT INTENDED TO BE USED AS ONE.
3. SITE INFORMATION IS BASED ON A FIELD SURVEY PERFORMED BY CIVIL ENGINEERING ASSOCIATES, INC MARCH 2014 AND PLAN ENTITLED "EXISTING SITE PLAN HUNGERFORD TERRACE" DATED 02/18/20 PREPARED BY SCOTT + PARTNERS ARCHITECTURE.

LEGEND



SITE ENGINEER:



CIVIL ENGINEERING ASSOCIATES, INC.
10 MANSFIELD VIEW LANE, SOUTH BURLINGTON, VT 05403
P: 802-864-2323 FAX: 802-864-2271 web: www.ces-vt.com

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DRAWN

CHECKED

APPROVED

CLIENT:

15 HUNGERFORD
TERRACE, LLC

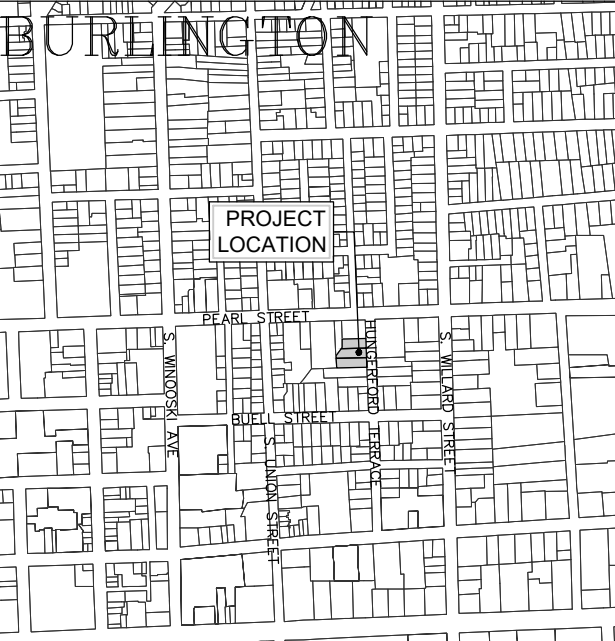
21 HUNGERFORD
TERRACE, LLC

BURLINGTON, VERMONT
05401

PROJECT:

15 & 21
HUNGERFORD
TERRACE

15 HUNGERFORD TERRACE
BURLINGTON, VT



LOCATION MAP

1" = 1000'

DATE CHECKED REVISION

EXISTING
CONDITIONS
PLAN

DATE

SCALE

1" = 10'

PROJ. NO.

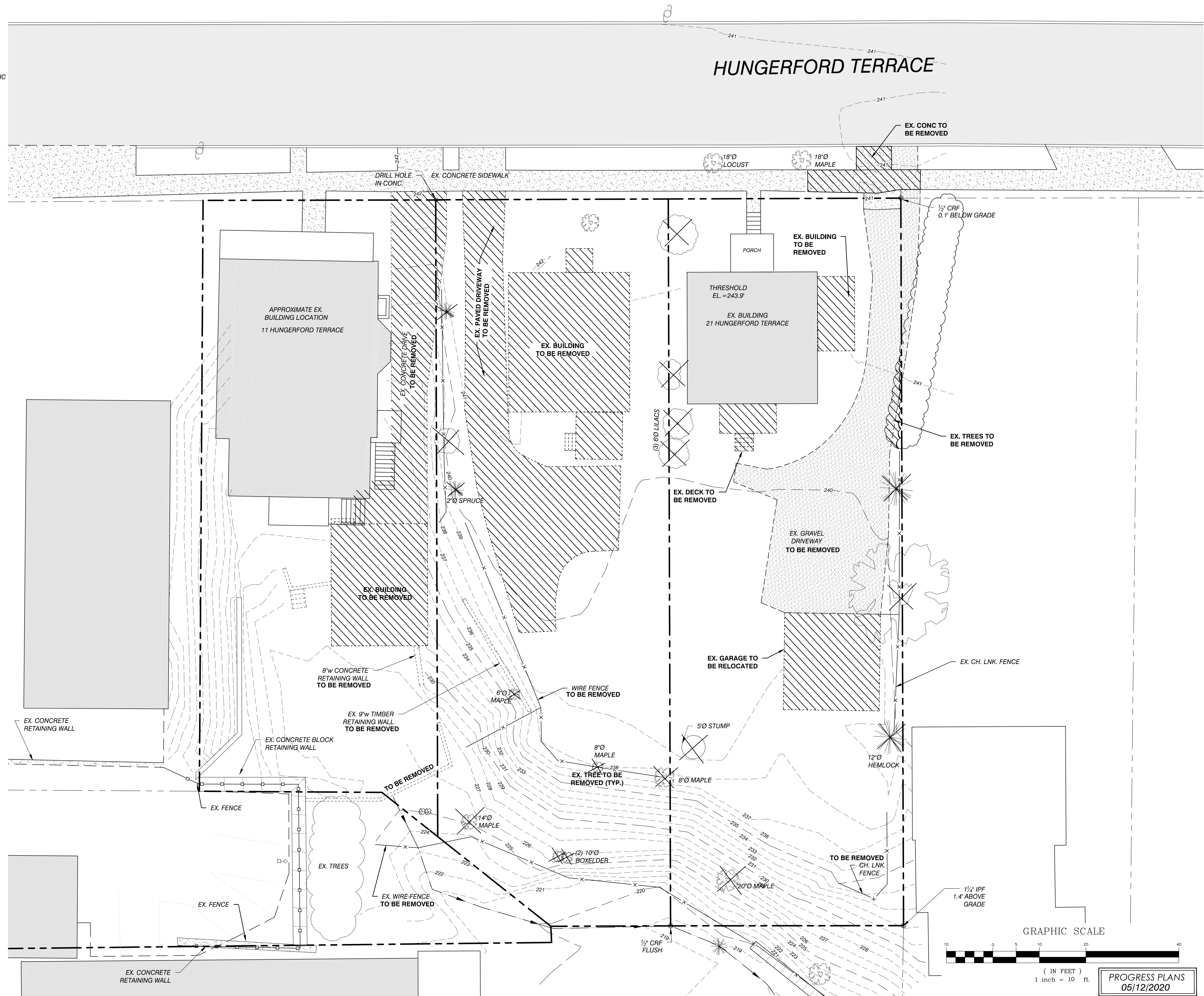
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DRAWING NUMBER

C1.0

PROGRESS PLANS
05/12/2020

	APPROXIMATE PROPERTY LINE
	APPROXIMATE SETBACK LINE
	EXISTING CONTOUR
	EXISTING CURB
	EXISTING FENCE
	EXISTING GRAVEL
	EXISTING PAVEMENT
	EXISTING OVERHEAD ELECTRIC
	EXISTING GAS
	EXISTING STORM
	EXISTING GRAVITY SEWER
	EXISTING WATER
	EXISTING SWALE
	EXISTING SEWER MANHOLE
	EXISTING STORM MANHOLE
	EXISTING CATCH BASIN
	EXISTING HYDRANT
	EXISTING SHUT OFF
	EXISTING UTILITY POLE
	EXISTING SIGN
	EXISTING DECIDUOUS TREE
	EXISTING CONIFEROUS TREE
	EDGE OF BRUSH/WOODS
	IRON ROD/PIPE FOUND
	PROJECT BENCHMARK

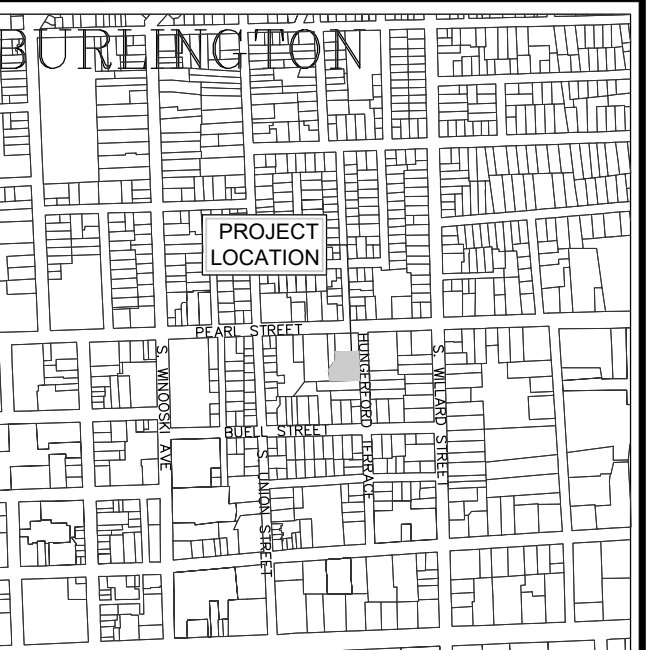


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APPROVED

BURLINGTON, VERMONT
05401

15 HUNGERFORD TERRACE
BURLINGTON, VT

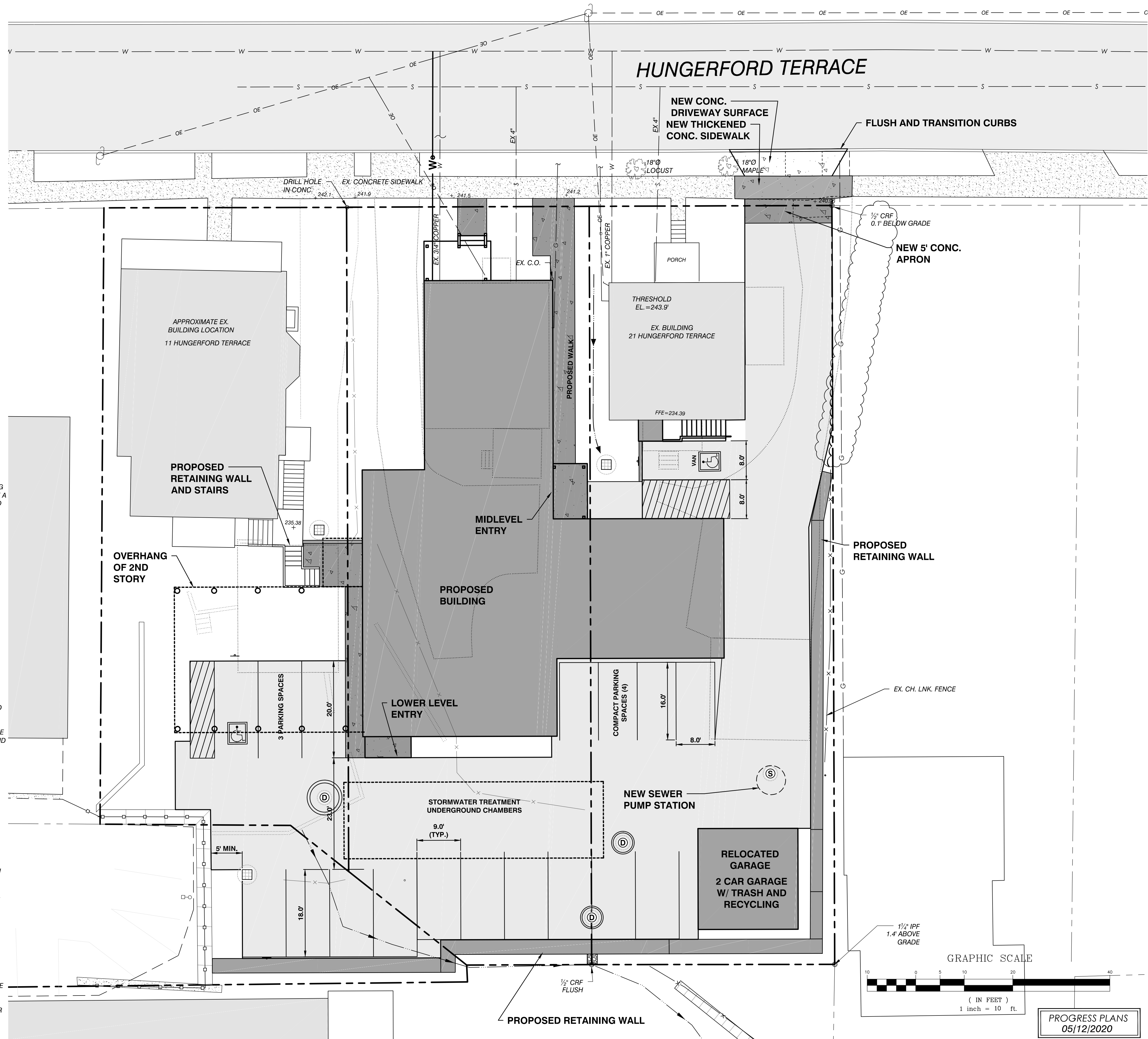
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	APPROXIMATE PROPERTY LINE
	APPROXIMATE SETBACK LINE
	EXISTING CONTOUR
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	EXISTING GRAVEL
	EXISTING PAVEMENT
	EXISTING OVERHEAD ELECTRIC
	EXISTING GAS
	EXISTING STORM
	EXISTING GRAVITY SEWER
	EXISTING WATER
	EXISTING SWALE
	EXISTING SEWER MANHOLE
	EXISTING STORM MANHOLE
	EXISTING CATCH BASIN
	EXISTING HYDRANT
	EXISTING SHUT OFF
	EXISTING UTILITY POLE
	EXISTING SIGN
	EXISTING DECIDUOUS TREE
	EXISTING CONIFEROUS TREE
	EDGE OF BRUSH/WOODS
	IRON ROD/PIPE FOUND
	PROJECT BENCHMARK
	PROPOSED CONTOUR
	PROPOSED PAVEMENT
	PROPOSED ELECTRIC
	PROPOSED GAS
	PROPOSED STORM
	PROPOSED GRAVITY SEWER
	PROPOSED CATCH BASIN
	PROPOSED WATER
	PROPOSED FORCEMAIN
	PROPOSED SEWER MANHOLE
	PROPOSED STORM MANHOLE
	PROPOSED SIGN

1. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY CONFLICTS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER. THE CONTRACTOR SHALL CONTACT DIG SAFE (888-344-7233) PRIOR TO ANY CONSTRUCTION. IN ADDITION, THE CONTRACTOR SHALL HIRE A PRIVATE UTILITY LOCATING FIRM TO LOCATE OWNER OWNED UNDERGROUND UTILITIES PRIOR TO START OF ANY EXCAVATION.
2. ALL EXISTING UTILITIES NOT INCORPORATED INTO THE FINAL DESIGN SHALL BE REMOVED OR ABANDONED AS INDICATED ON THE PLANS OR DIRECTED BY THE ENGINEER.
3. THE CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS (WITH TIES) FOR ALL UNDERGROUND UTILITIES. THOSE PLANS SHALL BE SUBMITTED TO THE OWNER AT THE COMPLETION OF THE PROJECT.
4. THE CONTRACTOR SHALL REPAIR/RESTORE ALL DISTURBED AREAS (ON OR OFF THE SITE) AS A DIRECT OR INDIRECT RESULT OF THE CONSTRUCTION.
5. ALL GRASSED AREAS SHALL BE MAINTAINED UNTIL FULL VEGETATION IS ESTABLISHED.
6. MAINTAIN ALL TREES OUTSIDE OF CONSTRUCTION LIMITS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK NECESSARY FOR COMPLETE AND OPERABLE FACILITIES AND UTILITIES.
8. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS FOR ALL ITEMS AND MATERIALS INCORPORATED INTO THE SITE WORK. WORK SHALL NOT BEGIN ON ANY ITEM UNTIL SHOP DRAWING APPROVAL IS GRANTED.
9. IN ADDITION TO THE REQUIREMENTS SET IN THESE PLANS AND SPECIFICATIONS, THE CONTRACTOR SHALL COMPLETE THE WORK IN ACCORDANCE WITH ALL PERMIT CONDITIONS AND ANY LOCAL PUBLIC WORKS STANDARDS.
10. THE TOLERANCE FOR FINISH GRADES FOR ALL PAVEMENT, WALKWAYS AND LAWN AREAS SHALL BE 0.1 FEET. UNLESS NOTED OTHERWISE, ALL EXISTING MANHOLE COVERS, VALVES, CURB STOPS AND OTHER ITEMS TO REMAIN SHALL BE ADJUSTED TO THE NEW FINISH GRADE.
11. ANY Dewatering NECESSARY FOR THE COMPLETION OF THE SITEWORK SHALL BE CONSIDERED AS PART OF THE CONTRACT AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
12. THE CONTRACTOR SHALL COORDINATE ALL WORK WITHIN TOWN ROAD R.O.W. WITH TOWN AUTHORITIES.
13. THE CONTRACTOR SHALL INSTALL THE ELECTRICAL, CABLE AND TELEPHONE SERVICES IN ACCORDANCE WITH THE UTILITY COMPANIES REQUIREMENTS.
14. EXISTING PAVEMENT AND TREE STUMPS TO BE REMOVED SHALL BE DISPOSED OF AT AN APPROVED OFF-SITE LOCATION. ALL PAVEMENT CUTS SHALL BE MADE WITH A PAVEMENT SAW.
15. IF THERE ARE ANY CONFLICTS OR INCONSISTENCIES WITH THE PLANS OR SPECIFICATIONS, THE CONTRACTOR SHALL CONTACT THE ENGINEER FOR VERIFICATION BEFORE WORK CONTINUES ON THE ITEM IN QUESTION.
16. PROPERTY LINE INFORMATION IS APPROXIMATE AND BASED ON EXISTING TAX MAP INFORMATION. THIS PLAN IS NOT A BOUNDARY SURVEY AND IS NOT INTENDED TO BE USED AS ONE.
17. IF THE BUILDING IS TO BE SPRINKLERED, BACKFLOW PREVENTION SHALL BE PROVIDED IN ACCORDANCE WITH ANWMA M14. THE SITE CONTRACTOR SHALL CONSTRUCT THE WATER LINE TO TWO FEET ABOVE THE FINISHED FLOOR. SEE MECHANICAL PLANS FOR RISER DETAIL.
18. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING TESTING AND INSPECTION SERVICES INDICATED IN THE CONTRACT DOCUMENTS, TYPICAL FOR CONCRETE AND SOIL TESTING.
19. THE CONTRACTOR IS RESPONSIBLE FOR ALL LAYOUT AND FIELD ENGINEERING REQUIRED FOR COMPLETION OF THE PROJECT. CIVIL ENGINEERING ASSOCIATES WILL PROVIDE AN AUTOCAD FILE WHERE APPLICABLE.
20. THE OWNER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ANY AND ALL SAFETY FENCES OR RAILS ABOVE EXISTING AND PROPOSED WALLS. THE OWNER SHALL VERIFY LOCAL, STATE AND INSURANCE REQUIREMENT GUIDELINES FOR THE INSTALLATION AND VERIFY ANY AND ALL PERMITTING REQUIREMENTS.



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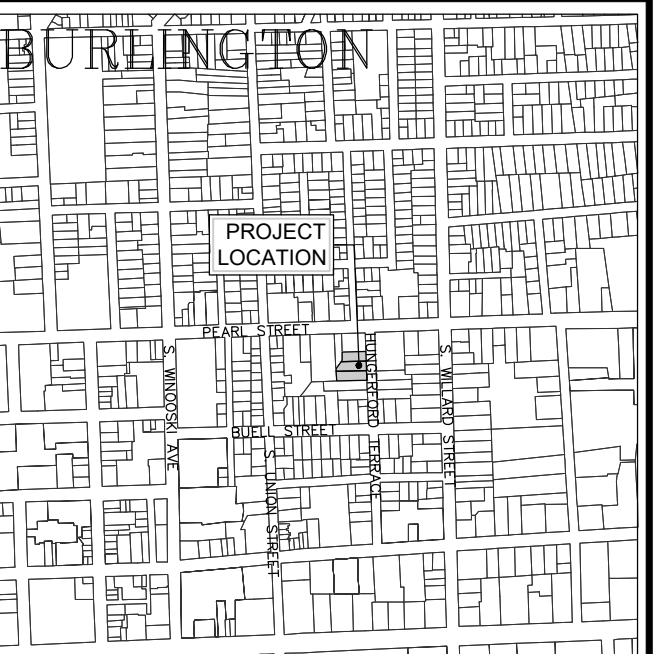
15 HUNGERFORD
TERRACE, LLC

21 HUNGERFORD
TERRACE, LLC

BURLINGTON, VERMONT
05401

15 & 21
HUNGERFORD
TERRACE

15 HUNGERFORD TERRACE
BURLINGTON, VT


$$= 2000^*$$
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**PROPOSED
CONDITIONS
PLAN**

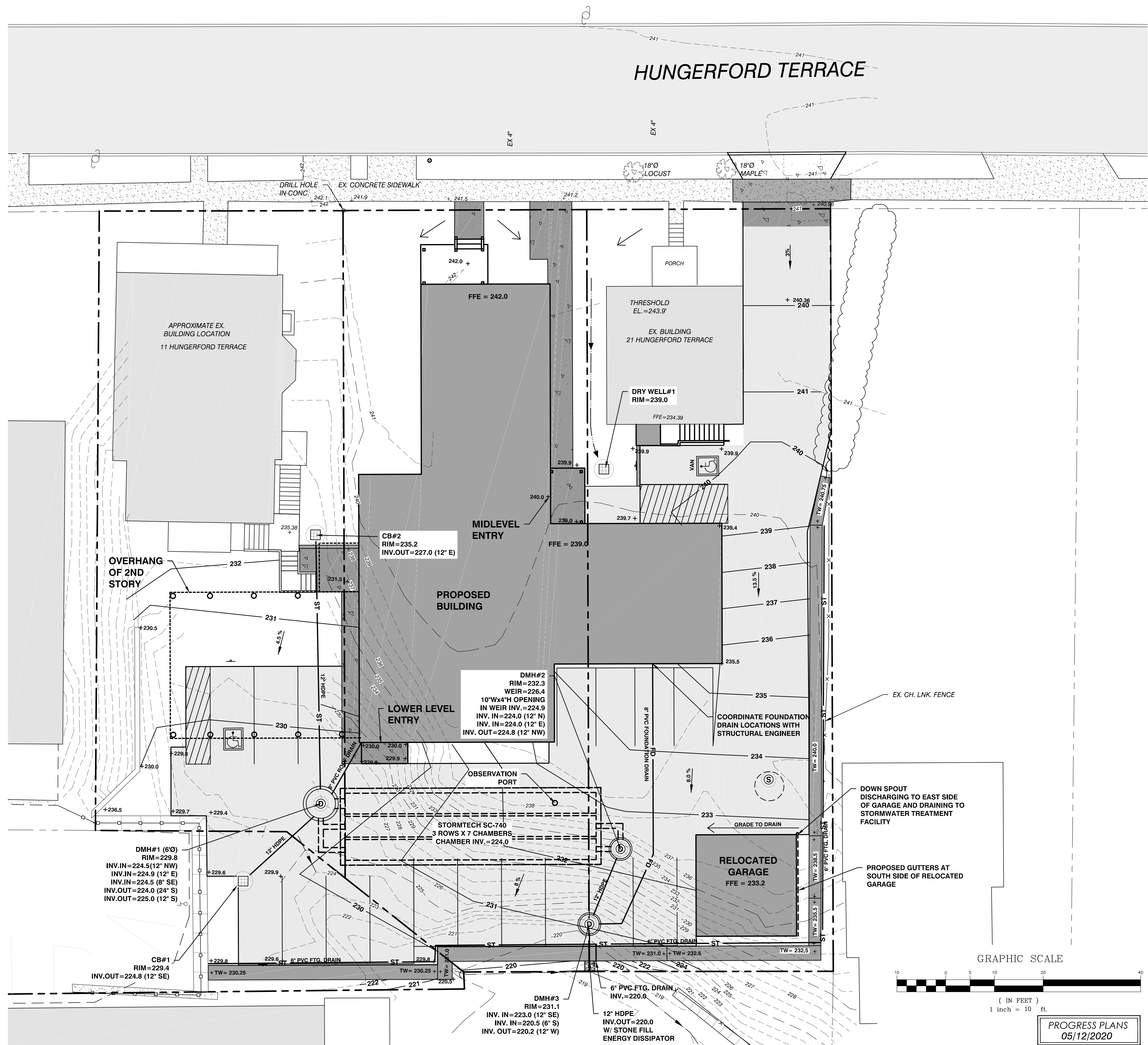
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SCALE
1" = 10'

PROJ. NO.
20123

C2.0

	APPROXIMATE PROPERTY LINE
	APPROXIMATE SETBACK LINE
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	EXISTING CURB
	EXISTING FENCE
	EXISTING GRAVEL
	EXISTING PAVEMENT
	EXISTING OVERHEAD ELECTRIC
	EXISTING GAS
	EXISTING STORM
	EXISTING GRAVITY SEWER
	EXISTING WATER
	EXISTING SWALE
	EXISTING SEWER MANHOLE
	EXISTING STORM MANHOLE
	EXISTING CATCH BASIN
	EXISTING HYDRANT
	EXISTING SHUT OFF
	EXISTING UTILITY POLE
	EXISTING SIGN
	EXISTING DECIDUOUS TREE
	EXISTING CONIFEROUS TREE
	EDGE OF BRUSH/WOODS
	IRON ROD/PIPE FOUND
	PROJECT BENCHMARK
	PROPOSED CONTOUR
	PROPOSED PAVEMENT
	PROPOSED ELECTRIC
	PROPOSED GAS
	PROPOSED STORM
	PROPOSED GRAVITY SEWER
	PROPOSED WATER
	PROPOSED CATCH BASIN
	PROPOSED STORM MANHOLE



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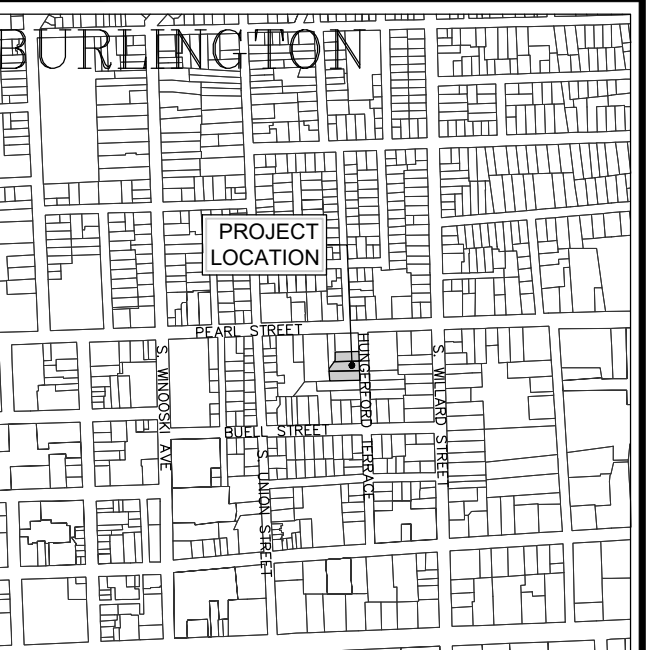
21 HUNGERFORD
TERRACE, LLC

BURLINGTON, VERMONT
05401

PROJECT:

15 & 21
HUNGERFORD
TERRACE

15 HUNGERFORD TERRACE
BURLINGTON, VT

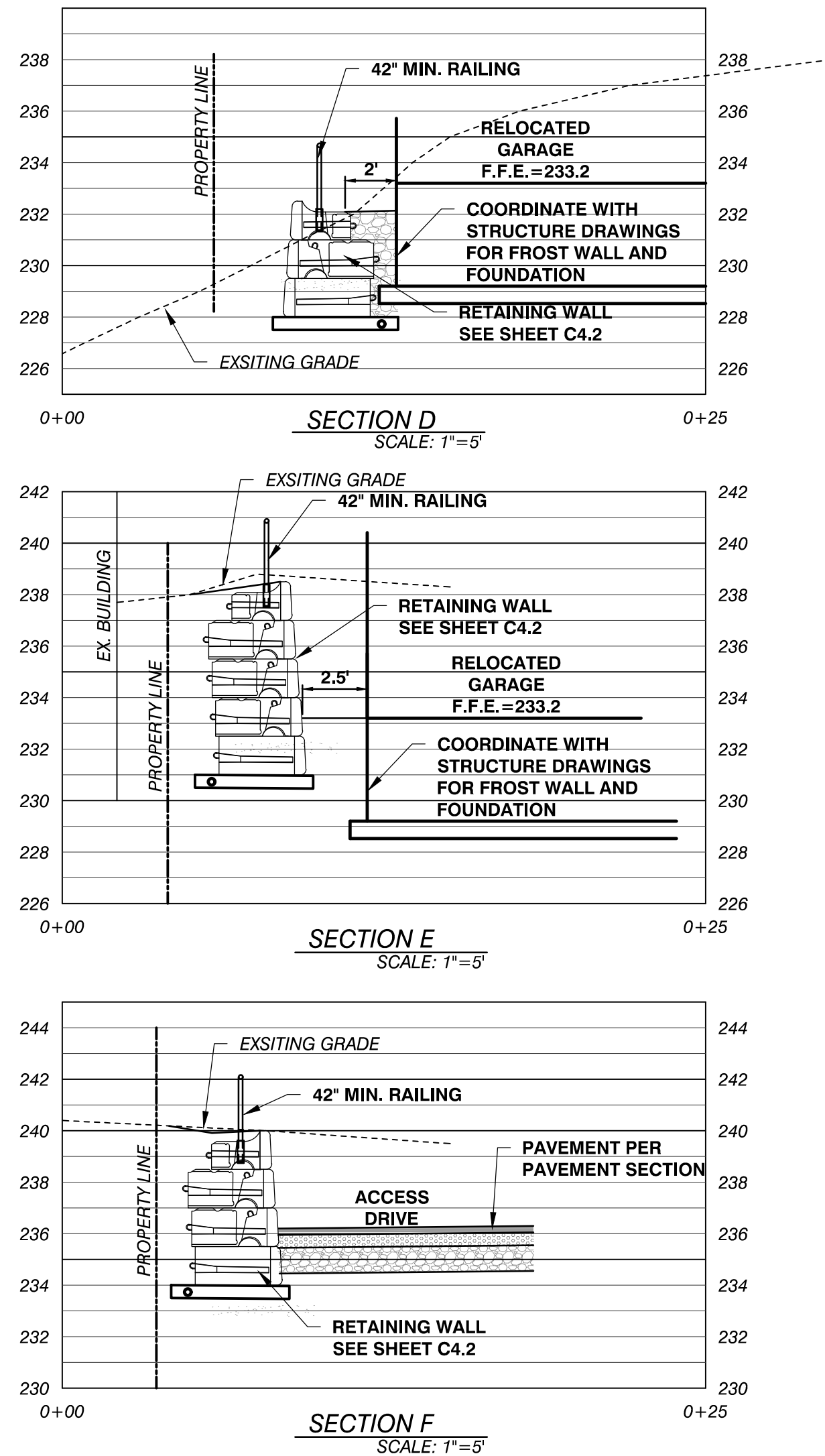
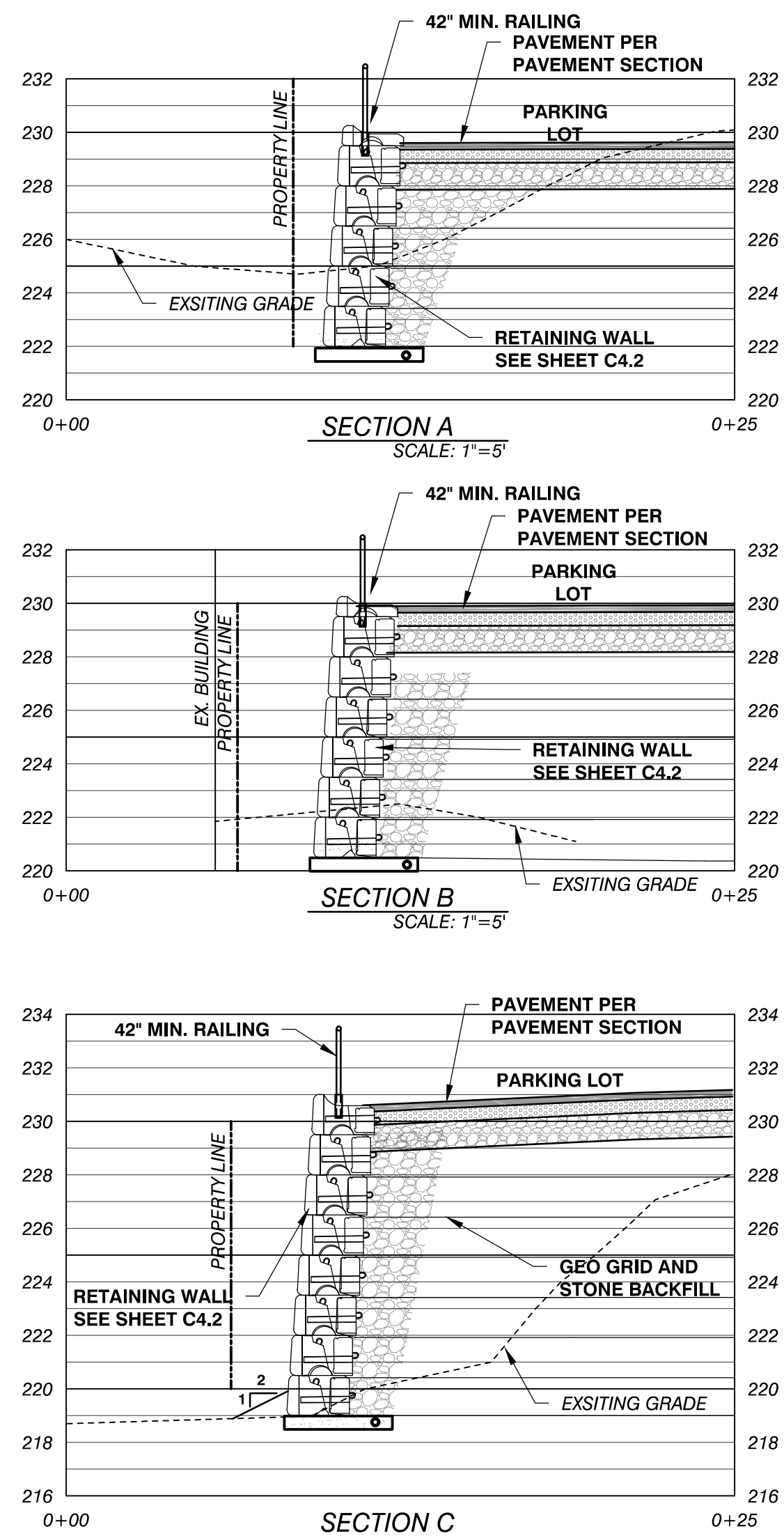


LOCATION MAP

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PROPOSED GRADING AND DRAINAGE PLAN

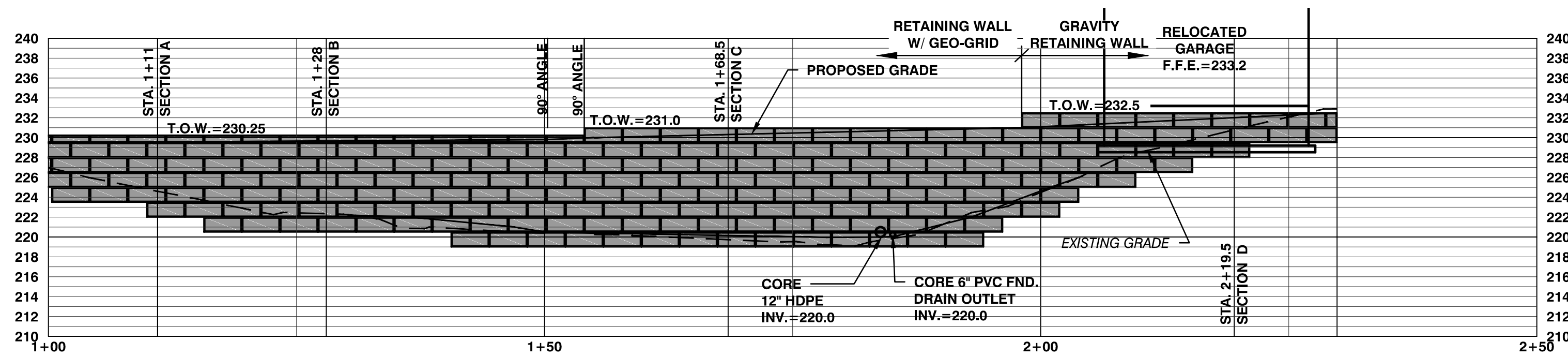
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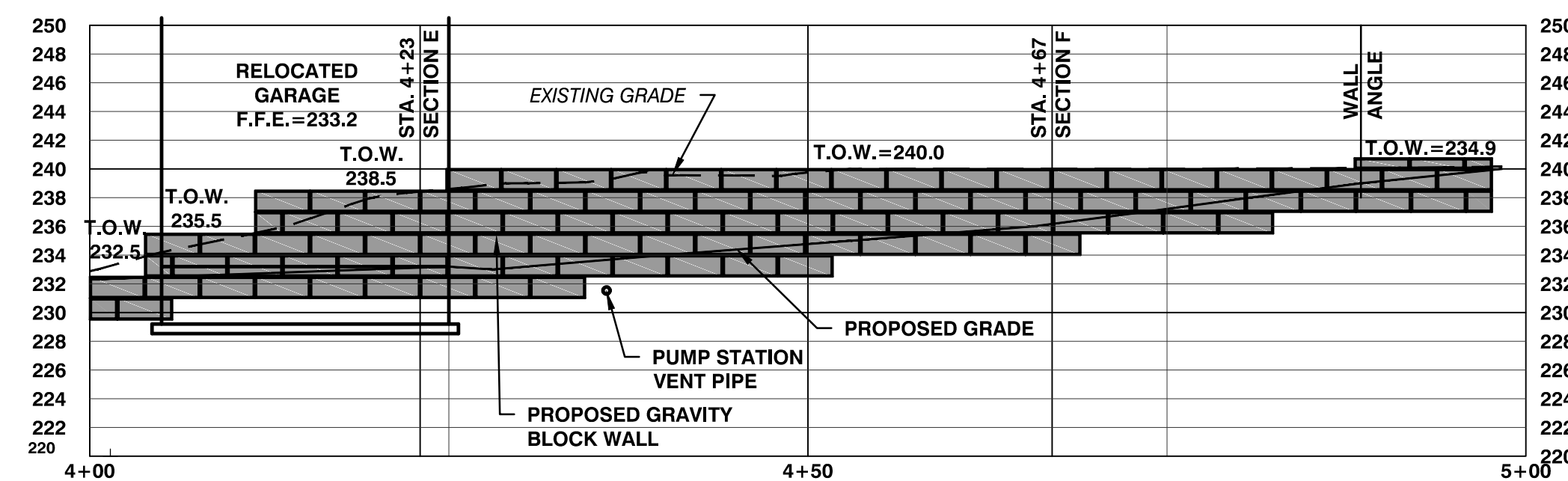
RETAINING WALL SECTIONS
SCALE: 1"=5'



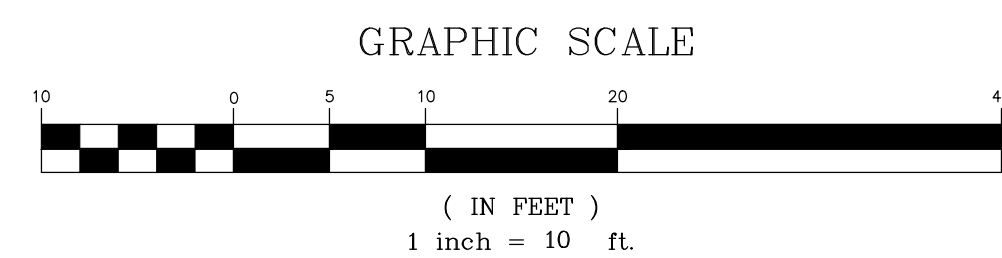
PARTIAL SITE PLAN
SCALE: 1"=10'



NORTH - SOUTH WALL PROFILE
SCALE: 1"=10'



EAST - WEST WALL PROFILE
SCALE: 1"=10'



PROGRESS PLANS
05/12/2020

SITE ENGINEER:



CIVIL ENGINEERING ASSOCIATES, INC.
10 MANSFIELD VIEW LANE, SOUTH BURLINGTON, VT 05403
P: 802-864-2323 FAX: 802-864-2271 web: www.ces-vt.com

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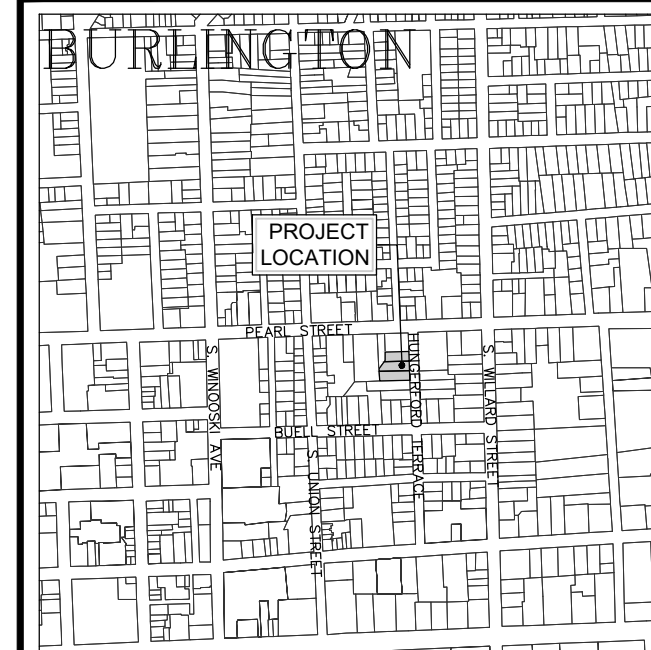
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BURLINGTON, VERMONT
05401

PROJECT:

15 & 21
HUNGERFORD
TERRACE

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BURLINGTON, VT



LOCATION MAP
1" = 2000'

DATE

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REVISION

RETAINING WALL
SECTIONS

DATE

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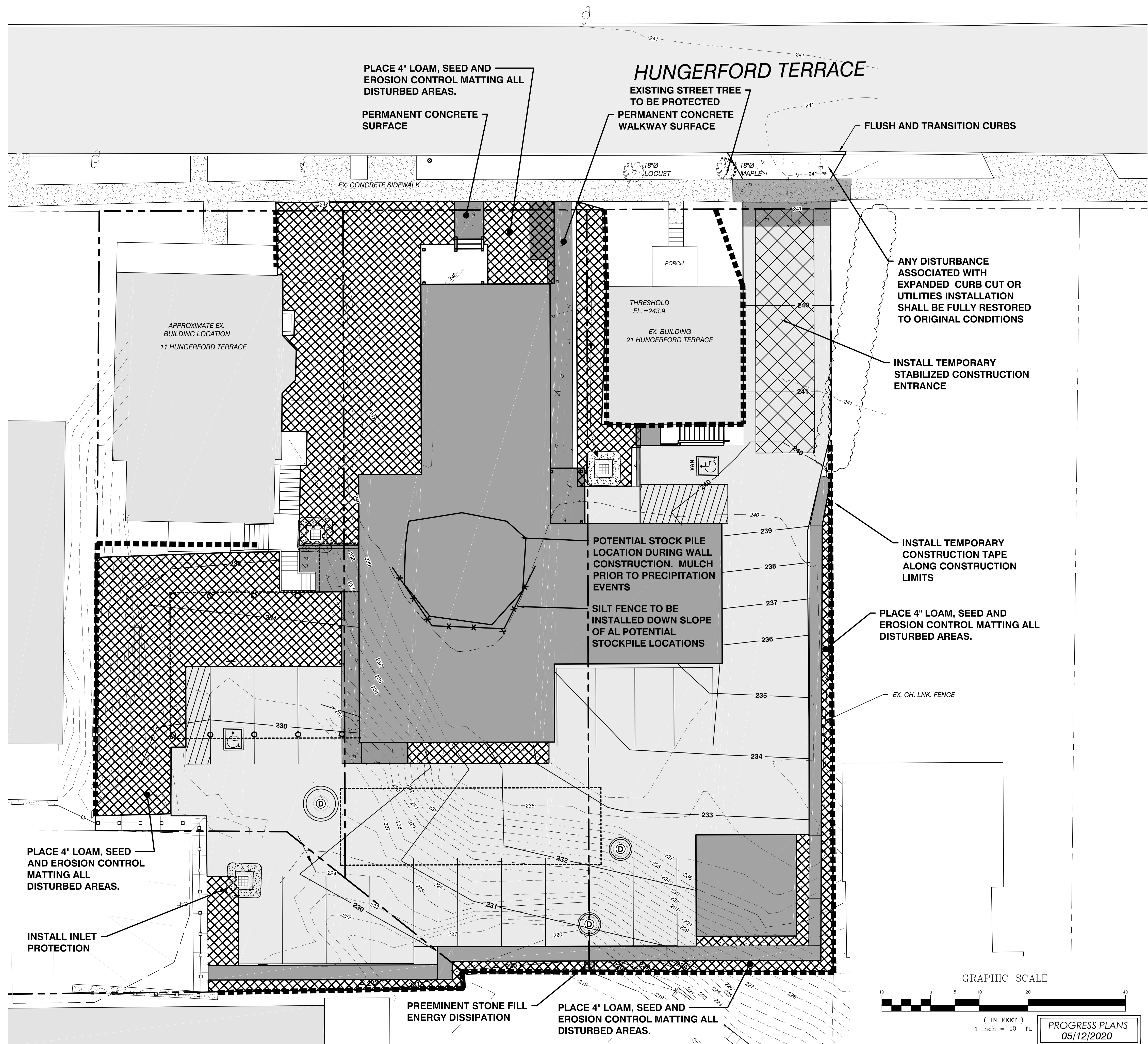
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	APPROXIMATE SETBACK LINE
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	EXISTING PAVEMENT
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	PROPOSED ELECTRIC
	PROPOSED GAS
	PROPOSED STORM
	PROPOSED GRAVITY SEWER
	PROPOSED WATER
	PROPOSED CATCH BASIN
	PROPOSED STORM MANHOLE

1. IF NO PRECIPITATION WITHIN 24 HOURS IS
FORECAST AND WORK
WILL RESUME IN THE SAME DISTURBED
AREA WITHIN 24 HOURS,
DAILY STABILIZATION IS NOT NECESSARY.

1. LOAM, SEED AND MULCH ALL DISTURBED AREAS (TYP.)
2. INSTALL TEMPORARY STABILIZATION OF DISTURBED SOILS THROUGH THE INSTALLATION OF 1" OF HAY MULCH NO MORE THAN 7 DAYS AFTER WORK HAS CEASED IN A PARTICULAR AREA.
3. SLOPES >3:1 SHALL RECEIVE EROSION CONTROL MATTING.
4. MAXIMUM AMOUNT OF DISTURBED SOILS TO BE LIMITED TO NO MORE THAN 2 ACRES.
5. SILT FENCE CONTRIBUTORY AREA TO BE LIMITED TO ¼ ACRE / 100 L.F.

	SILT FENCE
	CONSTRUCTION FLAGGING
	INLET PROTECTION
	EROSION CONTROL MATTING
	STABILIZED CONSTRUCTION ENTRANCE



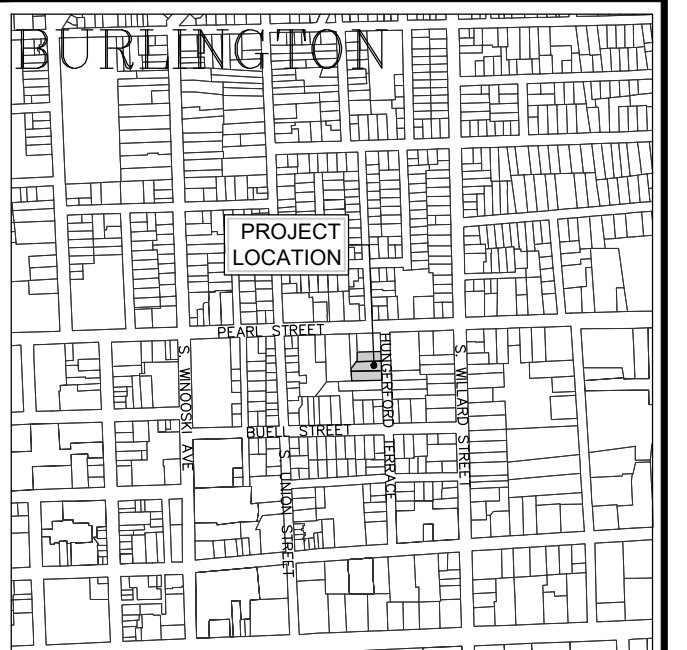
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05401

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TERRACE

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BURLINGTON, VT


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PROJ. NO.

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Introduction

This project is subject to the terms and conditions of the authorization from the State of Vermont to discharge construction related storm water runoff.

Coverage under the State Construction General Permit 3-9020 is required for any construction activity that disturbs 1 or more acres of land, or is part of a larger development plan that will disturb 1 or more acres.

This project has been deemed to qualify as a Low Risk Site which is subject to the erosion prevention and sediment control (EPSC) standards set for in the State of Vermont's **Low Risk Site Handbook for Erosion Prevention and Sediment Control**

The following narrative and implementation requirements represent the minimum standard for which this site is required to be maintained as regulated by the State of Vermont.

Any best management practices (BMP's) depicted on the project's EPSC Site plan which go beyond the Handbook requirements are considered to be integral to the management of the site and represent components of the municipal EPSC approval for the project which shall be implemented.

The EPSC plan depicts one snap shot in time of the site. All construction sites are fluid in their day to day exposures and risks as it relates to minimizing sediment loss from the site. **It is the responsibility of the Contractor to implement the necessary BMP's to comply with the Low Risk Handbook standards outlined on this sheet based on the interim site disturbance conditions which may or may not be shown on the EPSC Site Plan.**

Specific BMP's which are critical to allowing the project to be considered a Low Risk site include the items checked below:

- Limit the amount of disturbed earth to two acres or less at any one time.
- There shall be a maximum of 7 consecutive days of disturbed earth exposure in any location before temporary or final stabilization is implemented.

1. Mark Site Boundaries

Purpose:

Mark the site boundaries to identify the limits of construction. Delineating your site will help to limit the area of disturbance, preserve existing vegetation and limit erosion potential on the site.

How to comply:

Before beginning construction, walk the site boundaries and flag trees, post signs, or install orange safety fence. Fence is required on any boundary within 50 feet of a stream, lake, pond or wetland, unless the area is already developed (existing roads, buildings, etc.)

2. Limit Disturbance Area

Purpose:

Limit the amount of soil exposed at one time to reduce the potential erosion on site.

Requirements:

The permitted disturbance area is specified on the site's written authorization to discharge. Only the acreage listed on the authorization form may be exposed at any given time.

How to comply:

Plan ahead and phase the construction activities to ensure that no more than the permitted acreage is disturbed at one time. Be sure to properly stabilize exposed soil with seed and mulch or erosion control matting before beginning work in a new section of the site.

3. Stabilize Construction Entrance

Purpose:

A stabilized construction entrance helps remove mud from vehicle wheels to prevent tracking onto streets.

Requirements:

If there will be any vehicle traffic off of the construction site, you must install a stabilized construction entrance before construction begins.

How to install

Rock Size: Use a mix of 1 to 4 inch stone
Depth: 8 inches minimum
Width: 12 feet minimum
Length: 40 feet minimum (or length of driveway, if shorter)
Geotextile: Place filter cloth under entire gravel bed

Maintenance:

Redress with clean stone as required to keep sediment from tracking onto the street.

4. Install Silt Fence

Purpose:

Silt fences intercept runoff and allow suspended sediment to settle out.

Requirements:

- Silt fence must be installed:
- on the downhill side of the construction activities
- between any ditch, swale, storm sewer inlet, or waters of the State and the disturbed soil

* Hay bales must not be used as sediment barriers due to their tendency to degrade and fall apart.

Where to place:

- Place silt fence on the downhill edge of bare soil. At the bottom of slopes, place fence 10 feet downhill from the end of the slope (if space is available).
- Ensure the silt fence catches all runoff from bare soil.
- Maximum drainage area is ¼ acre for 100 feet of silt fence.
- Install silt fence across the slope (not up and down hills)
- Install multiple rows of silt fence on long hills to break up flow.
- Do not install silt fence across ditches, channels, or streams or in stream buffers.

How to install silt fence:

- Dig a trench 6 inches deep across the slope
- Unroll silt fence along the trench
- Ensure stakes are on the downhill side of the fence
- Join fencing by rolling the end stakes together
- Drive stakes in against downhill side of trench
- Drive stakes until 16 inches of fabric is in trench
- Push fabric into trench; spread along bottom
- Fill trench with soil and pack down

Maintenance:

- Remove accumulated sediment before it is halfway up the fence.
- Ensure that silt fence is trenched in ground and there are no gaps.

5. Divert Upland Runoff

Purpose:

Diversion berms intercept runoff from above the construction site and direct it around the disturbed area. This prevents clean water from becoming muddied with soil from the construction site.

Requirements:

If storm water runs onto your site from upslope areas and your site meets the following two conditions, you must install a diversion berm before disturbing any soil.

- You plan to have one or more acres of soil exposed at any one time (excluding roads).
- Average slope of the disturbed area is 20% or steeper.

How to install:

- Compact the berm with a shovel or earth-moving equipment.
- Seed and mulch berm or cover with erosion control matting immediately after installation.
- Stabilize the flow channel with seed and straw mulch or erosion control matting. Line the channel with 4 inch stone if the channel slope is greater than 20%.
- Ensure the berm drains to an outlet stabilized with riprap. Ensure that there is no erosion at the outlet.
- The diversion berm shall remain in place until the disturbed areas are completely stabilized.

6. Slow Down Channelized Runoff

Purpose:

Stone check dams reduce erosion in drainage channels by slowing down the storm water flow.

Requirements:

If there is a concentrated flow (e.g. in a ditch or channel) of storm water on your site, then you must install stone check dams. Hay bales must not be used as check dams.

How to install:

Height: No greater than 2 feet. Center of dam should be 9 inches lower than the side elevation

Side slopes: 2:1 or flatter

Stone size: Use a mixture of 2 to 9 inch stone

Width: Dams should span the width of the channel and extend up the sides of the banks

Spacing: Space the dams so that the bottom (toe) of the upstream dam is at the elevation of the top (crest) of the downstream dam. This spacing is equal to the height of the check dam divided by the channel slope.
Spacing (in feet) = Height of check dam (in feet)/Slope in channel (ft/ft)

Maintenance:

Remove sediment accumulated behind the dam as needed to allow channel to drain through the stone check dam and prevent large flows from carrying sediment over the dam. If significant erosion occurs between check dams, a liner of stone should be installed.

7. Construct Permanent Controls

Purpose:

Permanent storm water treatment practices are constructed to maintain water quality, ensure groundwater flows, and prevent downstream flooding. Practices include detention ponds and wetlands, infiltration basins, and storm water filters.

Requirements:

If the total impervious* area on your site, or within the common plan of development, will be 1 or more acres, you must apply for a State Storm water Discharge Permit and construct permanent storm water treatment practices on your site. These practices must be installed before the construction of any impervious surfaces.

How to comply:

Contact the Vermont Storm water Program and follow the requirements in the Vermont Storm water Management Manual. The Storm water Management Manual is available at: www.vtwaterquality.org/stormwater.htm

*An impervious surface is a manmade surface, including, but not limited to, paved and unpaved roads, parking areas, roofs, driveways, and walkways, from which precipitation runs off rather than infiltrates.

8. Stabilize Exposed Soil

Purpose:

Seeding and mulching, applying erosion control matting, and hydroseeding are all methods to stabilize exposed soil. Mulches and matting protect the soil surface while grass is establishing.

Requirements:

All areas of disturbance must have temporary or permanent stabilization within 7, 14, or 21 days of initial disturbance, as stated in the project authorization. After this time, any disturbance in the area must be stabilized at the end of each work day.

The following exceptions apply:

- Stabilization is not required if earthwork is to continue in the area within the next 24 hours and there is no precipitation forecast for the next 24 hours.
- Stabilization is not required if the work is occurring in a self-contained excavation (i.e. no outlet) with a depth of 2 feet or greater (e.g. house foundation excavation, utility trenches).

All areas of disturbance must have permanent stabilization within 48 hours of reaching final grade.

How to comply:

Prepare bare soil for seeding by grading the top 3 to 6 inches of soil and removing any large rocks or debris.

Seeding Rates for Temporary Stabilization

April 15 - Sept. 15 --- Ryegrass (annual or perennial: 20 lbs/acre)
Sept. 15 - April 15 --- Winter rye: 120 lbs/acre

Seeding Rates for Final Stabilization:

Seeding Rates for Final Stabilization:			
Choose from:	Variety:	lbs./acre	lbs./1000 sq. ft.
Birdsfoot trefoil	Empire-Pardee	51	0.1
or			
Common white clover	Common	8	0.2
plus			
Tall Fescue	KY-31/Rebel	10	0.25
plus			
Redtop	Common	2	
or			
Ryegrass (perennial)	Pennfine/Lam	5	0.1

1- Mix 2.5 each of Empire and Pardee OR 2.5 lbs. of Birdsfoot and 2.5 lbs. white clover per acre

Mulching Rates

April 15 - Sept.15 -- Hay or Straw: 1 inch deep (1-2 bales/1000 s.f.)
Sept.15 - April 15 -- Hay or Straw: 2 in. deep (2-4 bales/1000 s.f.)

Erosion Control Matting

As per manufacturer's instructions

Hydroseed

As per manufacturer's instructions

9. Winter Stabilization

Purpose:

Managing construction sites to minimize erosion and prevent sediment loading of waters is a year-round challenge. In Vermont, this challenge becomes even greater during the late fall, winter, and early spring months. 'Winter construction' as discussed here, describes the period between October 15 and April 15, when erosion prevention and sediment control is significantly more difficult. Rains in late fall, thaws throughout the winter, and spring melt and rains can produce significant flows over frozen and saturated ground, greatly increasing the potential for erosion.

Requirements for Winter Shutdown:

For those projects that will complete earth disturbance activities prior to the winter period (October 15), the following requirements must be adhered to:

- For areas to be stabilized by vegetation, seeding shall be completed no later than September 15 to ensure adequate growth and cover.
- If seeding is not completed by September 15, additional non-vegetative protection must be used to stabilize the site for the winter period. This includes use of Erosion Control Matting or netting of a heavy mulch layer. Seeding with winter rye is recommended to allow for early germination during wet spring conditions.
- Where mulch is specified, apply roughly 2 inches with an 80-90% cover. Mulch should be tracked in or stabilized with netting in open areas vulnerable to wind.

Requirements for Winter Construction

If construction activities involving earth disturbance continue past October 15 or begin before April 15, the following requirements must be adhered to:

- Enlarged access points, stabilized to provide for snow stockpiling.
- Limits of disturbance moved or replaced to reflect boundary of winter work.
- A snow management plan prepared with adequate storage and control of meltwater, requiring cleared snow to be stored down slope of all areas of disturbance and out of storm water treatment structures.
- A minimum 25 foot buffer shall be maintained from perimeter controls such as silt fence.
- In areas of disturbance that drain to a water body within 100 feet, two rows of silt fence must be installed along the contour.
- Drainage structures must be kept open and free of snow and ice dams.
- Silt fence and other practices requiring earth disturbance must be installed ahead of frozen ground.
- Mulch used for temporary stabilization must be applied at double the standard rate, or a minimum of 3 inches with an 80-90% cover.
- To ensure cover of disturbed soil in advance of a melt event, areas of disturbed soil must be stabilized at the end of each work day, with the following exceptions:
 - If no precipitation within 24 hours is forecast and work will resume in the same disturbed area within 24 hours, daily stabilization is not necessary.
 - Disturbed areas that collect and retain runoff, such as house foundations or open utility trenches.
- Prior to stabilization, snow or ice must be removed to less than 1 inch thickness.
- Use stone to stabilize areas such as the perimeter of buildings under construction or where construction vehicle traffic is anticipated. Stone paths should be 10 to 20 feet wide to accommodate vehicular traffic.

10. Stabilize Soil at Final Grade

Purpose:

Stabilizing the site with seed and mulch or erosion control matting when it reaches final grade is the best way to prevent erosion while construction continues.

Requirements:

Within 48 hours of final grading, the exposed soil must be seeded and mulched or covered with erosion control matting.

How to comply:

Bring the site or sections of the site to final grade as soon as possible after construction is completed. This will reduce the need for additional sediment and erosion control measures and will reduce the total disturbed area.

For seeding and mulching rates, follow the specifications under Rule 8, Stabilizing Exposed Soil.

11. Dewatering Activities

Purpose:

Treat water pumped from dewatering activities so that it is clear when leaving the construction site.

Requirements:

Water from dewatering activities that flows off of the construction site must be clear. Water must not be pumped into storm sewers, lakes, or wetlands unless the water is clear.

How to comply:

Using sock filters or sediment filter bags on dewatering discharge hoses or pipes, discharge water into silt fence enclosures installed in vegetated areas away from waterways. Remove accumulated sediment after the water has dispersed and stabilize the area with seed and mulch.

12. Inspect Your Site

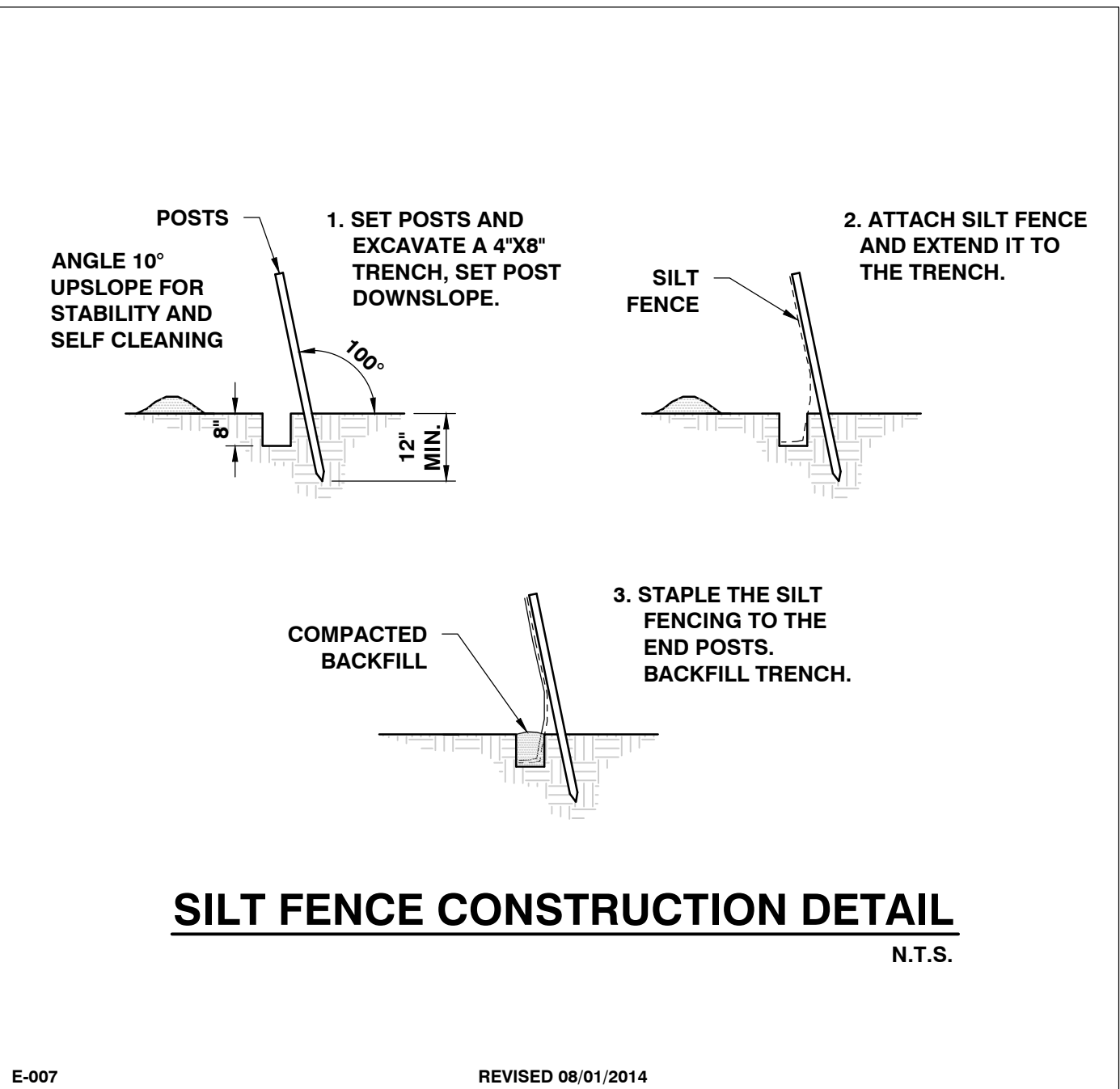
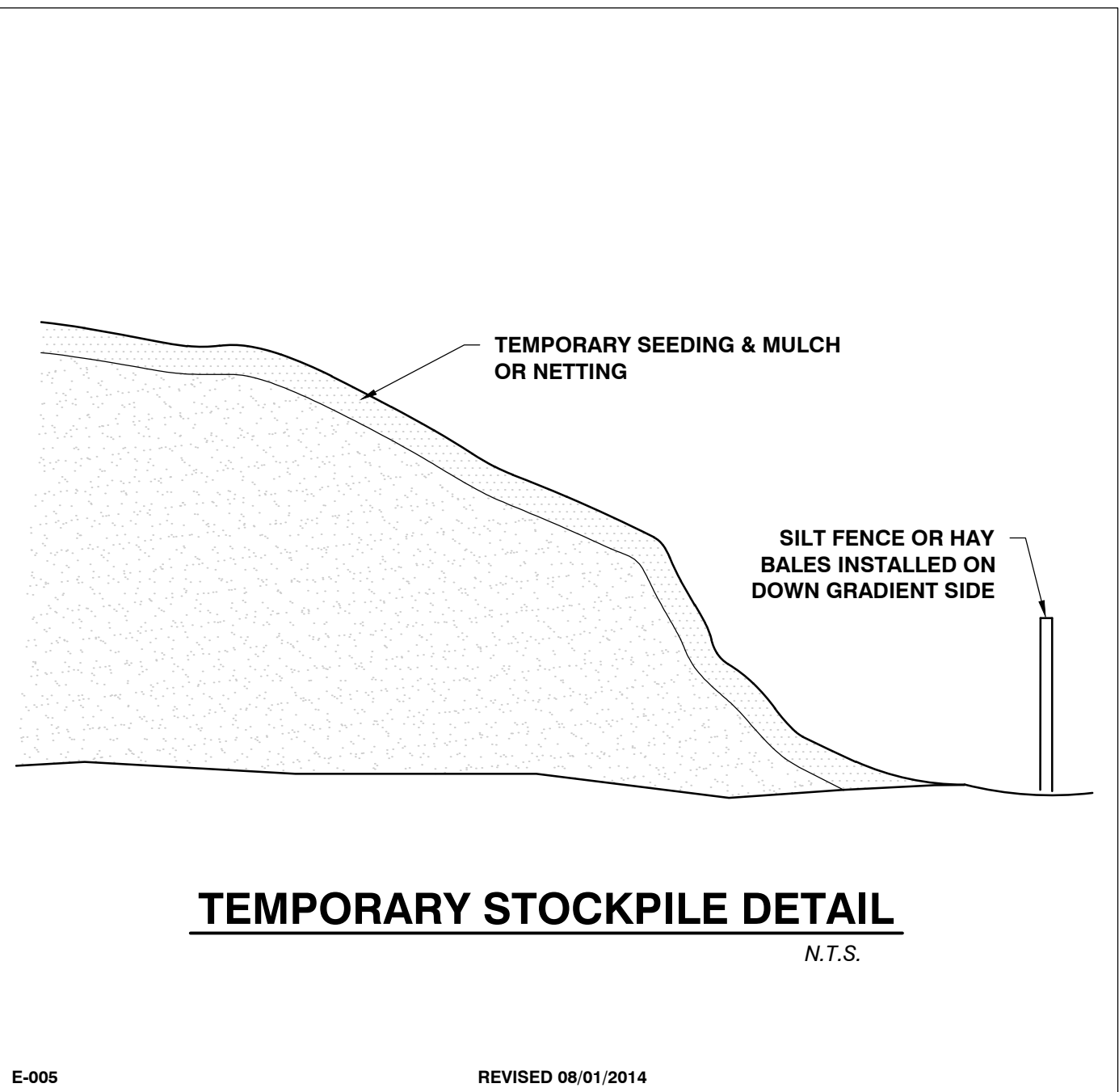
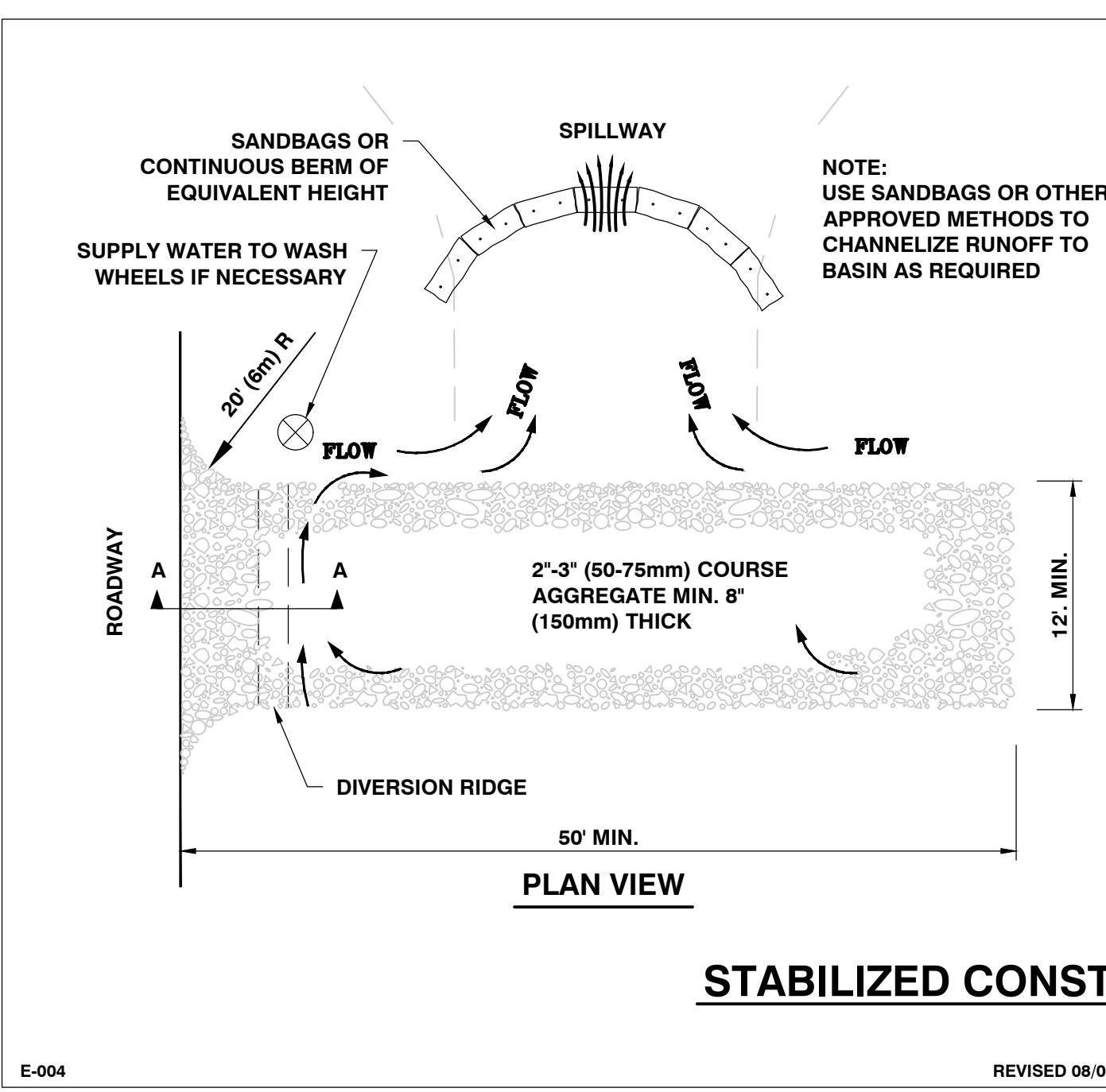
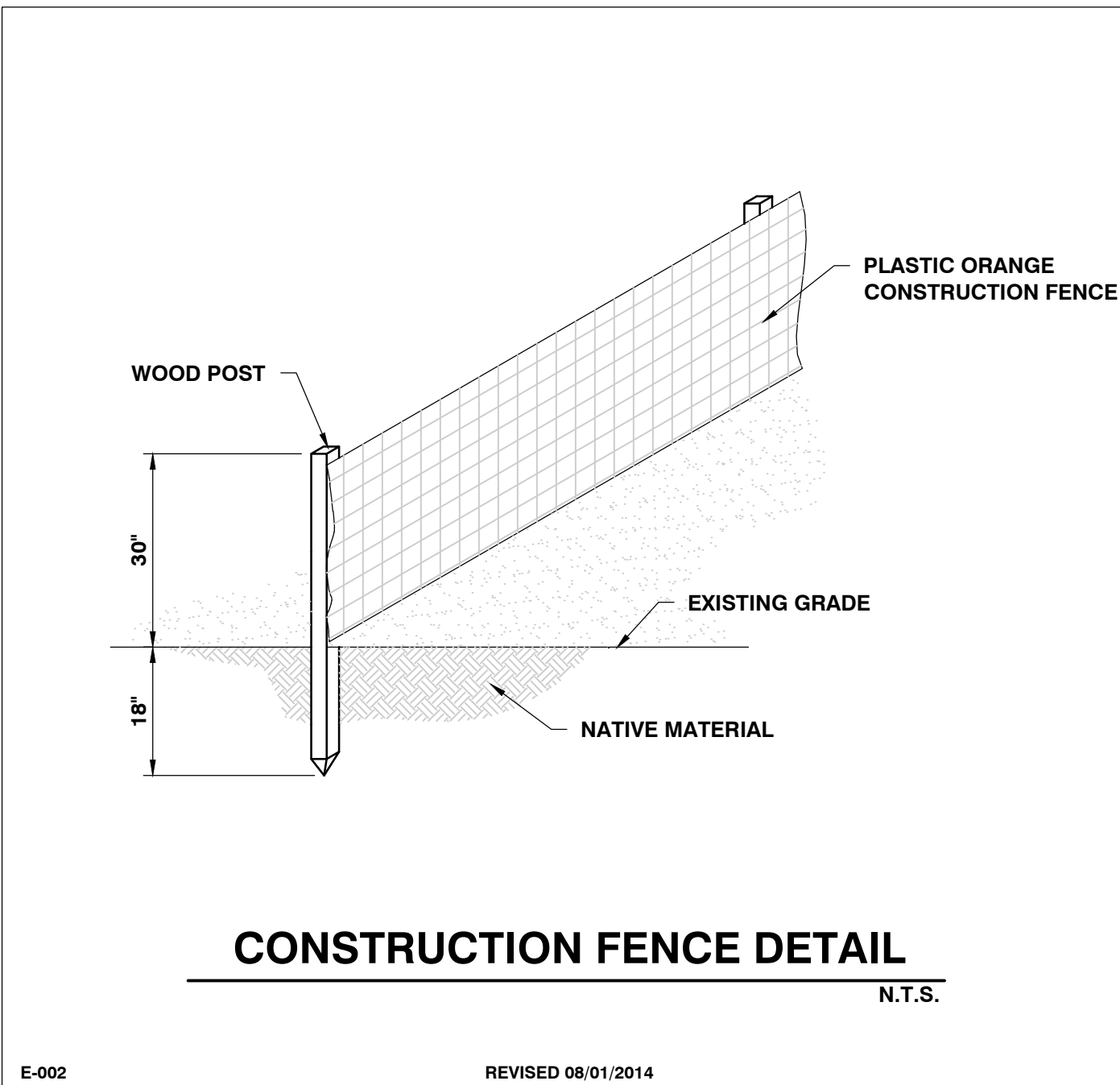
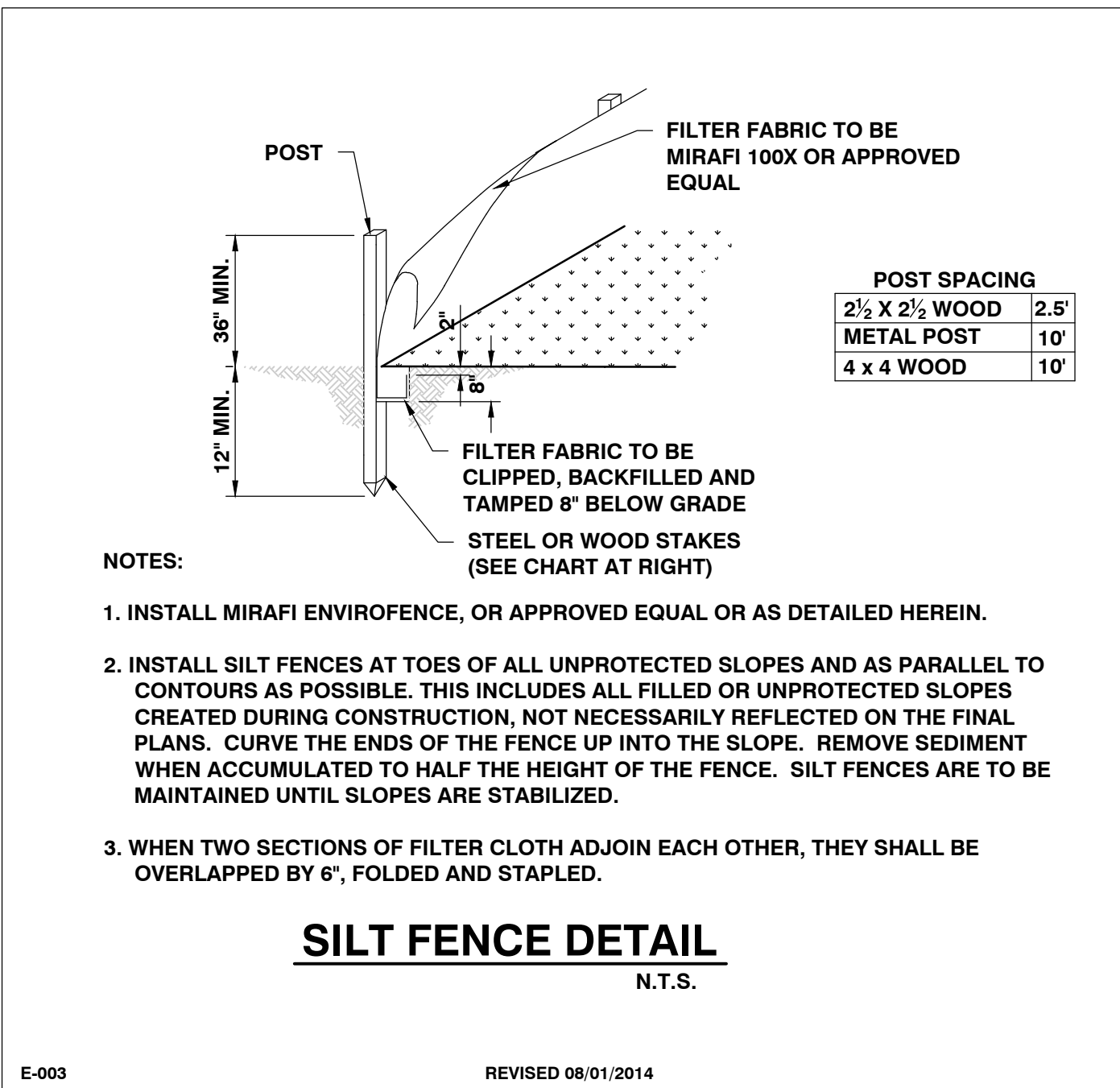
Purpose:

Perform site inspections to ensure that all sediment and erosion control practices are functioning properly. Regular inspections and maintenance of practices will help to reduce costs and protect water quality.

Requirements:

Inspect the site at least once every 7 days and after every rainfall or snow melt that results in a discharge from the site. Perform maintenance to ensure that practices are functioning according to the specifications outlined in this handbook.

In the event of a noticeable sediment discharge from the construction site, you must take immediate action to inspect and maintain existing erosion prevention and sediment control practices. Any visibly discolored storm water runoff to waters of the State must be reported. Forms for reporting discharges are available at: dec.vermont.gov/watershed/stormwater/permit-information-applications-fees



SITE ENGINEER:



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10 MANSFIELD VIEW LANE, SOUTH BURLINGTON, VT 05403
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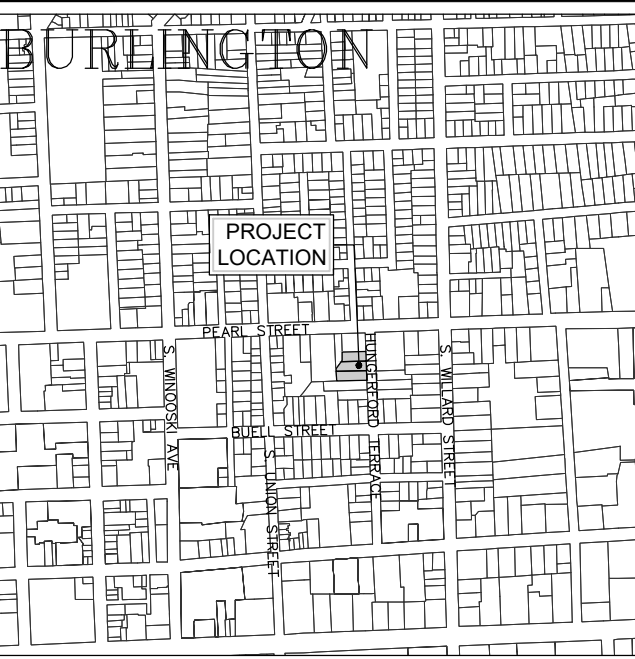
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TERRACE, LLC

BURLINGTON, VERMONT
05401

PROJECT:

15 & 21
HUNGERFORD
TERRACE

15 HUNGERFORD TERRACE
BURLINGTON, VT



LOCATION MAP

1" = 2000'

DATE

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REVISION

ESPC
SPECIFICATIONS
AND DETAILS

DATE

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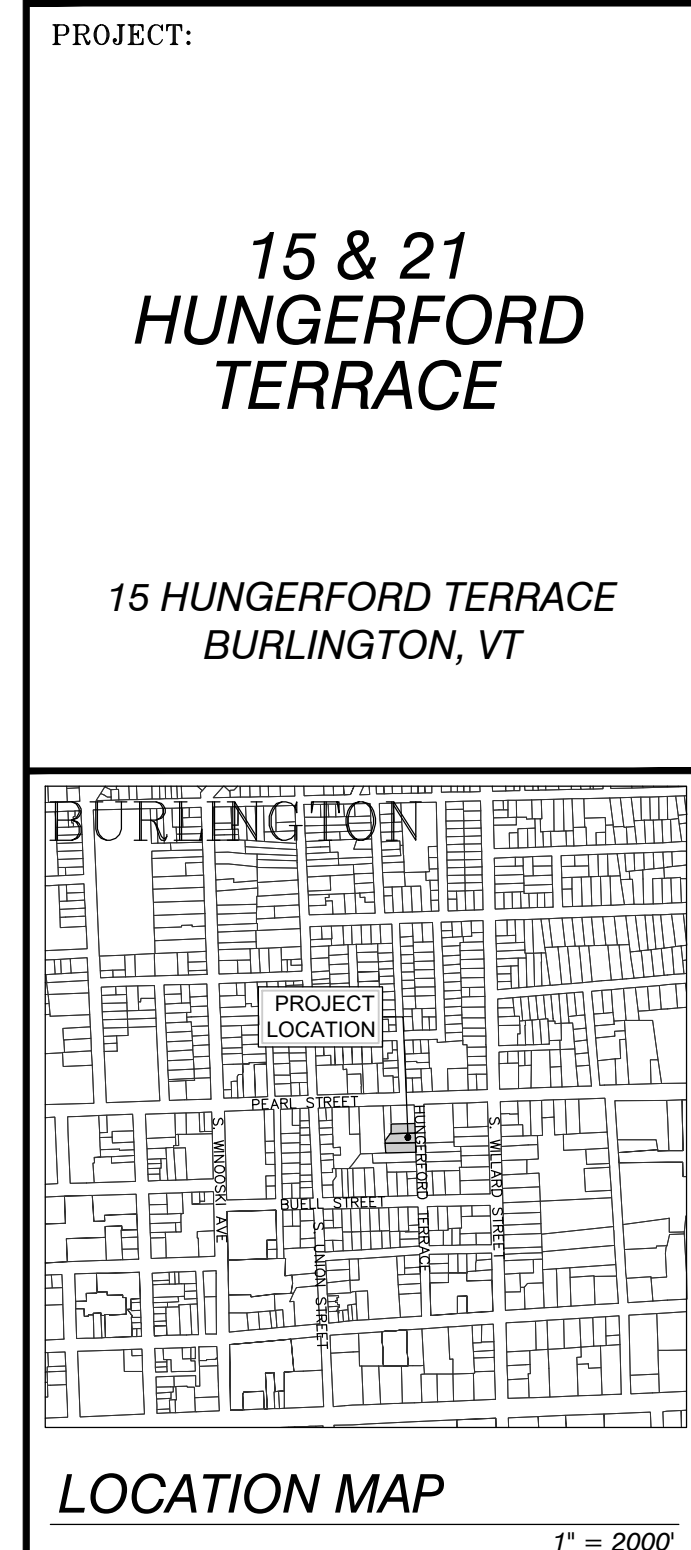
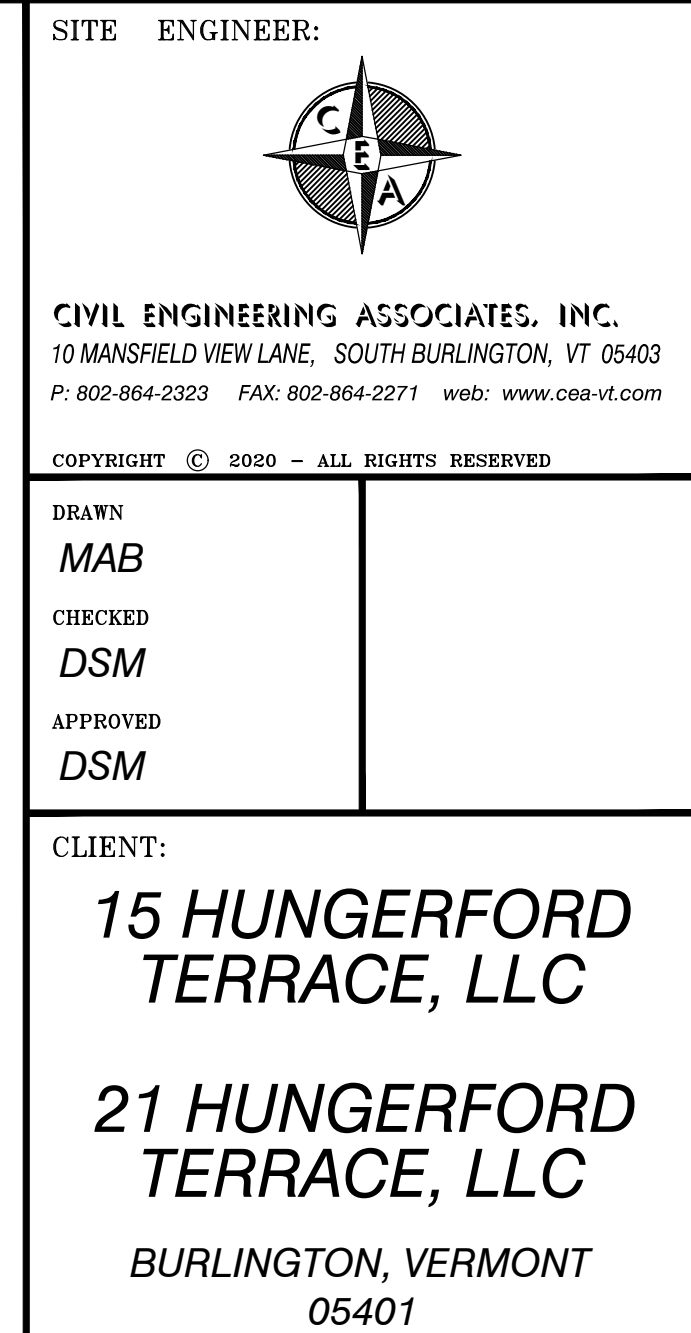
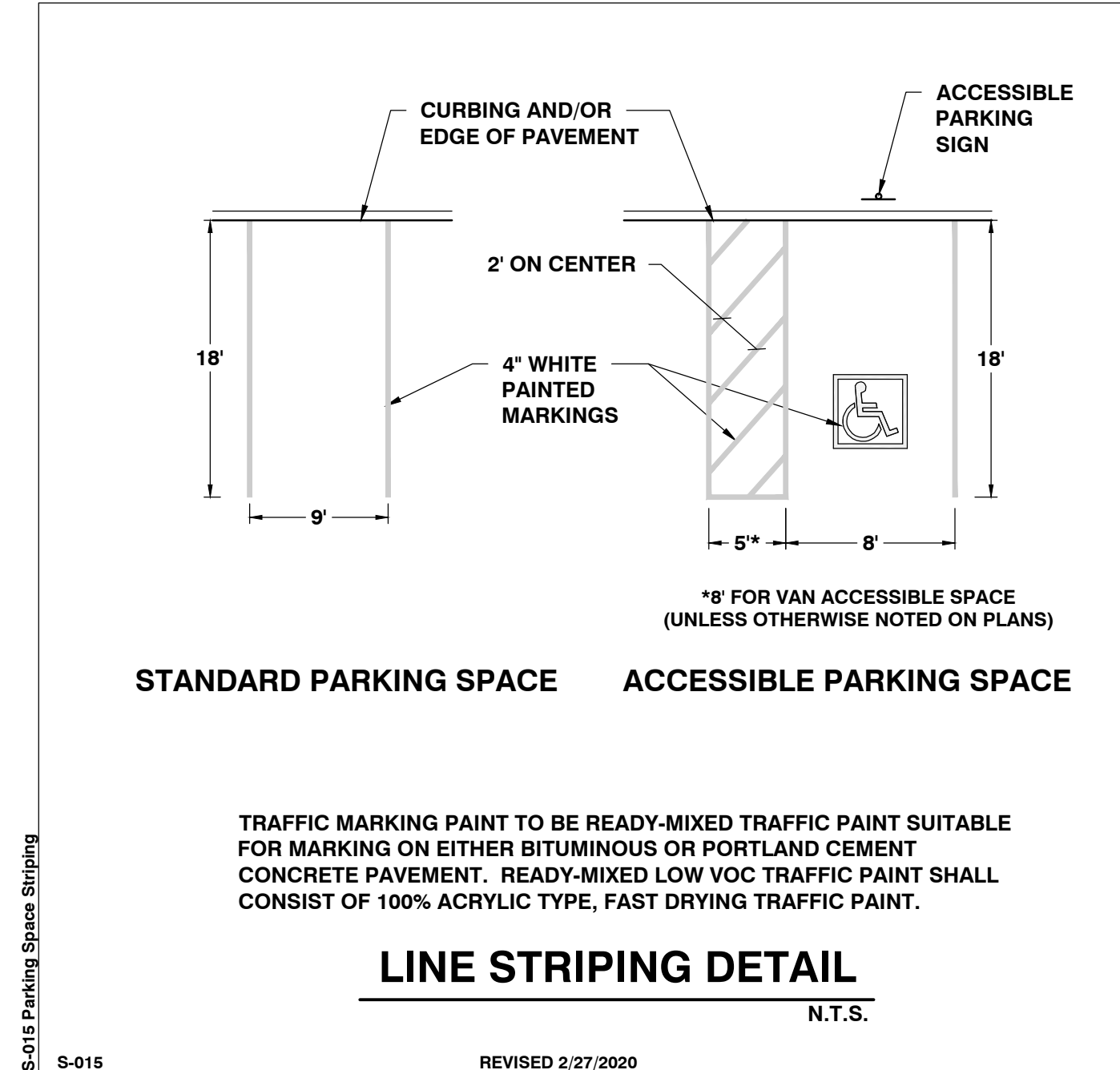
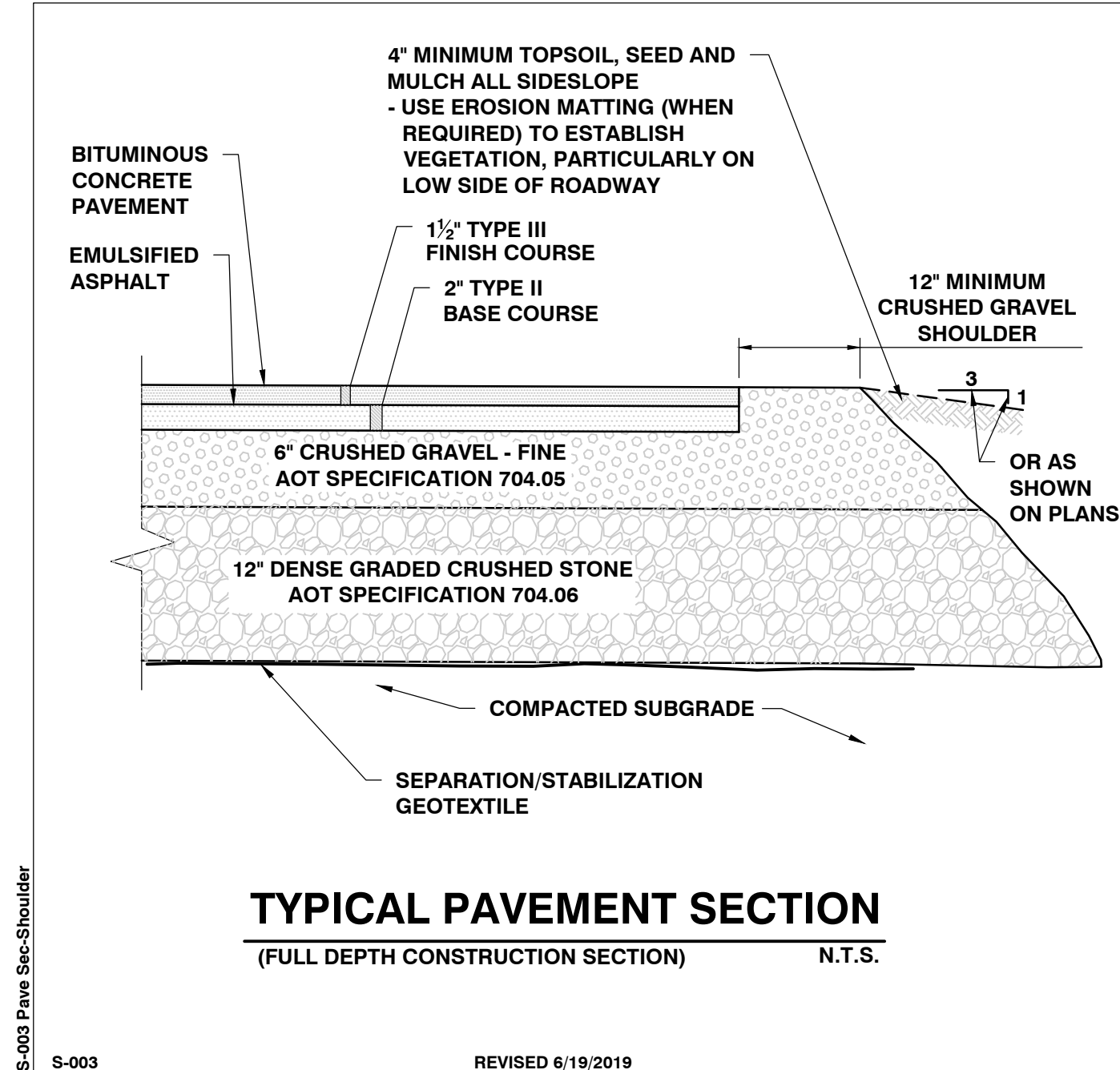
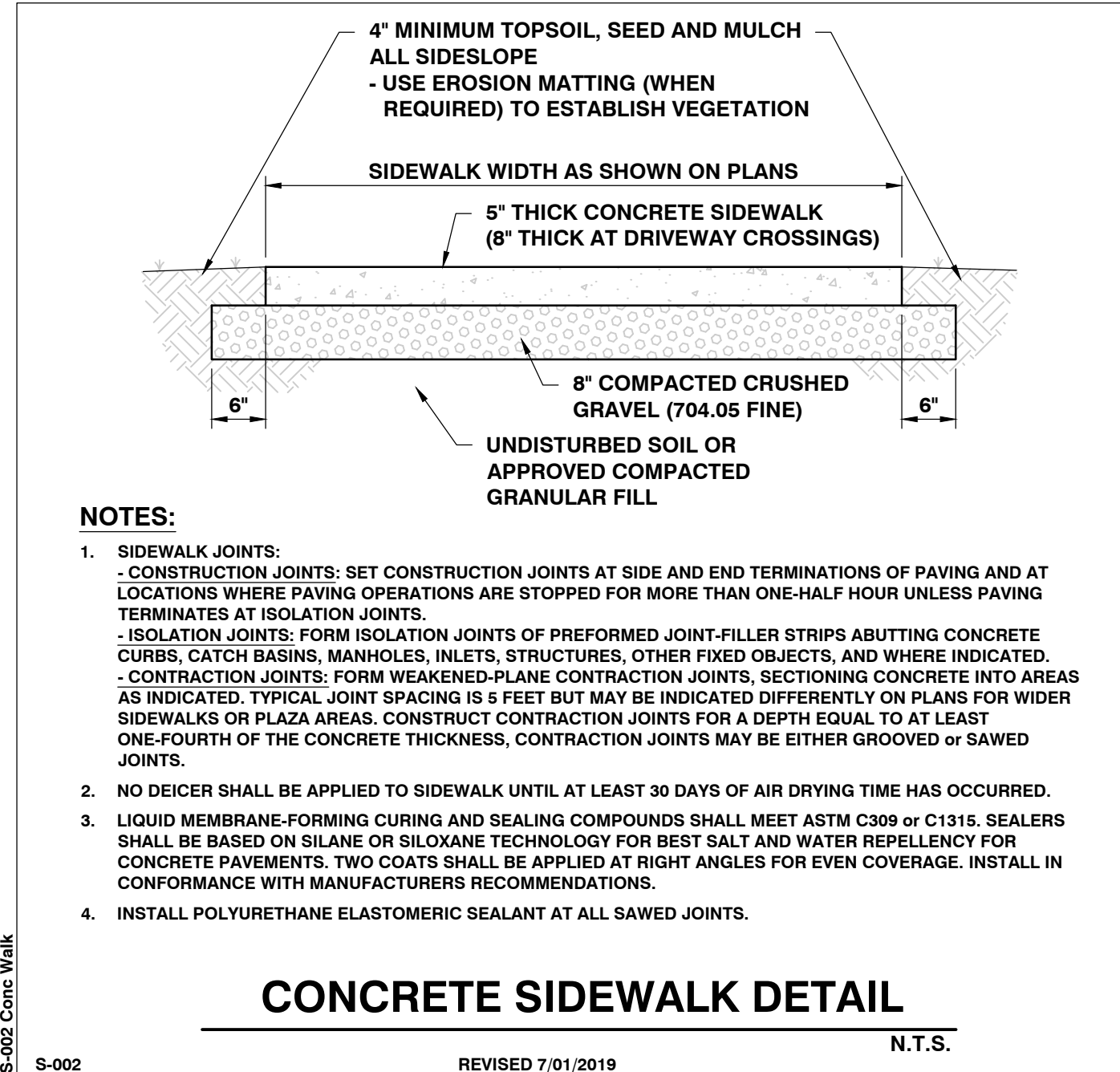
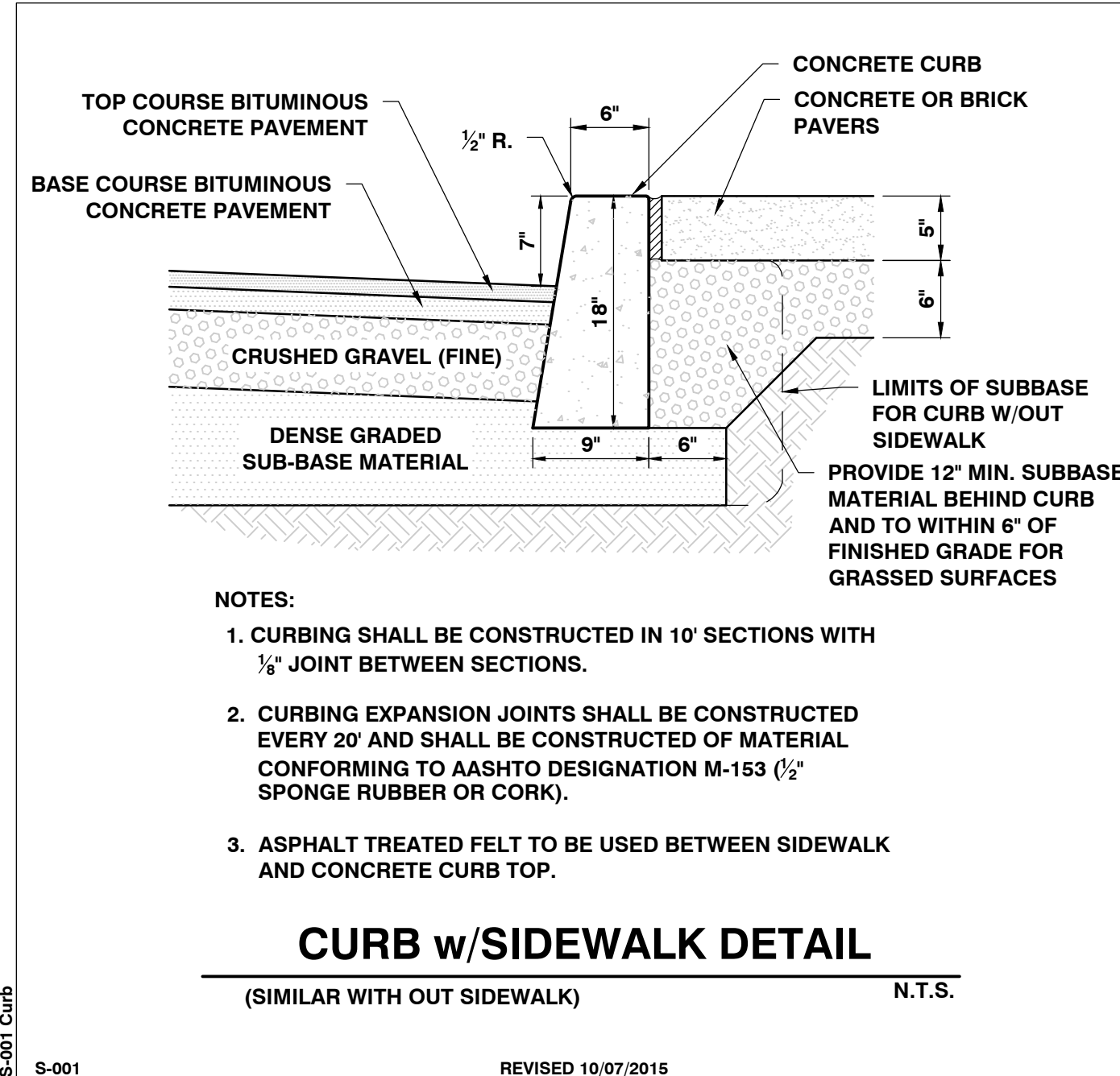
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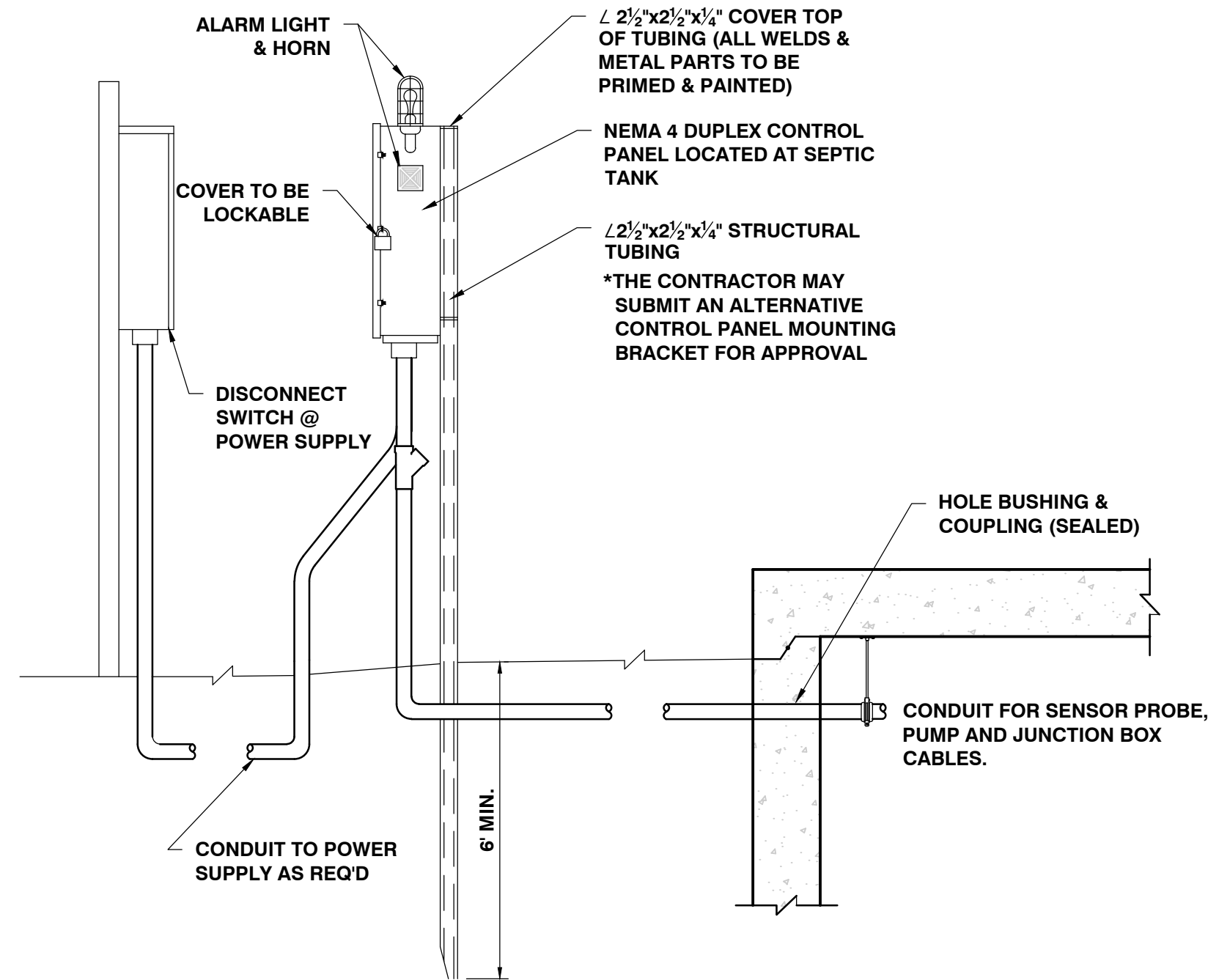
PROGRESS PLANS
05/04/2020

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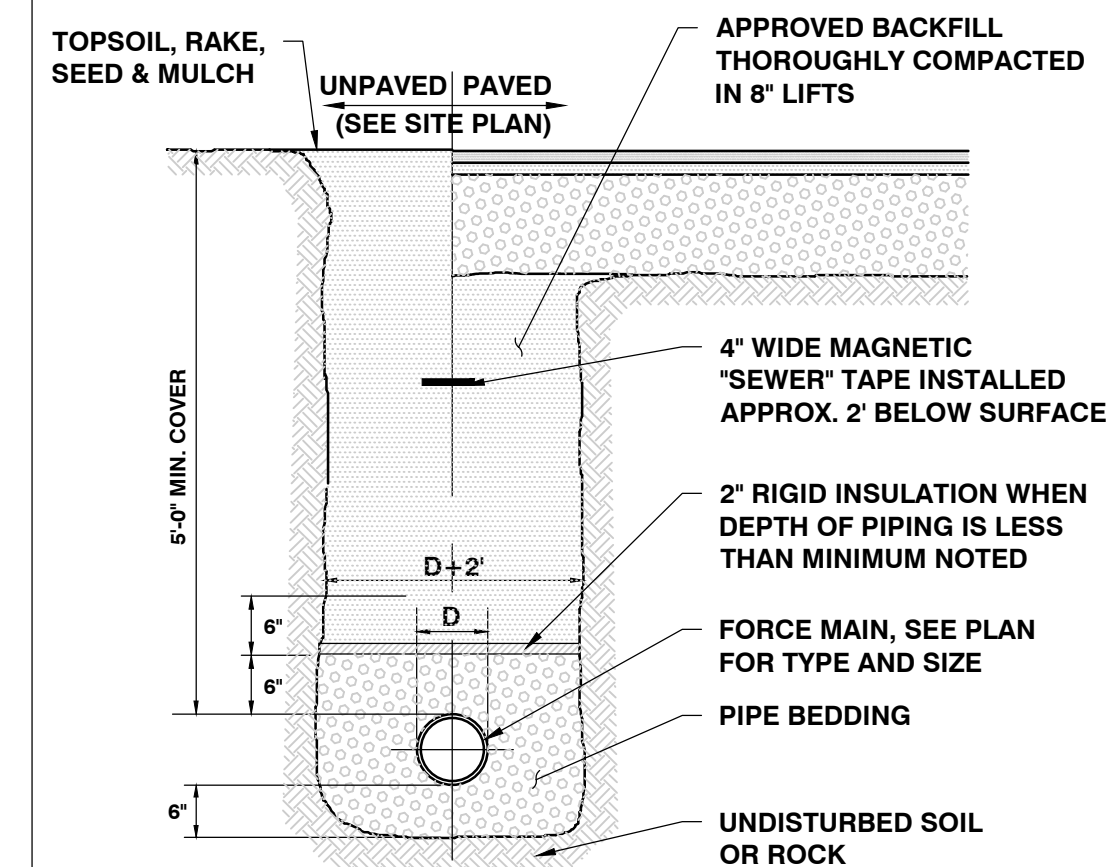
DETAILS

DATE --	DRAWING NUMBER <i>C4.0</i>
SCALE <i>AS SHOWN</i>	
PROJ. NO. <i>20123</i>	

1. UL LISTED NEMA 4 ENCLOSURE,
2. THE PANEL SHALL BE COMPATIBLE WITH THE PUMPS.
3. EACH PUMP SHALL BE SUPPLIED WITH A RUN LIGHT, HAND-OFF-AUTO SWITCH, ELAPSED TIME METER, CIRCUIT BREAKER LIGHTING SUPPRESSOR, PHASE LOSS CIRCUITRY, SEAL FAIL INDICATOR LIGHT MAGNETIC CONTACTOR, AND MAIN CIRCUIT BREAKER.
4. ALARM INDICATION - ALARM LIGHT AND HORN (OR BELL) w/ BATTERY BACK-UP. THE AUDIO ALARM SHALL HAVE AN AUTOMATICALLY RESETTING MANUAL SILENCE SWITCH AND MANUAL TEST SWITCH.
5. ALARM ACTIVATION -
PUMP FAILURE
HIGH WATER
LOW WATER
6. PANEL SHALL ACTIVATE A NORMALLY OPEN SOLENOID VALVE TO CLOSE DURING A PUMPING CYCLE.
7. ALL COMPONENTS SHALL BE EXPLOSION PROOF.
8. DOUBLE THROW SWITCH WITH PLUG FOR PORTABLE GENERATOR.
9. 110V OUTLETS.



CONTROL PANEL INSTALLATION



TYPICAL FORCE MAIN TRENCH DETAIL

- NOTES:**
1. COMPACTION OF BACKFILL AND BEDDING SHALL BE A MINIMUM OF 90% (98% UNDER ROADWAY SURFACES) OF MAXIMUM DRY DENSITY DETERMINED IN THE STANDARD PROCTOR TEST (ASTM D698).
 2. BEDDING MATERIAL SHALL NOT BE PLACED ON FROZEN SUBGRADE.
 3. APPROVED BACKFILL SHALL NOT CONTAIN ANY STONES MORE THAN 12" IN LARGEST DIMENSION (Ø IN ROADWAYS, 1 1/2" NOMINAL DIAMETER WITHIN 24" OF THE OUTSIDE OF THE PIPE), OR CONTAIN ANY FROZEN, WEET, OR ORGANIC MATERIAL.
 4. TRENCHES SHALL BE COMPLETELY DEWATERED PRIOR TO PLACING OF PIPE BEDDING MATERIAL AND KEPT DEWATERED DURING INSTALLATION OF PIPE AND BACKFILL.
 5. IN TRENCHES WITH UNSTABLE MATERIALS, TRENCH BOTTOM SHALL FIRST BE STABILIZED BY PLACEMENT OF FILTER FABRIC THEN CRUSHED STONE (3/4" MAXIMUM).
 6. THE SIDES OF TRENCHES 4' OR MORE IN DEPTH ENTERED BY A PIPE SHALL BE PROTECTED OR SLOPED TO THE ANGLE OF REPOSE AS DEFINED BY O.S.H.A. STANDARDS.
 7. BEDDING MATERIAL FOR FORCE MAINS SHALL CONSIST OF SAND. SUBMIT A SAMPLE TO THE ENGINEER FOR APPROVAL.
 8. ALL JOINTS TO BE INSPECTED BY OWNER/ENGINEER/TOWN PRIOR TO BACKFILL.

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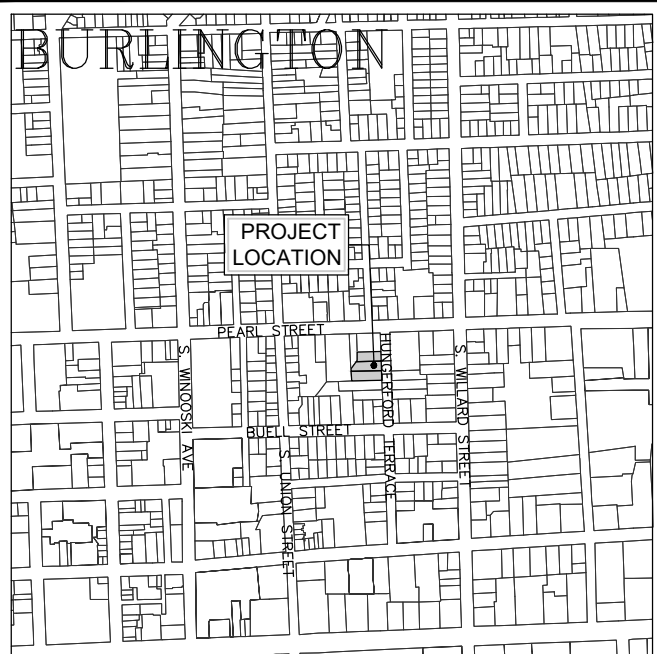
15 HUNGERFORD
TERRACE, LLC

21 HUNGERFORD
TERRACE, LLC

BURLINGTON, VERMONT
05401

15 & 21
HUNGERFORD
TERRACE

15 HUNGERFORD TERRACE
BURLINGTON, VT



LOCATION MAP

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PUMP STATION DETAILS

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AS SHOWN

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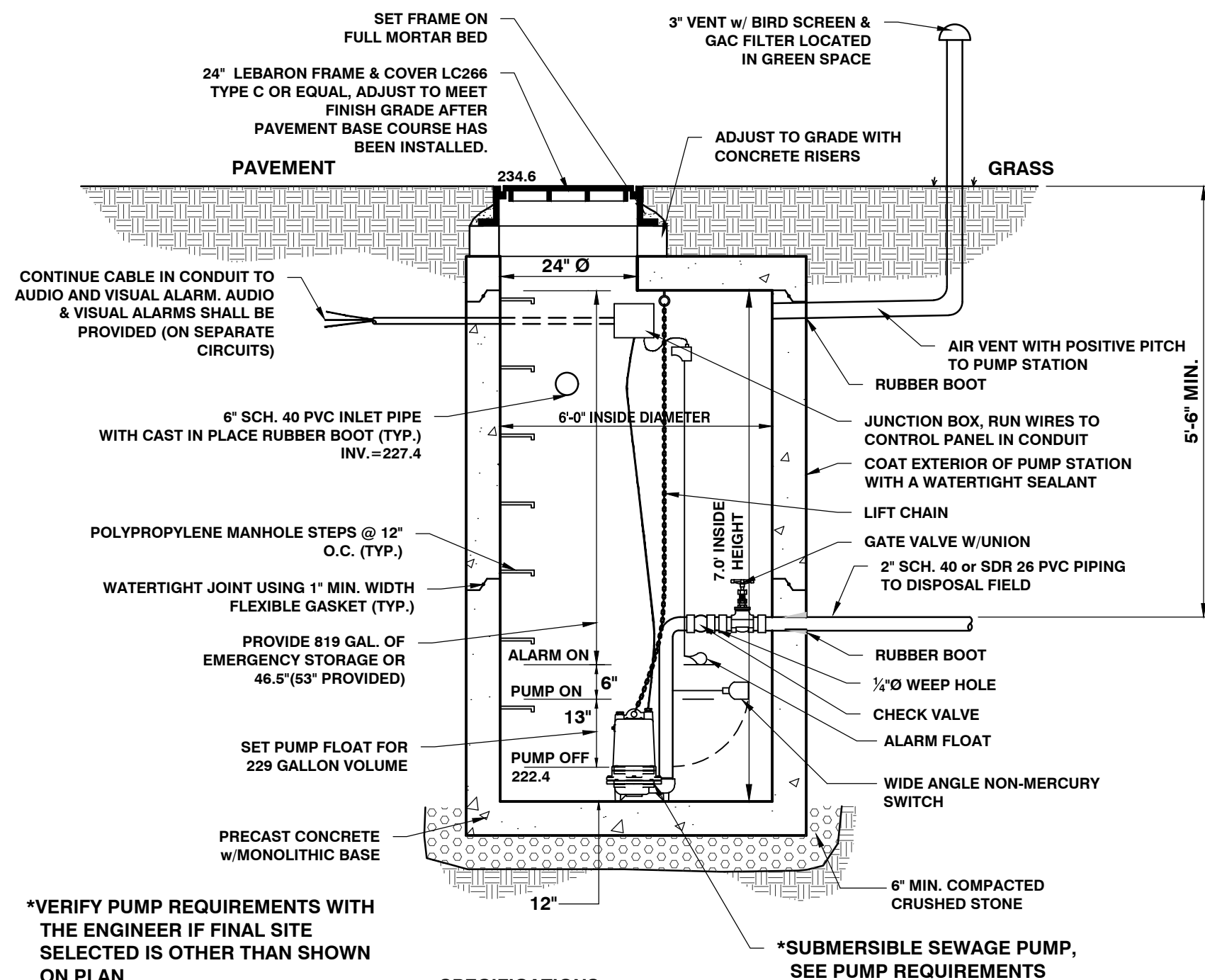
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The tanks shall be tested by the following procedure and in conformance with the State of Vermont - Environmental Protection Rules:

1. **Exfiltration Leakage Test:** All pipes and other openings into the tank shall be suitably plugged and the plugs braced to prevent blowout. The tank shall then be filled with water to the top of the riser section. A period of time may be permitted, if the Contractor so wishes, to allow for absorption. At the end of this period, the tank shall be refilled to the top of the riser, if necessary, and the measuring time of at least four hours begun. At the end of the test period, the tank shall be refilled to the top of the riser, if necessary, and the measuring time begun. This amount shall be converted to gallons per vertical foot depth for 24 hours. The leakage for each tank shall not exceed four gallon/vertical foot/day. If leakage exceeds the allowable rate, repairs shall be made as approved by the Engineer and the tank retested. If the Contractor elects to backfill prior to testing, the testing shall be at his own risk, and it shall be incumbent upon the Contractor to determine the reason for any failure of the test. No adjustment in the leakage allowance will be made for unknown causes such as leaking pipes, absorption, or other causes. The test of less of water testing the tanks is a result of leaks through the joints or through the concrete. Furthermore, the Contractor shall take any steps necessary to assure the Engineer that the water table is below the bottom of the tank throughout the test.

2. Vacuum test in accordance with ASTM C1227-03, Standard Specification for Precast Concrete Septic Tanks, except as noted below:

- seal the empty tank and apply a vacuum to 5 inches (100mm) of mercury. The tank is approved if 90% of vacuum is held for 5 minutes.



***VERIFY PUMP REQUIREMENTS WITH THE ENGINEER IF FINAL SITE SELECTED IS OTHER THAN SHOWN ON PLAN**

SPECIFICATIONS:

- Concrete Minimum Strength 5000psi @ 28 days
- Steel Reinforcement Grade 60
- Joints Sealed with Butyl Sealant
- Provide H2O Loading

SIMPLEX PUMP STATION DETAIL

15 Hungerford Terrace
Burlington, Vermont
Pump Station Basis of Design
April 28, 2020

Design Flow to Pump Station	819 GPD
Average Daily Flow	0.85 GPM
Peaking Factor	5.00
Peak Flow	4.3 GPM
Force Main Dia.	2.00 Inches
Min. Cleansing Velocity	3.00 FPS
Max. Velocity	10.00 FPS
Min. Pumping Rate	29.36 GPM
Max. Pumping Rate	97.86 GPM
Chosen Pumping rate	32.00 GPM

Length of FM	150.00 feet
Friction Losses	3.10 feet
High Point of FM	240.00 feet
Low Elevation in PS	222.40 feet
Elevation Change	17.60 feet

Minor headlosses	3.00 feet
Residual	1.00 feet
TDH	24.70 feet

Pump Cycle Storage	229 Gallon
Run Cycle	10.68 Minute
Wet Well Detention Time	268.42 Minute

System Curve	GPM	TDH
	20	22.9
	30	24.4
	40	26.3
	50	28.7
	60	31.5

Pump Selection

Barnes XSGV20226,2HP,
230V,1PH, 60z, 3.75in Impeller
Submersible Grinder and
Explosionproof Pump

Pump Station Dosing
Minimum Number of Doses per Day = 4
Maximum Dose Size = 819 GPD/4 = 205 Gal
Drainback Volume = 25 gal
Dose volume = 205 + 25 = 230 gallons
Use 229 Gallon Dose Volume

Pump Station Emergency Storage

Required=666 Gallons
6" diameter pump station = 211 gal/vf = 17.6 gal/in
Required Emergency Storage Delta = 100 gal/17.6 gal/in = 5.7", Use 6"
Cycle Delta = 229 Gal/17.6 Gal/inch = 13.0"
Pump off above floor = 12"
Pump on above floor = 12"+13" = 25"
Alarm above floor = 25"+6" = 31"
Storage above alarm (inches) = 84" - 31" = 53"
Storage above alarm (gallons) = 53"x 17.6 Gal/inch = 933 Gallons Pro

PROGRESS PLANS
05/08/2020

PROJECT COORDINATION

PART 1 – GENERAL

1.01 MEETINGS & PROJECT ACCESS

- A. The Owner shall be notified five (5) days prior to commencement of Work by the Contractor.
- B. The Contractor will coordinate with the Owner to arrange an on-site pre-construction meeting prior to commencement of any work. Job superintendents and subcontractors shall be included in this meeting.
- C. The Contractor will coordinate all phases of the Work, so as not to interfere with the normal work procedures in the area.
- D. The Contractor shall conduct his work in such a manner as to not interfere with or endanger work or traffic in areas adjacent to the construction area, except as permitted by the Owner. The Contractor shall so arrange his construction operations as to provide access for emergency vehicles and equipment to the work site at all times.

1.02 LABOR

- A. The Contractor and subcontractors will employ mechanics skilled in their respective trades.
- B. All labor will be performed in a neat and workmanlike manner.

1.03 PROTECTION OF PERSONS AND PROPERTY

- A. The Contractor shall be responsible for initiating, maintaining, and supervising all O.S.H.A. safety precautions in connection with the Work.
- B. Fire Protection: The Contractor shall take all necessary precautions to prevent fires adjacent to the Work and shall provide adequate facilities for extinguishing fires. The Contractor shall also prevent fires in project related buildings and shall prevent the spread of fires to areas outside the limits of the Work.
- C. Safety Precautions: Prior to commencement of Work, the Contractor shall be familiar with all safety regulations and practices applicable with construction operations. No additional payments will be made for equipment and procedures necessitated by these safety precautions.

1.04 CORRECTION OF WORK

- A. The Contractor shall promptly correct all Work rejected by the Owner as defective or as failing to conform to the Contract Documents. The Contractor shall bear all cost of correcting such rejected Work.

1.05 WEATHER CONDITIONS

- A. No Work shall be done when, in the opinion of the Owner, the weather is unsuitable. No concrete, earth backfill, embankment, or paving shall be placed upon frozen material. If there is delay or interruption in the Work due to weather conditions, the necessary precautions must be taken to bond new Work to old.
- B. Protection Against Water and Storm: The Contractor shall take all precautions to prevent damage to the Work by storms or by water entering the site of the Work directly or through the ground. In case of damage by storm or water, the Contractor, at his own expense, shall make repairs or replacements or rebuild such parts of the Work as the Engineer may require in order that the finished work may be completed as required by the Drawings and Specifications.

1.06 DISPOSAL OF DEBRIS

- A. All debris and excess materials, other than that which is authorized to be reused, become the property of the Contractor and shall be promptly removed from the property. The Contractor shall receive title to all debris and/or excess material. The Owner will not be responsible for any loss or damage to debris or excess material owned by the Contractor.

1.07 PROJECT LAYOUT

- A. The Contractor shall be responsible for providing all necessary survey staking.
1. Locate and protect control points before starting work on the site.
2. Preserve permanent reference points during progress of the Work.
3. Establish a minimum of two permanent benchmarks on the site, referenced to data established by survey control points.
- a. Record locations, with horizontal and vertical data, on Project Record Documents.

1.08 TESTING

- A. The Contractor is responsible for obtaining testing and inspection services.

SITE CLEARING

PART 1 – GENERAL

1.01 SUMMARY

- A. Section includes:
1. Remove surface debris.
2. Clear site of plant life and grass.
3. Remove trees and shrubs.
4. Remove root system of trees and shrubs.

PART 2 – PRODUCTS

Not used.

PART 3 – EXECUTION

3.01 PROTECTION

- A. Protect utilities that remain from damage.
- B. Protect trees, plant growth, and features designated to remain as final landscaping.
- C. Protect bench marks and existing structures from damage or displacement.
- D. Use means necessary to prevent dust becoming a nuisance to the public, to neighbors, and to other work being performed on or near the site.
- E. Maintain access to the site at all times.

3.02 CLEARING

- A. Clear areas required for access to site and execution of Work.
- B. Remove trees and shrubs within marked areas. Remove stumps, roots and tap roots and other projections 1" or greater in diameter to 2'-0" below the excavated surfaces in cut areas and 2'-0" below the exposed subgrade in fill areas.

3.03 REMOVAL

- A. Remove debris, rock, and extracted plant life from site unless otherwise noted on plans.

3.04 UTILITIES

- A. Coordinate with utility companies and agencies as required.

SITE EARTHWORK

PART 1 – GENERAL

1.01 SUMMARY

- A. Section includes:
1. All excavation (unless covered in other sections of these specifications), removal and stockpile of topsoil, stabilization fabric, and other miscellaneous and appurtenant works.
2. Site filling.
3. Roadway structural sections.

1.02 PROTECTION

- A. Protect bench marks and existing structures.
- B. Protect above or below grade utilities which are to remain.

1.03 SUBMITTALS

- A. Testing laboratory reports indicating that material for backfill meets requirements of this Section.
- B. Field density test reports of site fill in place.
- C. Field density test reports for roadway structural sections in place.
- D. Stabilization Fabric: Submit copies of manufacturer's specifications and installation instructions.

PART 2 – PRODUCTS

2.01 STRUCTURAL FILL – CRUSHED GRAVEL (AOT SPEC. 704.05, FINE)

- A. All materials shall be secured from approved sources. This gravel shall consist of angular and round fragments of hard durable rock of uniform quality throughout, reasonably free from thin elongated pieces, soft or disintegrated stone, dirt, organic or other objectionable matter. This material shall meet the following grading requirements:

Sieve Designation	Percent by Weight Passing Square Mesh Sieve
2"	100
1 1/2"	90 – 100
No. 4	30 – 60
No. 100	0 – 12
No. 200	0 – 6

At least 50% by mass (weight) of the material coarser than the No. 4 sieve shall have at least one fractured face.

2.02 CRUSHED GRAVEL (AOT SPEC. 704.05, COARSE)

- A. All materials shall be secured from approved sources. This gravel shall consist of angular and round fragments of hard durable rock of uniform quality throughout, reasonably free from thin elongated pieces, soft or disintegrated stone, dirt, organic or other objectionable matter. This material shall meet the following grading requirements:

Sieve Designation	Percent by Weight Passing Square Mesh Sieve
4"	95 – 100
No. 4	25 – 50
No. 100	0 – 12
No. 200	0 – 6

At least 50% by mass (weight) of the material coarser than the No. 4 sieve shall have at least one fractured face.

2.03 COMPACTED FILL/GRANULAR BORROW

- A. All materials shall be secured from approved sources. This material shall be free of shale, clay, friable material, debris, and organic matter. This material shall meet the following grading requirements:

Sieve Designation	Percent by Weight Passing Square Mesh Sieve
3"	100
3/4"	75 – 100
No. 4	20 – 100
No. 100	0 – 20
No. 200	0 – 6

2.04 DRAINAGE COURSE (AOT SPEC. 704.16)

- A. All materials shall be secured from approved sources. Rock for drainage applications shall be produced from natural gravels or crushed quarried rock and shall consist of clean, hard, sound, and durable material. This material shall meet the following grading requirements:

Sieve Designation	Percent by Weight Passing Square Mesh Sieve
1"	100
3/4"	90 – 100
3/8"	20 – 55
No. 4	0 – 10
No. 8	0 – 10

2.05 DENSE GRADED CRUSHED STONE (AOT SPEC. 704.06)

- A. All materials shall be secured from approved sources. Dense Graded Crushed Stone shall consist of clean, hard, uniformly graded, crushed stone. It shall be sufficiently free from dirt, deleterious material, and pieces that are structurally weak. This material shall meet the following grading requirements:

Sieve Designation	Percent Finer by Weight
3 1/2"	100
3"	90 – 100
2 1/2"	75 – 100
1 1/2"	50 – 80
1"	30 – 60
No. 4	15 – 40
No. 200	0 – 6

Source: This material shall be obtained from crushed quarried rock sources. The area from which this material is obtained shall be stripped and cleaned before blasting.

Not more than 30% by mass (weight) of the material coarser than the No. 4 sieve shall consist of thin and/or elongated pieces.

2.06 RECYCLED ASPHALT PAVEMENT (RAP) 1 1/2" MINUS CRUSHED ASPHALT

- A. All materials shall be secured from approved sources. This material shall be free of Portland Cement and approved by the engineer prior to installation. This material shall not be mixed with gravel and shall meet the following grading requirements:

Sieve Designation	Percent by Weight Passing Square Mesh Sieve
2"	100
1 1/2"	90 – 100
No. 4	30 – 60
No. 100	0 – 12
No. 200	0 – 6

2.07 SAND BORROW AND CUSHION (AOT SPEC. 703.03)

- A. All materials shall be secured from approved sources. Sand Borrow shall consist of material reasonably free from silt, loam, clay, or organic matter. This material shall meet the following grading requirements:

Sieve Designation	Percent Finer by Weight
2"	100
1 1/2"	90 – 100
1"	70 – 100
No. 4	60 – 100
No. 100	0 – 20
No. 200	0 – 8

2.08 GEOTEXTILE

- A. Subsurface Drainage Geotextile: Nonwoven needle-punched geotextile, manufactured for subsurface drainage applications, made from polyolefins or polyesters; with elongation greater than 50 percent; complying with AASHTO M 288 and the following, measured per test methods referenced:

1. Survivability: Class 3; AASHTO M 288.
2. Grab Tensile Strength: 120 lbf; ASTM D 4632.
3. Tear Strength: 50 lbf; ASTM D 4533.
4. Apparent Opening Size: No. 70 sieve, maximum; ASTM D 4751.
5. Permittivity: 1.7 per second, minimum; ASTM D 4491.
6. UV Stability: 70 percent after 500 hours' exposure; ASTM D 4355.

- B. Separation Geotextile: Woven geotextile fabric, manufactured for separation applications, made from polyolefins or polyesters; with elongation less than 50 percent; complying with AASHTO M 288 and the following, measured per test methods referenced:

1. Survivability: Class 3; AASHTO M 288.
2. Grab Tensile Strength: 200 lbf; ASTM D 4632.
3. Sewn Seam Strength: 222 lbf; ASTM D 4632.
4. Tear Strength: 75 lbf; ASTM D 4533.
5. Puncture Strength: 90 lbf; ASTM D 4833.
6. Apparent Opening Size: No. 40 sieve, maximum; ASTM D 4751.
7. Permittivity: 0.02 per second, minimum; ASTM D 4491.
8. UV Stability: 50 percent after 500 hours' exposure; ASTM D 4355.
9. Weight: 4.0 oz/yd² minimum.

PART 3 – EXECUTION

3.01 PREPARATION

- A. Identify required lines, levels, contours, and datum.
- B. Identify known below grade utilities. Stake and flag locations.
- C. Maintain and protect existing utilities remaining which pass through work area.
- D. Upon discovery of unknown utility or concealed conditions, discontinue affected work; notify Engineer.

3.02 EROSION CONTROL

- A. Erosion control must be installed prior to beginning any earthwork operations.

3.03 TOPSOIL EXCAVATION

- A. Excavate topsoil from areas to be excavated, re-landscaped or regraded and stockpile in areas designated on site or as directed by the Engineer.

- B. Maintain the stockpile in a manner which will not obstruct the natural flow of drainage.

1. Maintain stockpile free from debris and trash.
2. Keep the topsoil damp to prevent dust and drying out.

3.04 SUBSOIL EXCAVATION

- A. Excavate subsoil from areas to be regraded in accordance with plans.
- B. Excavate subsoil required to accommodate site structures, construction operations, roads, and parking areas.
- C. Grade top perimeter of excavation to prevent surface water from draining into excavation.
- D. Notify engineer of unexpected subsurface conditions and discontinue affected work in area until notified to resume work.
- E. Correct areas over-excavated by error as directed by the Engineer.

3.05 DITCHES

- A. Cut accurately to the cross-sections, grades, and elevations shown.
- B. Maintain excavations free from detrimental quantities of leaves, sticks, trash, and other debris until completion of the work.
- C. Dispose of excavated materials as shown on the drawings or directed by the Engineer; except do not, in any case, deposit materials less than three feet from the edge of a ditch.

3.06 ROADWAY EMBANKMENTS AND BERMS

- A. When embankments are to be made on a hillside, the slope of the original ground on which the embankments are to be constructed shall be stepped and properly drained as the fill is constructed so that adverse movements of the slopes do not occur.
- B. Any excavated rock, ledge, boulders, and stone, except where required in the construction of other items or otherwise directed, shall be used in the construction of embankments to the extent of the project requirements and generally shall be placed so as to form the base of an embankment.
- C. Frozen material shall not be used in the construction of embankments, nor shall the embankments or successive layers of the embankments be placed upon frozen material. Placement of material other than rock shall stop when the sustained air temperature, below 32 degrees Fahrenheit, prohibits the obtaining of the required compaction. If the material is otherwise acceptable, it shall be stockpiled and reserved for future use when its condition is acceptable for use in embankments.
- D. When an embankment is to be constructed across a swamp, muck, or areas of unstable soils, the unsuitable material shall be excavated to reach soils of adequate bearing capacity and the embankment begun. Alternative methods, such as use of a stabilization fabric in place of excavation and backfill, may be utilized only after approval of same by the Engineer.
- E. Material being placed in embankments shall be placed in horizontal layers of uniform thickness across the full width of the embankment. Stumps, trees, rubbish, and other unsuitable material shall not be placed in embankments.
- F. Embankment areas shall be placed in eight-inch maximum lifts. Effective spreading equipment shall be used on each layer to obtain uniform thickness prior to compaction. Each layer shall be kept crowned to shed water to the outside edge of embankment and continuous leveling and manipulating will be required to assure uniform density. The entire area of each layer shall be uniformly compacted to at least the required minimum density by use of compaction equipment consisting of rollers, compactors, or a combination thereof. Earth-moving and other equipment not specifically manufactured for compaction purposes will not be considered as compaction equipment.
- G. All fill material shall be compacted at a moisture content suitable for obtaining the required density. In no case shall the moisture content in each layer under construction be more than three percent above the optimum moisture content and shall be less than that quantity that will cause the embankment to become unstable during compaction. Sponginess, shoving, or other displacement under heavy equipment shall be considered evidence for an engineering determination of lack of stability under this requirement, and further placement of material in the area affected shall be stopped or retarded to allow the material to stabilize.
- H. When the moisture content of the material in the layer under construction is less than the amount necessary to obtain satisfactory compaction by mechanical compaction methods, water shall be added by pressure distributors or other approved equipment. Water may also be added in excavation or borrow pits. The water shall be uniformly and thoroughly incorporated into the soil by disc, harrowing, blading, or by other approved methods. This manipulation may be omitted for sands and gravel. When the moisture content of the material is in excess of three percent above optimum moisture content, dry material shall be thoroughly incorporated into the wet material, or the wet material shall be aerated by disk, harrowing, blading, rotary mixing, or by other approved methods; or compaction of the layer of wet material shall be deferred until the layer has dried to the required moisture content by evaporation.

3.07 COMPACTION REQUIREMENTS

- A. All backfills and fills shall be compacted in even lifts (8" maximum) to attain the required densities as follows:

Location	Modified Proctor ASTM D-1557
Subgrade and Gravel for Roads and Parking Lots	95%
General Embankments	90%

UTILITY TRENCHING AND BACKFILLING

PART 1 – GENERAL

1.01 SUMMARY

- A. Section includes:
1. Trench, backfill, and compact as specified herein and as needed for installation of underground utilities.
- 1.02 QUALITY ASSURANCE
- A. Use adequate numbers of skilled workmen who are thoroughly trained and experienced in the necessary crafts and who are completely familiar with the specified requirements and the methods needed for proper performance of the work of this section.
- B. Use equipment adequate in size, capacity, and numbers to accomplish the work in a timely manner.
- C. Comply with all requirements of governmental agencies having jurisdiction.

PART 2 – PRODUCTS

2.01 SOIL MATERIALS

- A. Fill and backfill materials:
1. Provide backfill materials free from organic matter and deleterious substances, containing no rocks or lumps over 6" in greatest dimension.
2. Fill material is subject to the approval of the Engineer, and is that material removed from excavations or imported from off-site borrow areas, predominantly granular, non-expansive soil free from roots and other deleterious matter.
3. Do not permit rocks having a dimension greater than 2" within 2' of the outside of pipe.
4. Cohesionless material used for backfill: Provide sand free from organic material and other foreign matter, and as approved by the Engineer.

PART 3 – EXECUTION

3.01 PROCEDURES

- A. Existing Utilities:
1. Unless shown to be removed, protect active utility lines shown on the drawings or otherwise made known to the Contractor prior to trenching. If damaged, repair or replace at no additional cost to the Owner.
2. When existing underground utilities, which are not scheduled for removal or abandonment, are encountered in the excavation, they shall be adequately supported and protected from damage. Any damage to utilities shall be repaired promptly at no additional cost to the Owner.
3. If the service is interrupted as a result of work under this section, immediately restore service by repairing the damaged utility at no additional cost to the Owner.
4. If existing utilities are found to interfere with the permanent facilities being constructed under this section, immediately notify the Engineer and secure his instructions.
5. Do not proceed with permanent relocation of utilities until written instructions are received from the Engineer.
- B. Protection of persons and property:
1. Barricade open holes and depressions occurring as part of the work, and post warning lights on property adjacent to or with public access.
2. Operate warning lights during hours from dusk to dawn each day and as otherwise required.
3. Protect structures, utilities, sidewalks, pavements, and other facilities from damage caused by settlement, lateral movement, washout, and other hazards created by operations under this section.
- C. Dewatering: The Contractor, at all times, shall conduct his operations so as to prevent the accumulation of water, ice, and snow in excavations or in the vicinity of excavated areas, and to prevent water from interfering with the progress of quality of the work. Under no conditions shall water be allowed to rise in open trenches after pipe has been placed.
- D. Accumulated water, ice, and snow shall be promptly removed and disposed of by pumping or other approved means. Disposal shall be carried out in a manner which will not create a hazard to public health, nor cause injury to public or private property, work completed or in progress, or public streets, nor cause any interference in the use of streets and road by the public. Pipes under construction shall not be used for drainage of excavations.
- E. Maintain access to adjacent areas at all time.
- 3.02 TRENCHING
- A. Care shall be exercised by the Contractor to avoid disrupting the operation of existing facilities without prior written approval of the Engineer.
- B. Provide sheeting and shoring necessary for protection of existing structures and for the safety of personnel.

SITE ENGINEER:



CIVIL ENGINEERING ASSOCIATES, INC.
10 MANSFIELD VIEW LANE, SOUTH BURLINGTON, VT 05403
P: 802-864-2323 FAX: 802-864-2271 web: www.ces-vt.com

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CLIENT:

15 HUNGERFORD
TERRACE, LLC

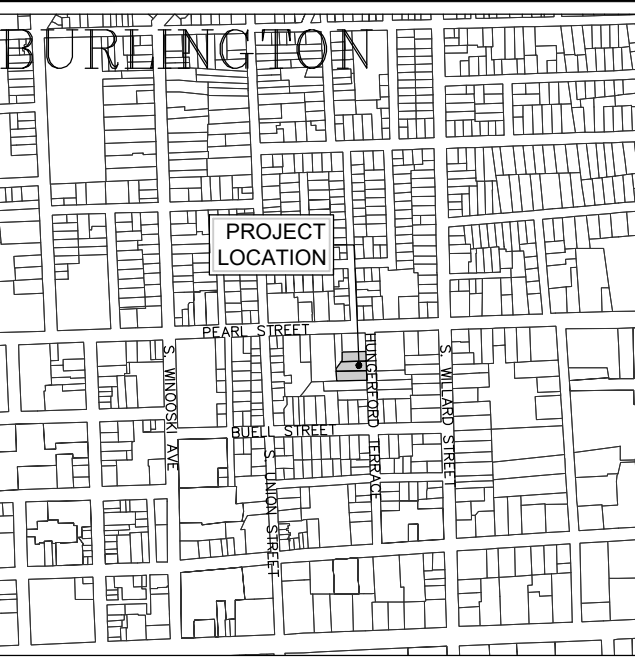
21 HUNGERFORD
TERRACE, LLC

BURLINGTON, VERMONT
05401

PROJECT:

15 & 21
HUNGERFORD
TERRACE

15 HUNGERFORD TERRACE
BURLINGTON, VT



LOCATION MAP

1" = 200'

DATE

CHECKED

REVISION

SPECIFICATIONS

DATE

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SCALE

NTS

PROJ. NO.

20123

DRAWING NUMBER

C5.0

PROGRESS PLANS
for project 05104/2020

SITE ENGINEER:

CIVIL ENGINEERING ASSOCIATES, INC.
10 MANSFIELD VIEW LANE, SOUTH BURLINGTON, VT 05403
P: 802-864-2323 FAX: 802-864-2271 web: www.ces-vt.com

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APPROVED DSM

CLIENT:
15 HUNGERFORD TERRACE, LLC
21 HUNGERFORD TERRACE, LLC
BURLINGTON, VERMONT 05401

PROJECT:
15 & 21 HUNGERFORD TERRACE
15 HUNGERFORD TERRACE BURLINGTON, VT

LOCATION MAP
1" = 200'

DATE	CHECKED	REVISION

SPECIFICATIONS

DATE	DRAWING NUMBER
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SCALE	
NTS	
PROJ. NO.	20123

C5.2

05/10/2020

2.06 MANHOLES

A. Manholes shall be sized as indicated on the plan and shall be precast concrete with a monolithic base and shall conform to the latest version of ASTM Specification C478.

B. Shelves shall be constructed with concrete having a minimum compressive strength of 3,000 psi at 28 days. Inverts for sewer manholes shall be as shown on the plans and details and shall be constructed with concrete or brick, as per the local municipality's standards. Inverts shall have the exact shape of the sewer to which they are connected, and any change in size of direction shall be gradual and even.

C. All manholes are to be provided with copolymer polypropylene plastic steps with steel reinforcement 12 inches on center.

D. All manholes shall be provided with rough, gray, cast iron manhole frames and covers. All iron castings shall be thoroughly cleaned and then coated with hot tar before being delivered. Frames and covers shall be LeBaron LC 266, or an approved equal, and have a minimum weight of 400 pounds.

E. Precast risers and bases for manholes shall conform to ASTM Specification C-478. The pipe opening in the precast manhole system shall have a cast-in-place flexible gasket or an equivalent system for pipe installation as approved by the Engineer. Joints between manhole risers shall be 1" minimum wild flexible gasket or approved equals.

2.07 CLEANOUTS

A. Cleanouts for gravity sewers and force mains shall be provided at locations indicated on the plans or as directed by the Engineer. Cleanout frames and covers shall be of tough gray cast iron. Castings shall be true to pattern and free from flaws. The bearing surface of cleanout frames and covers against each other shall be machined to give continuous contact throughout their circumference.

2.08 PIPELINE INSULATION

A. Approved sewer lines with less than four feet (4'-0") of cover over the crown, five (5'-0") in plowed areas that cross a storm sewer, or where indicated on the plans, shall be protected against freezing by the installation of two inch (2") thick highest available density extruded polystyrene insulating sheets or equivalent. Sheets shall be the lesser of 3' or 2 x diameter of the pipe. The sheets shall be placed six inches (6") above the crown after placement of four to six inches (4"-6") of clean medium or coarse sand below the pipe bottom and four to six inches (4"-6") above the crown. Joints shall be overlapped so there is no gap that will allow frost to penetrate. Care shall be exercised during backfill and compaction over the polystyrene sheets to prevent damage to the sheets. The polystyrene sheets shall meet the comprehensive strength requirements of ASTM D1621-73. In no cases shall the sewer line have less than four feet (4') of cover over the top of the pipe. When sewer line passes within 5 feet of a catch basin install 2" min. rigid insulation, polystyrene sheels, between sewer line and cb.

PART 3 – EXECUTION

3.01 GENERAL

A. Care shall be exercised by the Contractor to avoid disrupting the operation of existing sanitary sewer facilities without prior written approval of the Engineer.

B. When existing underground utilities not scheduled for removal or abandonment are encountered in the excavation, they shall be adequately supported and protected from damage. Any damage to utilities shall be repaired promptly at no additional cost to the Owner.

C. Installation of pipe shall be in accordance with the Utility Trenching and Backfilling and as specified by this section.

3.02 BEDDING FOR PIPE

A. The bedding material shall be shaped to fit the pipe for a depth of not less than 10 percent of its total height and shall have recesses to receive the bell.

3.03 LAYING PIPE

A. In general, sewer pipe shall be installed in accordance with the latest detailed instructions of the manufacturer.

B. The laying shall begin at the outlet end and the lower segment of the pipe shall be in contact with the shaped bedding throughout its full length. Bell or grooved ends of rigid pipes and the circumferential laps of flexible pipe shall be placed facing upstream.

C. All pipe and fittings shall be carefully examined for defects and no pipe or fittings shall be laid which are known to be defective. If any defective piece is discovered after laying, it shall be removed and replaced at the Contractor's expense. All pipes and fittings shall be cleaned before they are laid and shall be kept clean until accepted in the completed work.

D. The pipe shall be laid to conform to the lines and grades indicated on the drawings or given by the Engineer. Each pipe shall be so laid as to form a close joint with the next adjoining pipe and to bring the invert continuously to the required grade.

E. The Contractor shall take all necessary precautions to prevent flotation of the pipe in the trench.

F. When pipe laying is not in progress, the open ends of the pipe shall be closed with temporary watertight plugs. If water is in the trench when work is resumed, the plug shall not be removed until all danger of water entering the pipe is eliminated.

G. For force mains, concrete reaction blocking shall be provided as detailed at all bends deflecting 22½ degrees or more. At the Contractor's option, retainer glands may be used at bends in lieu of concrete blocking. Retainer glands shall also be provided at all joints within three pipe lengths each side of the bends.

H. Any pipe that is not laid to grade and alignment shall be re-laid to the satisfaction of the Town Engineering Department. The bedding material shall be compacted on each side of the pipe to a minimum width of one foot beyond the outside edge of the pipe.

E. Joining

1. **Hitt Fusion Joining.** Joints between plain end pipes and fittings shall be made by butt fusion, electrofusion couplings and joints between the main and saddle branch fittings shall be made using saddle fusion procedures that are recommended by the pipe and fitting manufacturer. The Contractor shall ensure that persons making heat fusion joints have received training in the manufacturer's recommended procedure. The Contractor shall maintain records of trained personnel and shall certify that training was received not more than 12 months before commencing construction. External and internal beads shall not be removed.
2. **Butt Fusion of Unlike Wall Thicknesses.** Fusions of different wall thickness are acceptable, as long as the difference is limited to a one SDR difference, i.e. SDR 11 to SDR 9. Transitions between unlike wall thicknesses greater than one SDR shall be made with a transition nipple (a short length of the heavier wall pipe with one end machined to the lighter wall) or by mechanical means.
3. **Joining by Other Means.** Polyethylene pipe and fittings may be joined together or to other materials by means of (a) flanged connections (flange adapters and backup rings), (b) mechanical couplings designed for joining polyethylene pipe or for joining polyethylene pipe to another material, or (c) electrofusion. When joining by other means, the installation instructions of the joining device manufacturer shall be followed. All connections shall maintain the total pressure rating of the force main.
4. **Mechanical Joint Installation.** Mechanical joints shall be installed in accordance with the manufacturer's recommended procedure. When an OD compression mechanical coupling is used, a stiffener shall be installed in the bore of the polyethylene pipe.
5. **Branch Connections.** Branch connections to the main shall be made with saddle fittings or tees. Polyethylene saddle fittings shall be saddle fused to the main pipe.

2.05 HORIZONTAL DIRECTIONAL DRILLING W/ POLYETHYLENE PIPE

A. Directional boring with PE3408 pipe shall be completed in accordance with the manufacturer's requirements and shall not in any way affect the joint connections or the overall strength characteristics of the pipe.

B. References:

"Mini-Horizontal Directional Drilling Manual" published by North American Society for Trenchless Technology (NASTT).

"Guidelines for a Successful Directional Crossing Bid Package" published by Directional Crossing Contractors Association (DCCA).

"Polyethylene Pipe for Horizontal Directional Drilling" of the Plastic Pipe Institute's Handbook of Polyethylene Piping.

C. **Quality Control.** All directional boring shall be completed in such a way as not to jeopardize the existing infrastructure/facilities, such as the roadway, utility poles, subsurface utilities, structures/foundations, or significant landscaping. Prior to directional drilling, all potential conflicts shall be field verified.

D. General

1. Directional drilling shall be performed in a manner required to install HDPE utility line as indicated on the drawings. Furnish all manpower and equipment required to perform the pipeline installation. The operation shall include all excavation and dewatering, drilling calculations, pilot hole, and pullback operations. Contractor shall be responsible for type of reamer, diameter, and rotation pertinent operations required for a complete installation. Contractor shall be responsible for mobilizing on-site with a full range of drill stems and reaming heads to allow for various factors which may occur. Drill stems shall be of proper size and diameter to allow for full thrust and torque capabilities of the drilling machines.
2. Contractor shall perform utility survey to locate information concerning existing utility lines located in the areas of the directional drilling work.
3. Directional drilling shall be accomplished by drilling from one side of the crossing to the other using an approved method. One method shall be drilling a small diameter pilot hole along the proposed utility route. Steering shall be accomplished by using drilling mud which is pumped into the drill pipe to provide rotational energy in a drill bit at the end of the drill pipe. A jet bit shall force the mud through small orifices and jet away the earth and to allow the drilled path to curve in the proper direction as the drill pipe is thrust forward. An electronic survey instrument shall be placed inside the drill pipe head. The instrument shall signal a computer of the drilled paths magnetic azimuth, vertical inclination, and orientation of the bend. This data shall be used by the drilling contractor to calculate location of the drill bit and allow steering adjustments to be made.
4. After completing the pilot hole, larger diameter reaming heads shall be pulled back in order to enlarge the hole as required to allow for the pipe pullback. The Contractor shall be responsible for multiple reaming operations as required to complete the work. Pull back operations shall be carried out as soon as possible following the final preream. During this phase of the work, the Contractor shall continue his work operations without interruption regardless of the day of week or hour of the day. A pullback head shall be attached to the pipe to allow fastening to the swivel head reamer. The head shall be closed to prevent drilling mud from entering the main during the pullback operation.
5. Upon completion of the drilling operations, the equipment and materials shall be removed from the site and the areas disturbed shall be restored to original conditions. The main shall be tested in accordance with the Pressure Pipe Testing section of the specifications. If the main fails the testing, it shall be removed and the work repeated at no additional cost to the Owner.

one-half (1/2) the pipe diameter and for the full width of the excavated trench and as shown on the accepted plans. Bedding shall be #2 pea stone from Shelburne Limestone or an equivalent approved by the Town Wastewater Department and the Engineer.		manhole retested. If the Contractor elects to backfill prior to testing, the testing shall be at his own risk, and it shall be incumbent upon the Contractor to determine the reason for any failure of the test. No adjustment in the leakage allowance will be made for unknown causes such as leaking plugs, absorption, etc. It will be assumed that all loss of water during the test is a result of leaks through the joints or through the concrete. Furthermore, the Contractor shall take any steps necessary to assure the Engineer that the water table is below the bottom of the manhole throughout the test.		1. Each structure shall be checked for exfiltration by filling with water to the top of the cone section. A stabilization period of one hour shall be provided to allow for absorption. At the end of this period, the structure shall be refilled to the top of the cone, if necessary, and the measuring time of at least six hours begun. At the end of the test period, the structure shall be refilled to the top of the cone measuring the volume of water added.		4.01 SPARE PARTS		A21.5, unless approved otherwise.	
I. All sewer pipes shall be marked with magnetic marking tape. The marking tape shall be installed one (1) foot directly over the pipe and shall be labeled "sewer". Concrete thrust blocks or anchors shall be placed at bends, tees, fittings, and other locations on the force main as shown on the contract drawings or as directed by the Town Wastewater Department. Concrete for thrust blocks and anchors shall be Class B concrete. Steel rods and clamps as required shall be galvanized and rust proofed or painted.		2. Vacuum Test: This method of testing manholes for leakage involves the use of a device for sealing the top of the manhole cone section and pumping the air out of the manhole, creating a vacuum and holding this vacuum for a prescribed period of time. The procedure for this test is as follows:		2. This amount shall be converted to a 24-hour rate and the leakage determined on the basis of depth and size of structure. The leakage for each structure shall not exceed one gallon per vertical foot per 15 linear feet of wall (as measured in plan view) for a 24 hour period for exfiltration and there shall be no visible infiltration.		B. Two (2) spare volute gaskets shall be provided.		2.03 FITTINGS	
3.04 GRAVITY SEWER PIPE TESTING		a. All lifting holes and exterior joints shall be filled and pointed with an approved non-shrinking mortar. The completed manhole shall not be backfilled prior to testing. Manholes which have been backfilled shall be excavated to expose the entire exterior prior to vacuum testing or the manhole shall be tested for leakage by means of the exfiltration leakage test.		C. Air Test: Alternatively, the manhole may be tested for leakage using the following procedure:		C. A spare flange cone for the seal filter shall be provided in the same container as the pump shaft seal.		A. Ductile iron fittings shall conform to ANSI/AWWA C110/A21.10, 350 PSI working pressure. Ductile iron fittings larger than twelve inches (12") shall have a standard body length equal to Class 250 Cast Iron fittings. Cast Iron Class 250 fittings will be allowed in lieu of ductile iron fittings larger than twelve inches (12"). Ductile iron fittings shall be rated for 250 p.s.i. However, twelve inch (12") and smaller may be rated for 350 p.s.i. with the use of special gaskets. All ductile iron compact fittings shall conforming to AWWA/ANSI C153/A21.53 standards.	
A. The Contractor shall provide all necessary equipment and instrumentation required for proper completion of the flushing and testing. Quality of water, test procedures, and method of disposal of water shall be approved by the Engineer. Prior to testing, flush with water to remove construction debris and pass through a full gauge squeegee.		b. All pipes and other openings into the manhole shall be suitably plugged in a manner to prevent displacement.		1. All lifting hole and exterior joints shall be filled and pointed with an approved non-shrinking mortar. The completed manhole shall not be backfilled prior to testing. Structures that have been backfilled shall be excavated to expose the entire exterior prior to vacuum testing or the manhole shall be tested for leakage by means of a hydrostatic test.		D. Provide 100% spare lamps and fuses for control panel.		B. Anchor tees shall be standard mechanical joint tees except that the branch is plain Class 250 cast iron or Class 350 ductile iron, cement lined, conforming to ANSI/AWWA C110/A21.10, C111/A21.11, and C104/A21.4. Anchor tees shall be Clow F-1217, U.S. Pipe U5-92 or equal.	
B. All tests shall be made in the presence of the Engineer. Preliminary tests made by the Contractor without being observed by the Engineer will not be accepted. The Engineer will be notified at least eight hours before any work is to be inspected or tested. The Town shall be notified at least at least two (2) days before testing.		c. A plate with an inflatable rubber ring the size of the top of the manhole shall be installed by inflating the ring with air to pressure adequate to prevent leakage of air between the rubber ring and the manhole wall.		2. All pipes and other openings in the manhole shall be suitably plugged in a manner to prevent displacement.		E. Provide all lubricants required for initial operation.		C. Mechanical Joint restraints shall be incorporated into the design of the follower gland and shall include a restraining mechanism which, when actuated, imparts multiple wedging action against the pipe increasing its resistance as the pressure increases. Flexibility of the joint shall be maintained after burial. Glands shall be manufactured of ductile iron, and have a minimum working pressure of 350 psi. Twist off nuts (i.e. mega-lug) or equal shall be used to ensure proper actuating of the restraining devices. Contractors may also use approved grip ring (or equal) retainer glands.	
C. The maximum sewer length to be tested at one time shall be that length between any two manholes.		d. Air shall then be pumped out of the manhole through an opening in the plate until a vacuum is created inside of the manhole equal to 10 inches of mercury on an approved vacuum gauge. The removal of air shall then be stopped and the test begun.		3. A plate with an inflatable rubber ring the size of the top of the manhole shall be installed by inflating the ring with air to a pressure adequate to prevent leakage of air between the rubber ring and the manhole wall.		F. Provide one (1) spare input and output card, processor, and power supply for the Programmable logic controller (PLC) system.		D. Bolts shall conform to ANSI Specification A21.10.	
D. Air Testing: Low pressure air testing shall be conducted in accordance with the following procedures:		e. The manhole shall pass this test if the vacuum holds at 10" Hg or drops no lower than 9" Hg within the following times:		4. Air shall then be pumped out of the manhole through an opening in the plate until a vacuum is created inside of the manhole equal to 10 inches of mercury on an approved vacuum gauge. The removal of the air shall then be stopped and the test time begun.		G. Provide one (1) spare level transducer.		E. Pipeline couplings shall conform to AWWA Standards C110 and ANSI A21.10. Mechanical joint connecting pieces of proper diameter shall be installed in accordance with the manufacturer recommendations and at locations directed by the plans or the Town Water Department.	
1. Each end of the test section and laterals shall be plugged, capped and braced. Necessary safety precautions shall be taken to prevent blowouts and possible injury.		Depth of 4'± Manhole Minutes Seconds		5. The vacuum must not drop below 9 inches of mercury within a 2 minute test period. If more than 1 inch of drop in vacuum occurs within the 2 minute test period the manhole has failed the test and shall be repaired or reconstructed and retested.		4.02 O & M MANUALS		F. All fittings shall be restrained; double poly wrapped and have concrete thrust blocks poured in place as defined herein.	
2. An air hose shall be connected to a tapped plug used for an air inlet. The hose will be connected to the air control equipment, which shall include valves and pressure gauges. These shall allow air to enter the sewer test line, monitor air pressure in the sewer, shut off air, and provide pressure reduction and relief. The monitoring pressure gauge shall have a range of 0-10 psi with divisions of 0.10 psi and accuracy of 0.05 psit.		0' - 10' 2 0		D. Following satisfactory test results, the manhole may be backfilled.		A. Installation of all mechanical equipment shall be done in accordance with written instructions provided by the manufacturer. Installation instructions shall be delivered with the station.		2.04 TAPPING SLEEVES AND VALVES	
3. The air compressor and air supply shall be connected to the test line and the test section filled slowly, until a constant pressure of 4.0 psig is maintained.		10' - 15' 2 30		3.09 SERVICE CONNECTION		B. The manufacturer shall provide 5 copies of a complete and detailed operating and maintenance manual. This manual shall provide all design criteria, general operating procedures, maintenance and servicing procedures for all major components, and as-built drawings of the contributory gravity sewer system, the pumping station and force main. All instructions and parts lists shall be prepared for the specific equipment furnished and shall not refer to similar equipment. Operating manuals must be submitted to the Town prior to final acceptance of the station.		A. The Town Water Department shall be notified whenever a proposed tap is to be made on any transmission main within the municipal system.	
4. A pressure above 3.0 psig shall be maintained for at least five minutes to allow the temperature to stabilize. A check for leaks shall be made and if any are found, the pressure shall be released and the fitting replaced or repaired.		15' - 20' 3 0		A. No sanitary sewer shall be placed in service until such time as the Town has given final approval to the sewer installation, including satisfactory completion of all required tests. Service connections shall not be made until all receiving sewer mains have been completed and approved and as-builts received along with GPS coordinates and approved by the Town Wastewater Department.		5. All other appurtenances necessary to complete the water main system as shown on the Contract Plans.		B. Only approved tapping companies shall be allowed to perform wet taps on any Town Water Department water mains.	
5. After the stabilization period, the pressure shall be adjusted to 3.5 psig and the air supply disconnected.		20' - 25' 3 30		1. Laterals		B. Related Sections:		C. All materials used when tapping for a branch connection or interconnection from any Town Water Department water transmission or distribution pipelines shall be specified below	
6. Measure and record the time interval for the test line pressure to drop from 3.5 psig to 2.5 psig.		f. If the vacuum drop exceeds 1" Hg during the specified time periods, the manhole shall be resealed and Steps 2 through 5 above repeated until the vacuum holds for the specified time.		Where required on the plans, sewer service connections for one house shall be constructed of four inch (4") pipe, unless otherwise noted on the plans, of the type material specified under this section. The pipe shall be laid and its joints made as required for sewer construction in this specification. Open ends of pipes shall be properly sealed to prevent damage and intrusion of foreign matter where hookup to the building sewer is not coincident with sewer main construction. Additionally, the Contractor will provide a stable, temporary marker approved by the Town Wastewater Department from the sewer service invert up to six inches (6") above the finish grade and seated securely into the ground for ease in relocating the end of sewer service connection for hooking up the building sewer. Two (2) tie points to permanent objects shall be documented. The tie points shall be submitted to the homeowner and to the Wastewater Department.		1. Utility Trenching and Backfilling		2.05 TAPPING SLEEVES	
7. If the groundwater table is above the pipe, increase above test pressures 0.5 psig for each foot the groundwater is above the invert of the pipe.		g. After the manhole passes the vacuum test, it shall be backfilled carefully so that no leaks are created. If the manhole is disturbed in any way during backfill, it shall again be vacuum tested according to Steps 1 through 5 above. If the manhole fails the vacuum test, the Contractor shall test the manhole using the manhole exfiltration test.		In the case of reconnection of existing services, such reconnection will be made only after the new sewer main has been completed, tested, and accepted. The excavation, bedding material, installation, and backfill for service connections shall be the same as for sewer mains.		2. SUBMITTALS		For use on existing asbestos cement, gray cast iron, ductile iron or PVC C-900 pipe:	
8. The requirements of this specification shall be considered satisfied if the time required in seconds for the pressure to decrease from 3.5 to 2.5 psi greater than the average back pressure of any groundwater that may submerge the pipe is not less than that computed according to the following table:		h. The Contractor shall provide the Engineer with a written log of each manhole leakage test result.		2. Cleanouts for Sewers		A. Product Data: Submit published data from manufacturers of products and accessories specified, indicating compliance with requirements to the Engineer and local municipality.		A. Tapping sleeves shall be of the split sleeve design, constructed with two solid half-sleeves bolted together. Sleeves shall be constructed of ductile iron, shall have a working pressure of at least 250 psi, and shall have mechanical joint ends with end and side gasket seals.	
Minimum Test Time for Various Pipe Sizes		i. Manholes shall be tested and accepted prior to building manhole inverts.		Cleanouts for gravity sewers and force mains shall be provided at locations indicated on the plans or as directed by the Town Wastewater Department. Cleanout frames and covers against each other shall be machined to give continuous contact throughout their circumference. All iron castings shall be thoroughly cleaned and then coated with hot coal tar before being delivered. Individual laterals shall have cleanouts every one hundred feet (100'). Cleanouts shall also be installed in laterals with changes of alignment of 45 degrees or greater.		1.03 QUALITY ASSURANCE		B. All iron body tapping sleeves shall be provided with a 3/4" NPT test plug, or other provisions must be made for air testing the valve and sleeve at maximum working pressure, prior to tapping.	
Diameter (Inches) Time (Sec./100 Ft.)		3.07 PRESSURE PIPE TESTING		3. Chimneys		A. All materials and the installation procedure shall be in accordance with the Department of Environmental Conservation, Water Supply Division and the applicable construction ordinances of the local municipality.		C. All bolts and nuts for mechanical joints of tapping sleeves shall be of high-strength cast iron or high-strength, low-alloy steel conforming to ANSI/AWWA C111/A21.11.	
4 18		A. General: All force mains shall pass the hydrostatic pressure test and leakage test described herein. Prior to testing, all anchors and braces shall be installed. All concrete thrust blocks and restraints shall be in place and cured at least seven days. All buried pipe shall be backfilled. Suitable test plugs shall be installed and air release valves shall be installed at the high points.		Chimneys shall be built of four inch (4") pipe and/or as indicated on the contract drawings. Each chimney shall be plugged or capped at end until ready to connect to existing services. Chimneys are required where the vertical drop between the finished grade surface and the main sewer line exceeds fifteen feet (15') at the wye from a service connection.		2.01 GENERAL		D. All bolts and nuts for flanged joints of tapping sleeves shall be of high-strength, low carbon steel conforming to ANSI/AWWA C110/A21.10.	
6 45		B. Hydrostatic Test: The following procedure shall be used:		3.10 Force Main		A. Furnish ells, tees, reducing tees, wyes, couplings, increasers, crosses, transitions and end caps of the same type and class of material as the conduit, or of material having equal or superior physical and chemical properties as acceptable to the Engineer as necessary to complete the water system.		E. All bolts and nuts shall be sound, clean, and coated with a rust-resistant lubricant; their surfaces shall be free of objectionable protrusions that would interfere with their fit in the made-up mechanical or flanged joint.	
8 75		1. All air release valves shall be opened and the pipe shall be filled with water at a rate not to exceed the venting capacity of the air release valves.		A. After force mains have been laid and the trench backfilled, the pipe shall be subjected to a hydrostatic pressure test in accordance with AWWA Standard for Installation of Cast Iron Water Main, AWWA C600 (latest issue), Section 13. The hydrostatic pressure shall be 150 percent (150%) of normal operational pressure. After the pressure test has been satisfactorily completed, a leakage test shall be conducted in accordance with AWWA C600 (latest issue), Section 13. The minimum test pressure shall be 75 pounds per square inch at the high point in the system.		2.02 WATER MAIN MATERIAL		2.06 TAPPING VALVES	
10 90		2. The water pressure shall be raised to 150 percent of the designed operating pressure or 60 psi minimum at the highest point.		3.11 Wet well		C-900 PVC WATER MAIN		A. Tapping valves shall conform to ANSI/AWWA C509 Standard for Resilient-Seated Gate Valves for Water and Sewage Systems, except as modified herein. Valves shall be counterclockwise and shall have a minimum working pressure of 200 psi. Inlet flanges shall be Class 125 conforming to ANSI Specification B16.1 or ANSI/AWWA C110/A21.10, and outlet connection shall be Standardized Mechanical Joint unless specified otherwise on the drawings for the type of pipe required for the branch or lateral pipeline.	
12 110		3. Leakage Test: The following procedure shall be used:		A. The pre-cast concrete wet well shall be externally coated with an asphaltic sealant and tested for water tightness using an approved vacuum or water testing procedure.		A. Pipe shall be Tyton Ductile Iron Class 52 (sizes as shown on the plans) conforming to current AWWA C-900, latest revision and shall be UL and FM approved. Larger size mains will be required if necessary to allow withdrawal of the required fire flow while maintaining the minimum pressure specified in the VT Water Supply Rule, Chapter 21, § 8.1.1. Any proposed departure from minimum requirements shall be justified by hydraulic analysis and future water use assessment, and will be considered only in special circumstances (VT Water Supply Rule, Chapter 21 § 8.1.4). Push-on joint accessories shall conform to applicable requirements of ANSI/AWWA C111/A21.11.		B. Tapping valves over sixteen inches (16") diameter shall be installed with their stems horizontal, shall be equipped with rollers, tracks and scrapers, and shall be provided with bypass valves unless otherwise specified.	
3.05 MANHOLES		1. Leakage shall be defined as the quantity of water that must be supplied into the pipe being tested to maintain pressure within 5 psi of the specified test pressure.		3.10 Force Main		B. When a pipe material is specifically noted on the contract drawings, the contractor/developer shall not have the option of utilizing any other pipe material. Galvanized pipe or fittings shall not be used in any water system owned or maintained by the Town. The Town Water Department requires the use of polyethylene pipe sleeve encasements and/or alternate pipe materials in known or suspected corrosive soil conditions.		C. Buried tapping valves shall be provided with a two inch (2") square wrench nut and shall be installed with a cast iron valve box as required to allow positive access to the valve operating nut at all times. In installations where the depth from grade to top of valve operating nut is greater than 5'0", a valve stem riser shall be provided and installed such that the depth from valve stem riser nut to grade is from four feet to five feet (4'-5'), (minimum length of valve stem riser is two feet (2')). Valve stem riser shall be of high strength steel and of welded construction.	
A. The excavation shall be to the depth indicated on the plans or ordered by the Engineer, and carefully shaped and graded.		2. No pipe installation shall be accepted if the leakage is greater than that determined by the following formula:		3.10 Force Main		DUCTILE IRON WATER PIPE		D. All contractors (or others) who apply for water line tapping permits shall submit complete specifications of the tapping material they intend to use at the time the tapping permit application is submitted on 8 1/2" x 11" shop drawing sheets	
B. Manhole sections shall be precast concrete and shall conform to the dimensions indicated on the plans or ordered by the Engineer.		L= ND(P)^0.5 7,400		3.10 Force Main		A. Pipe shall be Tyton Ductile Iron Class 52 (sizes as shown on the plans) conforming to current ANSI/AWWA C151/A21.51 latest revision. Push-on joint pipe shall be minimum thickness Class 52. Push-on joint accessories shall conform to applicable requirements of ANSI/AWWA C111/A21.11.		E. All bolts and nuts used with all pipe sleeves shall, upon final tightening and testing, be brush coated heavily with bitumastic cold-applied material to thoroughly cover all exposed surfaces of the bolts and nuts.	
C. Channels, inverts and floor areas for sewer manholes shall be constructed of concrete. Inverts shall have the exact shape of the sewer to which they are connected and any change in size or direction shall be gradual and even. All construction of sewer manholes must be carried out to insure watertight work.		Which ever is less		3.10 Force Main		B. Pipe shall be cement mortar lined on the inside in accordance with ANSI Specification A21.4 except that the cement lining thickness shall not be less than 1/8 inch. A plus tolerance of 1/8 inch will be permitted.		2.07 GATE VALVES-RESILIENT SEAT	
D. The required precast concrete risers shall be placed on top of the concrete to the elevation indicated on the plans or as ordered by the Engineer.		L= SD(P)^0.5 133,100		3.10 Force Main		C. Pipe shall be given an exterior petroleum asphaltic coating in accordance with ANSI/AWWA Specification C151/ASNI A21.51.		A. Valves shall be manufactured to meet or exceed the AWWA Specification C509, latest edition.	
E. The cast iron frame shall be set as indicated on the plans in a full mortar bed. The cover shall be properly placed in the frame.		S = Length of Pipe Testing		3.10 Force Main		D. Pipe shall be poly wrapped with a minimum thickness of 4 mil poly in accordance with AWWA Specification C105 / ANSI		PROJECT PLANS 05/04/2020	
3.06 MANHOLE TESTING		L = Allowable Leakage in Gal/Hr		3.10 Force Main					
A. Manholes shall be tested separately by one of the following two procedures:		P = Nominal Diameter of Pipe (")		3.10 Force Main					
1. Exfiltration Leakage Test: All pipes and other openings into the manhole shall be suitably plugged and the plugs braced to prevent blowout. The manhole shall then be filled with water to the top of the cone section. A period of time may be permitted, if the Contractor so wishes, to allow for absorption. At the end of this period, the manhole shall be refilled to the top of the cone, if necessary, and the measuring time of at least four hours begun. At the end of the test period, the manhole shall be refilled to the top of the cone, measuring the volume of water added. This amount shall be converted to gallons per vertical foot depth for 24 hours. The leakage for each manhole shall not exceed one gallon/vertical foot/day. If leakage exceeds the allowable rate, repairs shall be made as approved by the Engineer and the manhole retested. If the Contractor elects to backfill prior to testing, the testing shall be at his own risk, and it shall be incumbent upon the Contractor to determine the reason for any failure of the test. No adjustment in the leakage allowance will be made for unknown causes such as leaking plugs, absorption, etc. It will be assumed that all loss of water during the test is a result of leaks through the joints or through the concrete. Furthermore, the Contractor shall take any steps necessary to assure the Engineer that the water table is below the bottom of the manhole throughout the test.		N = Number of Joints in the Pipeline Tested		3.10 Force Main					
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Photos, 11 Hungerford Terrace garage



Help us put the Green in Green Castle!

Be good to the planet and stay HEALTHY with GCG's Bike Trolley Program!



Do your shopping by foot or by bicycle – the trolley is on us! Green Castle Group provides a limited number of free walk/bike trolleys for tenants to use for in town shopping. Burlington is a beautiful city and your apartment is so close to everything this City has to offer.

With our free bike trolleys it's an easy and quick trip. GCG's trolleys can go into the store with you as your personal shopping cart!

Our trolleys are free for your use. We ask that you take good care of them, of course along with some other conditions. If you want to use a trolley, we will ask for your initial agreement that if you were to lose or damage a trolley that we be allowed to cover that loss by reducing your damage deposit for the cost of a new replacement trolley.

We hope that you take advantage of this service - - think about what a trend setter you'll be when you bike down the street towing your groceries!

GREEN CASTLE GROUP

Conditions apply. Trolley's are on a first come first serve basis. Program start date will be July 1, 2015.

Project Narrative – This application is for Planned Unit Development and involves 4 existing lots with the following addresses: 273 Pearl Street, 11 Hungerford Terrace, 15 Hungerford Terrace and 21 Hungerford Terrace.

The Properties are currently improved as follows:

273 Pearl – Mixed use building housing a small dental office and a one bedroom apartment
11 Hungerford Terrace. 5 unit apartment building
15 Hungerford Terrace. Single family dwelling. Note: The applicant obtained a permit to make this building a duplex apartment building, but the conversion to duplex was not commenced or completed.
21 Hungerford Terrace. Single family dwelling. Note: The applicant has also obtained a permit to make this building a duplex, but the conversion to duplex was not commenced or completed.

Note: Applicant has obtained zoning permits to convert the house to be dismantled, 11 Hungerford Terrace, to a duplex and has not commenced construction. Similarly, applicant has obtained a permit to convert 21 Hungerford Terrace house to a duplex, but has chosen not to do so and has not commenced this construction. In lieu of the foregoing duplex conversions, applicant seeks an affirmative finding to instead to construct the Project described herein.

The applicant seeks to construct a new multi-tenant residential building to house 12 residential apartment units with and related parking and other supporting infrastructure on the combined site.

In order to support the new construction, the applicants seeks:

- 1) removal of the modular cape cod style house located at 15 Hungerford Terrace;
- 2) Removal of a garage structure on the 11 Hungerford Terrace Lot;
- 3) Moving of an existing garage structure back to the rear of the 11 Hungerford Terrace lot
- 4) Removal of a conjectural side porch on the Southerly elevation of the house at 21 Hungerford Terrace.

Total new units proposed = 11 apartment units (12 new minus the one unit currently being removed at 15 Hungerford Terrace)

Major Impact Review Standards

1. Sufficiency of water, water supply and distribution, public infrastructure, capacity of existing and planned community facilities generally.

The Project location is an existing high density residential area very close to the urban core and approximately three (3) blocks from Church Street. The Project is located within the Residential High Density Zoning District.

The City's intent for the RH Zone at CDO Section 4.4.5 (a) (5) is as follows:

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

For purposes of residential construction, if an area is zoned for housing and a lot can accommodate the density, the cumulative impact of housing shall be considered negligible; The parcel is zoned for high density residential housing, and can accommodate the proposed density. The cumulative impact must be considered negligible.

The City has planned for development in the RH Zone on a large scale. It has accordingly set requirements in the form of the CDO to allow for high intensity of residential development near the downtown core where community facilities and infrastructure has already been invested in, created and concentrated. The CDO allows for 40 dwelling units per acre in the RH Zone before consideration of bonuses to take advantage of this existing infrastructure. This is not by accident. Water and sewer infrastructure is robust and runs to the Site. Substantial metered parking extends along Pearl Street and non-metered parking spaces along Hungerford Terrace adjacent to the Project. There are four parking garages within 5 blocks of the Project. The main fire station for the City is 4 blocks away few hundred yards away. The police station is approximately 9 blocks away. Schools are nearby. However, the Project is highly unlikely to generate additional school demand given the likely tenant population being young professionals or students.

The net addition of just eleven (11) new residential units will increase the intensity of use at the site. Given the High Density Residential Zoning District and the housing crisis that exists in the City, more dwelling units are both anticipated and encouraged by the CDO and the MDP, however.

Impact Fees/Incremental Property Taxes Supporting Infrastructure.

An impact fee is a fee imposed by local government on a new project to pay for public services. The increase in the number of dwelling units would be off-set by the payment of Impact Fees, and would thus pose no adverse impact to existing or planned community facilities.

The MDP directs housing density to occur in the RH zone, in large part because nearby infrastructure already exists, has capacity and is concentrated nearby. Higher density such as this Project located near the downtown core provides very substantial tax benefits to the City. These benefits are proportionately larger than any incremental infrastructure use arising from the Project. The Applicant estimates that the incremental tax benefit to the City above existing conditions would be at least \$31,250 annually, without the likelihood putting children in the school system. As such, the Project is not a detriment to City facilities. Rather, it is a substantial boon to the City's capital infrastructure budget far into the future.

Major Impact Review Standards

The Project shall...

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

Applicant's Response: The proposed project would only improve the situation as it relates to these impacts.

The site currently slopes to the West and does not have modern infrastructure to control these impacts. Stormwater and erosion impacts will be taken into account and there will be a substantial improvement by using current engineering methods. Engineered stormwater and erosion control infrastructure will be constructed as part of the proposal meeting the City's

requirements of Article 5, Sec. 5.5.3 of Burlington's Comprehensive Zoning Ordinance. Snow would be plowed and removed from site when necessary.

The proposal will not cause undue Noise pollution. The Project is not anticipated to generate substantial noise pollution. We choose are tenants carefully and require them to sign a good neighbor policy. As such, we anticipate continued success in managing noise impacts in a densely populated area.

As to air pollution, the site's proximity to employers, public transport and urban infrastructure will allow tenants of the property to avoid the automobile altogether. It will thus provide tangible opportunity to replace use of the automobile with pedestrian, bicycle and public transport and accordingly help minimize air pollution.

2. Have sufficient water available for its needs;

Applicant's Response: The proposed project would be served by the municipal water service administered by the Department of Public Works. The Applicant will obtain a water allocation from the Department of Public Works sufficient to support the proposed project.

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

Applicant's Response: Applicant is only proposing to add a net of 11 apartment units to the Site which is already served by the municipal water service. Water lines (including a waterline for sprinkler system) already exist at the Hungerford Terrace site. There is no reason to believe that the addition of 11 residential units would unreasonably burden the City's present or future water supply or distribution system.

In fact, in 1984 the City's capacity of the water system was expanded to 18 million gallons per day (MGPD) and Burlington's water system typically operates at one-third or less of its total capacity.

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

Applicant's Response: Applicant will submit an engineered Erosion Prevention and Sediment Control Plan and refers to those proposed measures as a means of avoiding such adverse impacts. Additionally, maximum lot coverage permitted in this zoning district is 92% with the affordable housing component. Applicant's proposal is at or below the allowed lot coverage.

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

Applicant's Response: Applicant is only proposing to add 11 residential units of to the site which is located in a high-density residential (RH) zoning district. This is well within the maximum build-out allowed under the CDO. In addition, the site is also extremely well located on Hungerford Terrace within/near the urban core of the City. Accordingly, it is one of the precious few locations remaining in the State where multiple modes of transport are extremely viable. In this location use of an automobile is very often less convenient than walking, cycling

or public transport. Within 1 to 5 blocks of the Site, the rich urban infrastructure of downtown Burlington unfolds. The shops and restaurants of Church Street are within 3 blocks. Fletcher Free Library is approximately 3 block away. The Chittenden County Court house is within 5 blocks. Hundreds of employers lie within a 1 to 8 block radius of the site. Any increase in traffic of any sort should be easily absorbed by the existing urban infrastructure.

Public Transport. Public transport is extremely convenient from the Site. There is a bus stop approximately one block away with service regularly from CCTA along Pearl Street, which is a Major Street.

Bike Friendly Building/Pedestrian Friendly Building. The Applicant will also offer amenities to all residential tenants that will make bicycle use extremely convenient and will also make walking a convenient mode of transportation. Included within each apartment will be a wall mounted bicycle rack for one bicycle. Interior climate controlled bicycle storage will also be offered on site. A fixed bike rack will be provided outside of the building. In addition, tenants will be offered free use of several caged trolleys. These trolleys will be designed for use as either pedestrian shopping carts or bicycle mounted shopping carts when shopping at nearby City Market and other Burlington shops. The carts will serve as shopping carts with the intent that the tenant can wheel inside City Market and back home.

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

Applicant's Response: The target demographic for tenants of the proposed project would be adults without minor children, primarily workers who work in the City or students. It is unlikely that this project would draw many tenants with school-age children who would be entering the Burlington School District, if any.

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

Applicant's Response: There is no reason to believe that the addition of this small number of residential units would unreasonably burden the city's ability to provide municipal services given the location so close to the urban core.

Solid waste will be picked up regularly by private hauler.

According to the MDP, the Burlington Police Department meets national standards by providing two police officers per one thousand residents. The addition of just 11 residential units would therefore not have any material impact on the City's ability to provide police services.

The Proposal would not unreasonably burden the City's ability to provide fire services. According to the MDP, fire department officials believe they have adequate facilities and equipment with which to fight fires as long as building heights do not increase significantly beyond the current maximum heights. The new and existing construction on the site will meet the height limit of 35' allowed by the CDO for the RH zone.

The new apartment building on the site will be fully sprinklered with a type 13 R automatic sprinkler system and a fully automated integrated fire alarm system. It is important to note that newer structures, equipped with sprinklers and fire alarms tied into the fire department electronically are less likely to burn than older buildings. Much of the City's housing, old and new is wood frame construction. Accordingly, the addition of a fully sprinklered building to the housing stock will only help this situation.

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

Applicant's Response:

There are no rare, irreplaceable or significant natural areas or archaeological sites at the subject property being unduly impacted. The existing buildings at 11 and 21 Hungerford Terrace are eligible for listing or have been listed on the state's historic registry and are contributing structures in this Historic District. These structures are being preserved for the most part.

The 15 Hungerford Terrace house was built in the 1970s and is not historic. The proposal is to remove the existing house at 15 Hungerford Terrace and move it to another location off site.

There is one outbuilding (a garage on the 11 Hungerford Terrace site) and a conjectural side porch to 21 Hungerford Terrace that are sought to be removed in order to provide for the substantial public benefit of additional housing. The additional housing and related infrastructure as proposed would not be possible without such removal. The revenues from additional housing will be used to protect and preserve the two primary historic structures on the combined site. (11 Hungerford Terrace building has already been completely renovated on the interior and improved by Applicant with a fully automated sprinkler system and fire alarm system. Thus helping to assure its preservation into the future.) Given the foregoing and the substantial public benefit of additional housing, the impacts in this criteria are not undue and adverse. For a complete analysis of the criteria impacted by removal of the 11 Hungerford Garage, see Exhibit G-11H hereto. For a complete analysis of the criteria impacted by removal of the 11 Hungerford Garage, see Exhibit SP-21H hereto.

The Applicant recognizes that the MDP seeks to respect the city's architectural heritage and to conserve the existing elements and design characteristics of its neighborhoods and maintain neighborhood proportions of scale and mass, as well as supporting the development of additional housing within the city

Accordingly, the primary vertical construction will be completely detached from the buildings at 11 Hungerford and 21 Hungerford Terrace and no material changes to the existing buildings at 11 and 21 Hungerford are contemplated other than changes toward the side of 21 Hungerford Terrace. There will be site changes on the 11 and 21 Hungerford lots, which will have impacts only to the rear of the 11 and 21 Hungerford sites. The site changes have two primary purposes. First, to provide greater accessibility to the existing structure as well as to the new construction. The new residential units will comply with the VT Access Rules 2012, by providing two fully accessible HC parking spaces and the required number of HC accessible units. Second, the new apartment structure will help facilitate common use of shared facilities across the site such as an exercise room, storage, bicycle storage and a common lobby.

In summary, the design seeks to minimize impacts on historic features of the existing structures at 11 and 21 Hungerford. This is why Applicant chose not to add on to 11 and 21 Hungerford structures, but rather to build on the middle lot (15 Hungerford) primarily and to the rear of the 11 and 21 Hungerford lots.

The Applicant submits that the proposed new structure is compatible in style with the Hungerford Terrace Historic District. The new addition has been carefully planned to be substantially compatible to the existing building height, massing and arrangement on the street. The Site slopes substantially to the West and the site has an open area to the West that is open for development. The development plan thus exercises the Hungerford Terrace grade change to 'sink' the basement substantially from view from Hungerford Street, while accommodating an attractive walk-out provision. It is also of note that the structure reflects the design and massing of two buildings across the street and within 40' of the Site.

As for the scenic or natural beauty of the area, there are no public viewsapes to impair. Applicant intends to preserve the existing mature trees on the streetscape and to locate new development on the site in a manner which respects the topography.

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

Applicant's Response: The proposed project is to be located in the RH district within the maximum unit limits prescribed by the CDO, where the CDO directs multi-unit residential housing to be constructed. Accordingly, this criteria represents one of the primary strengths of this Project. The proposal provides infill, thus augmenting an already existing development pattern within a largely built up environment, rather than sprawling out the pattern of development. The RH zone of the City is a mostly built out environment with some limited opportunity for small scale infill development such as the subject site. Infill development of this sort are incorporated within and take advantage of existing development patterns, thus avoiding sprawl impacts.

Infill of this sort also maximizes the City's existing investment in infrastructure. City services and facilities are already concentrated within the nearby urban core and the RH Zone. Accordingly, infill development as directed by the City provides substantial benefits, while utilizing existing infrastructure and thus avoiding the substantial associated capital costs of additional infrastructure.

As a result, the CDO expressly directs multi-unit residential development to occur in the RH zone to maximize the City's existing infrastructure investment. "The Residential High Density (RH) district is intended primarily for high density attached multi-family residential development. Development is intended to be intense with high lot coverage, large buildings, and buildings placed close together." City of Burlington Comprehensive Development Ordinance, Section 4.4.5(a)5. The RH zone of the City is a mostly built out environment with some limited opportunity for small scale infill development such as the subject site. Infill development of this sort takes advantage of existing infrastructure and development patterns, thus avoiding sprawl impacts that include additional infrastructure costs.

10. Resource Utilization. The Site's many advantages in this regard are outlined throughout. Primarily, the location and improvements proposed provide for the ability of tenants to live, work and play within walking and biking distance. This will result in a project with among the lowest resource utilization profiles possible in the entire State of Vermont. Notably, the Project provides for substantial amount of fenestration, thus providing ample opportunity for

solar gain. Energy efficiency and insulation standards provided under State law and City ordinance will be followed.

11. Be in substantial conformance with the city's municipal development plan and all incorporated plans:

Applicant's Response: Regarding the MDP, the proposed development is in conformance with but also gives direct effect to the MDP.

Exhibit G-11H

Demolition of Dilapidated Garage on 11 Hungerford Terrace Lot

Description of Structure proposed for Demolition and Site.

The only structure proposed to for demolition its entirety in connection with the subject application is a subordinate, dilapidated out building used as a garage located on the 11 Hungerford Terrace.

The primary structure on the lot is a five (5) unit residential apartment building located nearest to Hungerford Terrace which has undergone a complete interior renovation and thus has been preserved by Applicant. The only other structure on the 11 Hungerford Terrace lot is the dilapidated subordinate garage structure.

11 Hungerford Terrace is a narrow lot of about 50' in width that slopes substantially to the West. The subject garage structure is set back on the lot about 60' feet from Hungerford Terrace, just beyond the Westerly façade of the primary structure on the site. The garage is built into the grade close to the southerly boundary line. The elevation between the Easterly facing front of the garage and the back of the garage drops off about 8'. The location of the garage structure on the narrow lot approximately mid-way across the narrow lot blocks access and creation of parking and other infrastructure necessary for the proposed project and also interferes with creation of habitable space on the combined lots.

The subject garage is in substantial disrepair, to the point where it is structurally unsound and cannot be rehabilitated or moved to better accommodate economically feasible development of the Combined Site.

The garage structure is a primarily wood structure with two levels, a partially below ground level and a street facing level with a wood floor that is above ground. The garage structure appears to have been built at the same time as the primary structure on the Property and has been substantially altered since its original construction. As noted above, Applicant has undergone a complete interior renovation of the existing primary structure on the lot, to include a complete interior renovation and sprinkler system to preserve the property.

Applications for Demolition of an entire structure are governed by Article 5.4.8(d) of the City of Burlington Comprehensive Development Ordinance.

A. The Structure Proposed for Demolition is Structurally Unsound Despite Ongoing Efforts to Maintain.

One very substantial reason for the proposed demolition is that the garage structure is unsound. See report of Scott + Partners Architects attached (the "Architects Report"), confirming the following defective conditions:

The foundation and footings appear to have been improperly installed originally. As a result, the slab and foundation is sinking up to 42 inches in some places. In addition, there is extensive water

leakage through the roof and siding. The compromised roof and siding systems have caused substantial issues, including, but not limited to:

- structural supports rotting
- rotting of wall systems
- white mold infiltration

As a result of the foregoing, the structure is unsound for use as a garage structure.

The Applicant acquired the 11 Hungerford Terrace property in March of 2018. Since that time, the Applicant has sought diligently to properly maintain the structure. Primarily, this has consisted of installing beams to support the first floor that is sinking and settling substantially. (See pictures attached and Architects Report). However, given the existing compromised foundation and footings, such work is not likely to achieve lasting positive results structurally.

B. The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the RH Zone and cannot be practicably moved due to its compromised condition.

The Applicant is seeking a zoning permit to add 12 apartment units (net 11 apartment units) and to make associated site improvements including stormwater infrastructure. The Applicant has already done a complete interior renovation to the primary structure at 11 Hungerford Terrace. Thus helping to assure its economic viability well into the future and its historic preservation. Rehabilitation of the garage structure is not practically feasible, however. This is primarily due to the fact that the foundation and slab have been substantially compromised and are sinking. There is also rot and other structural damage as noted above and in the Architect's Report. As a result, any rehabilitation would be extremely costly, involving wholesale reconstruction of nearly every element of the structure with new materials including, but not limited to, new footings, new foundation, new concrete slab, new roof underlayment, new roof shingles and new siding. For these same reasons, the garage cannot be practicably moved.

Moreover, such reconstruction would result in a structure that has little or no economic benefit in the context of the residential high density zone in which it is located. Section 4.4.5 (a) of Burlington's Comprehensive Development Ordinance provided that "[t]he Residential High Density (RH) district is intended primarily for high density attached multi-family residential development. Development is intended to be intense with high lot coverage, large buildings, and buildings placed close together. Parking is intended to be hidden either behind or underneath structures."

Put simply, a suburban garage type structure that cannot be practicably moved and is in substantial disrepair as of purchase by the Applicant uses up precious land and lot coverage needed for development of housing on the site. As such under the circumstances, preservation of the 11 Hungerford garage is both impractical and runs directly counter to the intent of the RH Zone, which is to engender intense development consisting of large multi-family residential buildings.

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

i) The Garage structure has little if any historic significance.

In order to weigh the historic significance of the building set for demolition against the community benefits, it is necessary to first review the historic character of the garage structure. The State of Vermont Division of Historic Preservation Individual Structure Survey Form includes a reference to the garage as a related structure, which is often done as a matter of course. Significantly, the Historic Preservation Individual Structure Survey Form notes present no fact indicating any material historic significance attributable to the garage structure itself. Accordingly, in the Statement of Significance at page 2 thereof, there is only mention of the apartment building on the site as contributing to the massing on the street. There is no mention of the garage itself as meeting any historic standard or criteria whatsoever.

Review of the applicable standards used to determine historic value of a structure confirms that this ancillary structure to have little or no historic significance.

1. There was no event that occurred on or about this lot or on any structure on the lot that made a substantial contribution to the major pattern of American History.
2. The Property is not associated with any significant person of the American past.
3. The design and construction is not particularly distinctive and does not possess historic value and was not the work of a master.
4. The property has not yielded and is not likely to yield information that is important to prehistory or history.

Moreover, even if the garage did originally have any historic merit, such qualities have been completely eroded by subsequent modifications. Accordingly, the structure has no historic integrity. This is due to modifications to nearly every aspect of the exterior of the structure done by prior owners, including the following:

- The Original roofing materials have been replaced with asphalt shingles.
- The original siding materials have been changed to vinyl siding.
- The street facing easterly façade has been substantially modified to provide for an opening large enough to accommodate single garage door.
- Late 1970s era single entry garage door has been added on the street facing façade
- a newer entry door has been added to the right of the modern garage door
- a newer poured concrete foundation walls and slab have been installed at the lower level.

Finally, because the garage is set back so far from the street and sunken in elevation, its removal would not represent a detriment to the massing on the street, which is the only recognizable basis for nomination of the primary structure at 11 Hungerford Terrace.

The community benefit to redevelopment of the site is overwhelmingly evident. Burlington has long had a housing crisis resulting in a scarcity of housing. The addition of twelve additional residential units

to the site, thus renders a substantial community wide benefit. It is also important to note the location as being critical to the analysis. Because the site is close walking distance to downtown, the waterfront, the institutions and many dozens of employers, residential development of the site will make a substantial contribution to mitigating reliance on automobiles as cars are not needed for commuting to work, studies or downtown recreation.

D. Demolition of the garage will be done in a way that has no impact on the existing multi-unit building on the 11 Hungerford property, but will instead facilitate preservation of the primary structure.

The structure is detached from the primary building on the 11 Hungerford lot. The garage structure can therefore be accessed from the driveway for demolition. In addition, the redevelopment of the greater site has been planned and designed to assure that the primary building on the 11 Hungerford lot will not be impacted or changed at all. As such, there will be no impact whatsoever on any other structure as a result of demolition, including the existing multi-unit apartment house on the 11 Hungerford lot.

E. All Historically and architecturally important design, features, construction techniques and examples of craftsmanship and materials will be documented properly using the applicable standards of HABS.

As a condition to the permit to remove the structure, the Applicant will document any important design, features, construction techniques and materials using the standards of the Historic American Building Survey and make such available to historians and those interested in Burlington's historic history.

F. The space generated after demolition will be used to construct housing units.

It is also important to note that the garage sits at a place on the property that blocks functional use of a large portion of the 11 Hungerford lot. In this PUD, the rear 25% setback must be maintained as well as the other setbacks around the combined site perimeter. Accordingly, redevelopment of this site is very limited if this dilapidated garage is retained. Put simply, maintaining this garage prevents the construction of incredibly valuable housing units in the location of the garage.

It is also important to note, that Applicant is proposing as part of the Application to add a stormwater bio-treatment detention area located behind the existing structures, which is much needed in this difficult, sloping site. The proposed bio treatment area also offers the substantial added community benefit of treatment of stormwater run-off from the adjacent sites at 15 and 21 Hungerford Terrace and from sites originating up the hill. Such stormwater infrastructure is simply not viable to construct economically if not associated with redevelopment of the site to apartments.

G. The Applicant Has Provided a substantial redevelopment plan for the combined site after demolition which provides for replacement structure consisting of a multi-unit residential apartment building with 12 apartment units.

The Application represents a significant redevelopment plan for the site that provided for replacement structure. The proposed structure is also compatible with the historical integrity and enhances the architectural character of the site and area.

The Applicant expects to commence construction immediately after zoning approval and development of construction drawings, with an expected construction start date of Spring, 2021. The demolition of the 11 Hungerford Structure would be within a few days of the commencement of construction of the overall project. So, there would be no appreciable time lag between demolition and commencement of construction.



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ARCHITECTURE

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SCOTTPARTNERS.COM

Mr. Greg Doremus

10/08/2018

Green Castle Group

346 Shelburne Road, Suite 602

Burlington Vermont 05406

Dear Greg:

You have asked us to report on the soundness of the shed/garage currently located at 11 Hungerford Terrace. This report is based on our site visit to the property on October 4, 2018.

Description of Structure and Site.

The garage structure is a wood structure of approximately 675 square feet with a parking level and a walk out basement. There is a small storage loft on the parking level accessed by a step ladder. The lot slopes toward the main entry of the garage and continues to slope toward the back of the garage. The structure is built into the grade and sits about 5' feet from the Westerly boundary line. The elevation between the front and back of the structure drops off about 8'. Retaining walls hold back the grade to allow an entry to the basement on the North side. The rear of the building is at grade. The building form is a simple rectangular form with a pitched roof and gables at the entry and rear ends. The roof ridge aligns East to West. The structure appears to have been built at the same time as the primary structure on the Property was built. (The Primary structure on the property was converted to a 5 unit apartment building by a previous Owner and has substantially been allowed to degrade.) Both buildings sit on a narrow lot of about 50' in width, that slopes substantially to the South and West. The building is constructed as follows.

Roof Structure:

The roof structure is 2x4 framing at varying on center dimension of around 24 inches covered with board sheathing and topped with asphalt shingles. There is no ridge beam. Rafter ends at the ridge butt together and are fastened with nails. Rafters sit on a wood top plate and are secured with nails. There are no collar ties or a structural roof beam. The loft framing provides some resistance to outward gravitational pressures.

Exterior walls:

Exterior walls are framed with 2 x 4 wood studs at 24" or more on center. Corner studs are larger wood member and there is a former timber column framed into the wall system to support the loft area. Nails are used to secure the framing. The outside of the studs is framed with wood sheathing and topped by what is assumed to be wood siding and trim. The exposed exterior finish of the walls is vinyl siding and does not allow for view of finishes behind. Wall framing sits on wood plates that are not pressure treated and appear to be in fair to poor condition. The plates sit on a concrete foundation wall.



Floor system:

Garage floor system consists of wood framing with a board floor. Framing is a mix of non-original pressure treated boards and original boards. Several built up beams have been added at some point to provide additional floor structure. The floor system bears on the basement walls. Fasteners used are nails. Beams bear on the concrete basement foundation walls and internal columns. Columns are a mix of steel tube and light weight steel adjustable columns. The columns sit on a failing concrete floor slab. It is not clear if the columns sit on footings.

Basement:

The basement walls are poured concrete and wood framed. The concrete walls were formed using board forms. There is no indication of rebar or other structural reinforcing. The walls do not show signs of structural distress. The basement slab is a thin slab that is failing. There appears to be water movement under the building causing undermining of the slab.

Windows and Doors:

Windows where they remain are wood double hung with a six over six configuration. Window sash and frame are in poor and deteriorating condition. There is a person door next to a garage door on the garage entry side of the building. The person door has four wood panels and three glass lites. The door is damaged and one lite is broken. The garage door is wood and not original to the structure. The basement is accessed by a wood door fabricated from board and in fair condition.

Building Location:

The garage location on the lot limits easy access to the rear of the property impacting the ability to access an existing sewer line (which requires periodic maintenance) and limits the ability to properly manage stormwater that runs to the back of the lot. Removal of the structure would greatly improve the ability to maintain of the site and its utilities.

Observations:

- The asphalt shingles are beyond their useful life and require replacement.
- Roof sheathing shows signs of rot and deterioration. There is extensive discoloration and water markings. Sheathing will be required to be replaced.
- Rafters are undersized for their function. Some are damaged and will require replacement or reinforcing to meet current standards. Some rafters have failed and are repaired with a wood splice.
- Rafters will require proper attachment to the wall framing and a structural ridge installed to reduce gravitational forces.
- Wall sheathing shows signs of rot, water damage, and staining indication a long period of weather exposure. We assume a minimum of 50% will require replacement.
- Walls studs where damaged or rotten will require replacement. We assume a minimum of 20% of the studs will require replacement.



- The condition of the finishes under the vinyl siding was not able to be observed. It is assumed that the vinyl siding was installed to cover failing exterior siding. Replacement of the exterior siding and trim should be anticipated if the vinyl siding is removed.
- Garage floor boards show signs of rot and deterioration at the perimeter edges of the floor. Damaged and rotten boards should be replaced. We assume a minimum of 10% of the boards are to be replaced.
- Steel columns are poured into the concrete basement slab and are rusting. Column should be replaced. Reinforced concrete footing should be provided for each column.
- The basement slab will need to be replaced if desired to be kept. Proper structural fill installed as well as a new storm water management system.
- A footing underneath the existing poured concrete basement walls was not able to be verified. Existence of a footing should be confirmed.
- On the rear and North side of the building there is a visible bump and change in wall plain at the main floor framing. It appears that there has been some movement either of the building or the foundation. A more invasive exploration of this area should be conducted.
- Past work completed on the building has removed most of the original historical building components.

Soundness of Structure and its Suitability for Rehabilitation.

Based on the observation above there are valid concerns about the structural soundness of the garage and its suitability for rehabilitation. The building has been neglected over the years and the lack of repair and up keep are showing. The building framing does not meet current structural standards. Rehabilitation of the building will require extensive structural reinforcing as well as replacement of framing, wall sheathing, windows, columns, footings, and exterior finishes. As such, it is our opinion that the structure is compromised and is not suitable for rehabilitation. In addition, because of the extensive nature of the defects, it is not economically feasible to rehabilitate the structure.

Sincerely,

Joel Page, AIA

Scott + Partners, Inc.

Principal

Exhibit SP-21H

Executive Summary

Application for zoning approval to remove ancillary sun-porch attached to historic building to facilitate emergency vehicle access to PUD site.

-The sun-porch is not part of the original construction of the building; The exact date is unclear, but the Sanborn Fire Insurance Maps and National Register of Historic Places indicate that the sun-porch was not part of the original building.

-On its own, the sun-porch does not meet the criteria for Applicability of a Structure as a historic building or site. To be applicable, all of the following conditions must be met

- a. The building is 50 years old or older.
- b. The building does not possess significance in illustrating the heritage of the city, state, or nation in history.
 - i. No associations with significant events.
 - ii. No associations with significant people.
 - iii. No distinctive construction techniques or artistic qualities. Not constructed by a "master".
 - iv. No maintenance to an "exceptional high degree of integrity", original site orientation, or character defining elements.
- c. The building does not possess a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association.

-The sun-porch contrasts the historic nature of the primary historic structure; Hip roofs originate from French/French Creole inspired architecture, contrasting the Dutch/Flemish gambrel roof of the main structure that makes the structure historically significant.

-The removal of the sun-porch will help return the structure to its original historical state; In addition to the hip roof of the porch contradicting the gambrel roof design of the main house, removal of the sun-porch will expose the exterior chimney, a historical feature.

-The removal of the porch will not damage the historical nature of the main house; The sun-porch will be disassembled, rather than "demolished" in the traditional sense. This will allow for careful preservation of the existing historical building.

Project Overview: This application is part of a Planned Unit Development that involves 4 sites: 273 Pearl Street, 11 Hungerford Terrace, 15 Hungerford Terrace, and 21 Hungerford Terrace (the "Combined Site"). The project seeks to construct a new multi-tenant residential building to house 12 residential units (net 11 new units), related parking, and other supporting infrastructure on the Combined Site. In support thereof seeks removal of a non-historic house constructed in 1994 located at 15 Hungerford Terrace, the demolition removal of one outbuilding located at 11 Hungerford Terrace, and the removal of an accessory sun-porch on a secondary facade of 21 Hungerford Terrace. This memorandum relates to the removal of the accessory sun-porch at 21 Hungerford Terrace.

Applications for removal of an ancillary space pursuant to article 5.4.8(d) and the City of Burlington Comprehensive Development ordinance.

Description of Ancillary Space Proposed for Removal.

This is an application for the zoning approval to remove a sun-porch located at 21 Hungerford Terrace. The primary structure on the lot is a single family dwelling, to which the sun-porch is connected via a door through the living room. The removal of this sun-porch is proposed in this application to facilitate safe and fast access to the site by emergency response vehicles.

21 Hungerford Terrace is a lot approximately 50' in width, with driveway access to parking in the rear along the Southern facade of the primary structure. The sun-porch proposed for removal in this application attaches to this Southern facade and protrudes out from the primary structure approximately eight feet, leaving about 18 in of space between the driveway and building. The porch attaches in the front 2/3 of the primary structure, leaving the rear 1/3 as open space for cars to fit between the porch and a row of large trees along the Southern property line. The location of the porch between the primary structure and the property line makes for difficult access to the rear of the property by any vehicle that is larger than average. The poor location of this retrofitted space has led to the repeated striking of the building by vehicles.

The sun-porch is constructed using standard framing techniques on top of a cement block foundation. The crawl space underneath is not accessible, although there are two openings for basement windows facing South. The main windows consist of 8 casements covered by modern metal storm windows. Siding below, between, and above windows is vinyl. The roof is a wood framed, slight pitch hip roof peaking at the chimney (which was on the exterior prior to the construction of the porch). The roof covering is sheet metal.

Applicability of Structure Pursuant to Article 5.4.8

Section 5.4.8(a) specifies that all of the following conditions must be met for a structure to be listed on the State or National Register of Historic Places.

1. **The Building is 50 years old or older;** 21 Hungerford Terrace is listed both in the State and National Register of Historic Places. The original construction date is unclear, either in 1922 (State Register) or in 1923 (National Register).
2. **The building or site is deemed to possess significance in illustrating or interpreting the heritage of the city, state, or nation in history, architecture, archeology, technology and culture because one or more of the following conditions is present;**

- a. **Associations with events that have made a significant contribution to the broad patterns of history;** There was no event that occurred on or in the building or its lot that made a substantial contribution to the broad patterns of American or international history.
 - b. **Associations with the lives of persons significant in the past;** The original occupant was a man named William Robinson, however there is no evidence of his historical significance. He was either a banker or a barber, and has no relation to Daniel Webster Robinson, the Burlington lumber magnate who lived at 384-388 Main St.
 - c. **Embodiment of distinctive characteristics of a type, period, or method of construction, or representation of the work of a master, or possession of high artistic values, or representation of a significant or distinguishable entity whose components may lack individual distinction ;** The distinctive characteristic of the building as stated in the state and national historic registers is the gambrel roof feature of the house itself. The sun-porch in question was not constructed by a master and has no distinguishing features that could be considered artistic or representative of a significant or distinguishable entity.
 - d. **Maintenance of an exceptional high degree of integrity, original site orientation and virtually all character defining elements intact;** The statement of significance of this building on the state historic register lists its character defining elements as being one of several gambrel roof houses on this block. We are not removing or modifying this distinguishing feature that adds to the "Dutch or Flemish 'feel' to the surroundings".
 - e. **Yielding, or may be likely to yield, information important to prehistory;** There is no evidence that this site is likely to yield any prehistoric information.
3. **The building or site possess a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association;** Although the primary structure of the building lends its gambrel roof to the feeling of the neighborhood and its association, the enclosed porch in question lends no integrity of design.

Following the review of the State and National Historic registers, the significance of the structure with regard to these registers is as follows.

- The building is part of the Buell-Bradley Street Historic District. A district characterized by its Dutch colonial and Colonial Revival building style.
- The building has a gambrel roof that adds to the Dutch "feel" of the surroundings.

The sun-porch section of the building in question does not exhibit any of the characteristics that lend to the neighborhood Dutch or Flemish "feel". In fact, hip roofs as seen on this porch directly contrast the Dutch Colonial style as they are historically seen in French-inspired architecture.

Standards and Guidelines Pursuant to Article 5.4.8(b)

Following the review of the Secretary of Interior's Standards for the Treatment of Historical Properties, we believe that the removal of the sun-porch in question falls well within the standards. Article 5.4.8(b) specifies that "These standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility". Within the context of the greater PUD for this site will require access to large emergency vehicles. The driveway is currently too narrow for this. In the past, even smaller vehicles have had trouble navigating this section of driveway and have struck the sun-porch, causing damage. The following points address each standard and guideline in article 5.4.8(b)

- 1. **A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.** The original use for this property was as a residential dwelling. It is currently used as such and will continue to be after removal of the sun-porch.

2. **The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.** As stated above, both state and national historic registers recognize this property for its distinctive roof features. This feature will not be altered or removed.
3. **Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historical properties, will not be undertaken.** No conjectural features will be added. In fact, removal of the sun-porch will help return the building back to its original historical nature, as the hip roof feature of the porch directly contrasts the Flemish architectural style that distinguishes the structure.
4. **Changes to a property that have acquired a historical significance in their own right will be retained and preserved.** The sun-porch itself is a change to this historical property, however it has not achieved any historical significance according to section 5.4.8(a).
5. **Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.** The sun-porch has no distinctive features with regards to its construction. Common construction techniques were utilized and finishes are not distinctive.
6. **Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration required replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.** We are not removing any historic features, deteriorated or otherwise. The sun-porch is not a historic feature because it (in itself) does not meet eligibility conditions 2 and 3 listed under section 5.4.8.(a), of which **all** must be met for a building or site to be considered historic.
7. **Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.** N/a
8. **Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.** N/A
9. **New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.** No new exterior features or alterations are proposed.
10. **New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment will be unimpaired.** The new development in the greater PUD will not infringe or impair the historic nature of the property. The historic property will be properly separated and protected from any development on the site.

Standards for review of Demolition pursuant to article 5.4.8(d) (2)

Article 5.4.8(d)(1) focuses on demolition applications involving a historic building. However the removal of a non-original addition to a historic building is not addressed. This applicant will attempt to apply these standards to this project.

- A. The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure; or,** Despite the structure being struck by multiple vehicles, it is not in structurally unsound condition to the best knowledge of the applicant.
- B. The structure cannot be rehabilitated or reused on site as part of any economical beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practically moved to another site within the district; or,** The section of the structure in question cannot be moved or reused on the site as it is attached to the greater historical structure. Movement of the structure to another location on the greater structure would further decrease the historical significance of the building as this section of the structure is not original and has no historical significance of its own merit.
- C. The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition.** The sun-porch in and of itself has no historical significance. To determine the historical significance of the porch it is necessary to review the State and National Historical Registers. The State of Vermont Historic Sites and Structures Survey makes no mention of the sun-porch, only that the gambrel roof of the primary structure has significance to the overall "feel" of the neighborhood. The National Register of Historic Places (published in 1995) mentions the sun-porch as a matter of course in a description of the building as it stood at the time. However there is no mention of its historical significance. In addition, the construction of the sun-porch covered a distinctive feature in the exterior chimney, a design element common at the time. Although inefficient for heating, deep fireplaces feeding into exterior chimneys were a fire safety measure. The exterior chimney is mentioned in the national register of historic places.

The greater redevelopment of this site will provide a substantial community benefit that significantly outweighs the historic or architectural significance of the sun-porch. The sun-porch has little or no historic or architectural significance. In addition, the proposed PUD will help provide the safe and efficient housing that is needed in downtown Burlington. The combined site is currently vastly underutilized. Development would not only provide housing, but would help provide the funding needed to keep the historic buildings at 11 and 21 Hungerford well-maintained and able to contribute to the history of the neighborhood long into the future.

- D. The development and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties;** Removal of the sun-porch will be done with the greatest care to preserve the greater historic structure. The porch will not be "demolished", but dismantled piece by piece to ensure that no damage will occur. Siding and other materials that are needed to fill in the doorway from the primary structure to the sun-porch will be consistent with the materials on the rest of the house. Separation from other historical structures on the site is significant enough to facilitate removal without disturbance to those structures.
- E. All historically and architecturally important design, features, construction techniques, examples of craftsmanship, and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians, and others interested in Burlington's history;** As of this writing, no significant historical features, construction, architectural, or otherwise have been observed at the sun-porch. If during removal any significant features are discovered, they will be documented using the HABS standards, preserved, and physically made available to the Chittenden Historical Society and or the City of Burlington.
- F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s);** The space gained from the removal of the sun-porch will provide access to the rear of the property and greater PUD site

by emergency vehicles. The driveway currently is narrow and is required to curve around the porch, which has resulted in vehicles hitting the structure, causing damage. If an emergency vehicle was currently required to access the site, they would be unable to do so. This is a significant life safety issue that we seek to resolve with this application. See greater PUD application for more details.

Parking / Traffic Analysis

We are proposing twenty-five (25) shared use parking spaces across the PUD, which meets or exceeds the anticipated peak parking demand. The combined parcels have two historic use categories, which we will utilize for purposes of this analysis.

For purposes of this analysis, we will call Use Category 1 the “Dental Office Lot Use” and Use Category 2 the “Hungerford Terrace Lots Use”. Each of these two use categories has its peak parking demand at the time when the other use category has its minimum parking demand. Thus, the parking demand profiles substantially off-set and generate a lower parking demand when parking resource is shared as in the proposed PUD.

Based on the foregoing, the Project proposes a shared parking arrangement across the four involved parcels. All uses across the 4 parcels within the PUD will share all parking equally.

Use Category 1 **The Dental Office Lot Use**

The dental office lot at 273 Pearl Street supports dental operations which operate 4 weekdays per week from 8 am to 5pm plus a one bedroom apartment use. The peak parking generated by the existing dentist office, (which has two dentists plus 3 other employees), during the four days of operations is set out below in narrative format. The parking and traffic demand from the current Dental Office Lot Use is not changed by the proposed Project.

The dentist office during the 4 days of operations generates maximum employee parking demand of 5 parking spaces plus a customer demand at the rate of 2-3 parking spaces throughout daytime hours of operation Monday to Thursday. (Parking spaces for patients turn over hourly, representing a sustained demand of 2-3 parking spaces for the current use of this portion of the combined site plus). The one-bedroom apartment has always had one tenant that historically has always driven to work. So, no parking demand is anticipated from the apartment during dental office hours. But traffic and up to one (1) space of parking demand is anticipated on nights, Fridays and weekends when the dental office generates demand of zero parking spaces.

Summary Result:

Dental Office Lot Use Category Peak Anticipated Parking Demand = 7.5 parking spaces.

Use Category 2 **Hungerford Terrace Lots Use Parking Demand.**

Based on annual surveys of our tenants, the vast majority of tenants walk to work or school. This is due to the proximity of our apartments to employers and the institutions. The same is anticipated here given the location of the subject Project mid-way between downtown and the institutions. Our tenant surveys over the past 3 years indicate that parking demand generated by our apartments, all similarly located, when employing our TDM strategies outlined in our

parking management plan attached, results in a maximum parking demand at any given time equal to just under 0.9 parking space per dwelling unit. This peak demand occurs evenings (defined as after 5pm), weekends and holidays. During weekday hours between 8 am and 5pm, the demand drops by just under 25% to .72 spaces per unit.¹ Based on the foregoing, we anticipate a peak parking demand for the Category 2 Hungerford Terrace Lots Use equal to 16.2 parking spaces during peak evening, weekend and holiday hours (0.9 pk x 18) and 13 (0.72x18) parking spaces during weekday hours.

The foregoing combined results for each Use Category are summarized in the table below:

- **Summary Table**
- **Combined Peak Parking Demand - 21 Parking Spaces**

	<u>Category 1</u> <u>Dental Office</u>	<u>Category 2</u> <u>Hung. Terrace Lots</u>	<u>Total Spaces</u>
Evening Weekend Holiday Parking Demand	1	16.2	17.2
Weekday Peak Parking Demand	7.5	13	<u>20.5</u>

The Project proposes 25 parking spaces. Thus, the on-site parking proposed meets anticipated parking demand.

¹ . It is interesting to note that the parking demand is dependent on the tenant. Based on our tenant surveys, those tenants that tend to drive from our lots and vacate parking spaces are almost exclusively workers employed outside Burlington and collegiate athletes. These tenant groups represent the vast majority of tenants that drive their cars from our parking areas during the daytime hours to other locations, leaving them vacant during the weekday hours.



PARKING IN BURLINGTON IS UNNECESSARY AND EXPENSIVE

Parking on the Street will cost you \$3,000 per year and is likely to cost a whole lot more.

All of the parking surrounding your apartment is metered parking.

Apart from being a giant pain in the butt, if you are on the spot just when the meter expires each time, feeding the meter will cost you **\$9.60 per day** at current rates which amounts to more than **\$3,000 per year**.

Burlington has very robust parking enforcement, however. Your schedule is not likely always to line up with the expiration of a meter or having change in your pocket. So, you are likely to get fined and towed at some point if you rely on

Street parking.

-Every meter violation will cost you \$15 if you pay the ticket on time. The ticket doubles every 30 days.

-Towing/storage minimum is \$72.50. (one tow and one day of vehicle storage)

-Park on Street during a parking ban and you will be fined \$125 by the City.

Telecommute! Telecommute! Telecommute! All you need to do is Ask.

There are so many things you can do to make a contribution. For example, simply asking your employer to work from home for a portion of your work week. This could result in a huge benefit for you and also reduces carbon emissions. With the pandemic requiring most of us to work or attend school from home, work from home opportunities are rapidly expanding. This is a great opportunity to eliminate or reduce car useage in your life. Given the pandemic, we find most employers are very willing to offer you this flexibility. It cant hurt to ask! The same is true of classes. If you are taking classes, consider taking some classes on line! They are often cheaper and can be done from the comfort of home.

Parking Alternatives.

Ask us about our car/parking alternatives:

1. You don't need to have a Car. Your apartment is located in a place where a car is more of a burden than a benefit. You simply don't need the car very much, if at all. We will give priority to on site parking so that each apartment unit has one vehicle parked on site. This allows all other occupants not to have a car. Share the car and share the space.

2. Car Share. We maintain a car share membership for those that qualify and may need to use a car. The nearest vehicle location is just a few hundred feet from your living room at Fletcher Free Library!
3. Bus Pass. Ask us about our free bus pass program.
4. Off-site parking. Ask us about our satellite parking lot useage.
5. Shopping Trolleys. Your personal shopping cart! Walk to City Market using our grocery trolleys! See flyer attached.
6. Rideshare: A great way to meet people and lower your impact on the plant. Check out these sites:

<https://www.carpoolworld.com/>

<http://www.ridebuzz.org/>

Exhibit A
Zoning Permit Application
Parking Management Plan

I. Proposal Summary: The subject application is made as a planned unit development. The combined site includes three parcels along Hungerford Terrace with 7 residential units in 3 different buildings, consisting of 11 Hungerford Terrace (5 residential unit building), 15 Hungerford Terrace, (1 residential unit building and 21 Hungerford Terrace (1 residential unit building). In addition, an abutting fourth lot with an address of 273 Pearl Street is proposed to be incorporated into the PUD, in order to readily share infrastructure including parking.

The proposal is to remove the 15 Hungerford Terrace building and replace it with the building shown in the attached plans. Total net new units = 11 residential units. Total apartment units at completion = 18 apartment units. Site changes are indicated on the submitted.

The site plan included in the application provides twenty-five (25) on-site parking spaces to be provided. A parking waiver is being requested.

Demand Management/How Plan more effectively furthers the goals of CDO Article and Municipal Development Plan

The Municipal Development Plan (“MDP”) strongly supports and encourages better management of parking facilities and provision for alternative modes for commuting. To this end, the MDP advocates removing parking minimums or changing the number of parking spaces required by the zoning ordinance from a minimum to a maximum – in effect limiting the number of parking spaces a developer can provide. As a result, the CDO limits the parking that can be provided on site to 125% of the required at Section 8.1.9.

The purposes of Article 8 of the CDO that are relevant to parking supply and management for this site are set out at Section 8.1.1 of the CDO. That section states, in pertinent part, that the purpose of the article is to “(a) [e]nsure there are adequate parking and loading facilities to serve the use or uses of the property;” ... [and to] ii) “[e]ncourage alternate modes of travel that will reduce dependence on the single-occupancy automobile.” See CDO Section 8.1.1 (a) and (d)

Parking Management Plan Implementation.

Current parking planning tends to focus primarily on quantity. As a result, as a nation we have about five (5) parking spaces for every car on the road. Todd Litman,

“Parking Management: Innovative Solutions to Vehicle Parking Problems”, at page 2. Planet Citizen March 27, 2006. <https://www.planetizen.com/node/19149>

Parking management focuses both on quality parking management and quantity of parking. On the management side, utilizing tools like: i) providing parking information, ii) locating projects for convenience and safety of walking from a parking space to destinations; and iii) provision of alternative parking supply and alternative transportation modes, often provide better utilization of parking supply. Todd Litman, *“Parking Management Best Practices”* American Planners Association 2006, republished e book 2014.

The CDO attempts to incentivize parking management strategies rather than just building more poorly utilized parking supply. As such, the CDO provides for parking waivers, provided there is an effective parking management plan that explains how the proposed parking management plan addresses the specific needs of the proposed development and more effectively satisfies the intent of Article 8 of the CDO. See, CDO Section 8.1.15 (2).

The parking solution to be applied in any effective parking management plan must necessarily be grounded in the usage profile of the parking user and the location of the subject property and surrounding uses. In this case, the site characteristics, the uses involved across the combined site and the tenant population are uniquely suited to parking management strategies that reduce the on-site parking demand below the two per dwelling unit baseline.

Parking Usage Pattern.

Our tenants have a very consistent parking usage pattern. The large majority do not commute daily by automobile. Instead their commute is by walking or bicycling and not by the single user automobile. This is a very important characteristic. Cars are seldom used convenience items and not daily utilized necessities. A majority of cars are generally left parked for many days and often weeks. Cars are only driven occasionally for single purpose trips like groceries and extended trips to visit relatives.

Site Specific Characteristics

The Project location of the site is uniquely conducive to effective parking management strategies that are a substantial improvement when compared to over production of parking supply. The Site is located adjacent to the downtown core approximately 3 blocks from Church Street and 3 blocks from City Market. The Site is under one block from the bus stop at the corner of South Willard Street and Pearl Street.

Parking Management to Best Utilize Site Characteristics & Use Profile

The dentist office at 273 Pearl Street has a chronic problem with providing parking for its employees, primarily because its parking usage is not evenly distributed

throughout the week. Its parking usage profile is that its parking is used almost exclusively 4 days per week between the hours of 7:30 am and 5:30 pm. In surveying our tenants and the usage patterns of our parking lots we found that approximately 25% of our parking spaces dedicated for residential tenant parking are vacant during the weekdays at all times. The parking management plan seeks to take advantage of this compatible usage pattern by allowing the dentist office to utilize the entire combined parking lot to be constructed for use by its employees, thereby relieving on-street parking demand during the peak usage times associated with the dental office use.

Residential Tenant Selection Methodology. In our experience, tenant selection methodology and practice heavily influences parking usage. Our management team will utilize its current multi-step tenant selection process to prioritize tenant applicants without automobiles or those that are not heavily reliant on automobiles. In addition, tenant education as to parking will be a focus as the methodology is implemented.

Step 1. Tenant Screening/Tenant Education. Tenant candidates are pre-screened to meet certain pre-screening requirements prior to being accepted as applicants. Prospective tenants will be required to submit a written application that includes detail as to automobile usage and parking requirements. Tenant screening and leasing occurs in September for tenants seeking to lease the following June 1. So, for tenants seeking occupancy on the following June 1, we screen applicants in September/October of the prior calendar year. Our management team applies a ranking system that includes giving priority to tenants i) without vehicles in Burlington or ii) without the need for parking in the City, or iii) with the potential for low usage of the automobile. We require tenants to disclose to us in the lease application whether or not they have a car in Burlington and to register that car with us. Tenants generally comply with this requirement in our experience. There are several reasons for this. Because we offer the tenant use of our parking lot for move in and move out based on registered cars only. Moreover, if we need to clear lots for snow removal, tenants understand that we need this information to contact the owner and avoid having to tow.

By gathering this information, we are able to marshall our parking resource to match tenant demand. With limited exception, we then provide Tenants with no greater than one on site parking space per apartment unit.

Step 1. – Parking Information to all Perspective Tenants

From the first interaction with a perspective tenant, education around parking issues is a focus. The goal is to educate tenants about parking and alternative modes. WE think this has positive benefit beyond our properties as some applicants to not end up seeking tenancy with us yet they are given this information commencing at the first inquiry.

We start by explaining in detail that bringing a car to Burlington represents an unnecessary substantial expense given the low use necessary at the property location. We provide tangible cost data to begin explaining the cost of parking.

At this early point, our management will explain that:

All of the parking surrounding on Pearl Street is metered parking and any available on Hungerford Terrace is usually taken. For the metered parking, we provide a quantifiable measure of parking costs to prospective tenants. Even without taking into account the likelihood of fines and towing charges, based on the chart below, if a tenant were to feed a meter on a timely basis for an entire year, the cost to park would be \$9.60 per day or over \$3,000 per year.

Parking charges in Burlington:

Brown Top Meters – 25 cents per 37.5 minutes. \$9.60 per day.

Meter Violation - \$15

Residential Parking - \$75

Parking Ban - \$125

Towing Charge - \$62.50 per tow plus \$10 for storage. Minimum: \$72.50

Along with the foregoing cost explanation orally, we also provide the Attached Flyer - *Parking is Unnecessary and Expensive*. Finally, in the initial interaction, we explain that there may be additional parking supply at a cost, but the best solution is to not bring the car to Burlington.

Step 2. Lease Signing Meeting.

Tenants that meet the pre-screening requirements are then scheduled to meet with our management for a lease signing meeting. This meeting takes at least one hour and is held at our offices. All tenants are required to attend. At this meeting, management goes over our expectations and the lease in detail. In particular, management goes over information as to the i) cost of parking, ii) parking avoidance strategies and iii) parking supply alternatives. Generally, we have been successful in having one space leased on site per apartment.

While illuminating the actual cost of parking is often effective in reducing parking demand, we also provide tenants with parking alternatives that are more City friendly than building new spaces. Those strategies we have developed are set out below and include off site parking, ride share, car share, walking, cycling and grocery trolleys.

At this point the following elements of our parking management planning are explained in greater detail:

Parking Costs Laddered According to Convenience

Our experience is that showing and imposing the cost of parking is very effective in managing parking demand. Over time, we have refined our approach. We now pursue an integrated and laddered approach, with parking cost increasing as convenience increases.

Annual On Site Parking Charge.

Tenants will be charged an annual fee for parking at the Site for residential tenants. That fee currently amounts to \$90/month, but is collected in one lump sum up-front at the lease meeting which occurs approximately 6-7 months prior to occupancy. (This charge is separate from and in addition to the apartment rent.) This is done for all of our properties with parking lots. Nearly all of our leases for our properties are signed in September and October of the prior year for June 1 occupancy. Both at the pre-lease meeting and at the formal lease meeting, our management team strongly encourages tenants not to have cars. By charging for parking spaces up front for the entire year, this requires a very early decision by the tenant as to whether or not to have a car in Burlington.

Parking Enforcement/Permit Only.

In order to enforce on-site parking requirements, the Site will employ a strict parking by permit only policy. Each tenant that purchases a lease of a space for the year is allocated a parking pass connected to a particular vehicle. We contract with Spillane's to enforce a strict towing policy for any automobile parked without a valid permit or in a parking space not allocated to the particular automobile. Towing is generally only suspended for a short time during times of tenant turnover to facilitate tenant move-in and move-out.

Ride sharing Programs. Although fairly low daily commuter automobile traffic is expected to be generated from the Site, the Applicant also promotes Vermont Rideshare to its tenants. Tenants are provided with Vermont Rideshare information at lease signing, in our lease and on our website so that tenants can have knowledge of CCTA's Vermont Rideshare program which effectively links people interested in carpooling via the internet.

In addition, we promote to our tenants two services that focus on matching rides for people that take trips out of town.

<https://www.carpoolworld.com/>

<http://www.ridebuzz.org/>

Bus Pass Program. In order to encourage bus usage, the we continue to offer \$500 of free CCTA passes annually to tenants on a first come first serve basis.

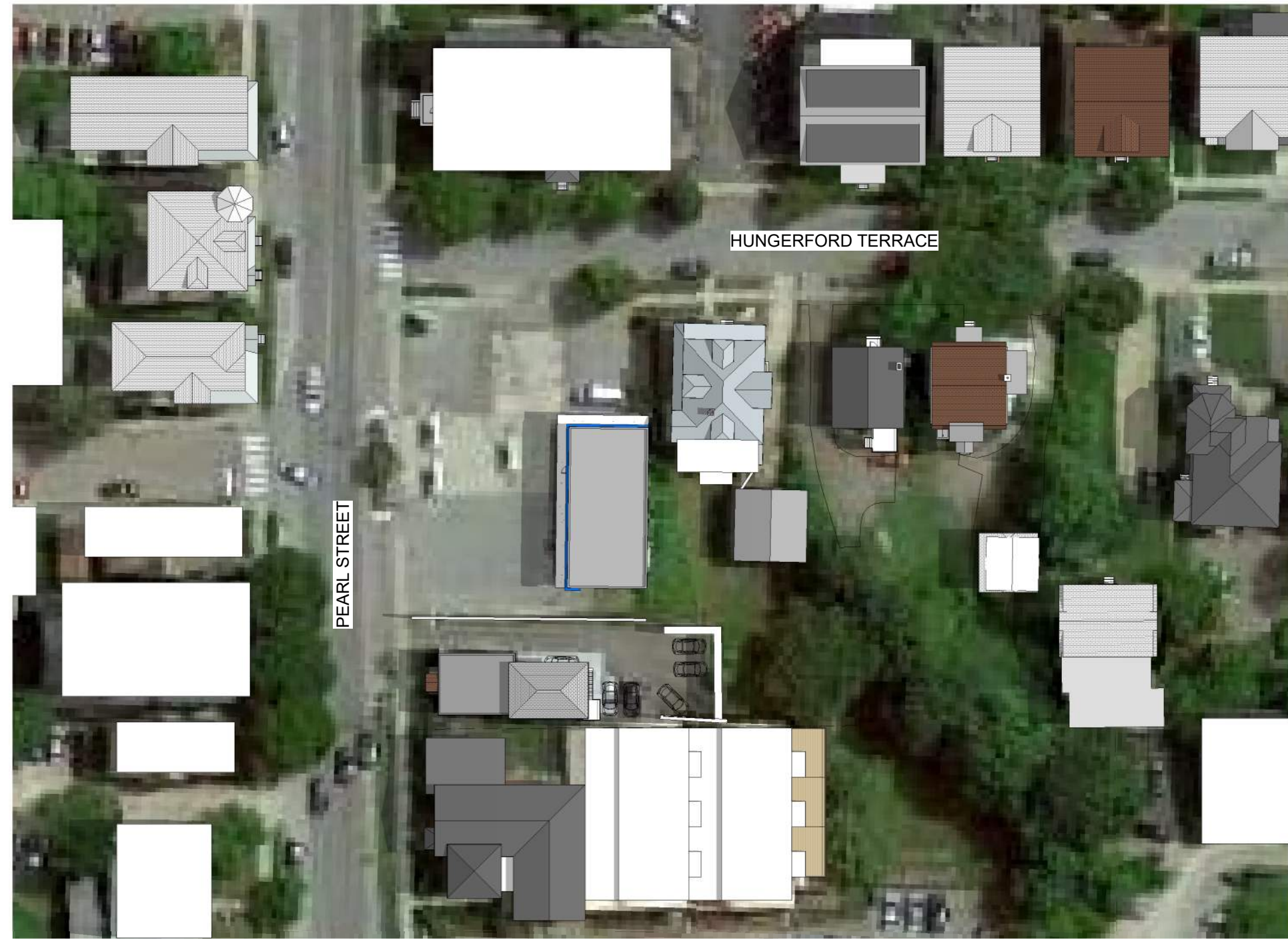
Bicycle Parking. Cycling is a mode of travel heavily encouraged by the MDP in reducing automobile dependence. The building to be constructed will be a cycling friendly building. 24 wall mounted bicycle racks, each holding one bicycle, will be installed inside the building. We also have outdoor bicycle parking for visitors and tenants. We have noted from site visits to the Property over the past year an increase in bicycle count on the site. We estimate based on our visits that 20% more bicycles are parked at the Property from time to time.

Parking shared between commonly owned Lots. We currently have 5 parking lots ancillary to our other apartment buildings, each of which is within 3 blocks and 1200 feet of the Site with approximately 100 parking spaces. At any given time, due to our TDM strategies parking spaces become available in those lots. Our management plan proposal underpinning this Application is to allow for sharing of those parking spaces with the subject site where vacancies occur. We would first offer the parking to the tenants of each building on each site and if not taken, we would then offer them to tenants on other of our sites including this one. Applicant request that as a condition of the permit, that it be granted permission to share parking between all of those lots as needed.

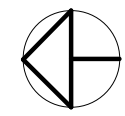
Total parking spaces involved: 128 parking spaces.

Grocery Trolleys

Recently as part of our parking management, we have decided to acquire grocery trollies. (See attached description). We provide these trolleys to our tenants upon request in order to allow them to more readily shop for groceries. These trollies attached to bicycles and are easily detachable so that they can be wheeled into the grocery store and used as a shopping cart.



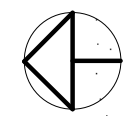
2 EXISTING SITE PLAN IN CONTEXT
1" = 50'-0"



7 EXISTING UNITS
5 UNITS - 11 HUNGERFORD
1 UNITS - 15 HUNGERFORD
1 UNITS - 21 HUNGERFORD



1 DEMO SITE PLAN
1" = 10'-0"

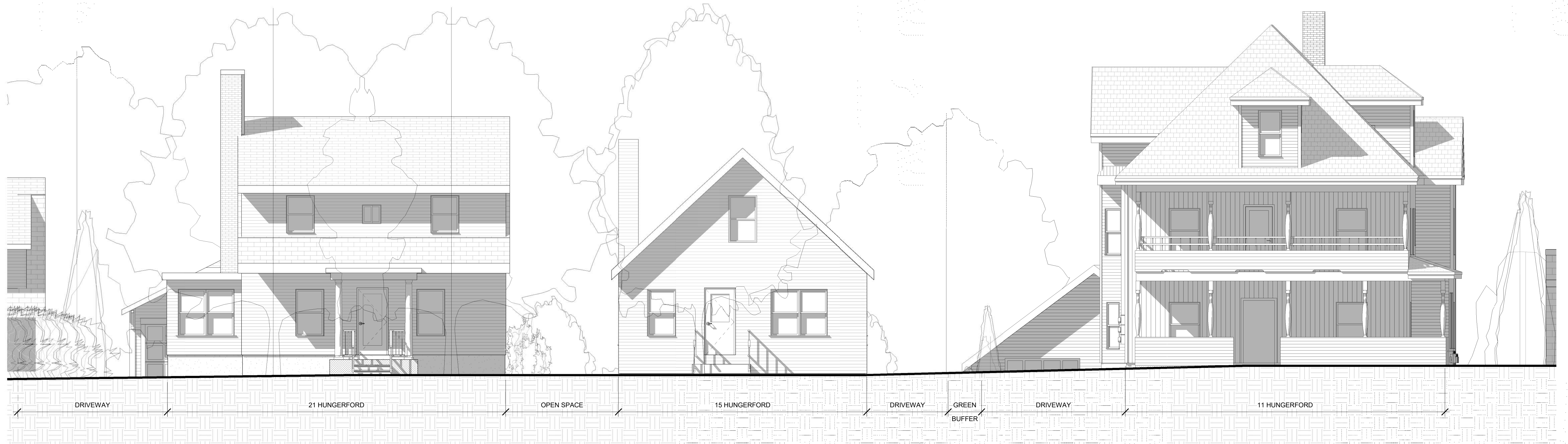


HUNGERFORD TERRACE

A1

EXISTING SITE PLAN

08/06/20



① EAST ELEVATION - EXISTING
3/16" = 1'-0"



② EAST ELEVATION - PROPOSED
3/16" = 1'-0"

HUNGERFORD TERRACE

A10

EAST ELEVATION

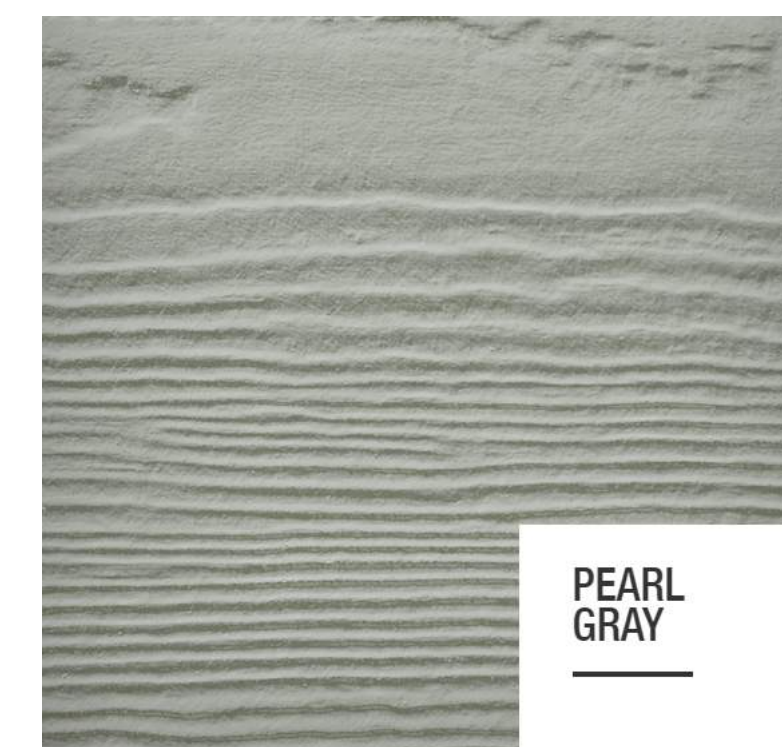
08/06/20



HUNGERFORD TERRACE

PERSPECTIVE VIEW NORTH

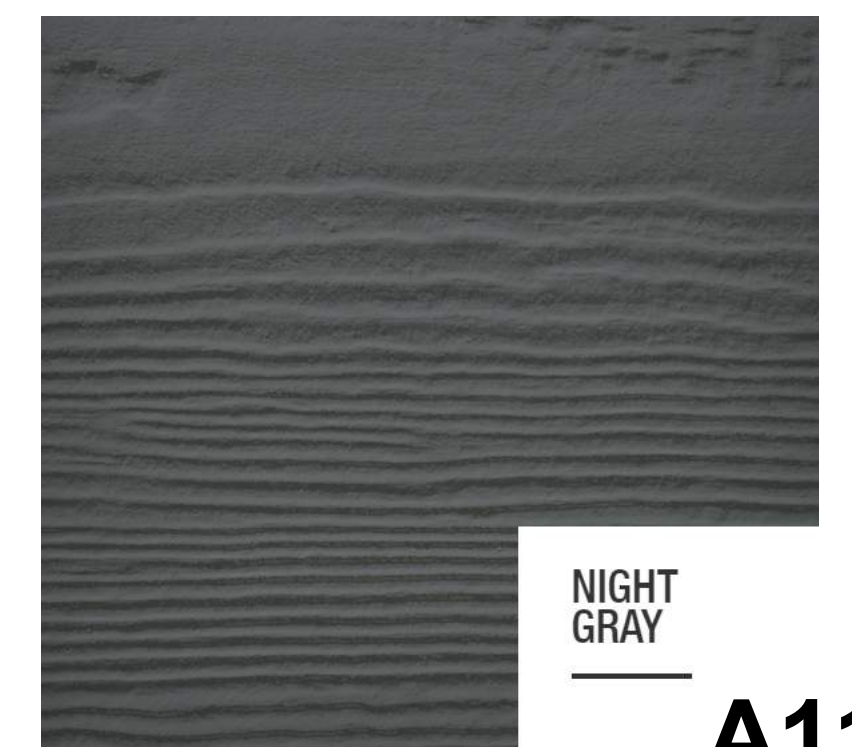
08/06/20



PEARL
GRAY



COUNTRYLANE
RED



NIGHT
GRAY

A11



HUNGERFORD TERRACE

PERSPECTIVE VIEW SOUTH

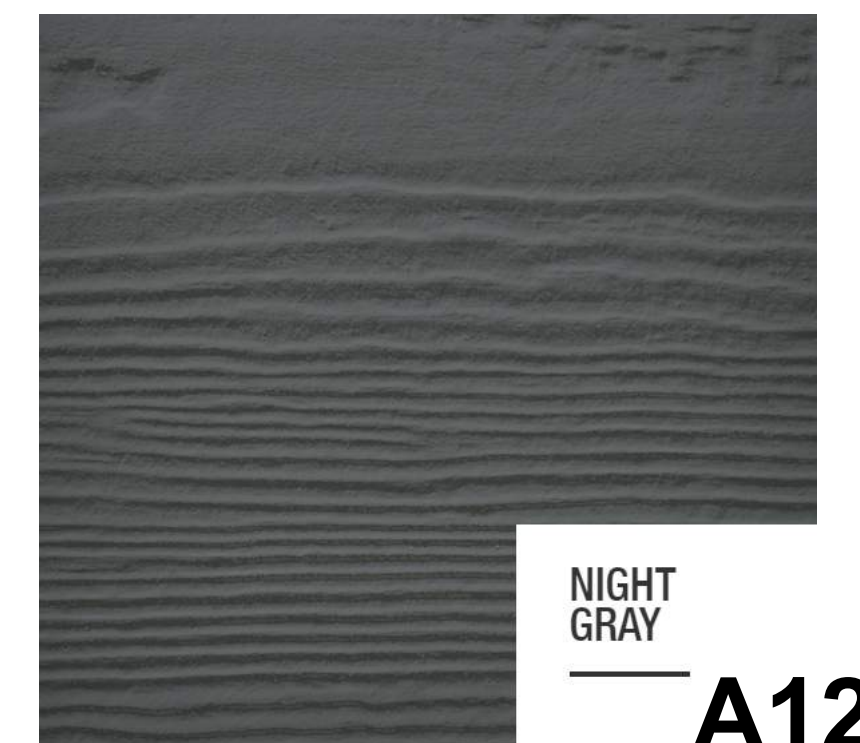
08/06/20



PEARL
GRAY



COUNTRYLANE
RED



NIGHT
GRAY

A12



NOTE: STREET TREES AND LARGER SITE TREES ARE NOT SHOWN, TO BETTER ILLUSTRATE THE BUILDING.

HUNGERFORD TERRACE

A17

PROPOSED VIEW ALONG HUNGERFORD

08/07/20



NOTE: SOME STREET TREES ARE NOT SHOWN, TO BETTER ILLUSTRATE THE BUILDING.

HUNGERFORD TERRACE

A18

PROPOSED VIEW ALONG HUNGERFORD

08/07/20



NOTE: STREET TREES ARE SHOWN TO ILLUSTRATE A REALISTIC VIEW. THE BUILDING IS MOSTLY OBSCURED.

HUNGERFORD TERRACE

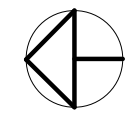
A19

PROPOSED VIEW ALONG HUNGERFORD

08/07/20



2 SITE PLAN IN CONTEXT
1" = 50'-0"

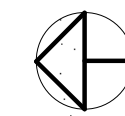


18 UNITS TOTAL
 5 UNITS - 11 HUNGERFORD
 12 UNITS - NEW BUILDING
 1 UNITS - 21 HUNGERFORD

25 PARKING SPACES
 (19) RESIDENTIAL
 (6) EXISTING
 (2) ADA

EXISTING BOUNDARY ENCROACHMENT
 DRIVEWAY ENTRANCE

1 SCHEMATIC SITE PLAN
1" = 10'-0"



TOTAL LOT AREA (4 PARCELS) = 27,226.97 SF
 MAX LOT COVERAGE ALLOWED = 80%
 INCLUSIONARY BONUS = **92% MAX LOT COVERAGE ALLOWED**

BUILDING FOOTPRINT = 8,000 SF
 PARKING/WALKWAYS/PORCHES = 13,000 SF
 TOTAL **PROPOSED LOT COVERAGE = 21,000 SF (78%)**

HUNGERFORD TERRACE

A2

SCHEMATIC PROPOSED SITE PLAN

08/06/20



EXISTING VIEW NORTH ALONG HUNGERFORD TERRACE - MID SUMMER

HUNGERFORD TERRACE

A20

EXISTING PHOTOS ALONG HUNGERFORD

08/07/20



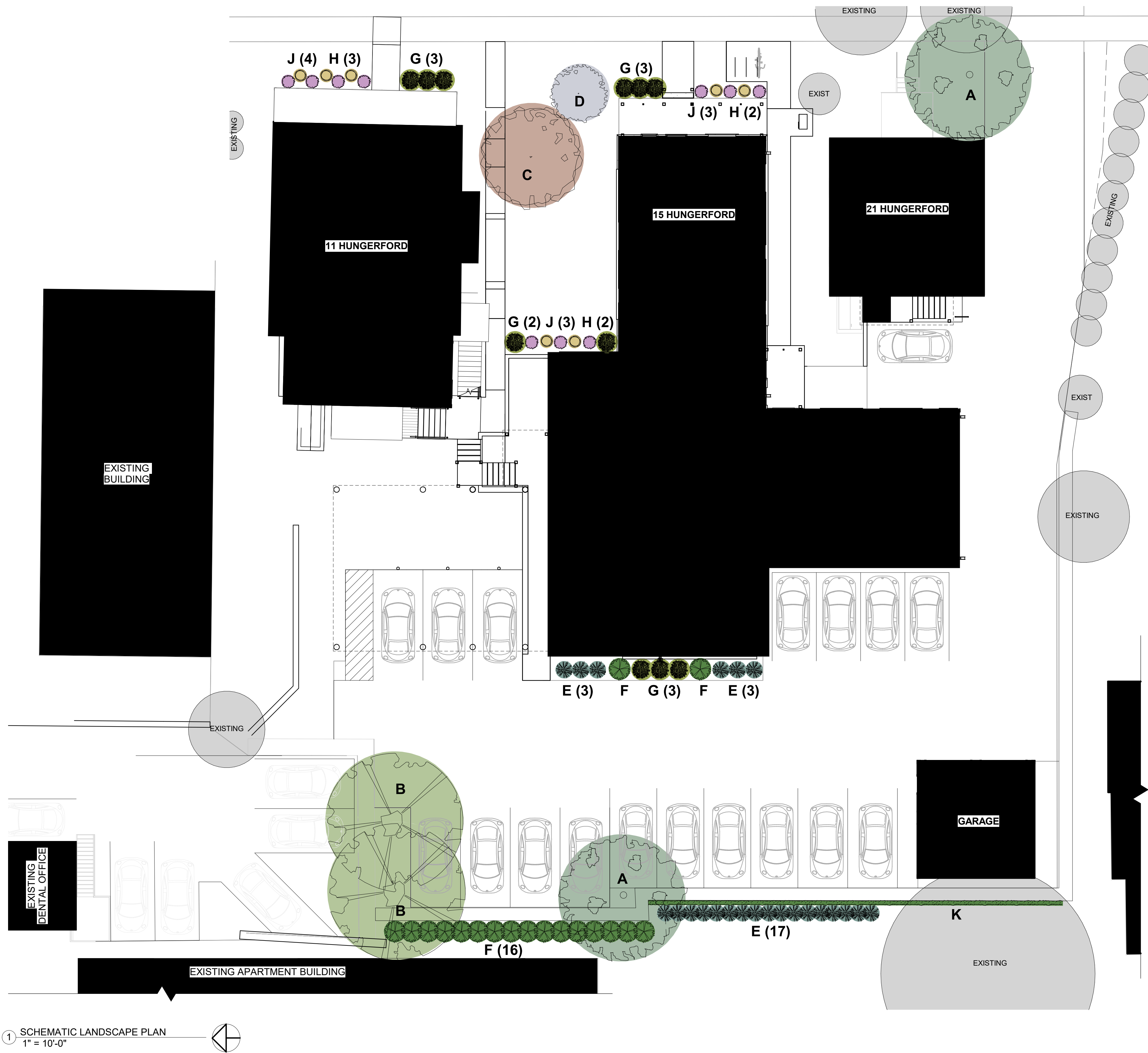
EXISTING VIEW NORTH ALONG HUNGERFORD TERRACE - LATE FALL

HUNGERFORD TERRACE

A21

EXISTING PHOTOS ALONG HUNGERFORD

08/07/20



1 SCHEMATIC LANDSCAPE PLAN
1" = 10'-0"

HUNGERFORD TERRACE

SCHEMATIC LANDSCAPE PLAN

08/06/20

PROPOSED TREES AND PLANTINGS

HARDINESS ZONE 5a

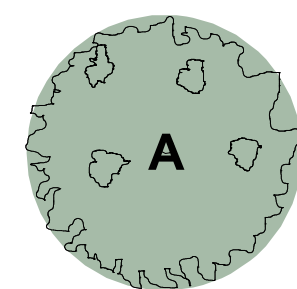
MINIMUM SHADE TREES REQ'D = 1 TREE PER 5 PARKING SPACES: 25 SPACES/5 = 5 TREES REQUIRED
8 SHADE TREES PROVIDED: 4 EXISTING, 4 PROPOSED

	PROPOSED QUANTITY	MIN. SIZE (CALIPER)	MATURE HEIGHT	MATURE CANOPY Ø	PLANTING AREA REQ'D
SHADE TREES					
A 'FRONTIER' ELM (ULMUS X FRONTIER)	2	MIN. 2.5"	35 FT	25 FT	SMALL
B 'IMPERIAL' HONEY LOCUST (GLEDITSIA TRIACANTHOS VAR INERMIS)	2	MIN. 2.5"	30 FT	35 FT	MEDIUM
ORNAMENTAL TREES / SHRUBS					
C APPLE SERVICEBERRY 'AUTUMN BRILLIANCE' (AMELANCHIER A GRANDIFLORA)	1	N/A	25 FT	25 FT	SMALL
D SHADBLOW SERVICEBERRY 'SPRING GLORY' (AMELANCHIER CANADENSIS SPRIZAM)	1	N/A	12 FT	10 FT	SMALL
E LITTLE BLUESTEM (SCHIZACHYRIUM SCOPARIUM)	23	N/A	24" - 48"	24" - 36"	N/A
F 'EMERALD' WHITE CEDAR (THUJA OCCIDENTALIS SMARAGD)	18	N/A	15 FT	4 FT	SMALL
G BUSH-HONEYSUCKLE (DIERVILLA LONICERA)	11	N/A	24" - 36"	24" - 48"	N/A
H BLUE-STEM GOLDENROD (SOLIDAGO CAESIA)	7	N/A	24"	24"	N/A
J EASTERN PURPLE CONEFLOWER (ECHINACEA PURPUREA)	10	N/A	36"	24"	N/A
K BOSTON IVY (PARTHENOCISSUS TRICUSPIDATA)	WALL COVER	N/A	N/A	N/A	N/A

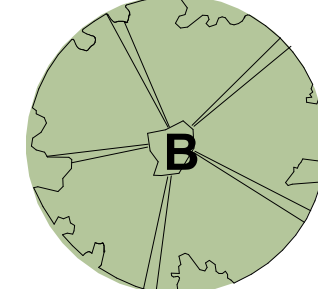
*REQUIRED PLANTING AREA
SMALL = MIN. 4'x4'
MEDIUM = WIDER THAN 6'

Native species were chosen wherever possible. Deviations were due to size restrictions, or other desirable characteristics. Trees were selected using the Vermont Tree Selection Guide published by the Vermont Department of Forests, Parks & Recreation. Shrubs and perennials were selected from a list of native species published by Audubon Vermont, as well as an article published by UVM Extension Department of Plant and Soil Science, Low Native Shrubs and Groundcovers.

SHADE TREES

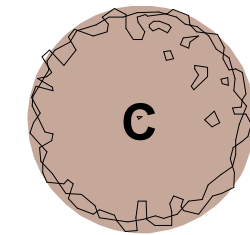


'FRONTIER' ELM

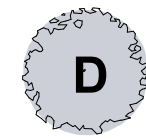


'IMPERIAL' HONEY LOCUST

ORNAMENTAL TREES / SHRUBS



APPLE SERVICEBERRY 'AUTUMN BRILLIANCE'



SHADBLOW SERVICEBERRY 'SPRING GLORY'



LITTLE BLUESTEM



'EMERALD' WHITE CEDAR



BUSH-HONEYSUCKLE



'BLUE-STEM' GOLDENROD



PURPLE CONEFLOWER



BOSTON IVY



LITTLE BLUESTEM (SCHIZACHYRIUM SCOPARIUM)



'IMPERIAL' HONEY LOCUST (GLEDITSIA TRIACANTHOS VAR INERMIS)



'FRONTIER' ELM (ULMUS X FRONTIER)



APPLE SERVICEBERRY 'AUTUMN BRILLIANCE' (AMELANCHIER A GRANDIFLORA)



SHADBLOW SERVICEBERRY 'SPRING GLORY' (AMELANCHIER CANADENSIS SPRIZAM)



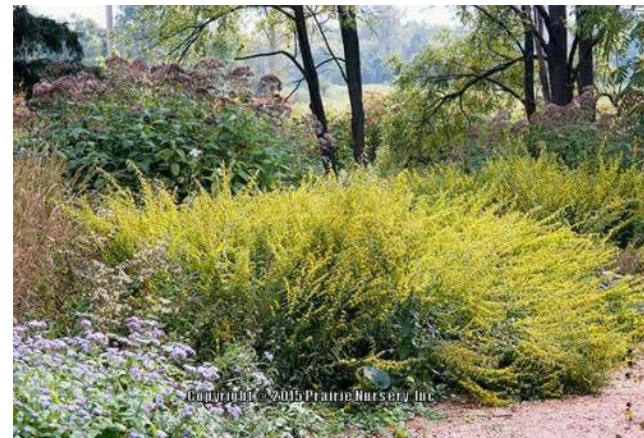
'EMERALD' WHITE CEDAR (THUJA OCCIDENTALIS SMARAGD)



BOSTON IVY (PARTHENOCISSUS TRICUSPIDATA)



BUSH-HONEYSUCKLE (DIERVILLA LONICERA)

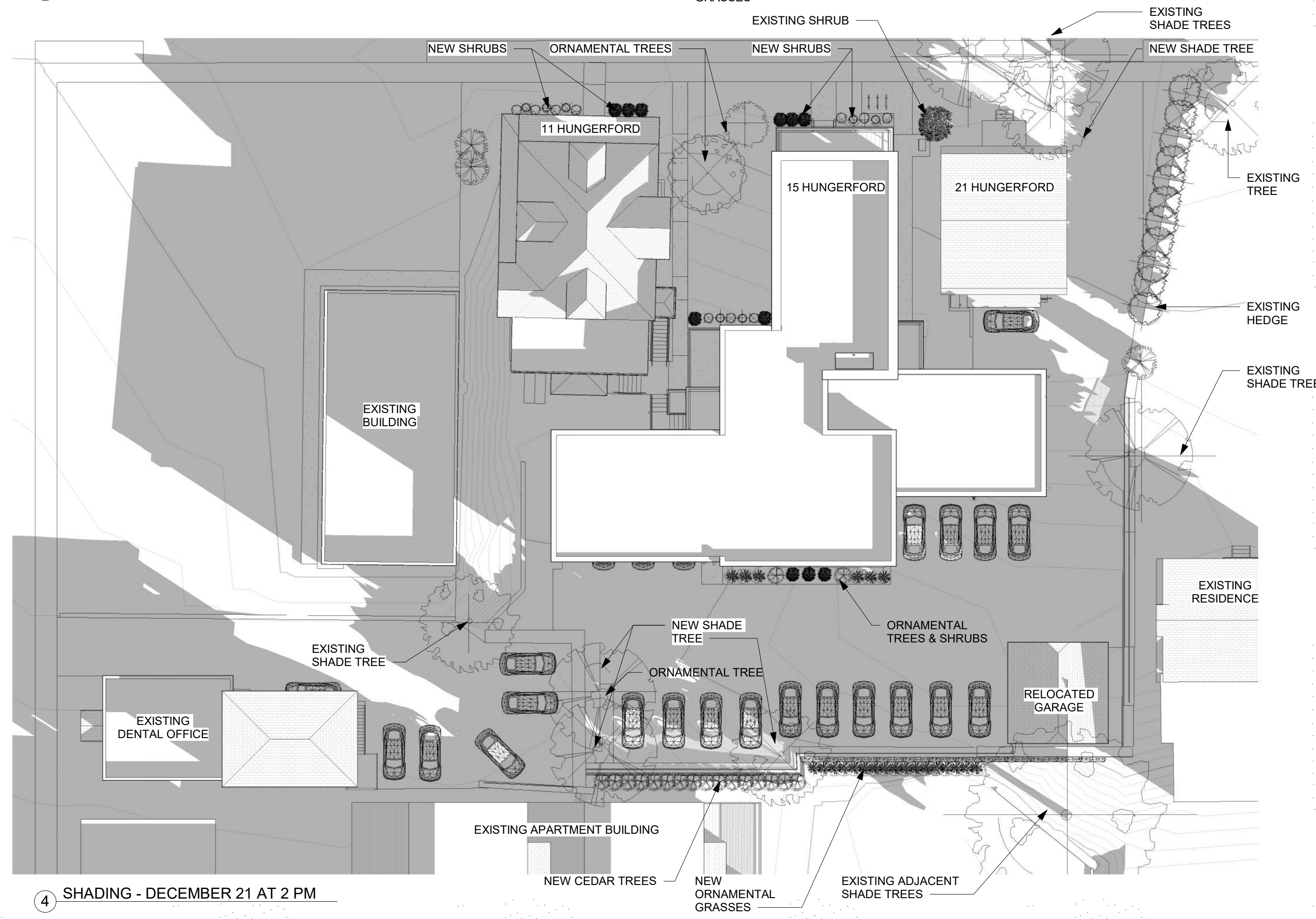
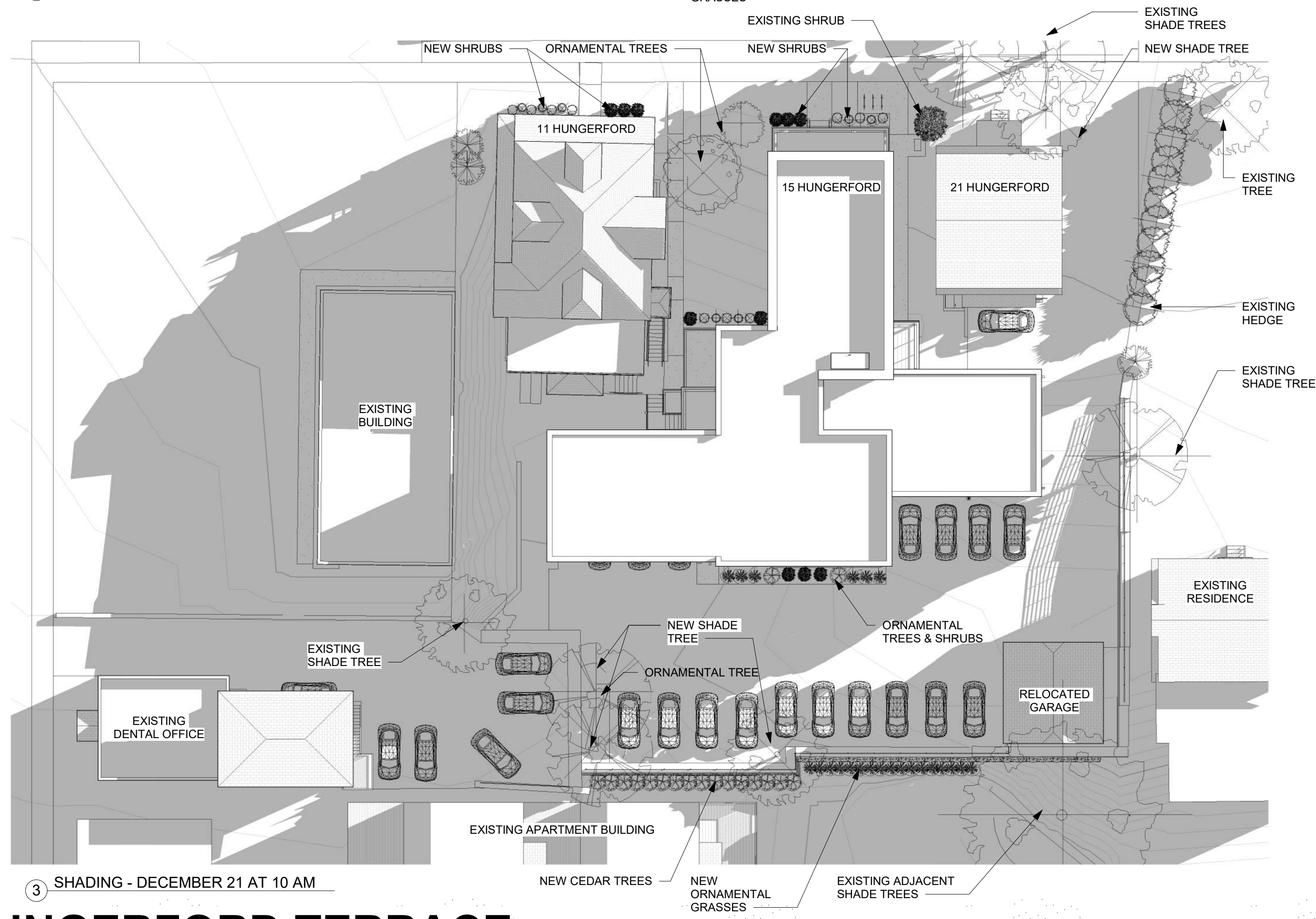
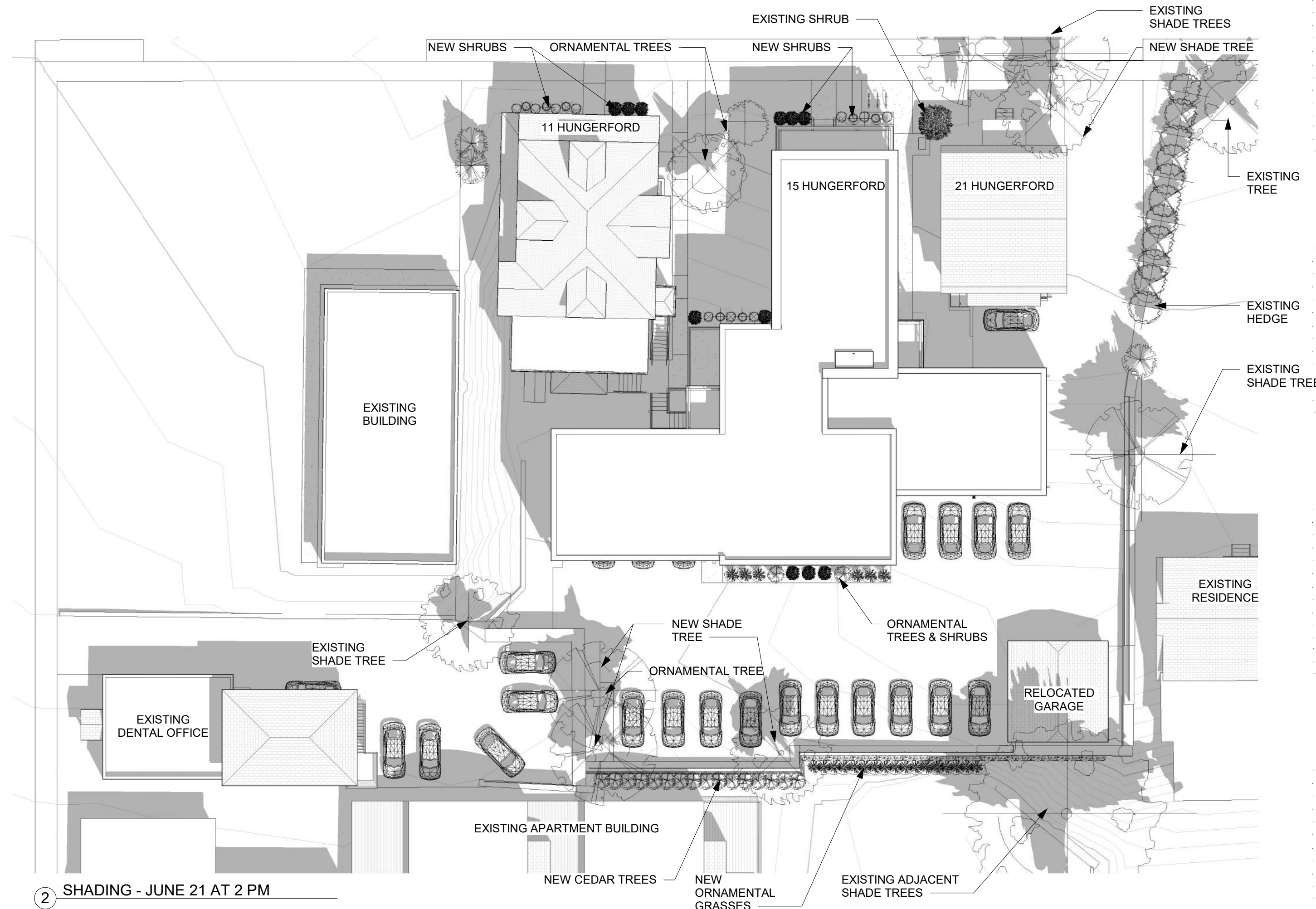
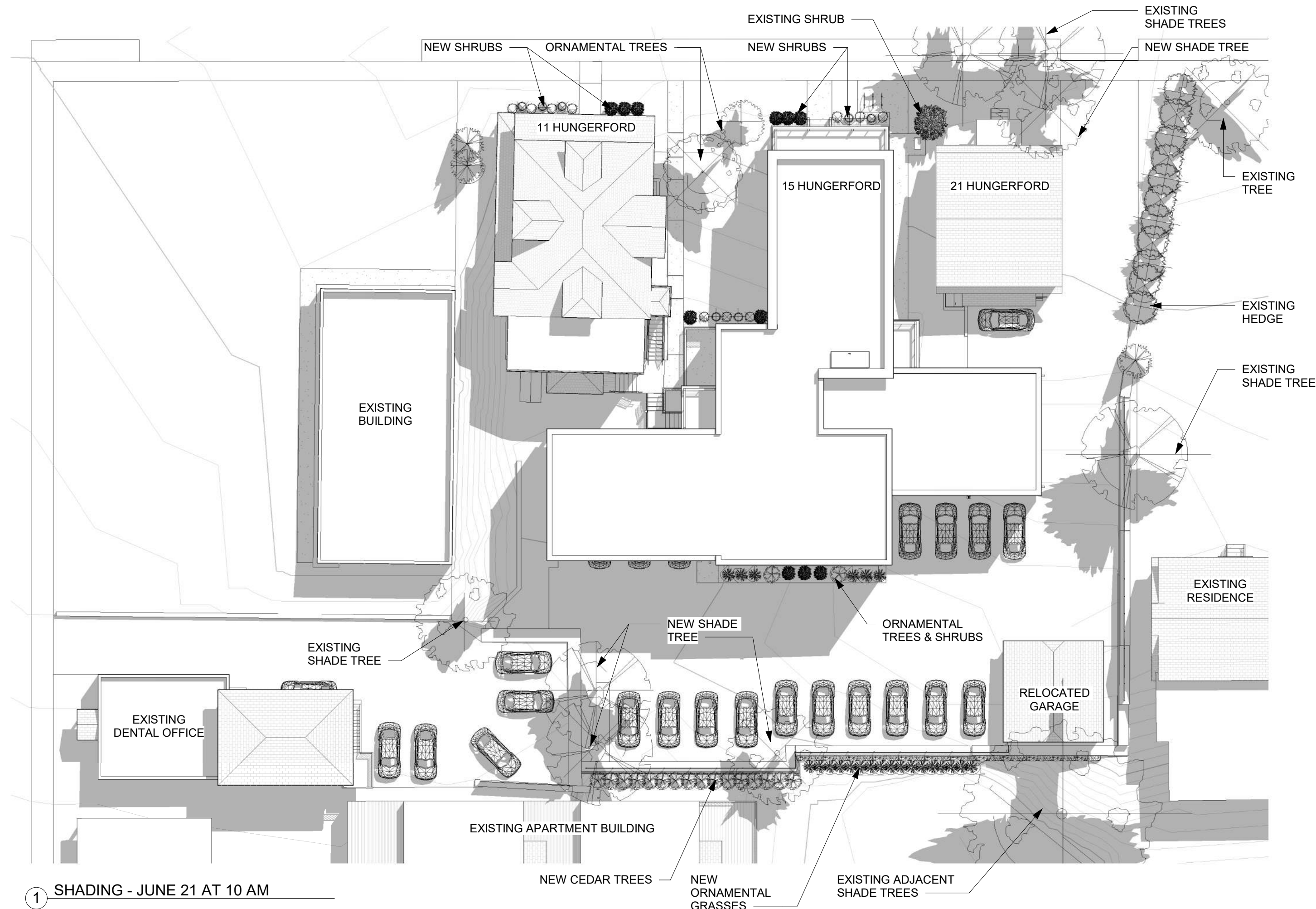


BLUE-STEM GOLDENROD (SOLIDAGO CAESIA)



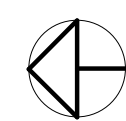
EASTERN PURPLE CONEFLOWER (ECHINACEA PURPUREA)

A3



HUNGERFORD TERRACE

A4





① SECOND FLOOR PLAN
1/8" = 1'-0"

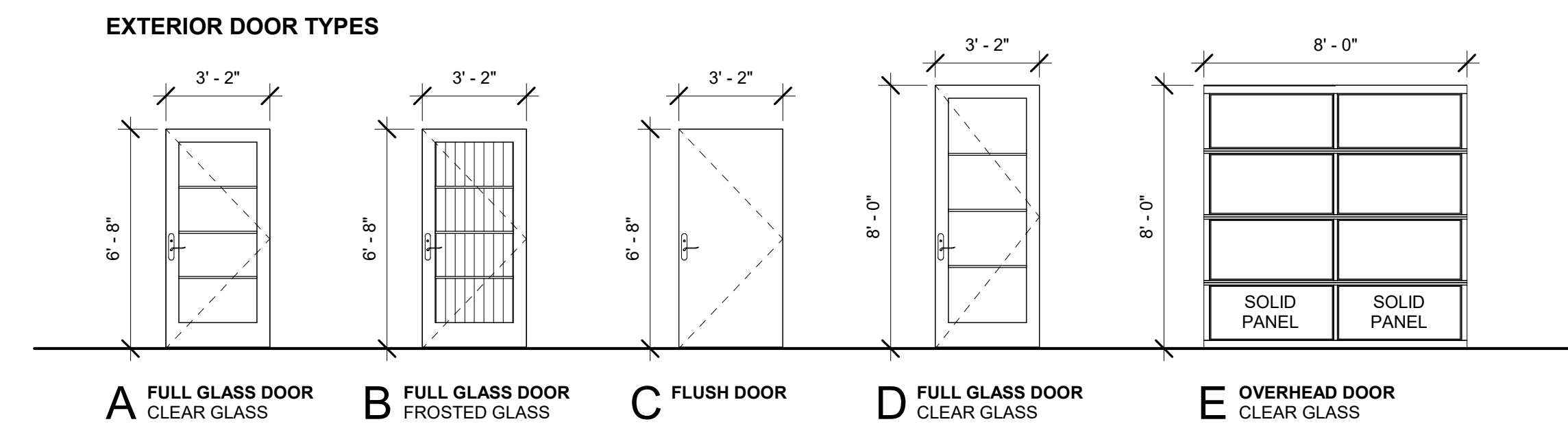
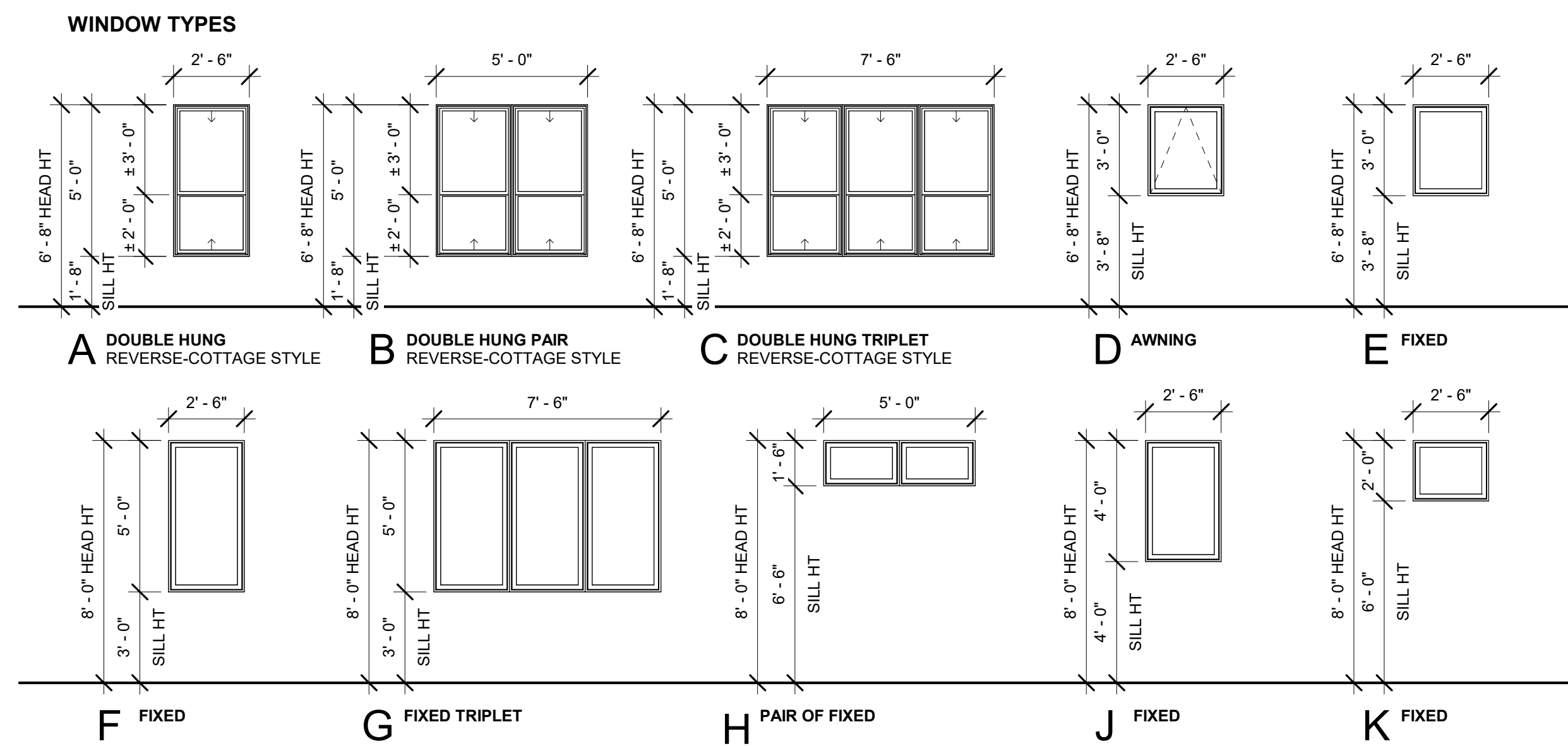
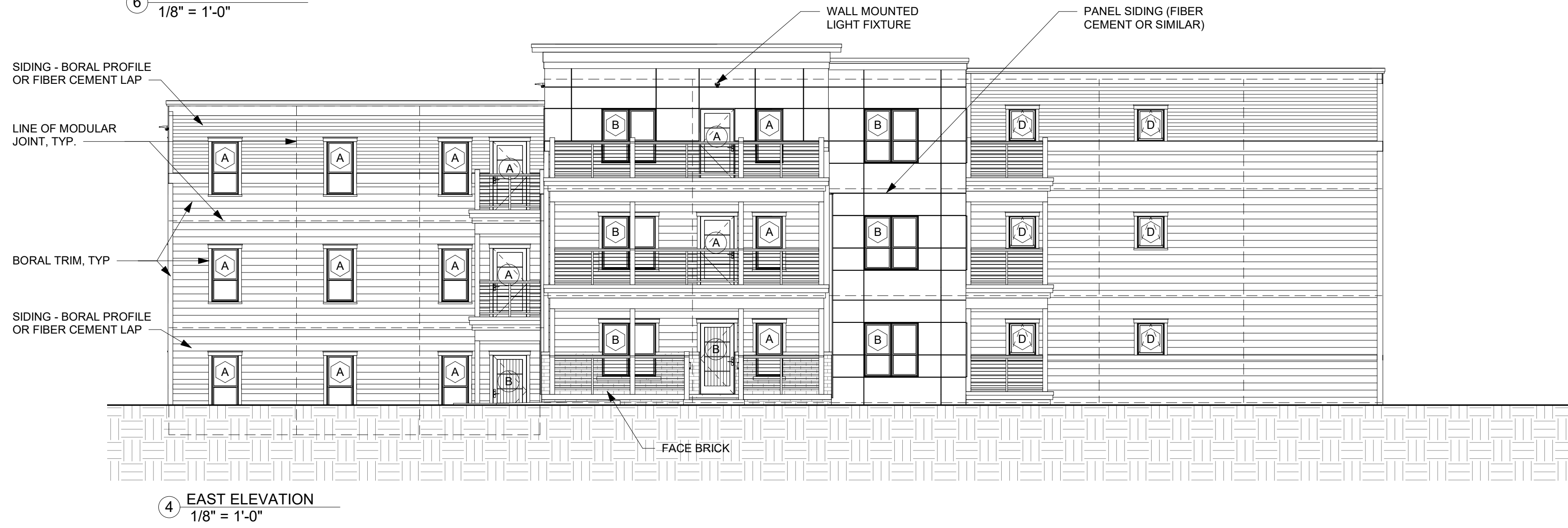
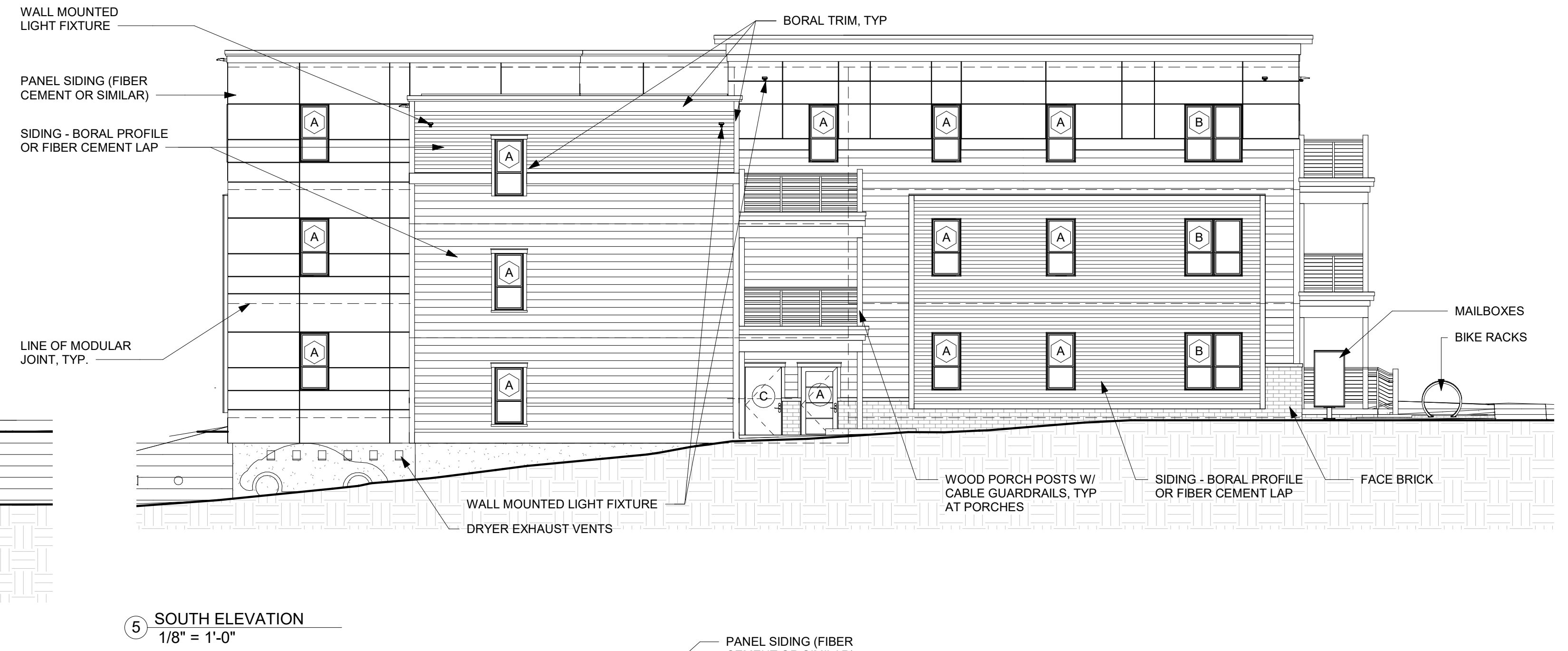
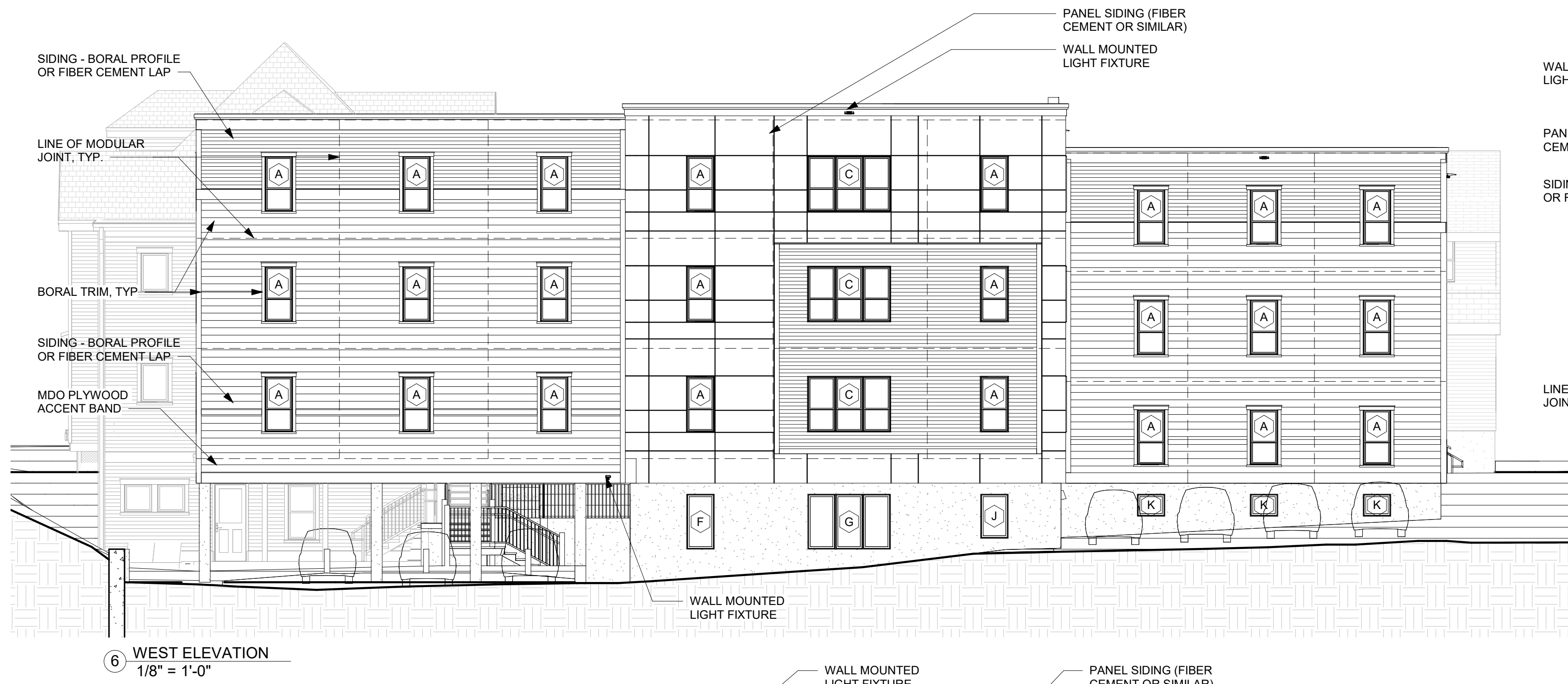
② THIRD FLOOR PLAN
1/8" = 1'-0"

HUNGERFORD TERRACE

A6

NEW BUILDING PLANS

08/06/20



HUNGERFORD TERRACE

A7

EXTERIOR ELEVATIONS

08/06/20



① EAST ELEVATION RENDERED
3/16" = 1'-0"



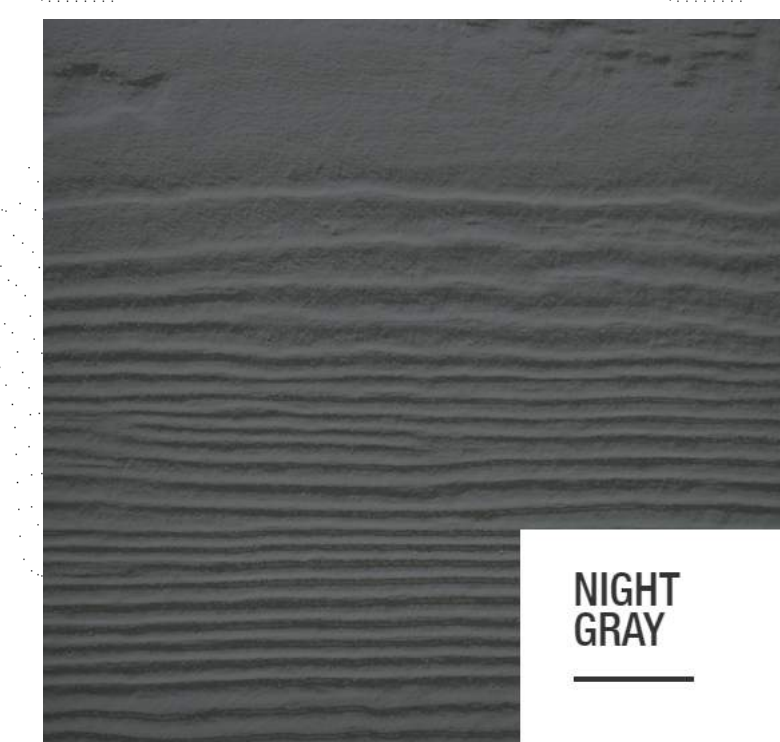
④ SOUTH ELEVATION RENDERED
3/16" = 1'-0"



PEARL
GRAY



COUNTRYLANE
RED



NIGHT
GRAY

HUNGERFORD TERRACE

RENDERED ELEVATIONS

08/06/20



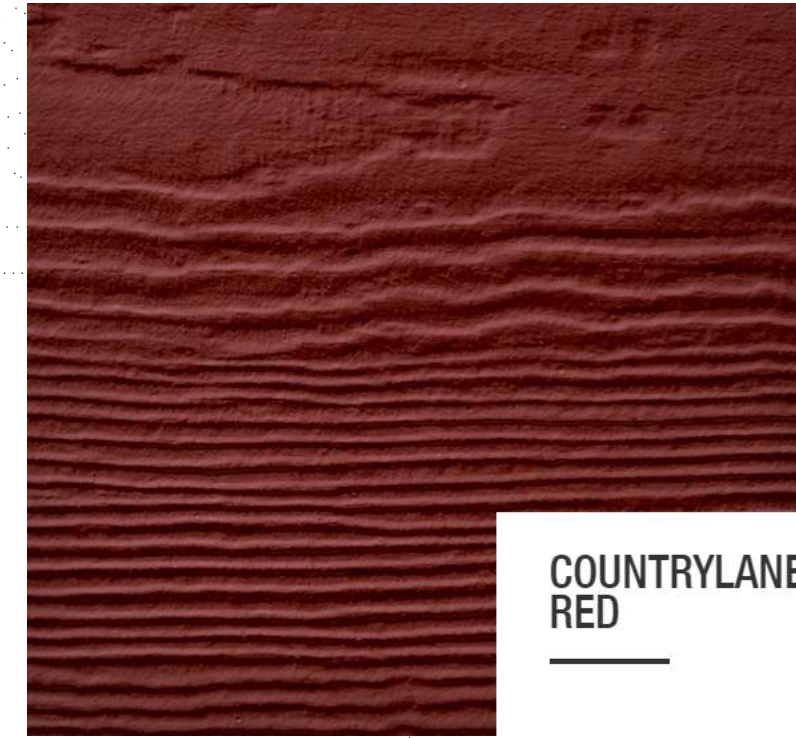
① WEST ELEVATION RENDERED
3/16" = 1'-0"



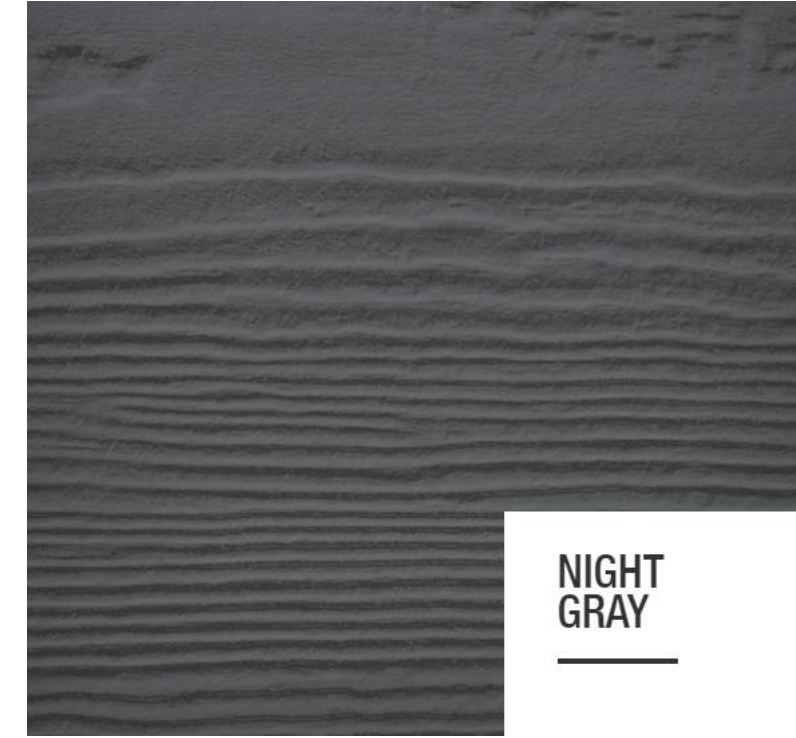
② NORTH ELEVATION RENDERED
3/16" = 1'-0"



PEARL
GRAY



COUNTRYLANE
RED



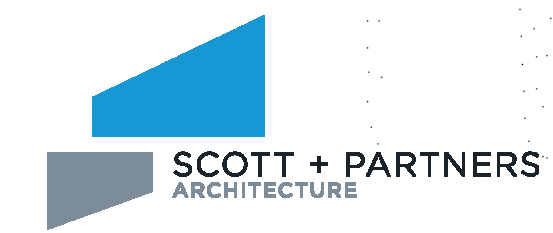
NIGHT
GRAY

HUNGERFORD TERRACE

A9

RENDERED ELEVATIONS

08/06/20



7 CARMICHAEL ST. ESSEX JUNCTION, VT 05452
P 802.879.5153
F 802.872.2764
SCOTTPARTNERS.COM

This request would allow the expansion of a multi-age pre-school into an existing program/office space. This has evolved as a critical need during the COVID crisis.

Two employees would work in the space weekdays from 8-4:30. There would be minimal traffic generation, represented by parents dropping off and picking up children. Floor plan and building layout are attached. Occupancy will take place upon receipt of permits and permissions.

WVPD has contacted the Fire Marshall to obtain clearance, will obtain permits from Public Works for interior and wiring upgrades. There are not negative impacts to parks and Recreation or the Police Department that require a discussion of service impacts.

Responses to Conditional Use Criteria:

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

The conversion will have a neutral impact, as the room is already in use as a program/administrative space

2. Have sufficient water available for its needs

The entire facility utilizes the municipal water system, additional impacts on water use will be minimal. See attached data on septic capacity.

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

The conversion will have negligible impacts on the city's water system

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

N/A: no excavation or site alteration will take place

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

The site has robust bike and pedestrian infrastructure, as well as ample parking to support the converted use

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AUG 21 2020

PERMITTING & INSPECTIONS

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

The project is taking place specifically to accommodate additional need for multi-age childcare

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

WVPD does its own maintenance and has factored in additional needs into the lease agreement with the tenant

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

This conversion enlarges a program that has the stewardship of the Ethan Allen Homestead Park built into its mission, and it thus a net positive for ecological impacts.

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

This conversion will have negligible impact on the above issues

10. Be in substantial conformance with the city's municipal development plan and all incorporated plans

This project is in compliance with all City, regional and WVPD plans.

11. Not have an undue adverse impact on the present or projected housing needs of the city in terms of amount, type, affordability and location; and/or 12. Not have an undue adverse impact on the present or projected park and recreation needs of the city

Housing impacts N/A; and positive impacts for childcare and outdoor recreation, both of which are served by this conversion.

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BURLINGTON
PERMITTING & INSPECTIONS

BUILDING LAYOUT (APPROXIMATE SCALE)

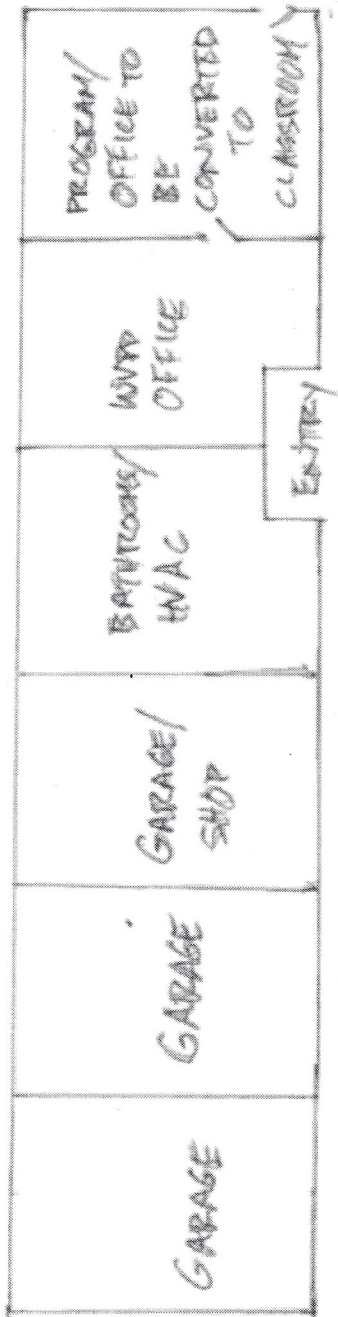
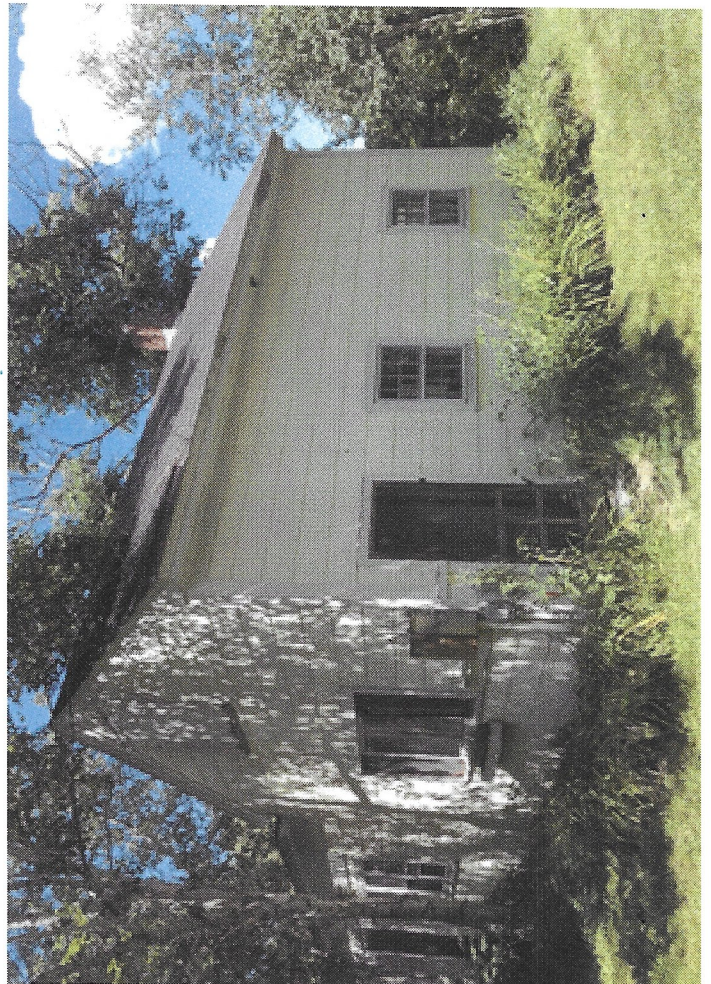


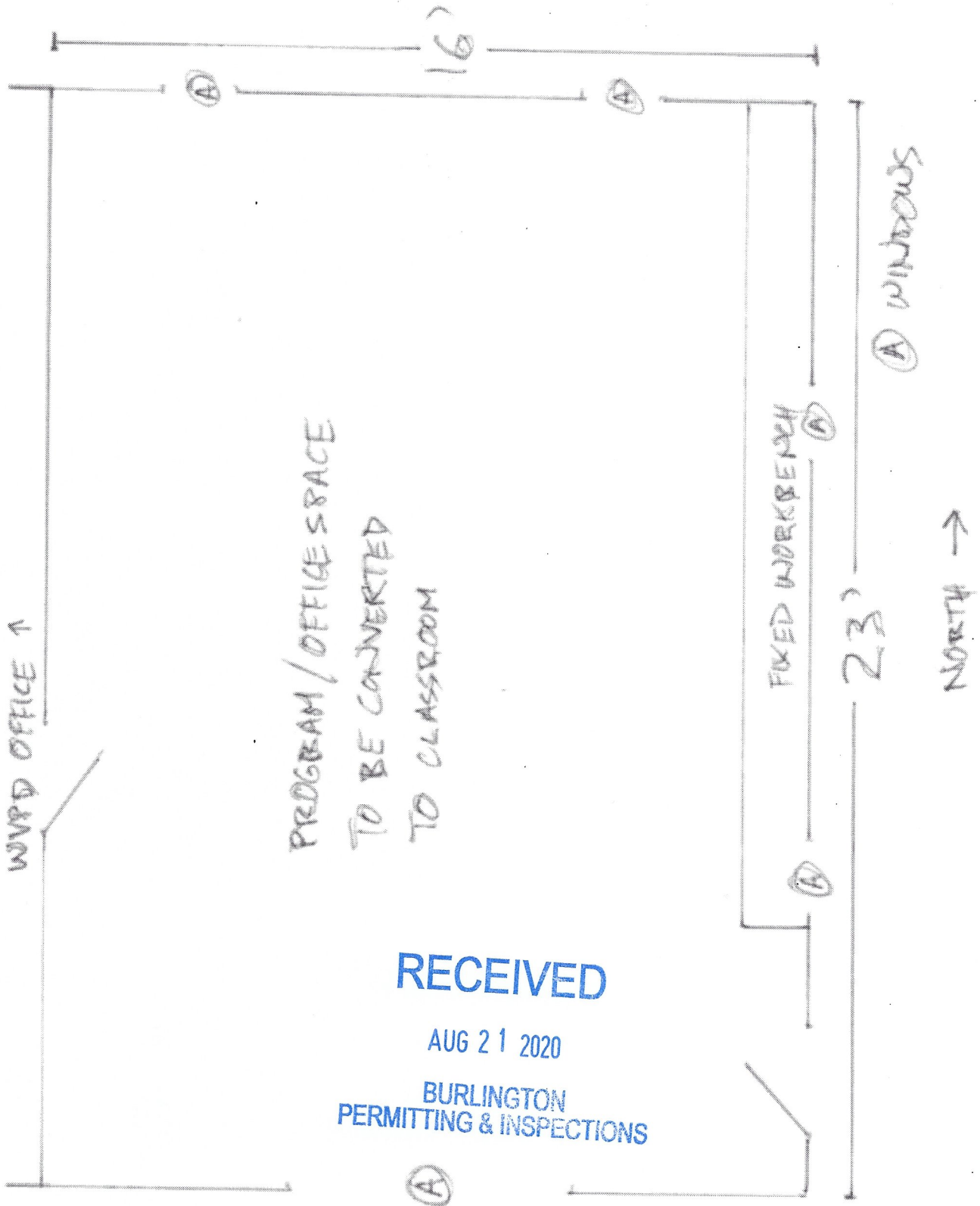
PHOTO
TAKEN FROM
HERE



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AUG 21 2020

BURLINGTON
PERMITTING & INSPECTIONS



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AUG 21 2020

BURLINGTON
PERMITTING & INSPECTIONS

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AUG 21 2020

INTERIOR OF SPACE LOOKING SOUTHEAST

BURLINGTON
PERMITTING & INSPECTIONS



Email from Miles Waite regarding septic capacity:

"Hi Nick,

Please find attached the Wastewater System and Potable Water Supply permit issued to WVPD in 2016. As you will see on Page 2, the "WVPD Office/Garage" building has an approved capacity of **300 gallons per day (GPD)**, comprised of 6 workers and 42 visitors. The visitors have a lower design value (5 GPD) than a child/teacher in a day camp with no meal prep (15 GPD), so the 210 GPD allotted to visitors could be replaced by a maximum of 14 child/teacher users. You could also replace staff with children. As long as the total does not exceed 300 GPD, you should be all set.

Let me know if you have any other assistance with this matter.

Regards, Miles

Miles E. Waite, PhD, PG
Senior Hydrogeologist"

RECEIVED

AUG 21 2020

**BURLINGTON
PERMITTING & INSPECTIONS**

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Alison Davis, Planning & Zoning Clerk
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



MEMORANDUM

To: Development Review Board
From: Ryan Morrison, Associate Planner
Date: September 15, 2020
RE: ZP20-0076CA; 400 North Street

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

File: ZP21-0076CA

Location: 400 North Street

Zone: RL **Ward:** 1E

Date application accepted: July 21, 2020

Applicant/ Owner: William McKenna

Parking District: Neighborhood

Request: Remove existing garage, construct a new, detached accessory dwelling unit structure and associated driveway, and reconfigure existing parking area serving the existing residence.

Applicable Regulations:

Article 4 (Zoning Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards), Article 8 (Parking)

Background:

- **Zoning Permit;** build an addition to the existing accessory building. July 1973
- **Zoning Permit 82-039;** replace a 10'x10' section of flat roof with a pitched roof. July 1982
- **Zoning Permit 99-504;** rear addition to the existing single family home. May 1999.

Overview:

The applicant proposes to remove an existing garage, reconfigure the existing driveway/parking area serving the existing single family home, and construct a detached accessory dwelling unit (ADU) with an associated driveway off of Dan's Court. No changes are proposed to the existing, historically contributing single family structure.

Recommendation: Continued review and deferral of action pending approval of an Erosion Prevention and Sediment Control plan and a Stormwater Plan.

I. Findings

Article 4: Zoning Maps and Districts

Section 4.4.5 Residential Districts

(a) Purpose

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

An accessory dwelling unit to an existing single family residence is proposed. **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:

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

Single detached dwelling, RL Minimum 60' frontage, RL Minimum 6,000 sq ft lot size.

400 North Street is a long, narrow, 5,100 sq ft lot, with approximately 31 feet of frontage along North Street, and 166 ft of frontage along Dan's Court, an unaccepted city street. Unaccepted streets are city owned and generally maintained in the winter months for emergency vehicle access. The property size is considered legally pre-existing, non-conforming. **Affirmative finding**

Table 4.4.5-2 Base Residential Density

Not applicable per Section 5.4.5 (a) below.

Table 4.4.5-3 Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}			
		Front	Side	Rear	
RL; WRL	35%	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
400 North Street	Existing lot coverage totals 51% (based on ZP99-504). The applicant notes existing coverage to be 50%. The current proposal will result in a lot coverage total of 57.4%. Sec. 5.2.3(b) (10) allows up to an additional 650 sf of lot coverage above legally existing, non-conforming lot coverage for lot area to be occupied by an ADU.	An accessory structure on 164 North Willard St. has a setback of approx. 1.5 ft from Dan's Court. While this is an accessory structure to a triplex fronting on North Willard St., it is the only structure to base a front yard setback off Dan's Court for	Based off the 31 ft of North St. frontage, and the 166 ft of Dan's Court frontage, side yard setbacks are 3.1 ft and 16.6 ft respectively. The ADU will be setback 5+ ft from the west side yard property line, and 20+ ft from the north	No rear yard property line exists. The property has two front property lines and two side yard property lines.	20 ft to the roof ridge.

		the proposed ADU. The ADU will have a 6 ft front yard setback off Dan's Court.	side yard property line.		
--	--	--	--------------------------	--	--

Affirmative finding

(c) Permitted and Conditional Uses

An accessory dwelling unit to a single family dwelling is allowed by right. **Affirmative finding**

(d) District Specific Regulations

1. *Setbacks*

A. *Encroachment for residential driveways*
Not applicable.

B. *Encroachment into the Waterfront Setback*
Not applicable.

2. *Height*

No change. Not applicable.

3. *Lot Coverage*

A. *Exceptions for Accessory Residential Features*
No change. Not applicable.

4. *Accessory Residential Structures and Uses*

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

See Table 4.4.5-3 above and Article 5 below.

5. *Residential Density*

A. *Additional Unit to multi-family*
Not applicable.

B. *Additions to Existing Residential Structures*
No additions are proposed. Not applicable.

C. *Residential Occupancy Limits*

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

No changes to the single family dwelling are proposed. It may be occupied only by a family as defined in Article 13 of the CDO.

Affirmative finding as conditioned

6. *Uses*

A. *Exception for Existing Neighborhood Commercial Uses*
Not applicable.

7. *Residential Development Bonuses*
Not applicable.

Article 5: Citywide General Regulations

Part 2: Dimensional Requirements

Section 5.2.2 Required Frontage or Access

400 North Street has 31 feet of frontage along North Street and 166 ft along Dan's Court.

Affirmative finding

Section 5.2.3 Lot Coverage Requirements

(b) Exceptions to Lot Coverage

(10) The DRB may grant an exemption from maximum lot coverage limits for up to 650 sq. ft. of the lot area occupied by an ADU. To grant such an exception, the DRB must find that the existing lot coverage has been lawfully created, and that the proposed location, site design, and improvements will enable on-site management of the first one inch of stormwater runoff from the lot area of the ADU exceeding the applicable lot coverage limit, and will not have undue adverse impact on public rights of way based on the review of the DPW Stormwater Program Manager.

The RL zoning district limits lot coverage to 35%, plus a 10% bonus for features such as walkways, decks, patios, open porches, etc. Zoning Permit 99-504 documented existing and proposed lot coverage for the property at 51%. The submitted plans indicate an existing lot coverage of 50% (2,540 sf). The proposal involves removing 534 sf of existing lot coverage (garage, patio, and some driveway/parking area), while adding 923 sf of new lot coverage, for an end result of 2,929 sf. This results in an increase of 389 sf of new lot coverage for the ADU, which is less than the 650 sf allowed in instances of pre-existing nonconforming lot coverage.

The applicant has submitted an Erosion Prevention and Sediment Control plan, as well as a stormwater plan, to the City's Stormwater Program Manager. Public comments/concerns have been submitted to the City regarding stormwater runoff and its effects on neighboring properties and structures, particularly considering a new curb cut on Dan's Court for the proposed driveway and walkway. The property slopes downward to the west, and concern over stormwater entering and damaging adjacent property is present. The plans are still under review, and in accordance with this section, the DRB must find that the site design and improvements will enable on-site management of the first one inch of stormwater runoff from the lot area of the ADU exceeding the applicable lot coverage limit and will not have an undue adverse impact on public rights of way based on the review of the DPW Stormwater Program Manager. **No finding possible**

Section 5.2.4 Buildable Area Calculation

Not applicable.

Section 5.2.5 Setbacks

(a) Setbacks Required

See Table 4.4.5-3 above.

(b) Exceptions to Yard Setback Requirements

(5) Accessory Structures and Parking Areas. Accessory structures no more than fifteen (15) in height, parking areas, and driveways may project into a required side and rear yard setback

provided they are no less than five (5) feet from a side or rear property line where such a setback is required.

The proposed ADU is just below 15 ft in height, as measured to the midpoint of the rise between the roofplate and the ridge of the highest gable, and therefore qualifies for this setback exception. However, its placement will conform to the standard side yard setback requirements of Table 4.4.5-3. The new driveway is proposed to be setback 5 ft from the north side yard property line.

Affirmative finding

Section 5.2.6 Building Height Limits

The height of the new ADU structure is 20 ft, measured to the roof ridge, and is well under the 35 ft height maximum allowance. **Affirmative finding**

Section 5.2.7 Density and Intensity of Development Calculations

Not applicable per Sec. 5.4.5 (a) below.

Section 5.4.5 Accessory Dwelling Units

(a) Accessory Units, General Standards/Permitted Uses

Where there is a principal structure on a lot which exists as an owner-occupied single family residence, one accessory dwelling unit, that is located within or appurtenant to such single family dwelling, shall be allowed as a permitted use if the provisions of this subsection are met. An accessory dwelling unit means an efficiency or one bedroom apartment that is clearly subordinate to the principal dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation. No accessory unit shall be inhabited by more than two adult occupants. An accessory unit shall not be counted as a dwelling unit for the purposes of density calculation.

The proposed one-bedroom accessory dwelling unit will be located in an appurtenant structure. The floor plan identifies a bathroom, kitchen, living and sleeping space.

Additionally, there must be compliance with all the following:

1. *The property has sufficient wastewater capacity as certified by the Department of Public Works; and*

The applicant will be required to secure a letter of adequate capacity from DPW for water and sewer services. **Affirmative finding as conditioned**

2. *The unit does not consist of more than 800 sq. ft. or 30 percent (30%) of the gross floor area of the principal home, whichever is greater; and*

The ADU will total 646 sf in size, less than the 800 sf maximum allowance. **Affirmative finding**

3. *Applicable setback and coverage requirements are met;*

See Table 4.4.5-3 and Sec. 5.2.3 (b) (10) above. **Affirmative finding**

4. *A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of the certificate of occupancy for the unit. Such reference shall identify the permit number and*

note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.

A condition of approval will ensure this. **Affirmative finding as conditioned**

(c) Discontinuance of Accessory Units

Approval of an accessory dwelling unit is contingent upon owner occupancy of either the principal or accessory dwelling unit as a primary residence. For purposes of this section, owner-occupancy means that, after the creation of the accessory unit all individuals listed on the deed for the property must reside in the principal unit or in the accessory unit. If neither the principal unit nor the accessory unit is owner-occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory dwelling unit must be removed within 90 days with the entirety of the property being occupied as a single unit. When an accessory unit that is the result of additional square footage and/or a new accessory structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval. Furthermore, where additional square footage is added to a single family home for purposes of creating an accessory unit and the accessory unit is at any point discontinued, none of the additional square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.

The property is owner occupied and shall continue to be so in order for the ADU to remain compliant. **Affirmative finding**

Section 5.4.8 Historic Buildings and Sites

Not applicable. While the existing home is listed on the State Register, the garage proposed for removal is not.

Section 5.4.9 Brownfield Remediation

Not applicable

Section 5.5.1 Nuisance Regulations

Nothing within the application suggests non-compliance with applicable nuisance regulations and performance standards per the requirement of the Burlington Code of Ordinances. **Affirmative finding**

Section 5.5.2 Outdoor Lighting

The plans do not indicate any outdoor light fixtures and will need to. The applicant will have to revise the plans to show the location of all exterior light fixtures, and submit spec sheets for said light fixtures for staff review and approval. **Affirmative finding as conditioned**

Section 5.5.3 Stormwater and Erosion Control

An Erosion Prevention and Sediment Control (EPSC) plan and a stormwater plan have been submitted to the Stormwater Program Manager for review and approval. As noted above, there is neighbor concern regarding the proposed development's adverse impact of stormwater on their property and structure(s). The EPSC and stormwater plan should be approved prior to the DRB issuing a decision on the application. **No finding possible**

Section 5.5.4 Tree Removal

Not applicable.

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:

The property contains no important natural features. The ADU structure and driveway will locate on existing lawn space. After the garage and portions of existing driveway/parking that currently serve the existing single family residence are removed, those spaces will be restored to yard area.

Affirmative finding

(b) Topographical Alterations:

There will be some minor cut/fill and regrading to accommodate the new ADU and driveway. An EPSC plan and a stormwater plan are currently under review by the Stormwater Program Manager, and should be approved prior to a DRB decision. **No finding possible**

(c) Protection of Important Public Views:

There are no protected views from or through this property. Not applicable.

(d) Protection of Important Cultural Resources:

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

Not applicable. The principal structure at 400 North Street is listed as a contributing resource on the State of Vermont Historic Register. No alterations to this structure are proposed. The garage proposed for removal is not included on the historic listing, and is therefore not subject to the historic preservation guidelines of Sec. 5.4.8.

(e) Supporting the Use of Renewable Energy Resources:

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

(f) Brownfield Sites:

None identified at this location. Not applicable.

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site

disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

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

As noted above, approval of this zoning permit is contingent on meeting the stormwater control requirements of Chapter 26 of the Burlington Code of Ordinances – Wastewater, Stormwater, and Pollution Control. There is concern over stormwater adversely impacting neighboring properties/structures. Compliance with Chapter 26 BCO should ensure that stormwater is contained onsite and does not impact neighboring properties.

There is additional concern over snow shed from the roof of the ADU – how it will likely cause damage to a neighboring structure. The DRB may want to consider requiring rooftop snow guards to mitigate snow shed from the roof.

The plans indicate entrance covers to protect from the elements. The site plan shows there to be yard space beyond the new driveway for snow storage. **No finding possible**

(h) Building Location and Orientation:

This new accessory structure will orient in a similar fashion with that of the neighboring accessory structure at 164 North Willard Street which sits approximately 2.5' ft from the edge of Dan's Court, thus maintaining a similar street edge. This accessory structure will be located in such a way so as to be secondary and subordinate in scale and design to the principal structure.

Affirmative finding

(i) Vehicular Access:

A new driveway for the ADU is proposed off of Dan's Court which will provide one parking space. **Affirmative finding**

(j) Pedestrian Access:

While there is no sidewalk along the west side of Dan's Court, the plans indicate a walkway alongside the driveway to Dan's Court which will provide pedestrian access to the ADU.

Affirmative finding

(k) Accessibility for the Handicapped:

ADA access is administered by the building inspector's office. None is proposed or required in this instance. **Affirmative finding**

(l) Parking and Circulation:

Parking for the existing single family residence will continue to be adequate for the 2-space minimum. The proposal calls for a new driveway/parking space for the ADU directly off Dan's Court. A new curb cut will be required and the applicant will be tasked with obtaining a permit from the Department of Public Works. **Affirmative finding**

(m) Landscaping and Fences:

No landscape plan has been submitted. There is currently a cedar hedge running along the frontage (Dan's Court) that will provide considerable screening. No new fencing is proposed.

Affirmative finding

(n) Public Plazas and Open Space:

Not applicable.

(o) Outdoor Lighting:

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

See Sec. 5.5.2 above.

(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 plans identify an electrical service box on the west elevation (street side) and a wall hung condensing unit on the east elevation. The cedar hedge that will remain will provide an adequate screen for the electrical service box. The plans will need to be updated to show any and all other outdoor mechanical units, mailboxes, trash/recycling bins, and any other new onsite utilities.

Affirmative finding as conditioned.

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

The proposed ADU structure will be similar in massing, height, and scale with other accessory structures along Dan's Court. **Affirmative finding**

2. Roofs and Rooflines.

The gable roof will run parallel with Dan's Court. Gable roofs are very common rooftops of homes in the immediate area. **Affirmative finding**

3. Building Openings

The ADU structure will have 3 window openings on the east and west side, one sliding door on the south side, and an entrance door and picture/casement window combo on the north side.

Affirmative finding

(b) Protection of Important Architectural Resources:

Not applicable.

(c) Protection of Important Public Views:

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

(d) Provide an active and inviting street edge:

While the street facing façade will be one long wall (38 ft) with a few window openings, the existing cedar hedge that will remain will continue to provide a visible screen from Dan's Court. The front entrance is not oriented in a street-facing manner, and since this is not the primary structure on the property, it isn't required to be. A walkway to this building entrance has been included to connect to the street. **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 plans indicate corrugated metal siding, roofing, and trim for the entire structure. Spec sheets for the windows and doors have not been provided and will be needed. **Affirmative finding as conditioned**

(f) Reduce energy utilization:

This habitable structure will be required to meet Efficiency Vermont standards.

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

(g) Make advertising features complementary to the site:

New signage is not proposed or expected for this ADU. Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

This development is subject to all applicable building and life safety codes as defined by the Burlington's Building Inspector and the Fire Marshal. **Affirmative finding as conditioned**

Article 8: Parking

Table 8.1.8-1 Minimum Off-Street Parking Requirements

Single family uses require 2 parking spaces in the Neighborhood Parking District. Section 5.4.5 Accessory Dwelling Units, was recently amended and removed the previous requirement for one additional parking space for an ADU. As a result, the property is still only required to have 2 off-street parking spaces. The existing driveway provides ample room for 2 parking spaces for the existing single family home, and the new proposal will add 1 off-street parking space serving the ADU. **Affirmative finding**

1. **Prior to release of the zoning permit**, the applicant shall secure a letter of adequate capacity from DPW for water and sewer services.
2. **Prior to the release of the zoning permit**, the applicant shall revise the plans to show the location of all exterior light fixtures, and submit spec sheets for said light fixtures for staff review and approval.
3. **Prior to the release of the zoning permit**, the plans shall be updated to show any and all other outdoor mechanical units, mailboxes, trash/recycling bins, and any other new onsite utilities.
4. **Prior to the release of the zoning permit**, the applicant shall submit spec sheets for all windows and doors to staff for review and approval.
5. The wall hung condensing unit shall meet the minimum side yard setback requirement of 3.1 ft.
6. No more than 2 adults and their minor children shall inhabit the accessory dwelling unit.
7. Any additional physical alteration or change of use to the accessory dwelling unit will require a new zoning permit, subject to regulations in effect at the time of permit application submittal.
8. **Prior to the issuance of a certificate of occupancy**, a deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit. The reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy.
9. Construction hours shall be limited to Monday – Friday from 7:00 AM – 5:30 PM. Saturday construction may be allowed upon request to the Development Review Board. No work on Sunday.
10. A state wastewater permit will be required, and is the responsibility of the applicant to secure.
11. It is the applicant's responsibility to obtain a curb cut permit from the Department of Public Works.
12. The applicant shall secure any associated trades permits for the interior work.
13. 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
14. Standard Permit Conditions 1-15.

Resolution Relating to

**COVID-19 EMERGENCY ORDER REGARDING
PRESCHOOL AND DAYCARE EXPANSION IN RCO
DISTRICTS**

RESOLUTION 5.1

Sponsor(s): Councilor Carpenter

Introduced: 08/24/20

Referred to: _____

Action: adopted

Date: 08/24/20

Signed by Mayor: 09/08/20

CITY OF BURLINGTON

In the year Two Thousand Twenty

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, on March 13, 2020, Governor Phil Scott declared a State of Emergency in Vermont
2 because of the novel coronavirus known as COVID-19 and Mayor Miro Weinberger declared an emergency
3 the City of Burlington on March 16, 2020, due to COVID-19; and

4 WHEREAS, the Governor has issued orders, addenda and directives related to school and childcare
5 operations to help prevent the spread of COVID-19; and

6 WHEREAS, COVID-19 restrictions have increased the demand for preschool and daycares options
7 that are able to comply; and

8 WHEREAS, currently the Burlington Comprehensive Development Ordinance conditionally allows
9 small (less than 20 children) preschools and daycares in the RCO Districts when associated with a small
10 museum and restricts them to less than 50 percent of the gross floor area of the museum; and

11 WHEREAS, at least one facility, the Burlington Forest Preschool, has indicated that they are able to
12 increase capacity in a way that is compliant with COVID-19 protective measures to help address some of the
13 increase demand; and

14 WHEREAS, City staff agree that a zoning modification to conditionally allow large preschools and
15 daycares (greater than 20 children) associated with small museums within the RCO Districts and removing the
16 50 percent gross floor area restriction is appropriate, however, the legislative change will not be able to go
17 through the standard process prior to the fall preschool timeframe.

18 NOW THEREFORE, BE IT RESOLVED that the City Council hereby approves the temporary
19 allowance as a conditional use large preschools and daycares without the gross floor area restriction in the
20 RCO districts associated with a small museum during the current COVID-19 state of emergency; and

21 BE IT FURTHER RESOLVED that the City Council requests the Planning Commission to prioritize
22 review of an ordinance change to conditionally allow large preschools and daycares associated with small
23 museums in the RCO Districts without the 50 percent gross floor area restriction to be submitted to the
24 Council as soon as possible.

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

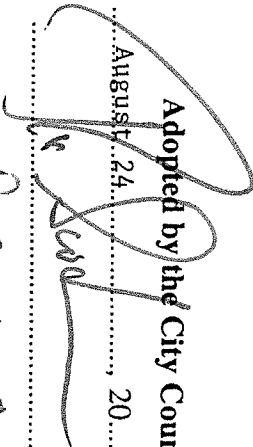
Meagan Tuttle, Planning

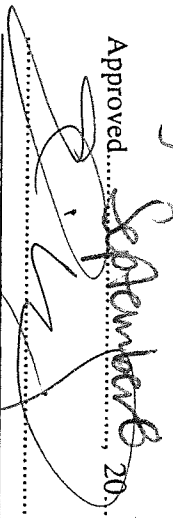
RESOLUTION RELATING TO

COVID-19 Emergency Order Regarding Preschool And Daycare
Expansion In RCO District

Adopted by the City Council

August 24, 2020


Clerk

Approved  September 20, 2020
Mayor

Attest:

Lori Olberg
Licensing, Voting and Records Coordinator

Vol. Page

* * * * *

Burlington Development Review Board

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Brad Rabinowitz
AJ LaRosa
Springer Harris
Geoff Hand
Brooks McArthur
Kienan Christianson
Caitlin Halpert
Sean McKenzie, (Alternate)
Ravi Venkataraman, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, September 15, 2020, 5:00 PM

REMOTE MEETING

Zoom: <https://us02web.zoom.us/j/82129791692?pwd=QmFQZ1VqZnFiZk5wZjJSTU9uSDJsdz09>

Webinar ID: 821 2979 1692

Password: 842557

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

Minutes

Present: Brad Rabinowitz, Brooks McArthur, AJ LaRosa, Kienan Christianson, Springer Harris, Caitlin Halpert, Geoff Hand

Not Present: Sean McKenzie (Alt.), Ravi Venkataraman (Alt.)

I. Agenda

B. Rabinowitz: No changes to agenda

II. Communications

B. Rabinowitz: Nothing other than what is in the packet

III. Minutes

B. Rabinowitz: Last meeting's minutes included in the packet

IV. Consent

1. 21-0076CA/CU; 426 South Winooski Avenue (RM, Ward 6S) Scott Mapes

Time extension request for zoning permit to demolish existing detached garage and replace with new detached garage with accessory dwelling unit. (Project Manager: Scott Gustin)

Scott Mapes

No public appeared

B. Rabinowitz: Asks if applicant disagrees with the application being on the consent agenda.

S. Mapes: Does not disagree

B. Rabinowitz: Asks if anyone on Board objects to item being treated as consent

No objections

B. Rabinowitz: Asks if any public wants to participate on item

No public

K. Christianson: Motion to grant time extension

C. Halpert: Seconds motion

6-0-0

2. 20-0488SD; 95 Derway Drive (RL, Ward 7N) Larkin Realty

Final subdivision of the Claire Pointe planned community into five (5) parcels. One each for Buildings A, B, C and D, and one common land parcel. (Project Manager: Ryan Morrison)

Carl Lisman and Liz McCaslin appeared on behalf of project
No public appeared

B. Rabinowitz: Asks if applicant disagrees with the application being on the consent agenda.

L. McCaslin: Does not disagree

B. Rabinowitz: Asks if anyone on Board objects to item being treated as consent

No objections

B. Rabinowitz: Asks if any public wants to participate on item

No public

S. Harris: Motion to adopt staff findings and approve application

B. McArthur: Seconds motion

6-0-0

3. 21-0202CU; 820 North Avenue (RCO-C, RCO-A, Ward 7N) Winooski Valley Park District
Expansion of existing preschool/daycare use. (Project Manager: Scott Gustin)

Nick Warner appeared on behalf of project
No public appeared

B. Rabinowitz: Asks if applicant disagrees with the application being on the consent agenda.

N. Warner: Does not disagree

B. Rabinowitz: Asks if anyone on Board objects to item being treated as consent

No objections

B. Rabinowitz: Asks if any public wants to participate on item

No public

S. Motion: Motion to adapt staff findings and approve application

K. Christianson: Seconds

6-0-0

4. 21-0116CA; 24 Alexis Drive (RL-W, Ward 4N) Suzanne & Dave Gaensbauer
Construct new single family home and related site work. (Project Manager: Ryan Morrison)

Dave Gaensbauer appeared on behalf of project

B. Rabinowitz: Asks if applicant disagrees with the application being on the consent agenda.

D. Gaensbauer: Does not disagree

B. Rabinowitz: Asks if anyone on Board objects to item being treated as consent

No objections

B. Rabinowitz: Asks if any public wants to participate on item

No public

B. Rabinowitz: Compliments house and plans

C. Halpert: Move to adopt staff findings and approve application

B. McArthur: Seconds

6-0-0

V. Public Hearing

1. 20-0717CA/MA; 273 Pearl Street (RH, Ward 8E) Triple Tree Group, LLC, (Bruce Baker, Greg Doremus)

Planned Unit Development involving 273 Pearl St, 11 Hungerford Terrace, 15 Hungerford Terrace and 21 Hungerford Terrace. Demolish porch and move garage at 21 Hungerford; demolish garage at 11 Hungerford. Construct 12-unit residential building with related parking and supporting infrastructure. (Project Manager: Mary O'Neil)

B. McArthur: Recused from item

Bruce Baker and Gregory Doremus appeared on behalf of project
No public appeared to speak on item

A. LaRosa: Discloses social ties with Bruce Baker.

B. Baker: Explains site plan and gives details on properties. Explains property layout. Explains contributing factors for Bradley/Hungerford District. Explains topographical layout of properties. PUD involving four lots. The 273 Pearl St lot is involved for parking and stormwater. Explains that the proposal is to remove the 15 Hungerford Terrace building and build where that existed. Explains where new structure is proposed to live. Walks through proposed floorplans.

K. Christianson: Asks about methods of reducing number of cars that tenants use. Asks about Carshare Vermont and what qualifications are needed to be a member. Asks if a tenant does not qualify for Carshare Vermont, what other methods of transportation does the lease offer.

B. Baker: Explains qualifications surrounding Carshare Vermont, including Driver's License. Offers bus passes. Trying to be as bike friendly as possible.

K. Christianson: Asks about bus pass and options/offers surrounding that.

B. Baker: Survey tenants every other year, sometimes every year. Has paid for a bus pass for a year, but bus passes aren't used very often because only three blocks away from University of Vermont, medical center, and Church Street. Some years don't even use all parking spaces. Easiest to walk.

B. Rabinowitz: Asks to clarify comment about not filling parking lot. Some previous projects have requested parking waivers. Asks how those projects compare to this project.

B. Baker: We would not try to build something to this potential for liability unless we knew we could fill the spaces to rent, we can't rent it unless we have parking. Have pre-lease meetings with tenants and tell them about the cost of parking and other modes of transportation. Tries to allocate one car per unit for parking lot. Explains they have asked to share parking between other lots.

G. Hand: Asks about number of cars from tenants who do not rent spaces from them/park on the property.

B. Baker: Probably four or five a year out of 212 tenants. Explains they are close to tenants and have people on the property who would be able to identify if a car was parked there that was not supposed to be.

B. Rabinowitz: Asks about site. Asks about stormwater and underground storage tanks.

B. Baker: Seeing a lot of water at 11 Hungerford Terrace in the basement. Hoping the stormwater is an improvement than what is there now.

B. Rabinowitz: Asks about number of apartments.

B. Baker: Explains how many are there now and what is proposed. 18 apartments.

B. Rabinowitz: Asks about streetscape. Asks about natural wood posts on the street-front.

B. Baker: DAB made same comment, this has not been updated. Can change to white posts.

B. Rabinowitz: Asks if there is any public to speak on this application.

S. Gustin: No public.

B. Rabinowitz: Closes public hearing.

VI. Certificate of Appropriateness

1. 21-0076CA; 400 North Street (RL, Ward 1E) William McKenna

Demolish garage and construct accessory dwelling unit, seeking additional nonconforming lot coverage. (Project Manager: Ryan Morrison)

Will McKenna appeared on behalf of project.

Public comment: Joseph Cleary, Luke Purvis, Sharon Bushor

W. McKenna: Few public concerns about wastewater. Could potentially install a French drain, would intersect the water that would potentially flow from the East. French drain would take the water away from neighbor's garage and guide it South.

B. Rabinowitz: Asks about recommended conditions of approval and asks why stormwater is not included

R. Morrison: Usually put stormwater condition needed before the release of the zoning permit, but with the new ADU ordinance, the DRB must find that it meets the stormwater requirements in order to make a decision.

B. Rabinowitz: Asks about retaining wall and driveway. Not clear elevation plans.

W. McKenna: Explains proposed regrading and vegetation plans.

B. Rabinowitz: Asks if there are questions from the public

J. Cleary: Agrees with recommendation for snow-guards on roof. Recommends French drain size is correctly created for the amount of stormwater it will be collecting.

S. Bushor: Expresses concerns surrounding stormwater. Recommends having more solid plans for stormwater before permit approval.

B. Rabinowitz: Can either approve with many conditions, or ask to come back.

G. Hand: Leaning more towards coming back with more information.

B. Rabinowitz: Feel like there is not enough information to make a decision yet. We can decide that during deliberation.

L. Purvis: Expresses concerns surrounding stormwater and how proposed plans may affect the stormwater path. Concerns about headlights from a turnaround area.

B. Rabinowitz: Closes public hearing

VII. Other Business

1. 19-0355CA; 441 Shelburne Street (RM, Ward 5S) Mitchel Richardson

Project status update only – Conversion of boarding house to 10 apartments.

Mitchel Richardson appeared on behalf of project

Technological issues. Board requests pictures of the back of the property.

B. Rabinowitz: Closes public hearing

VIII. Adjournment

Meeting adjourned at 6:20pm

Bradford L. Rabinowitz, Chair of Development Review Board

Date

Alison Davis

Alison Davis, Zoning Clerk

Date

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.

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