

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
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www.burlingtonvt.gov/pz

Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Michael Gaughan
Emily Lee
Brynne Martin

Regular Meeting Burlington Planning Commission

Tuesday, September 14, 2021, 6:30 P.M.

Remote Meeting via Zoom OR

In-person option available at:

Bushor Conference Room (Room 102), 1st Floor of City Hall, 149 Church St.

To Join the Meeting on a Computer

Link: <https://us02web.zoom.us/j/88412845443>

To Join the Meeting on a Phone

Number: +1 312 626 6799 Meeting ID: 884 1284 5443

AGENDA

I. Agenda

II. Chair's Report

III. Director's Report

IV. Public Forum

V. Proposed CDO Amendment ZA-22-01 Historic Preservation Bonus

Staff will present a proposed amendment to the Burlington *Comprehensive Development Ordinance* regarding historic preservation bonuses. Information related to this item is in the agenda packet on page 4.

Staff Recommendation: Approve the Municipal Bylaw Amendment report and warn a public hearing.

VI. Proposed CDO Amendment ZA-22-02 Permitting Simplifications

Staff will present a proposed amendment to the Burlington *Comprehensive Development Ordinance* regarding opportunities for reducing permitting burden for applicants in some situations. Information related to this item is in the agenda packet on page 11.

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VII. Commissioner Items

- a. Upcoming Meetings –
 - i. Tuesday, September 28, 2021 at 6:30pm

VIII. Minutes & Communications

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. Written comments on items may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401, or at mtuttle@burlingtonvt.gov

Tuesday, September 14, 2021

- a. The minutes of the July 27, 2021 meeting are enclosed in the agenda packet on page 18.
- b. Communications are enclosed in the agenda packet on page 21.

IX. Adjourn

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Guidance for Participating in a Virtual Planning Commission Meeting

As social distancing measures to preserve public health and safety continue to be required to prevent the spread of COVID-19, or are recommended as a standard practice, the Office of City Planning will be supporting the Planning Commission to conduct their meetings online via Zoom. Here is information about how to join a virtual meeting, and what to expect while participating.

General Guidance for Public Participation

Please remember that in this digital meeting environment, meetings are open to the public and anyone may be watching or listening even if you cannot see them. Meetings will be recorded, and both the recording and chat content of the meeting will be maintained as a public record.

Please ensure your display photo and screen name are professional, such as using your first and last name. Please test your audio and video prior to the start of a meeting, and familiarize yourself with how to join a meeting by your chosen method. And finally, please be patient with us. Technology doesn't always work as planned, and we are all learning how to hold a successful virtual meeting!

How to Join a Virtual Meeting

Zoom allows participation via either computer or telephone. Each agenda for a meeting that will be conducted virtually will include details about how to join via either of these options, including a web address, phone number, Meeting ID, and password.

If you participate via computer, you have the option of seeing Commissioner videos and any presentation materials that may be shared. If you use either a standard phone or cell phone to call in, you will only hear the audio portion of the meeting. If you join via a smartphone, you may have the option to download the Zoom app, which will enable you to see and hear the meeting.

How to Participate in a Virtual Meeting

During meetings, only Planning Commission members and limited staff members will be viewed on video. Members of the public attending a meeting will be muted, except when invited to speak during public forum or a public hearing. Whether members of the public can speak at other times during the meeting is the discretion of the Chair.

If you want to speak during public forum, please take the following steps to assist us in making this process run as smoothly as possible:

- Email staff at mtuttle@burlingtonvt.gov by 5pm on the day before a meeting to indicate your interest in speaking. You do not need to provide your comments. Staff will enable your microphone as your name is called from a list of interested speakers.
- During a meeting, you can use the "Raise Hand" feature, or indicate in a chat message that you wish to speak during public forum. Staff will enable your microphone as your name is called.
- If you are interested in submitting your comments in writing instead of speaking during the meeting, you may do so by 5pm the day before a meeting, they will be forwarded to the Commissioners ahead of the meeting.

TO: Burlington Planning Commission

FROM: David E. White, FAICP, Dir of Planning, Office of City Planning
Scott Gustin, AICP, Principal Planner & Zoning Division Manager, DPI

DATE: September 9, 2021

RE: Proposed CDO Amendment ZA-22-01: Historic Preservation Rehabilitation Bonus

The following proposed amendment to the BCDO is a companion to an amendment approved by the Commission earlier this year (ZA-21-04 Adaptive Reuse Definition) which revised the definition of the term "adaptive reuse" to be consistent with standard historic preservation practice. ZA-21-04 currently sits before the Council Ordinance Committee where it awaits the referral of this proposed amendment and they can be joined.

Subsequent to the Council taking up the Adaptive Reuse amendment, the Planning and DPI staff noted a potential conflict with Sec. 4.4.5(d) 6. B, and recommends that the BCDO dispense with the use of the term in Sec. 4.4.5(d) 6. B - Adaptive Reuse Bonus, and instead move this language to Sec. 5.4.8 where it would be co-located with other provisions related to historic buildings and to make it applicable in the Institutional District which, outside of the institutional campuses, also has a predominantly residential character and scale.

Proposed Amendment

BEGIN PROPOSED AMENDMENT

Sec. 4.4.5 Residential Districts, (d) District Specific Regulations:

5. Uses

A. Exception for Existing Neighborhood Commercial Uses.

Neighborhood commercial uses as defined in Article 13 and intended to primarily serve the nearby residential area shall be considered permitted uses in all Residential and Institutional districts subject to the following:

- (i) This exemption shall only apply to:
 - 1) Historic neighborhood commercial buildings that are listed or eligible for listing on the state or national register and originally designed and constructed for such purpose(s); or,
 - 2) A street level neighborhood commercial use as defined in Article 13 in lawful existence as of January 1, 2007.
- (ii) Neighborhood commercial uses shall be limited to a single story on the street level of any structure.
- (iii) Neighborhood commercial uses less than 2,000 sqft shall be treated as a permitted use. Neighborhood commercial uses greater than or equal to 2,000

sqft but less than 4,000 sqft shall be treated as a conditional use. Neighborhood commercial uses occupying 4,000 sqft or more shall not be permitted.

- (iv) The neighborhood commercial use shall not be counted against the property's allowable residential density.
- (v) The sale of fuel for motor vehicles, or new or expanded gas station canopies, shall be prohibited.
- (vi) Hours of operation shall be limited to 6:00am to 11:00pm seven days per week. Any expansion in the hours of operation of an existing neighborhood commercial use shall require review by the DRB.
- (vii) All building height and setback requirements for the underlying residential district shall apply, and the lot coverage shall not exceed 60%.
- (viii) Any exterior changes to the building(s) or changes to the site plan shall be subject to the design review requirements of Article 6.
- (ix) To the extent that additional parking is necessary, the parking standards for Shared-Use Districts shall apply pursuant to Article 8.
- (x) The conversion of a residential use to a neighborhood commercial use within a historic neighborhood commercial building more than 50 years old and originally designed and constructed for such purpose shall be exempt from the housing replacement requirements of Article 9, Part 2.
- (xi) Home occupations as defined and regulated under this article are not restricted by the provisions of this section.
- (xii) Any aspect of a neighborhood commercial use in lawful existence as of January 1, 2007 not in strict conformance with any of the above standards shall be considered non-conforming and be subject to the provisions of Article 5, Part 3.

6. Residential Development Bonuses.

The following exceptions to maximum allowable residential density and dimensional standards in Tables 4.4.5-2 and 4.4.5-3 may be approved in any combination subject to the maximum limits set forth in Table 4.4.5-8 at the discretion of the DRB. Any bonuses that are given pursuant to this ordinance now or in the future shall be regarded as an exception to the limits otherwise applicable.

A. Senior Housing Bonus.

Residential development in excess of the density, lot coverage and building height limits specified in Tables 4.4.5-2 and 4.4.5-3 may be permitted by the DRB for senior housing provided the following conditions are met:

- (i) No less than twenty-five (25) per cent of the total number of units shall be reserved for low-moderate income households as defined by state or federal guidelines, including no less than ten (10) per cent reserved for low-income households. (Projects taking advantage of this bonus are exempt from the Inclusionary Zoning requirements of Article 9,

Part 1.);

- (ii) The proposal shall be subject to the design review provisions of Art. 6;
- (iii) A maximum of an additional 10-feet of building height may be permitted in the RH District; and,
- (iv) Lot coverage and residential densities shall not exceed the following:

Table 4.4.5-5: Senior Housing Bonus

District	Maximum Coverage	Maximum Density
RL/RL-W	44%	20 du/ac
RM	48%	40 du/ac
RM-W	72%	40 du/ac
RH	92%	80 du/ac

B.

Residential Conversion Bonus.

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

- (i) Lot coverage and residential density shall not exceed:

Table 4.4.5-7: Residential Conversion Bonus

District	Maximum Lot Coverage	Maximum Density (dwelling unit/acre)
RL, RL-W	50% (62% with inclusionary allowance)	8 du/ac (8.75 with inclusionary allowance)
RM, RM-W	60% (72% with inclusionary allowance)	30 du/ac (37.5 with inclusionary allowance)
RH	80% (92% with inclusionary allowance)	60 du/ac (69 with inclusionary allowance)

D. Limitations on Residential Development Bonuses:

For projects where the conditions of more than one applicable bonus listed above and under Sec. 5.4.8 (e) are met, the applicant may use the most permissive exemption to the underlying lot coverage or residential densities applicable.

In no case shall any development bonuses and allowances granted, either individually or in combination, enable a building to exceed the maximum density, lot coverage and building height permitted in any district as defined below:

Table 4.4.5-8: Maximum Density, Lot Coverage and Building Heights with Bonuses

District	Maximum Density	Maximum Height	Maximum Lot Coverage
RH	80 du/ac	45-feet (68-ft in RH Overlay)	92%
RM-W	40 du/ac	60-feet	72%
RM	40 du/ac	35-feet	60%
RL, RL-W	20 du/ac	35-feet	50%

Sec. 5.3.4 Nonconforming Uses, (a) Changes and Modifications:

1. Nonconforming Non-Residential Use:

A nonconforming non-residential use shall not be expanded or altered in any way, other than to full conformity under this Ordinance, except as follows:

A. Exception for residential conversion.

A non-residential nonconforming use may be converted to a residential non-conforming use pursuant to the applicable residential conversion provisions of Sec. 4.4.5(d)(6).

B. Existing Neighborhood Commercial Uses.

Existing non-residential uses intended to primarily serve the nearby residential area shall not be considered non-conforming to the extent they comply with the provisions of Sec. 4.4.5(d)(5).

2. Nonconforming Residential Use:

A change or expansion of a non-conforming residential use may be allowed subject to conditional use approval pursuant to the provisions of Article 3, Part 5 by the DRB provided:

- A. Such an expansion does not add any additional dwelling units except as may be permitted for residential conversion bonuses approved per the provisions of Sec. 4.4.5(d)(6), the Historic Building Rehabilitation Bonus under Sec. 5.4.8 (e), or for Accessory Dwelling Units per the provisions of Sec. 5.4.5;
- B. (remainder as written)

Sec. 5.4.8 Historic Buildings and Sites

(e) Historic Building Rehabilitation Bonus:

In order to facilitate the rehabilitation and reuse of historic buildings, in Residential and Institutional districts, development in excess of the limits set forth in Tables 4.4.4-1, 4.4.5-2 and 4.4.5-3 may be permitted by the DRB subject to all of the following conditions:

- (i) The principal building shall be listed or eligible for listing in the United States Department of the Interior's National Register of Historic Places or the Vermont State Register of Historic Places;
- (ii) The density limits of the underlying zoning district in Sec 4.4.4(b) and 4.4.5(b) shall not apply. The extent of development shall instead be limited to an expansion up to a total of 125% of pre-existing gross floor area of the principal building.;
- (iii) The reuse and rehabilitation conforms to the requirements of Sec. 5.4.8 (b) above;
- (iv) Neighborhood commercial uses may be permitted by the DRB subject to the applicable requirements of Sec. 4.4.5(d)(5)(A). ; and,
- (v) Lot coverage shall not exceed:

Table 4.4.5-6: Adaptive Reuse Bonus

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

END PROPOSED AMENDMENT

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The intent of the proposed amendment is to correct a conflict in the use of terms regarding the adaptive reuse of historic buildings and applicable development

bonuses intended to encourage their reuse and rehilitation, and expand such bonuses into the Institutional District where applicable.

Proposed Amendment

The following amendments to the Burlington CDO are included in this proposal:

1. Move Sec. 4.4.5(d) 6. B - Adaptive Reuse Bonus to become Sec. 5.4.8(e), rename it to "Historic Building Rehabilitation Bonus," and make it applicable in the Institutional District in addition to the Residential Districts.
2. Correct references to Sec. 5.3.4 Nonconforming Uses, (a) Changes and Modifications:

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme	Dynamic	Distinctive	Inclusive	Connected
Land Use	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety or affordability.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

Process Overview

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

Planning Commission Process				
Draft Amendment prepared by: Staff	Presentation to & discussion by Commission 9/14/21	Approved for Public Hearing	Public Hearing	Approved & forwarded to Council
				Continue discussion
City Council Process				

First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected

TO: Planning Commission
FROM: Scott Gustin, Principal Planner & Zoning Division Manager
DATE: September 14 2021
RE: Permitting Adjustments

Overview & Background

Grouped together in this amendment proposal are three changes that facilitate the zoning permit process. Each one has been identified through routine administration of the Comprehensive Development Ordinance, and each is based on applicant and staff experience with the permit process. The proposed changes are:

- Eliminate the zoning permit requirement for changes among permitted non-residential uses (only the use) where no standards apply;
- Allow basic zoning permits for single-family uses on lots in the non-design review district (removing 'conforming' from the text); and,
- Enable administrative review of flood hazard area zoning permits (unless otherwise trigger DRB review).

The Planning Commission Ordinance Committee discussed this amendment April 1, 2021 and unanimously recommended forwarding the amendment to the full Planning Commission for consideration.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The intent of the proposed amendment is to facilitate permitting and to reduce unnecessary burden on applicants.

1. Eliminate the zoning permit requirement for changes among permitted non-residential uses (only the use) where no standards apply.

Presently, any change from one use to another use requires a zoning permit. Oftentimes, the only zoning standard that changes when going from one permitted non-residential use to another permitted non-residential use is the parking standard. With the recent elimination of minimum parking requirements, there have been a number of non-residential changes in use that have received zoning permits without any standards to meet. In such cases, arguably, there is no need to require a zoning permit. The proposed amendment defines a narrow exemption from the need for a zoning permit for changes in use between permitted non-residential uses.

2. Allow basic zoning permits for single-family uses on lots in the non-design review district (removing 'conforming' from the text).

The Residential – Low Density zone is not within the city's design review overlay. That basically means that the design review standards of Article 6 do not apply within this zone, and only the dimensional standards (height, setbacks, and lot coverage) of Article 4 apply. A "basic" zoning permit is required where development is proposed and requires only site plan review. There are multiple exceptions to this rule. Only detached single family homes are eligible for "basic" permit review. Anything other than a detached single family home in the RL zone is subject to Article 6 and "certificate of appropriateness" (COA) review. Even among detached single family homes, there are exceptions. An historic home is subject to COA review, and any home on a small lot (one less than 6,000 sf or with less than 60' of street frontage) is subject to COA review. COA review is much more extensive than "basic" permit review, it is typically more expensive, and it may include Board review. The proposed amendment removes the small lot trigger for COA review. As proposed, any detached single family home that is not historic and is in the RL zone would qualify for "basic" permit review rather than COA review.

3. Enable administrative review of flood hazard area zoning permits (unless otherwise trigger DRB review).

Within the Special Flood Hazard Area (SFHA), all development presently requires Development Review Board review and approval. This means substantially longer timeframes and greater expense for zoning permit review of things as simple as freestanding signs and tool sheds. The proposed amendment enables administrative zoning permit review of applications that otherwise qualify for administrative permit review. Other DRB review triggers such as development size, scope, and proposed use remain.

Proposed Amendments

Deleted language is ~~crossed out~~ and new language is underlined in red.

[Begin text amendment]

ARTICLE 3: APPLICATIONS, PERMITS, AND PROJECT REVIEWS

PART 1. GENERAL PROVISIONS AND ZONING PERMITS

Sec. 3.1.2 Zoning Permit Required

(a) Exterior Work:

As written.

(b) Interior Work:

As written.

(c) Exemptions:

The following shall be exempt from the requirements of this Ordinance and shall not be required to obtain a zoning permit:

1. Exterior modifications to a single family dwelling in a non-design review portion of the RL zoning district lawfully in existence ~~prior to the adoption of this ordinance on a conforming lot~~, and not on or eligible for listing on the State or National Register of Historic Places. Such an exemption shall not be applicable to any of the following changes, which do require a zoning permit:

- A. Increased lot coverage;
 - B. Increased habitable living space;
 - C. Changes in setbacks or building footprints; and
 - D. Construction of additional stories to an existing structure.
 - E. Improvements in a Special Flood Hazard Area.
2. The removal of trees from any lot containing a single family home or duplex which consists of no more than three-quarters (3/4) of one acre.
 3. Within any city park within an RCO zone or Civic district, regular tree maintenance and removal not otherwise associated with land clearing for new development or site improvements, and regular turf maintenance including re-grading and reseeding.
 4. Individual tree removal projects that are included under an approved and valid "tree maintenance plan".
 5. The maintenance or repair of any exterior architectural feature, or its replacement in-kind, which does not involve a change in the location, design, material, or the outward appearance of the feature;
 6. Temporary ramps to serve the handicapped or disabled, for a period of not more than 90 days.
 7. Public utility power generating plants and transmission facilities regulated under 30 V.S.A. §248.
 8. Accepted agricultural and silvicultural practices, including the construction of farm structures, as those practices are defined by the secretary of agriculture, food and markets or the commissioner of forests, parks and recreation, respectively, under 10 VSA §1021(f) and 1259(f) and 6 VSA §4810. Prior to the construction of farm structures the farmer must notify the Administrative Officer in writing of the proposed activity. The notice must contain a sketch of the proposed structure including setbacks.
 9. The temporary stabilization and securing of any structure, site, or building feature required to address an unsafe or dangerous condition which poses an imminent threat to public safety pursuant to a written order of the same issued under the authority of the city building inspector.
 10. Where temporary stabilization is not reasonably available the emergency demolition of any structure, site, or building feature required to address an unsafe or dangerous condition which poses an imminent threat to public safety pursuant to a order of the same issued under the written authority of the city building inspector and with the written concurrence of the city engineer. This exemption does not extend beyond the required demolition, clearing of debris, securing or filling cellar holes, and related erosion control and stormwater management.
 11. All structures of 24 square feet or less and no taller than 15 feet, as long as they are located in compliance with applicable setbacks. This exemption is limited to 1 such structure, or multiple structures in aggregate up to 24 square feet, per property. This exemption does not apply to properties located within the Special Flood Hazard Area.
 12. Children's play structures.
 13. Seasonal skating rinks
 14. Temporary Structures or Uses as per Sec. 5.1.2 (f).
 15. Urban agricultural exemptions:
 - a. Cold frames of 6 feet in height or less. This exemption does not apply to properties located within the Special Flood Hazard Area.

- b. Up to 2 seasonal hoop houses, each 200 square feet or less, without foundations and as long as they are located in compliance with applicable setbacks. This exemption applies only to seasonal hoop houses that are sheathed in translucent plastic or similar material for a maximum of 9 months per year and are maintained in an intact condition. The frame may remain in place year-round. This exemption does not apply to properties located in the Special Flood Hazard Area.
 - c. Urban agricultural uses or structures located on building rooftops.
 - d. Sale of food produced onsite or at an individual's community garden plot not to exceed \$1,000 per year. Food may be processed within the individual's residential kitchen.
16. Family day care homes.
17. Per Act 45: Sec. 15c. 24 V.S.A. § 4413(g), notwithstanding any provision of law to the contrary, nothing in this ordinance shall prohibit or have the effect of prohibiting the installation of solar collectors, clotheslines, or other energy devices based on renewable resources.
18. A change in use from one permitted non-residential use to another permitted non-residential use, provided that no development is included, no minimum parking requirement applies, and impact fees are not applicable. This exemption does not apply to uses affected by Article 5, Part 4: Special Use Regulations.

ARTICLE 4: ZONING MAPS AND DISTRICTS

PART 5: OVERLAY ZONING DISTRICT REGULATIONS

Sec. 4.5.4 Natural Resource Protection Overlay (NR) District

(a) – (e) As written.

(f) District Specific Regulations: Special Flood Hazard Area:

1. Additional Application Requirements

The following information shall be submitted in addition to the applicable requirements of Article 3 for any development proposed within a Special Flood Hazard Area:

- A. Base flood elevation data for all subdivision proposals and other proposed new developments containing more than fifty (50) lots or covering more than five (5) acres;
- B. The elevation, in relation to mean sea level, of the lowest floor, including basement, of all new construction or substantial improvements of structures;
- C. Confirmation if such structures contain a basement; and
- D. The elevation, in relation to mean sea level, to which any structure has been flood proofed.
- E. A Vermont Agency of Natural Resources Project Review Sheet for the proposal should be filled out. The Project Review Sheet should identify all State and Federal agencies from which permit approval is required for the proposal, and shall be filed as a required attachment to the City permit application. The identified permits, or letters indicating that such permits are not required, shall be submitted to the Administrative Officer and attached to the permit application before work can begin.

In addition, ~~the DRB shall require of~~ the applicant may be required to provide any of the following information deemed necessary for determining the suitability of the particular site for the proposed use:

- F. Plans in triplicate, drawn to scale, showing the location, dimensions, contours and elevation of the lot; the size and location on the site of existing and/or proposed

structures, fill or storage of materials; the location and elevations of streets, water supply and sanitary facilities; and the relationship of the above to the location of the channel, floodway and base flood elevation where such information is available;

- G. A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel and cross-sectional areas to be occupied by the proposed development;
- H. A profile showing the slope of the bottom of the channel or flow line of the stream; and
- I. Specifications for building construction and materials, flood proofing, mining, dredging, filling, grading, paving, excavation or drilling, channel improvement, storage of materials, water supply and sanitary facilities.

2. Permitted Uses in Floodway Areas

The following open land uses shall be permitted within the floodway areas to the extent that they are permitted or conditionally permitted in the underlying zoning district, and provided that they do not require the erection of structures or storage of materials and equipment, the borrowing of fill from outside the floodway area, or channel modification or relocation, and do not obstruct flood flows, nor result in any increase in flood levels during the occurrence of the base flood discharge, decrease the water-carrying capacity of the floodway or channel, or increase off-site flood damage potential:

- A. Agricultural uses, such as general farming, pasture, orchard, and grazing, outdoor plant nurseries, truck farming, and forestry;
- B. Recreation uses, such as parks, camps, picnic grounds, tennis courts, golf courses, golf driving ranges, archery and shooting ranges, hiking and riding trails, hunting and fishing areas, game farms, fish hatcheries, wildlife sanctuaries, nature preserves, swimming areas and boat launching sites; and/or
- C. Accessory residential uses, such as lawns, gardens, and parking areas.

3. Permitted Uses in Special Flood Hazard Areas (including Floodway areas)

- 1. All those permitted open space uses as listed in Section 4.5.4.(f).2 above shall be permitted in the Special Flood Hazard Areas.
- 2. All other uses permitted in the underlying zoning district are permitted only upon review and approval by the DRB as per subpart 7 below.

4. Permitted Accessory Uses in Special Flood Hazard Areas (Including Floodway areas)

Uses customarily accessory and incidental to any of the permitted uses listed in underlying zoning district may be permitted, subject to the limitations therein.

5. Mandatory DEC Notification and 30-Day Review Period

- A. Prior to issuing a permit a copy of the application and supporting information shall be submitted by the administrative officer to the State National Flood Insurance Program Coordinator at the Vermont Agency of Natural Resources, Department of Environmental Conservation, River Management Section in accordance with 24 V.S.A. § 4424. A permit may be issued only following receipt of comments from the Agency or the expiration of 30 days from the date the application was mailed to the Agency, whichever is sooner.
- B. Adjacent communities and the Stream Alteration Engineer at the Vermont Agency of Natural Resources, Department of Environmental Conservation, River Management Section shall be notified at least 30 days prior to issuing any permit for the alteration or relocation of a watercourse and copies of such notification shall be submitted to the VT National Flood Insurance Program Coordinator.
- C. No permit may be granted for new construction, substantial improvement, filling,

installation of a residential structure, or the development of land in any area designated as a floodplain by the Federal Emergency Management Agency (FEMA) prior to the expiration of a period of thirty (30) days following the submission of the application and a report to the Department of Environmental Conservation. The application and report shall describe the proposed use, the location requested and an evaluation of the effect of such proposed use on Burlington's municipal development plan and the regional plan, if any.

- D. The subsection shall not be applicable to public utility generating stations and transmission lines which shall require the issuance of a certificate of public good under 30 V.S.A. Sec. 248 prior to any land filling or construction.

6. Evaluation

~~In reviewing~~ Review of the application, ~~the DRB shall consider~~ shall include the evaluation of the Department of Environmental Conservation ~~and shall determine that~~ approval shall be predicated on finding that the proposed use will conform to the development standards of subpart 7 below.

7. Special Review Criteria

~~In reviewing each application, the DRB shall assure that the~~ The flood-carrying capacity within any portion of an altered or relocated watercourse shall be ~~is~~ maintained. Review ~~and shall consider:~~

- A. The danger to life and property due to increased flood heights or velocities caused by encroachments;
- B. The danger that material may be swept on to other lands or down stream to the injury of others;
- C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions;
- D. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;
- E. The importance of the services provided by the proposed facility to the community;
- F. The availability of alternative locations not subject to flooding for the proposed use;
- G. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future;
- H. The relationship of the proposed use to the municipal development plan;
- I. The safety of access to the property in times of flood of ordinary and emergency vehicles;
- J. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood-waters expected at the site; and,
- K. Conformance with all other applicable requirements of this ordinance.

8. Approval Conditions

Upon consideration of those factors in subpart 7 above and the purposes of these regulations, ~~the DRB shall attach~~ the following conditions shall be attached to any permit ~~it chooses to grant~~ ed.

8 A – F As written.

9-11 As written.

ARTICLE 5: CITYWIDE GENERAL REGULATIONS

PART 2: DIMENSIONAL REQUIREMENTS

Sec. 5.2.1 Existing Small Lots

Any small lot of record existing as of April 26, 1973 may be developed for the purposes permitted in the district in which it is located even though not conforming to minimum lot size requirements if such lot is not less than four thousand (4,000) square feet in area with a minimum width and depth dimension of forty (40) feet.

A ~~permit for any such D~~development shall require a ~~certificate of appropriateness~~ **permit** pursuant to the **standards of Article 4 and, where applicable, pursuant to the** design review provisions of Article 3 and the development standards of Article 6.

[End text amendment]

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme	Dynamic	Distinctive	Inclusive	Connected
Land Use	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density. It reduces some unnecessary procedural and cost burdens in the permitting process while leaving standards as to land use and density intact.

Impact on Safe & Affordable Housing

The proposed amendment will reduce permitting costs for properties eligible for "basic" zoning permit review.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

Process Overview

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

Planning Commission Process				
Draft Amendment prepared by: Staff	Presentation to & discussion by Commission 9/14/21	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)

www.burlingtonvt.gov/pz

Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Michael Gaughan
Emily Lee
Brynne Martin

Burlington Planning Commission

Tuesday, July 27, 2021, 6:30 P.M.

Remote Meeting via Zoom, with City Hall In-Person Option

Draft Minutes

Members Present	A Montroll, B Baker, Y Bradley, A Friend, E Lee, M Gaughan, B Martin
Staff Present	D White, K Sturtevant
Attendance	M Boardman, S Bushor (phone)

I. Agenda

Call to Order	Time: 6:32pm
Agenda	No changes

II. Chair's Report

A Montroll	Welcome to new Commissioners
------------	------------------------------

III. Director's Report

D White	Update/recommendation on M. Boardman zoning amendment request. Update on STR "conversion" data requested by E Lee. On vacation week of Aug 9 and 16
---------	---

IV. Public Forum

Name(s)	Comment
M Boardman	Seeking Commission's Ordinance Committee to consider his request for greater flexibility with regard to the design standards regarding garages. B Baker moved Y Bradley seconded to send to Ordinance Committee. Unanimous

V. Public Hearing: Proposed CDO Amendment ZA-21-07 Heights, Dormers & Eaves

Action: Approve changes to proposed amendment, re-approve Municipal Bylaw Amendment Report, and refer to Council with recommendation		
Motion by: Y Bradley	Second by: A Friend	Vote: Approved Unanimously
Type: Public Hearing, Action	Presented by: D White	
The Chair opened the public hearing at 6:55pm and closed it at 7:00 pm with the following comments.		
Public Comments: • none		

VI. Public Hearing: Proposed CDO Amendment ZA-21-08 Act 179 Changes

Action: Approve Municipal Bylaw Amendment Report and refer to Council with recommendation for adoption in order to comply recent statutory changes.		
Motion by: A. Friend	Second by: B Baker	Vote: Approved Unanimously

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.

Type: Public Hearing, Action	Presented by: D White
The Chair opened the public hearing at 7:07pm and closed it at 7:10 pm with the following comments. Public Comments:	
S Bushor: BTV has different challenges that the rest of the state and the change to the number of bedrooms and adult occupants puts neighborhoods near the university at greater risk to conversion to investment property rather than families. Up to 8 adult occupants allowed in the two units.	
Commissioner Comments:	
- M Gaughan: Is there an opportunity to create incentives for the types of ADU's we want instead of adding restrictions? - A Friend moved, B Baker seconded: refer to Ordinance Committee. Unanimous	

VII. Public Hearing: Proposed CDO Amendment ZA-21-09 Updates & Corrections to Article 14

Action: Approve Municipal Bylaw Amendment Report and refer to Council with recommendation.		
Motion by: M. Gaughan	Second by: B. Martin	Vote: Approved Unanimously
Type: Public Hearing, Action	Presented by: D White	
The Chair opened the public hearing at 7:37pm and closed it at 7:38 pm with the following comments.		
Public Comments:		
• none		
Commissioner Comments:		
• Y Bradley: Need to be careful about how much we require to be Shopfront as the market is simply not there now • A Montroll: Proposal is applicable only to new street segments where mall redevelopment is planned and street activation is most important. • M. Gaughan: Understands that a "Shopfront" does not prescribe a use so a residential lobby would also be acceptable		

VIII. Annual Organizational Meeting

The Commission elected a chair, vice chair, and clerk for FY22 and appointed members to its Committees. All elections were unanimous	
Role	Member
Chair	A Montroll (Y Bradley nominator, A Friend)
Vice Chair	B Baker (Y Bradley nominator)
Clerk	Meagan Tuttle
Executive Committee At-Large Member	Y Bradley (M Gaughan nominator)
Long Range Committee Members	M Gaughan, B Martin, A Friend, R Crehan (CB), name (DRB)
Ordinance Committee Members	E Lee, B Baker, Y Bradley, J White (DAB), name (DRB)

IX. Commissioner Items

- Next Meetings are on Aug 10 and August 24 at 6:30pm. - Cancel Aug 10

X. Minutes and Communications

Action: Approve the minutes and accept the communications		
Motion by: M Gaughan	Second by: A Friend	Approved Unanimously
Minutes Approved: July 13, 2021		
Communications Filed:		
Enclosed in agenda packet, and additional communications posted online		

XI. Adjourn

Adjournment		Time: 8:07pm	
Motion: B Baker	Second: A Friend	Vote: Approved Unanimously	

DRAFT

**Natural Resources Board
111 West Street
Essex Jct., VT 05452**

**Act 250 Jurisdictional Opinion
#4-304**

This is a Jurisdictional Opinion based upon available information and a written request from the Landowner/Agent or Other Person. Any Notified Person or entity will be bound by this opinion unless that person or entity files a request for reconsideration with the District Coordinator (10 V.S.A. § 6007 (c) and Act 250 Rule 3 (b)) or an Appeal with the SUPERIOR COURT, Environmental Division within 30 days of the issuance of this opinion

☒ I hereby request a jurisdictional opinion from the District Coordinator or Assistant District Coordinator regarding the jurisdiction of 10 V.S.A. Chapter 151 (Act 250) over the project described below: Phillip Peterson, Burlington Department of Public Works

PROJECT DESCRIPTION:

The project includes improvements to University Place in Burlington, Vermont. The proposed project includes: (1) creating a one-way traffic flow along University Place with buffered bike lanes; (2) modifying turning movements at the intersections with Colchester Avenue and Main Street; (3) improving pedestrian crossings including constructing a consolidated pedestrian crossing plaza near Old Mill and Williams Hall; (4) constructing new sidewalk segments; (5) widening existing sidewalks; (6) constructing new on-street parking areas near Old Mill and Ira Allen Chapel; and (7) removing approximately 250 feet of an existing walkway within the UVM Green. The project is located within the City's right-of-way except for the removal of an existing sidewalk and tying into existing sidewalks which are located on UVM-owned land. The project includes less than 10 acres of disturbance.

Existing Act 250 permit: Permit series 4C0852 and 4C0571 apply to land owned by UVM, but none specifically for this property

Project Type: ☒ Commercial ☐ Residential ☒ Municipal/State ☐ Mixed
☐ Agriculture ☐ Silviculture ☐ Other

Has the landowner subdivided before? ☐ Yes ☐ No ☒ N/A

AN ACT 250 PERMIT IS REQUIRED: ☐ YES ☒ NO

BASIS FOR DECISION:

Based on the available information, the project does not constitute development under 10 V.S.A. Section 6001(3)(A)(v) because the project is municipal in nature and does not involve more than 10 acres of disturbance.

The portions of the project that are located on UVM-owned land include the removal of approximately 250 feet of existing sidewalk within the UVM Green and tying into existing sidewalks. These portions of the project do not constitute a substantial change or a material change.

Therefore, the project does not require an Act 250 permit.

SIGNATURE: /s/ Rachel Lomonaco DATE: 9/1/21
Rachel Lomonaco, District Coordinator
Environmental Commission District #4
111 West Street, Essex Junction, VT 05452
802-879-5658
rachel.lomonaco@vermont.gov

This is a jurisdictional opinion issued pursuant to 10 V.S.A. § 6007(c) and Act 250 Rule 3(B). Reconsideration requests are governed by Act 250 Rule 3(B) and should be directed to the district coordinator at the above address. As of May 31, 2016, with the passage of Act 150, Act 250 Rule 3(C) (Reconsideration by the Board) is no longer in effect. Instead, any appeal of this decision must be filed with the Superior Court, Environmental Division (32 Cherry Street, 2nd Floor, Ste. 303, Burlington, VT 05401) within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings (VRECP). The appellant must file with the Notice of Appeal the entry fee required by 32 V.S.A. § 1431 which is \$295.00. The appellant also must serve a copy of the Notice of Appeal on the Natural Resources Board, 10 Baldwin Street, Montpelier, VT 05633-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

Y:\NRB\Essex\DISTRICTS\DIST4\JO\JO 4-301 to JO 4-400\JO-4-304\JO 4-304.docx

CERTIFICATE OF SERVICE

I hereby certify on this 1st day of September, 2021, a copy of the foregoing ACT 250 JURISDICTIONAL OPINION #4-304, was sent by U.S. mail, postage prepaid to the following individuals without email addresses and by email to the individuals with email addresses listed.

Note: any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes. All email replies should be sent to NRB.Act250Essex@vermont.gov

Phillip Peterson
Burlington Department of Public Works
645 Pine Street
Burlington, VT 05402
ppeterson@burlingtonvt.gov

Dated at Essex Junction, Vermont, this 1st day of September, 2021.

Katherine Schad, Town Clerk
Chair, Selectboard/Chair, Planning Commission
City of Burlington
149 Church Street
Burlington, VT 05401
burlingtontownclerk@burlingtonvt.gov;
lolberg@burlingtonvt.gov



Jessica Mason
Natural Resources Board Technician
802-879-5614
Jessica.Mason@vermont.gov

Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, VT 05404
permitting@ccrpcvt.org

Y:\NRB\Essex\DISTRICTS\DIST4\JO\JO 4-301 to JO 4-400\JO-4-304\JO 4-304
COS.docx

Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05602-3901
ANR.Act250@vermont.gov

Dept. of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601
barry.murphy@vermont.gov; PSD.VTDPS@vermont.gov

VTrans Policy, Planning & Research Bureau
Barre City Place
219 N. Main Street
Barre, VT 05641
AOT.Act250@vermont.gov

Agency of Agriculture, Food & Markets
116 State Street, Drawer 20
Montpelier, VT 05620-2901
AGR.Act250@vermont.gov

Division for Historic Preservation
National Life Building, Drawer 20
Montpelier, VT 05620
scott.dillon@vermont.gov; james.duggan@vermont.gov
ACCD.ProjectReview@vermont.gov

FOR YOUR INFORMATION

District #4 Environmental Commission
111 West Street
Essex Junction, VT 05452

UVM Parking Lot Capacities and Empty Space Count				
PEAK DEMAND LOT COUNTS - August 2021				
Location	Usable Spaces	Occupied Spaces	Empty Spaces	Percent Full
Athletic Commuter	1,704	489	1,215	29%
Core Central	61	36	25	59%
Core East	710	616	94	87%
Core North	369	174	195	47%
Core South	193	106	87	55%
Core West	387	157	230	41%
Commuter Lots	323	218	105	67%
Redstone	626	127	499	20%
Trinity	314	131	183	42%
Total	4,687	2,054	2,633	44%
Counts done August 17th to August 19th				

E-Notification CERTIFICATE OF SERVICE Regarding Monthly Information for LUP# 4C1043-1A,
For UVM Firestone Building for August, 2021

I hereby certify that I, Lani Ravin, Associate Planner at the University of Vermont & State Agricultural College, sent a copy of documents, dated August 19, 2021, for the University of Vermont, regarding LUP# 4C1043-1A, regarding temporary suspension of a 200 space off-campus parking lot, by electronic mail to those with email addresses as indicated:

District #4 Environmental Commission

111 West Street

Essex Junction, VT 05452

NRB.Act250Essex@vermont.gov

Rachel.Lomonaco@vermont.gov

University of Vermont & State Agricultural
College

c/o Lani Ravin, AICP, Associate Planner

Lisa Kingsbury, Associate Director

Planning, Design & Construction

16 Colchester Avenue

Burlington, VT 05405

Lani.ravin@uvm.edu; Lisa.mcnaney@uvm.edu;

Lisa.kingsbury@uvm.edu;

Burlington City Clerk

Chair, Selectboard/Chair, Planning Commission

City of Burlington

149 Church Street

Burlington VT 05401

burlingtontownclerk@burlingtonvt.gov;

lolberg@burlingtonvt.gov;

abovee@burlingtonvt.gov;

mtracy@burlingtonvt.gov;

amontroll@burlingtonvt.gov

Chittenden County Regional Planning
Commission

110 West Canal Street, Suite 202

Winooski VT 05404

Permitting@ccrpcvt.org

Agency of Natural Resources

1 National Life Drive, Davis 2

Montpelier, VT 05602-3901

Anr.act250@vermont.gov

Dept. of Public Service

112 State Street, Drawer 20

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barry.murphy@vermont.gov;

PSD.VTDPS@vermont.gov;

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AOT.Act250@vermont.gov;

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116 State Street, Drawer 20

Montpelier, VT 05620-2901

AGR.Act250@vermont.gov;

Division for Historic Preservation

National Life Building, Drawer 20

Montpelier, VT 05620

scott.dillon@vermont.gov;

james.duggan@vermont.gov;

ACCD.ProjectReview@vermont.gov;

Dated at Burlington, Vermont, August 19, 2021

Lani Ravin, AICP

Lani Ravin, AICP, Associate Planner

Planning, Design & Construction

University of Vermont & State Agricultural
College

**STATE OF VERMONT
AGENCY OF NATURAL RESOURCES
OFFICE OF PLANNING**

RE: University of Vermont and State	)	DISTRICT ENVIRONMENTAL
Agricultural College	)	COMMISSION #4
	)	
	)	APPLICATION #4C0895-7
	)	
	)	August 23, 2021

ENTRY OF APPEARANCE

Please enter the appearance of the Agency of Natural Resources (“Agency”), State of Vermont, by and through its staff, Kevin Anderson, in the above-captioned matter.

COMMENTS

Criterion 1(B): Waste Disposal

The Applicant has agreed to prepare a construction waste management plan for the project. The Agency respectfully requests that the District Commission not issue a land use permit for the project until an Agency-approved construction waste management plan is appended to the application. The Applicant should contact Buzz Surwilo, with the Department of Waste Management and Prevention, for Agency review and approval of the plan. Mr. Surwilo may be contacted at james.surwilo@vermont.gov or 802-5225056. A template plan is available online.¹

Respectfully submitted,
State of Vermont
Agency of Natural Resources

By: /s/ Kevin Anderson
Kevin Anderson
Regulatory Policy Analyst
Agency of Natural Resources
Office of Planning
(802) 798-2087

¹ See: <https://dec.vermont.gov/waste-management/solid/materials-mgmt/construction-waste>.

E-Notification CERTIFICATE OF SERVICE FILE #4C0895-7

I hereby certify that I, Kevin Anderson, Regulatory Policy Analyst for the Agency of Natural Resources Office of Planning, sent a copy of the foregoing **Entry of Appearance and Comments**, dated August 23, 2021, regarding File #4C0895-7 by U.S. mail, postage prepaid, to the individuals without email addresses and by electronic mail to those with email addresses as indicated:

University of Vermont
c/o Lani Ravin
16 Colchester Avenue
Burlington, VT 05405
Lani.ravin@uvm.edu

VTrans Policy, Planning & Research Bureau
219 N. Main Street
Barre, VT 05641
AOT.Act250@vermont.gov

Katherine Schad, Town Clerk
Chair, Selectboard
Chair, Planning Commission
City of Burlington
149 Church Street
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lolberg@burlingtonvt.gov

Agency of Agriculture, Food & Markets
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permitting@ccrpcvt.org

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james.duggan@vermont.gov
ACCD.ProjectReview@vermont.gov

Dept. of Public Service
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barry.murphy@vermont.gov
PSD.VTDPS@vermont.gov

District #4 Environmental Commission
111 West Street
Essex Junction, VT 05452
nrb.act250essex@vermont.gov
rachel.lomonaco@vermont.gov

/s/ Kevin Anderson
Kevin Anderson, Regulatory Policy Analyst
Agency of Natural Resources
Office of Planning

Derick Read, P.E.
Krebs & Lansing Consulting Engineers, Inc
164 Main Street
Colchester, VT 05446

9/7/2021

Re: LUP Application 4C0884-2, University of Vermont Snow Storage, South Burlington
Consideration of primary agricultural soils under 10 V.S.A. §§6093, 6086

Dear Applicant:

Thank you for the opportunity to comment on the above-referenced project.

Purpose:

This review letter will aid in the District Commission's determination as to whether any reduction in the agricultural potential of the primary agricultural soils will occur as a result of the construction of the project. Please note that this letter focuses solely on whether there are primary agricultural soils on the project site (10 V.S.A. § 6001(15)), any impact to these primary agricultural soils and whether any proposed mitigation is adequate, pursuant to 10 VSA §6093(a).

Summary of Agency Review:

The Agency holds the opinion that the proposed impacts to primary agricultural soils total: 0.06 acres of primary agricultural soils proposed to be impacted, either directly or indirectly; 0* acres of mitigation necessary because of the statutory multipliers:

- Because the total mitigation (0.12 acres) required for the impacts would be less than two acres, the Agency prefers to mitigate these impacts along with any subsequent project impacts at a later date, if and when cumulative mitigation reaches two acres. **See "Conclusions" below for a proposed permit condition regarding mitigation for potential subsequent project impacts.**

Process and Basis for Opinion:

The Agency was originally contacted by Derick Read, P.E. of Krebs & Lansing Consulting Engineers, Inc. on behalf of University of Vermont (the "Applicant"), to review a project generally described as University of Vermont Snow Storage, including proposed 18-foot wide gravel driveway and turnaround area to foster access to the snow storage area. The Agency's review primarily consisted of a review of the following submitted materials:

- Criterion 9(B) intake form with Soils Matrix, dated 09/06/2021;

- Primary Agricultural Soils Site Plan [showing proposed and pre-existing impacts or fragmentation, as well as noting areas of >15% slope limitation, and Class II wetland/buffer areas], revision dated 09/07/2021;
- Existing Conditions Plan, Applicant's Exhibit 013, filing date 08/05/2021
- Overall Site Plan, Applicant's Exhibit 011, filing date 08/05/2021

The Agency's review of primary agricultural soils is also based on an evaluation of USDA soil survey(s), satellite imagery, the supplied site development plans, supplied ground topographic survey, soil limitations, size, location, landscape patterns and other elements of the definition of primary agricultural soil as applied to the project site. See 10 V.S.A. §6001(15).

The review and evaluation indicates:

± 87.56 acres = soils with an agricultural value of 1-12 (NRCS)(total parcel)
 ± 32.64 acres = soil with an agricultural value of 1-7 (NRCS as mapped) [see Applicant's soils matrix and PAS site plan, regarding mapped soils subject to >15% slope limitation, Class II wetland/buffer, or other existing limitations]
 ± 8.26 acres = pre-existing impacts to soils of agricultural value 1-7 (NRCS)

± 0.06 acres = proposed impact to primary agricultural soils

The Agency accepts your assertion that 0.06 acres of the primary agricultural soils on the site will be directly or indirectly impacted by the proposed development. The proposed impacts would be to the following soil map units:

Key	Soil Type	Ag Value	Slope	Proposed Impact (Acres)
AdA	Adams & Windsor loamy sand	6	0-5%	0.06

While no mitigation is recommended today (see Conclusions) due to the **de minimis** nature of the proposed impact, the Agency recognizes the below mitigation calculation would be applicable if and when the result of this and future amendments results in a 2.0 acre or greater cumulative mitigation area (see proposed permit condition below on page 3).

*0.06 acres (proposed impacts to Statewide soils of agricultural value group "6") * 2 (mitigation multiplier) = 0.12 acres mitigation warranted [de minimis], only if and when the result of this and future amendments results in a 2.0 acre or greater cumulative mitigation area.*

Conclusions:

Having reviewed your submission, it is the Agency's assessment that the proposed impacts are *de minimis* and no mitigation is warranted at this time.

However, the Agency acknowledges 0.06 acres of impacts to primary agricultural soils, for which 0.12 acres of PAS mitigation are calculated under Criterion 9(B) according to the statutory multipliers. The Agency respectfully requests that the District Commission add a permit condition stating that the Applicant will be required to mitigate for cumulative impacts when the result of this pending application and any subsequent proposed development would result in a total mitigation area of 2.0 acres or more.

The Agency provides the following proposed permit condition:

The project impacts 0.06 of primary agricultural soils (PAS) for which 0.12 acres of mitigation are calculated. The Permittee shall mitigate the 0.06 acres of PAS impact if/when the cumulative PAS impacts (from this pending Act 250 Permit application and subsequent amendment impacts on this parcel or involved lands) result in a mitigation area of 2.0 or more acres, as further outlined in Exhibit ____ (letter dated 09/07/2021) from the Vermont Agency of Agriculture, Food & Markets).

Sincerely,

Vermont Agency of Agriculture, Food & Markets



By: -----

Ari Rockland-Miller

Act 250 Coordinator

Vermont Agency of Agriculture, Food & Markets

ari.rockland-miller@vermont.gov

CERTIFICATE OF SERVICE

I hereby certify on this 7th day of September 2021, a copy of the foregoing:

Agency of Agriculture, Food & Markets – Criterion 9(B) Review Letter

regarding **LUP Application #4C0884-2, University of Vermont Snow Storage**

was sent by email to the individuals listed below (or US Mail, postage prepaid, to those listed without email address)

University of Vermont
c/o Lani Ravin
16 Colchester Avenue
Burlington, VT 05405
Lani.ravin@uvm.edu; lisa.kingsbury@uvm.edu

Derick Read, P.E.
Krebs & Lansing Consulting Engineers, Inc.
164 Main Street
Colchester, VT 05446
Derick.read@krebsandlansing.com

Donna Kinville, Town Clerk
Chair, Selectboard/Chair, Planning Comm.
City of South Burlington
575 Dorset Street
South Burlington, VT 05403
dkinville@sburl.com

Katherine Schad, Town Clerk
Chair, Selectboard/Chair, Planning Comm.
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burlingtontownclerk@burlingtonvt.gov; lolberg@burlingtonvt.gov

Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
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permitting@ccrpcvt.org

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Anr.act250@vermont.gov

VT Dept of Public Service
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Scott.dillon@vermont.gov; james.duggan@vermont.gov; ACCD.ProjectReview@vermont.gov

District # 4 Environmental Commission
111 West Street
Essex Junction, VT 05452
NRB.Act250Essex@vermont.gov; Rachel.lomonaco@vermont.gov

Dated this **September 7, 2021**

VERMONT AGENCY OF AGRICULTURE, FOOD & MARKETS



By: _____
Ari Rockland-Miller
Act 250 Coordinator, VAAFM
ari.rockland-miller@vermont.gov



The University of Vermont
DEPARTMENT of PLANNING, DESIGN and
CONSTRUCTION

September 9, 2021

Exhibit 027

Rachel Lomonaco,
District 4 Environmental Commission Coordinator
111 West Street
Essex Junction, VT 05452

Re: Act 250 Minor Application #4C0884-2,
Submittal of Supplemental Information

Dear Rachel,

Thank you for issuing the proposed LUP #4C0884-2. The University of Vermont is hereby submitting the required supplemental information, as follows:

1. "A proposal to permanently demarcate the wetland buffer for the operational phase of the project with signs, fencing, large stones placed every 25 feet, or by other similar means":

Please find attached Exhibit 024 EPSC Details C-6 with a chain link fence detail showing a 6 foot high fence that will be the standard "galvanized" color. There will be 120 feet of fence to protect the west wetland buffer and 150 feet of fence along the buffer of the east snow storage area. Both fences will be 6 feet high and permanent, as per Exhibit 021 Overall Site Plan C-1 and Exhibit 022 Site Plan C-2.

Signage will be added to the fences that will read "CAUTION: Wetland buffer. No vehicles allowed."

2. "The Erosion Prevention and Sediment Control Pre-Construction Snow Storage Plan references the Town of Georgia erosion prevention and sediment control standards. If a revision to that reference is warranted, submit a revised version of the plan."

Please find attached a corrected version of this plan (Exhibit 023 C-4).

3. AAFM review letter.

Planning | 16 Colchester Avenue | Burlington, VT 05405 | (802) 656-3208 | plan@uvm.edu

Design and Construction | 31 Spear Street | Marsh Hall Suite 10 | Burlington, VT 05405 | (802) 656-3291 | arch@uvm.edu

Please find attached Exhibit 025, the AAFM review letter from Ari Rockland-Miller, dated September 7, 2021, as well as Exhibit 026, Agricultural Soils Plan, PAS-1, dated 9/7/2021.

We are also attaching an updated Exhibit 000 exhibit list.

I hope this information provides clarity for the Commission. Please let me know if you need more information.

Thank you,
Lani Ravin, AICP

Lani Ravin, AICP
Associate Planner
Department of Planning, Design & Construction

cc:
See Certificate of Service

Attachments:
Exhibits 000, 21, 22, 23, 24, 25, 26



Physical Plant Department
284 EAST AVENUE
BURLINGTON, VERMONT 05405
Project Manager: Adam Frazier

**KREBS &
LANSING**
CONSULTING ENGINEERS

164 Main Street, Suite 201
Colchester, Vermont 05446

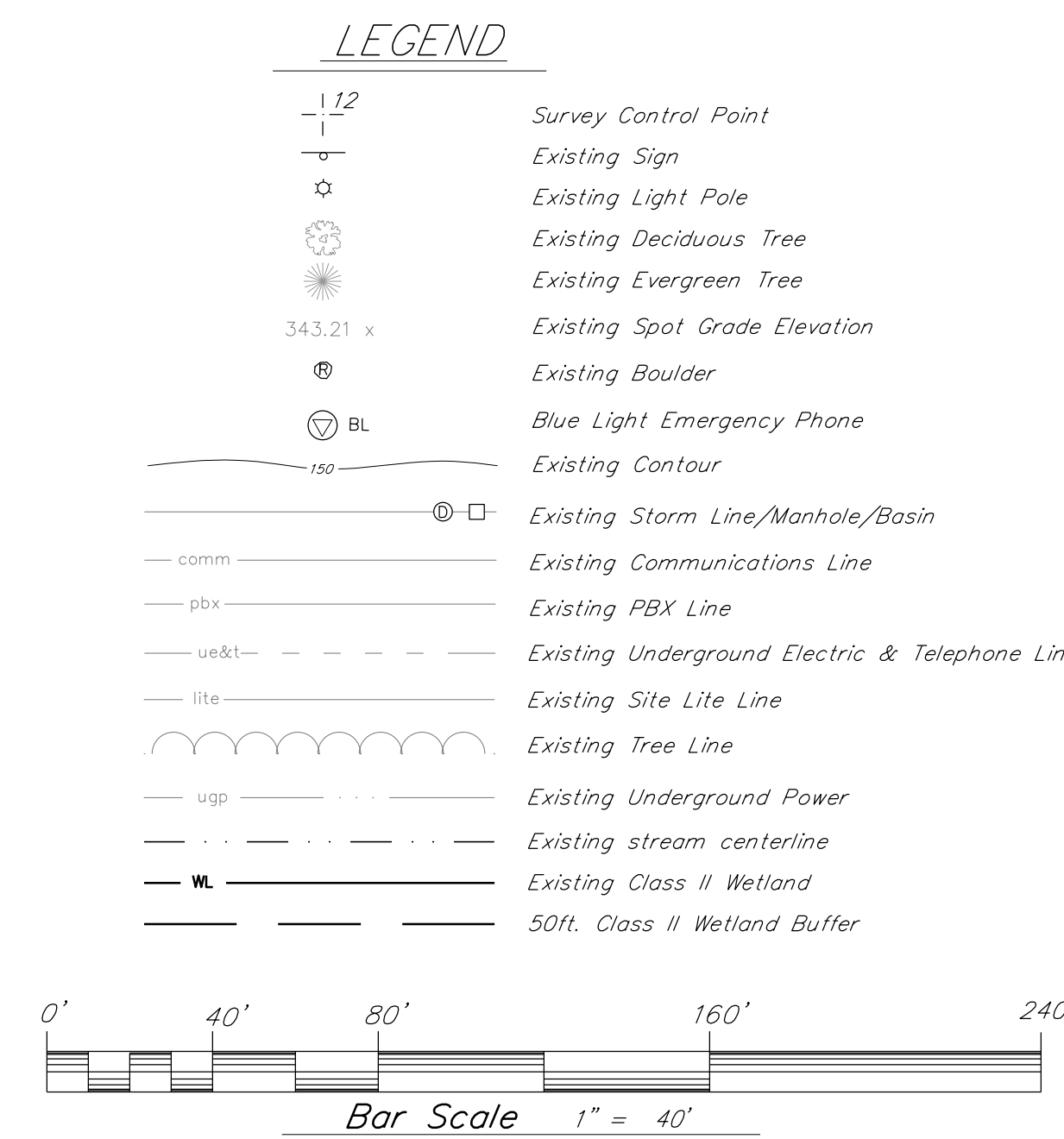
P: (802) 878-0375
www.krebsandlansing.com

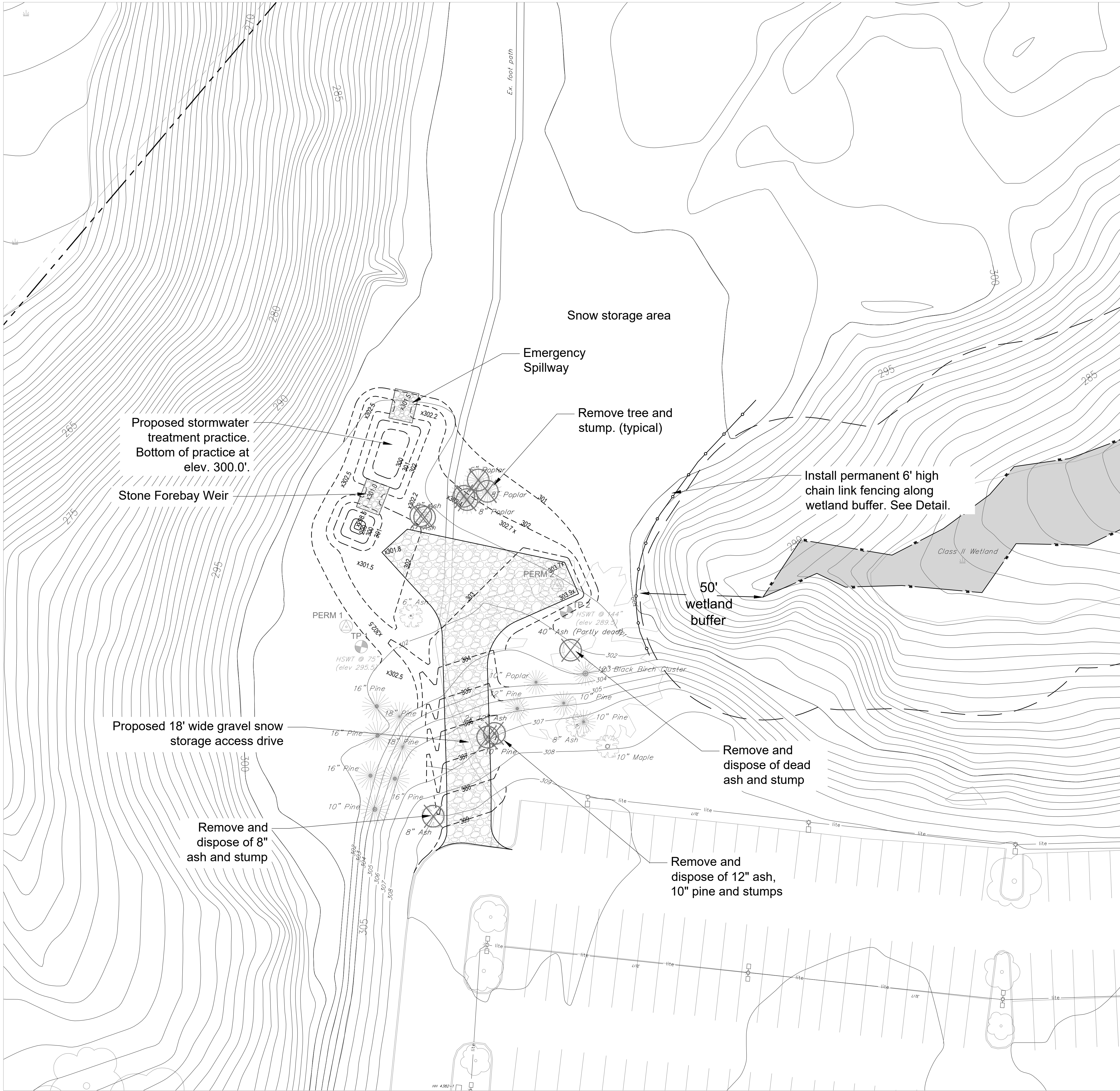


Revisions	
No.	Date
1	08/27/2021
	chain link fence note

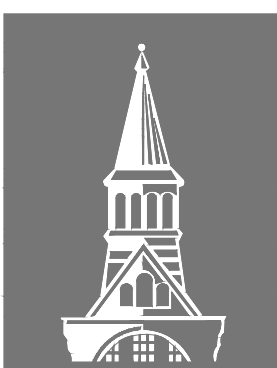
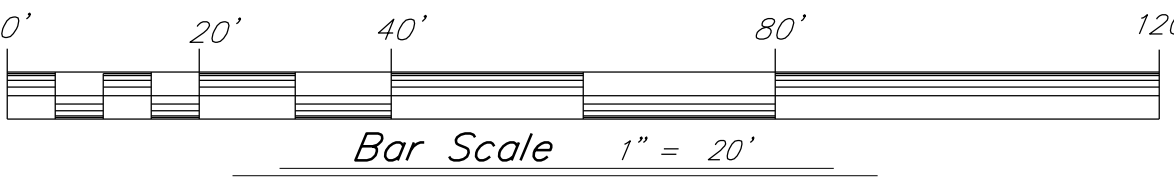
C-1

1. The Contractor shall be responsible for repairing all disturbed areas back to original condition, including but not limited to curbing, sidewalks, road, parking areas, landscaping, site lighting, electrical, and etc. All asphalt shall be sawcut prior to paving.
2. All stumps, rock, and other non-approved trench backfill material discovered during construction is the exclusive property of the Contractor and shall be removed from UVM property and disposed of in a State approved disposal location.
3. All passing sieve, proctor, and compaction testing expenses shall be paid by Owner. Testing coordination, all other required testing, and expenses for failed tests shall be the Contractor's responsibility.
4. This project requires coverage under an Individual Construction Stormwater Discharge Permit and the City of Burlington Standard Erosion Prevention & Sediment Control Permit. The Contractor shall be the On-site Coordinator for the project and shall be responsible for all required inspections (minimum weekly and after any storm event that produces a discharge), turbidity readings, maintenance, and reporting. The On-Site Plan Coordinator shall be required to provide a turbidity meter for the project. The Contractor shall be responsible for installing, maintaining and removing all erosion and sediment control devices shown on the plans or details and, to the maximum extent practical, to minimize potential contamination of stormwater runoff from the construction activities.
5. Contractor shall be responsible for all utility "As-built" measurement and drafting requirements as outlined on the Detail Sheets. All trench excavations shall remain open until all as-built survey shots have been taken. Progress Record Drawings shall be submitted to the Engineer as indicated in the Record Drawing specifications.
6. The Contractor shall be responsible for all signage and construction barrier/safety fencing necessary for providing safe vehicular and pedestrian access through or around the site during construction.
7. Removal of all erosion control matting and inlet protection is the responsibility of the Contractor.





LEGEND	
	Survey Control Point
	Existing Sign
	Existing Light Pole
	Existing Deciduous Tree
	Existing Evergreen Tree
	Existing Spot Grade Elevation
	Existing Boulder
	Blue Light Emergency Phone
	Existing Contour
	Existing Storm Line/Manhole/Basin
	Existing Communications Line
	Existing PBX Line
	Existing Underground Electric & Telephone Line
	Existing Site Lite Line
	Existing Tree Line
	Existing Underground Power
	Existing stream centerline
	Existing Class II Wetland
	50ft. Class II Wetland Buffer



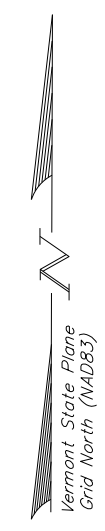
The
UNIVERSITY
of VERMONT
UVM

University of Vermont

Physical Plant Department
284 EAST AVENUE
BURLINGTON, VERMONT 05405
Project Manager: Adam Frazier

CIVIL ENGINEER

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Project:

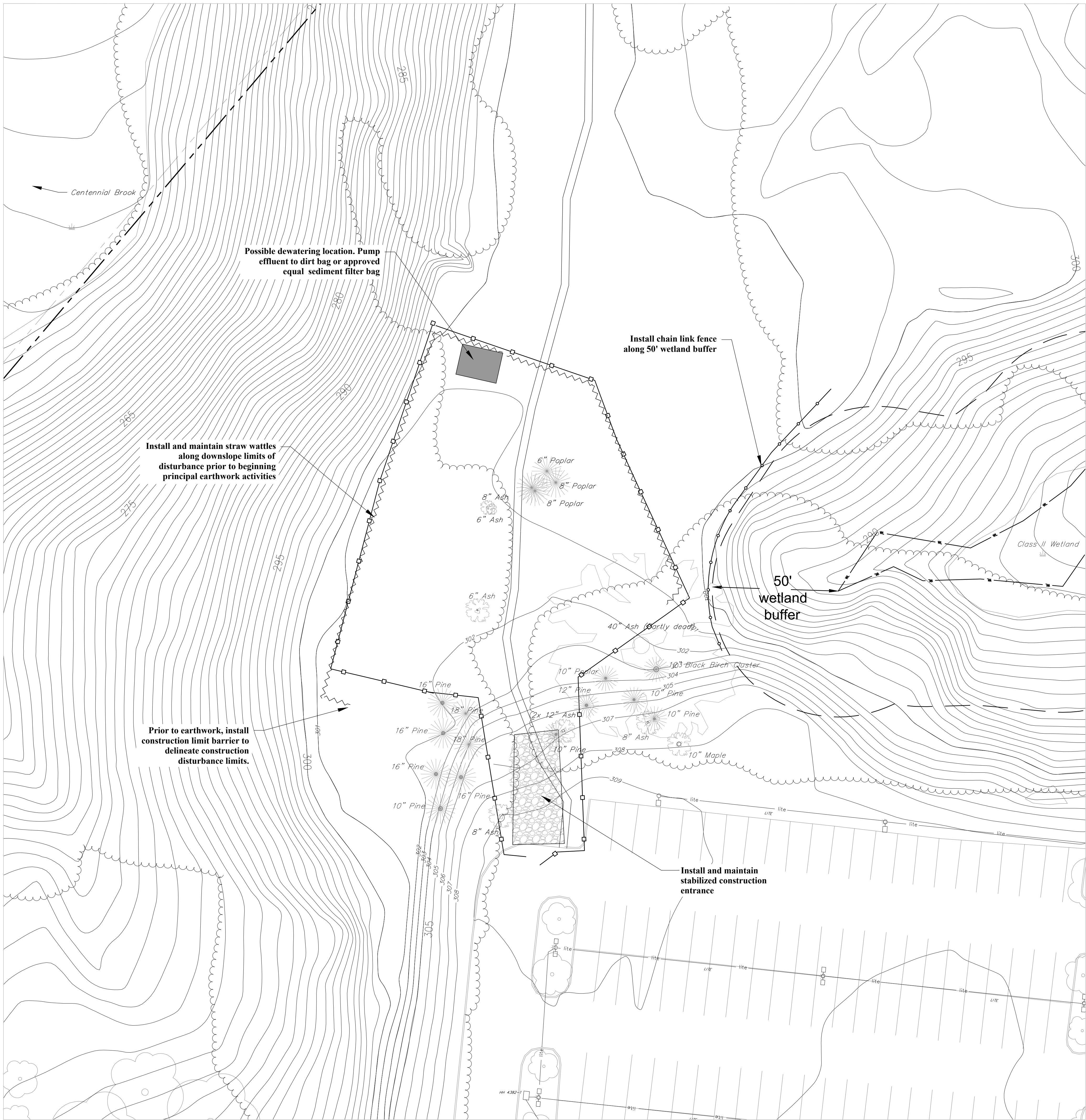
University of Vermont
Snow Storage

Project No. 21106
Scale 1" = 20'
Drawn by DMR/TJB
Checked by
Date 03/29/2021

Revisions No. Date	
1 08/27/2021	chain link fence note

Drawing Title
Site Plan

Drawing No.
C-2

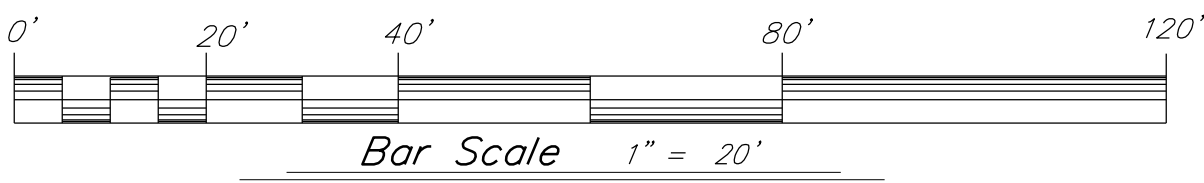


Erosion Prevention and Sediment Control Notes

- Contractor shall be responsible for complying with all State of Vermont and City of Burlington erosion prevention and sediment control standards and permit requirements during construction. The Permit authorization notices shall be posted near the construction entrance, or in a location visible to the public.
- The Contractor shall be the On-site Coordinator for the project and shall be responsible for all required inspections (minimum weekly and after any storm event that produces a discharge) maintenance, and reporting.
- The limit of disturbance shall be clearly defined by Contractor's surveyor prior to clearing. Clearing and grubbing shall not begin until disturbance limits and sediment controls are in place. All roots, stumps and deleterious materials shall be removed from the site. The Contractor shall minimize the amount of disturbed land at any given time.
- The erosion prevention and sediment control practices shown on these plans are the minimum required for the project. The Contractor shall employ and maintain as many best management practices as necessary to prevent soil from leaving the construction site. If evidence is found of sediment tracking or eroded soil leaving the construction site, the Engineer may direct Site Contractor to implement additional best management practices at no additional cost to Owner.
- All areas of disturbance shall be permanently or temporarily stabilized as soon as possible and within 48 hours of final grading. All areas of disturbance shall be at least temporarily stabilized 14 days after initial disturbance during the summer or daily during winter construction unless the following exceptions apply:
 - Stabilization is not required if earthwork is to continue in the area in the next 24 hours and there is no precipitation forecast in 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 ft. or greater (e.g. house foundation excavation, utility trenches). Stabilization measures shall include mulch and netting, erosion control matting, crushed stone, gravel, or pavement.
- Unless specifically indicated on the plans acceptable methods of stabilization shall include:
 - STRAW Mulching - 2 tons per acre. Approximately 2" uniform thickness. Only allowed on relatively flat areas with minimum upslope watershed. Mulch must be properly secured with netting to prevent material from being blown away by wind (windthrow).
 - Hydroseeding* - Apply at the manufacturer's recommended application rate. Contractor shall provide evidence of proper application rate. Hydroseeding must be accompanied by erosion control matting in areas of concentrated flow. Hydroseeding on slopes 3:1 and steeper, as shaded on the plan, and all hydroseeding after October 1st must be done with a dense cover of hydromulch, Flexterra High Performance, Flexible Growth Media, or approved equal.
 - Erosion control matting - NAG S75BN may be applied to slopes less than 3:1 (H:V). NAG S150BN matting must be applied to all slopes 3:1 (H:V) or greater (unless otherwise indicated) and in areas of concentrated flow. All rolled erosion control matting must be removed prior to first mowing.
 - Crushed stone or crushed gravel - Typically used for temporary access roads and construction staging areas.
- The Contractor shall use water for dust control.
- A stabilized construction entrance (See Detail) shall be installed and maintained at all construction access locations where construction vehicles travel off the existing hardscape. Contractor shall be responsible for installing crushed stone to provide stable areas for construction vehicle traffic, staging, and storage. The Contractor is responsible for providing and maintaining sufficient stone to prevent rutting and sediment tracking.
- Any paved roads used by construction vehicles shall be swept daily, or at a greater frequency, if dirt or gravel is tracked from the site. Accumulated swept debris shall be removed, if applicable, before any forecasted rain event.
- All temporary erosion and sediment control measures shall be removed within 30 days after final stabilization or after the measures are no longer needed, unless otherwise authorized.
- All sediment removed from sediment control practices shall be placed in an approved soil disposal area.
- All areas that do not have established vegetation by October 15th must be stabilized in accordance with the Winter Stabilization requirements outlined in the Low Risk Site Handbook. See Details.
- After permanent seeding the Contractor shall be responsible for watering to ensure adequate vegetative growth. Weed growth is not considered acceptable vegetative growth.
- Water from dewatering activities that flows off site must be clear. Turbid, or visibly discolored water must not be pumped into storm sewers. Discolored water must be pumped to a sediment filter bag, DirtBag or approved equal, in the location indicated on the plans or other area approved by the Engineer that is located away from exposed or disturbed soil.

Legend

- Inlet Protection
- New Storm Line/Manhole/Basin
- Existing Storm Line/Catch Basin/manhole
- Existing Contours
- New Finish Grade Contours
- Construction Limit Fencing
- Temporary Silt Fence
- Straw wattles
- Crushed Stone Stabilization
- Roller Erosion Control Matting or Flexterra HP Flexible Growth Media Hydromulch
- Silt Sock check dam



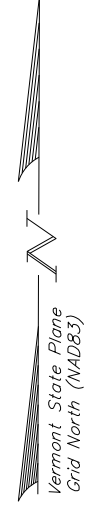
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Project:

University of Vermont
Snow Storage

Project No. 21106
Scale 1" = 20'
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Date 03/29/2021

Revisions No. Date	
1	8/27/2021 EPSC Notes; Fence note

Drawing Title
Erosion Prevention &
Sediment Control
Preconstruction Plan

Drawing No.

C-4

- 1. The methods and materials of construction shall conform to the latest standards of the Municipality and the State of Vermont. All work shall be in conformance with all permits and approvals issued for the project. In case of conflict, the more stringent specification shall apply as directed by Engineer. All work shall be done in a workmanlike manner and completed in the time specified by Owner.*
- 2. The Contractor shall be responsible for all work and materials shown and required to make the job complete. These drawings do not show every fitting or appurtenance. Materials shall be as specified on the drawings. Manufacturer's product specifications shall be submitted for all materials to the Engineer for approval prior to installation.*
- 3. All off-site backfill, sheeting and shoring, dewatering, clearing and grubbing, erosion control, dust control, traffic control, grading, and all incidentals shall be included as part of the required work.*
- 4. Repair of all disturbed areas, grading, seeding, mulching, repair of roads and curbs, paving, and other incidentals are included as part of the required work. All disturbed areas shall be loamed and mulched until permanent ground cover is established.*
- 5. The Contractor shall be responsible for all construction layout and shall verify all horizontal control and temporary bench marks before use.*
- 6. The workers and public shall be protected by the Contractor from any and all hazards connected with the construction work. Open trenches, materials, or equipment within the working limits are to be guarded by the use of adequate barricades or flaggers. All barricades left in position overnight are to be properly lighted. Kerosene pots are not acceptable. When work narrows the usable pavement, flaggers shall be employed to aid the flow of traffic so that there will be no undue delay. The Contractor shall be held responsible for the safety of all workers and the general public and all damages to property occurring from or upon the work occasioned by negligence or shall be held responsible for the safety of all workers and the general public and all damages to property occurring from or upon the work occasioned by negligence or day or night within the working area. All work shall be in conformance to OSHA regulations, Title 19, Parts 1926.651 and 1926.652, and applicable to VOSHA regulations.*
- 7. Existing plantings are located in general areas as shown on the plans. Contractor shall protect plantings scheduled to remain so as not to damage these or their root systems.*

Contractor shall comply with all permits and approvals issued for this project.

Contractor shall sign on as the Co-Permittee for the State of Vermont Erosion Prevention and Sediment Control permit for the project.

- 8. Slope stability upon unsaturated soil conditions. If during construction saturated soils are encountered, contact the Engineer immediately.*



- Orange construction fence or snow fence shall be used to demarcate short-term construction activities.
- 3" thick orange polyester mesh webbing may be used to demarcate construction disturbance limits that are not proximate to environmentally sensitive areas (wetlands, RTE plants, etc.)

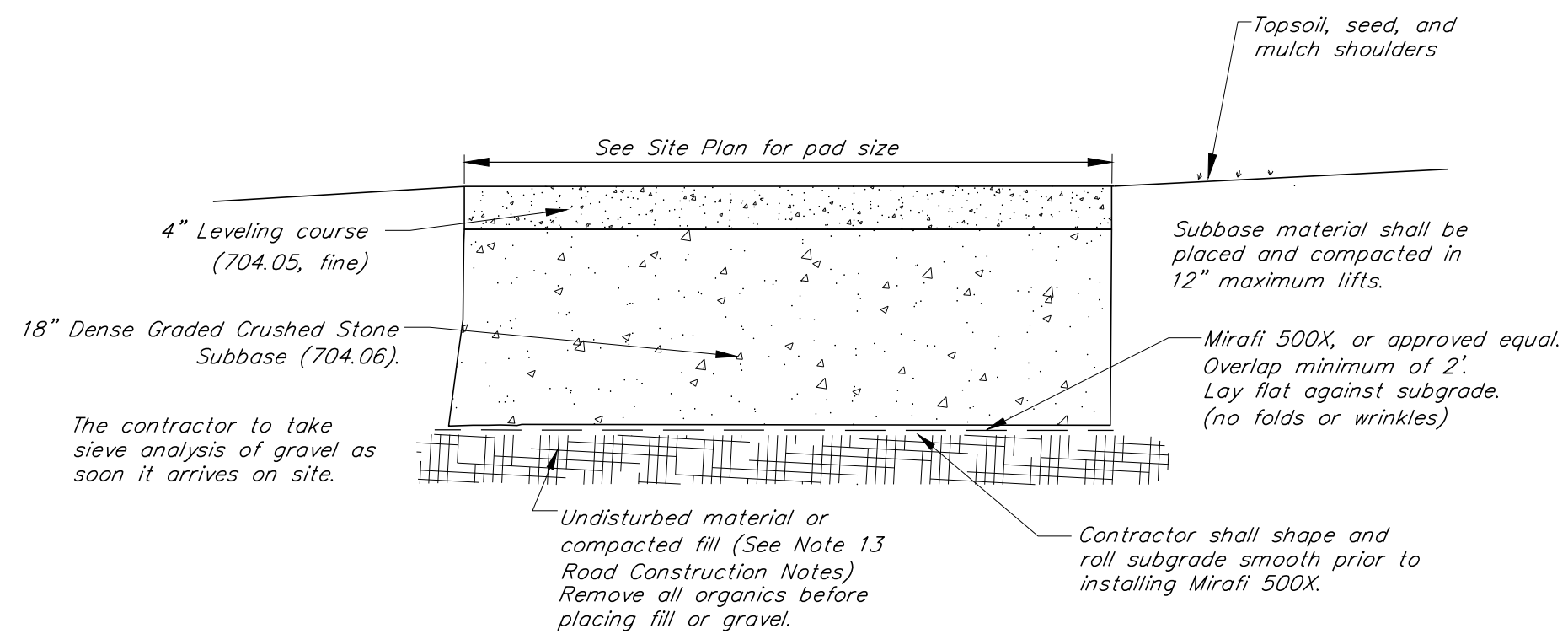
1. Topsoil shall have a minimum 4" depth unless additional depth is specified on the Civil or Landscape plans. Topsoil shall be natural, fertile, friable soil representative of local productive soil and free of clay lumps, stones, subsoil or other foreign matter larger than 1/2 inch diameter, not frozen or muddy. Acidity pH shall range from 5.5 to 7 and shall contain 4% organic material as a minimum. Samples of topsoil are to be given to UVM Physical Plant's Ground Manager for inspection before approval. All testing costs will be paid by Contractor.
2. The Contractor shall have a soil analysis performed on the topsoil (UVM soil testing lab 656-3030). The results of soil analysis shall be provided to the UVM Physical Plant Grounds Manager for approval. The soil analysis must state:
 - a. Percentages of organic matter, inorganic matter (silt, clay, and sand), deleterious materials, and pH levels.
 - b. Sieve analysis and mineral and plant nutrient content of topsoil.
 - c. Test for herbicide contamination and provide report certifying that no herbicides are present.
 - d. State quantities of nitrogen, phosphorus, and potash nutrients and any limestone, aluminum sulfate, or other soil amendments to be added to produce satisfactory topsoil.
 - e. Topsoil shall meet the following gradation:

<u>Sieve Sizes:</u>	<u>Percentage Passing:</u>
1 inch	100%
1/2 inch	95-100%
No. 4	75-100%
No. 10	60-100%
No. 200	10-60%

3. Commercial fertilizer shall be a complete plant food containing nitrogen (50% organic), phosphoric acid and potash. Soil tests will indicate composition required. Only phosphorus free fertilizers shall be used unless a soil test identifies that phosphorus is warranted for optimum vegetative growth.
4. **Hydro seeding and tacifer is the required practice for turf establishment.** Specifications are:
- Seed: UVM #1 mix using 6 lbs per 1,000 square feet.
- | | |
|---------------------------------------|-----------|
| 71.46% Min. Futura 3000 PER RYE GRASS | Germ: 90% |
| 14.81% Min. Dynasty TALL FESCUE | Germ: 90% |
| 9.74% Min. CREEPING RED FESCUE | Germ: 90% |
| 2.32% Max. CROP | |
| 1.61% Max. INERT | |
| 0.06% Max. WEED | |
- Hydroseed Additives:
- Fertilizer: 19-19-19* 75 lbs per 1,000 gallons of water. (*Refer to phosphorus note above)
- Lim: 100 lbs. per 1,000 gallons of water
- Mulch: 300 lbs. per 1,000 gallons of water.
- Tacifer: 5 lbs. per 1,000 gallons of water.

Manufacturer's tag shall be given to Physical Plant's Ground Manager prior to seeding for approval.

5. Areas having soil compaction as a result of construction shall be core-tilled prior to seeding.
6. If hand seeding, only straw mulch is to be used and secured by netting either organic or inorganic. If inorganic is used, it must be removed before the first mowing.
7. Starter fertilizer shall be applied at the manufacturer's suggested rate at the time of seeding. Only phosphorus free fertilizers shall be used unless a soil test identifies that phosphorus is warranted for optimum pre-germative growth. Fertilizer application will not be allowed in sensitive areas and adjacent to drainage ways as determined by the Engineer.
8. Watering is to be done by the Contractor and is to last for the duration of the warranty period to maintain proper growth. UVM will supply the water, but all apparatus necessary to apply the water must be furnished by the Contractor (i.e. hoses, sprinklers, etc.).
9. Staking of all topsoiled areas to control foot traffic will be required. Unless otherwise specified acceptable staking materials will be grade stakes and twine or string with flagging attached for visibility.
10. A guarantee through the first mowing is required with any sparse or bare areas larger than 1 sq. ft. to be redone.
11. The Contractor is responsible for the first mowing. After the first mowing and prior to the University taking responsibility for the lawn areas the Contractor and the Grounds Manager shall meet to inspect the vegetation establishment.
12. Contractor is responsible for all topsoil to complete the project as shown. If existing volume of topsoil is inadequate, the Contractor, at no cost to the Owner, shall purchase offsite approved topsoil as necessary.



N. T. S.

3'

Top of Weir
Elev=301.0

2.5'

Forebay

Type I Stone
Stone extends across
entire width of pond

Infill weir with crushed
gravel (70-100, fine) to
minimize seepage through
the stone.

Infiltration
Basin

Undisturbed Soil

N.T.S.

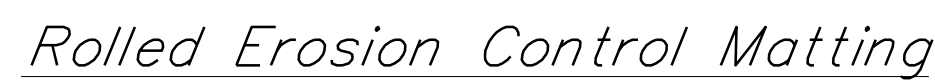
North American Green S150BN

Straw erosion control blanket shall be S150BN as manufactured by North American Green, Inc. or equivalent and shall have the following properties:

Straw: 100% (.50 lbs/sq.yd.) (.27 kg/m²)
 Netting:
 TOP - Leno woven 100% biodegradable organic jute
 BOTTOM - 100% biodegradable organic jute
 Weight:
 TOP - approx. 9.35 lb/1000 s.f.
 BOTTOM - approx. 7.7 lb/1000 s.f.
 Thread: Biodegradable

Erosion control blanket shall be a machine-produced mat of 100% agricultural straw. The blanket shall be of consistent thickness with the straw evenly distributed over the entire area of the mat. The blanket shall be covered on the top and bottoms sides with a 100% biodegradable woven natural fiber netting having an approximate 0.5" X 1.0" mesh and be sewn together on 1.5" centers with degradable thread.

Installed as per manufacturer's specifications.



Derick Read, P.E.
Krebs & Lansing Consulting Engineers, Inc
164 Main Street
Colchester, VT 05446

9/7/2021

Re: LUP Application 4C0884-2, University of Vermont Snow Storage, South Burlington
Consideration of primary agricultural soils under 10 V.S.A. §§6093, 6086

Dear Applicant:

Thank you for the opportunity to comment on the above-referenced project.

Purpose:

This review letter will aid in the District Commission's determination as to whether any reduction in the agricultural potential of the primary agricultural soils will occur as a result of the construction of the project. Please note that this letter focuses solely on whether there are primary agricultural soils on the project site (10 V.S.A. § 6001(15)), any impact to these primary agricultural soils and whether any proposed mitigation is adequate, pursuant to 10 VSA §6093(a).

Summary of Agency Review:

The Agency holds the opinion that the proposed impacts to primary agricultural soils total: 0.06 acres of primary agricultural soils proposed to be impacted, either directly or indirectly; 0* acres of mitigation necessary because of the statutory multipliers:

- Because the total mitigation (0.12 acres) required for the impacts would be less than two acres, the Agency prefers to mitigate these impacts along with any subsequent project impacts at a later date, if and when cumulative mitigation reaches two acres. **See "Conclusions" below for a proposed permit condition regarding mitigation for potential subsequent project impacts.**

Process and Basis for Opinion:

The Agency was originally contacted by Derick Read, P.E. of Krebs & Lansing Consulting Engineers, Inc. on behalf of University of Vermont (the "Applicant"), to review a project generally described as University of Vermont Snow Storage, including proposed 18-foot wide gravel driveway and turnaround area to foster access to the snow storage area. The Agency's review primarily consisted of a review of the following submitted materials:

- Criterion 9(B) intake form with Soils Matrix, dated 09/06/2021;

- Primary Agricultural Soils Site Plan [showing proposed and pre-existing impacts or fragmentation, as well as noting areas of >15% slope limitation, and Class II wetland/buffer areas], revision dated 09/07/2021;
- Existing Conditions Plan, Applicant's Exhibit 013, filing date 08/05/2021
- Overall Site Plan, Applicant's Exhibit 011, filing date 08/05/2021

The Agency's review of primary agricultural soils is also based on an evaluation of USDA soil survey(s), satellite imagery, the supplied site development plans, supplied ground topographic survey, soil limitations, size, location, landscape patterns and other elements of the definition of primary agricultural soil as applied to the project site. See 10 V.S.A. §6001(15).

The review and evaluation indicates:

± 87.56 acres = soils with an agricultural value of 1-12 (NRCS)(total parcel)
 ± 32.64 acres = soil with an agricultural value of 1-7 (NRCS as mapped) [see Applicant's soils matrix and PAS site plan, regarding mapped soils subject to >15% slope limitation, Class II wetland/buffer, or other existing limitations]
 ± 8.26 acres = pre-existing impacts to soils of agricultural value 1-7 (NRCS)

± 0.06 acres = proposed impact to primary agricultural soils

The Agency accepts your assertion that 0.06 acres of the primary agricultural soils on the site will be directly or indirectly impacted by the proposed development. The proposed impacts would be to the following soil map units:

Key	Soil Type	Ag Value	Slope	Proposed Impact (Acres)
AdA	Adams & Windsor loamy sand	6	0-5%	0.06

While no mitigation is recommended today (see Conclusions) due to the **de minimis** nature of the proposed impact, the Agency recognizes the below mitigation calculation would be applicable if and when the result of this and future amendments results in a 2.0 acre or greater cumulative mitigation area (see proposed permit condition below on page 3).

*0.06 acres (proposed impacts to Statewide soils of agricultural value group "6") * 2 (mitigation multiplier) = 0.12 acres mitigation warranted [de minimis], only if and when the result of this and future amendments results in a 2.0 acre or greater cumulative mitigation area.*

Conclusions:

Having reviewed your submission, it is the Agency's assessment that the proposed impacts are *de minimis* and no mitigation is warranted at this time.

However, the Agency acknowledges 0.06 acres of impacts to primary agricultural soils, for which 0.12 acres of PAS mitigation are calculated under Criterion 9(B) according to the statutory multipliers. The Agency respectfully requests that the District Commission add a permit condition stating that the Applicant will be required to mitigate for cumulative impacts when the result of this pending application and any subsequent proposed development would result in a total mitigation area of 2.0 acres or more.

The Agency provides the following proposed permit condition:

The project impacts 0.06 of primary agricultural soils (PAS) for which 0.12 acres of mitigation are calculated. The Permittee shall mitigate the 0.06 acres of PAS impact if/when the cumulative PAS impacts (from this pending Act 250 Permit application and subsequent amendment impacts on this parcel or involved lands) result in a mitigation area of 2.0 or more acres, as further outlined in Exhibit ____ (letter dated 09/07/2021) from the Vermont Agency of Agriculture, Food & Markets).

Sincerely,

Vermont Agency of Agriculture, Food & Markets



By: -----

Ari Rockland-Miller

Act 250 Coordinator

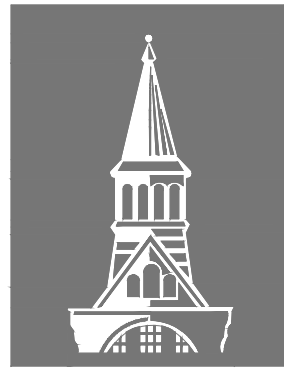
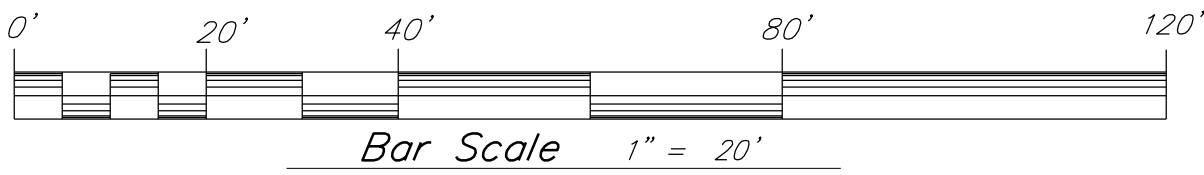
Vermont Agency of Agriculture, Food & Markets

ari.rockland-miller@vermont.gov



LEGEND	
	Survey Control Point
	Existing Sign
	Existing Light Pole
	Existing Deciduous Tree
	Existing Evergreen Tree
	Existing Spot Grade Elevation
	Existing Boulder
	Blue Light Emergency Phone
	Existing Contour
	Existing Storm Line/Manhole/Basin
	Existing Communications Line
	Existing PBX Line
	Existing Underground Electric & Telephone Line
	Existing Site Lite Line
	Existing Tree Line
	Existing Underground Power
	Existing stream centerline
	Existing Class II Wetland
	50ft. Class II Wetland Buffer

PAS Impact Legend	
	Primary Agricultural Soils (based on mapped soil type) (32.64 acres)
	Primary Agricultural Soils (Removed due to slope and environmental features) (17.96 acres)
	Proposed Agricultural Soils Impact (0.06 acres)
	Existing Agricultural Soils Impact (8.25 acres)
	Existing Soil Type Delineation Line
Primary Agricultural Soils - Slope/Environmental Features - Existing Impacts = 6.43 acres	



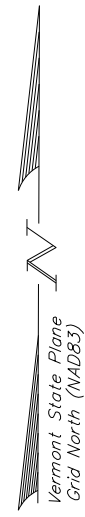
The
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Project:

University of Vermont
Snow Storage

Project No. 21106
Scale 1" = 20'
Drawn by DMR/SLM
Checked by
Date 09/07/2021

Revisions	No.	Date

Drawing Title

Agricultural Soils Plan

Drawing No.

PAS-1

E-Notification CERTIFICATE OF SERVICE Regarding Supplementary Information for Draft LUP# 4C0884-2,
For UVM Snow Storage near Catamount East Parking Lot

I hereby certify that I, Lani Ravin, Associate Planner at the University of Vermont & State Agricultural College, sent a copy of documents, dated September 9, 2021, for the University of Vermont, regarding supplemental information for LUP# 4C0884-2, regarding snow storage north of the UVM Catamount East parking lot, by electronic mail to those with email addresses as indicated:

District #4 Environmental Commission
111 West Street
Essex Junction, VT 05452
NRB.Act250Essex@vermont.gov
Rachel.Lomonaco@vermont.gov

University of Vermont & State Agricultural
College c/o Lani Ravin, AICP, Associate Planner
Lisa Kingsbury, Associate Director
Planning, Design & Construction
16 Colchester Avenue
Burlington, VT 05405
Lani.ravin@uvm.edu; Lisa.mcnaney@uvm.edu;
Lisa.kingsbury@uvm.edu;

Derick Read, P.E.
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164 Main Street
Colchester, VT 05446
Derick.Read@krebssandlansing.com

Donna Kinville, Town Clerk
Chair, Selectboard/Chair, Planning Comm.
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james.duggan@vermont.gov;
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Dated at Burlington, Vermont, September 9,
2021

Lani Ravin, AICP

Lani Ravin, AICP, Associate Planner
Planning, Design & Construction
University of Vermont & State Agricultural
College



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TO: Burlington Planning Commission
FROM: David E. White, FAICP, Dir of Planning, Office of City Planning
Scott Gustin, AICP, Principal Planner & Zoning Division Manager, DPI
DATE: September 9, 2021
RE: Proposed CDO Amendment ZA-22-01: Historic Preservation Rehabilitation Bonus

The following proposed amendment to the BCDO is a companion to an amendment approved by the Commission earlier this year (ZA-21-04 Adaptive Reuse Definition) which revised the definition of the term "adaptive reuse" to be consistent with standard historic preservation practice. ZA-21-04 currently sits before the Council Ordinance Committee where it awaits the referral of this proposed amendment and they can be joined.

Subsequent to the Council taking up the Adaptive Reuse amendment, the Planning and DPI staff noted a potential conflict with Sec. 4.4.5(d) 6. B, and recommends that the BCDO dispense with the use of the term in Sec. 4.4.5(d) 6. B - Adaptive Reuse Bonus, and instead move this language to Sec. 5.4.8 where it would be co-located with other provisions related to historic buildings and to make it applicable in the Institutional District which, outside of the institutional campuses, also has a predominantly residential character and scale.

Proposed Amendment

BEGIN PROPOSED AMENDMENT

Sec. 4.4.5 Residential Districts, (d) District Specific Regulations:

5. Uses

A. Exception for Existing Neighborhood Commercial Uses.

Neighborhood commercial uses as defined in Article 13 and intended to primarily serve the nearby residential area shall be considered permitted uses in all

†Residential and Institutional districts subject to the following:

(i) This exemption shall only apply to:

- 1) Historic neighborhood commercial buildings that are listed or eligible for listing on the state or national register and originally designed and constructed for such purpose(s); or,
- 2) A street level neighborhood commercial use as defined in Article 13 in lawful existence as of January 1, 2007.

(ii) Neighborhood commercial uses shall be limited to a single story on the street level of any structure.

(iii) Neighborhood commercial uses less than 2,000 sqft shall be treated as a permitted use. Neighborhood commercial uses greater than or equal to 2,000

sqft but less than 4,000 sqft shall be treated as a conditional use. Neighborhood commercial uses occupying 4,000 sqft or more shall not be permitted.

- (iv) The neighborhood commercial use shall not be counted against the property's allowable residential density.
- (v) The sale of fuel for motor vehicles, or new or expanded gas station canopies, shall be prohibited.
- (vi) Hours of operation shall be limited to 6:00am to 11:00pm seven days per week. Any expansion in the hours of operation of an existing neighborhood commercial use shall require ~~conditional use~~ review by the DRB.
- (vii) All building height and setback requirements for the underlying residential district shall apply, and the lot coverage shall not exceed 60%.
- (viii) Any exterior changes to the building(s) or changes to the site plan shall be subject to the design review requirements of Article 6.
- (ix) To the extent that additional parking is necessary, the parking standards for Shared-Use Districts shall apply pursuant to Article 8.
- (x) The conversion of a residential use to a neighborhood commercial use within a historic neighborhood commercial building more than 50 years old and originally designed and constructed for such purpose shall be exempt from the housing replacement requirements of Article 9, Part 2.
- (xi) Home occupations as defined and regulated under this article are not restricted by the provisions of this section.
- (xii) Any aspect of a neighborhood commercial use in lawful existence as of January 1, 2007 not in strict conformance with any of the above standards shall be considered non-conforming and be subject to the provisions of Article 5, Part 3.

6. Residential Development Bonuses.

The following exceptions to maximum allowable residential density and dimensional standards in Tables 4.4.5-2 and 4.4.5-3 may be approved in any combination subject to the maximum limits set forth in Table 4.4.5-8 at the discretion of the DRB. Any bonuses that are given pursuant to this ordinance now or in the future shall be regarded as an exception to the limits otherwise applicable.

A. Senior Housing Bonus.

Residential development in excess of the density, lot coverage and building height limits specified in Tables 4.4.5-2 and 4.4.5-3 may be permitted by the DRB for senior housing provided the following conditions are met:

- (i) No less than twenty-five (25) per cent of the total number of units shall be reserved for low-moderate income households as defined by state or federal guidelines, including no less than ten (10) per cent reserved for low-income households. (Projects taking advantage of this bonus are exempt from the Inclusionary Zoning requirements of Article 9,

Part 1.);

- (ii) The proposal shall be subject to the design review provisions of Art. 6;
- (iii) A maximum of an additional 10-feet of building height may be permitted in the RH District; and,
- (iv) Lot coverage and residential densities shall not exceed the following:

Table 4.4.5-5: Senior Housing Bonus

District	Maximum Coverage	Maximum Density
RL/RL-W	44%	20 du/ac
RM	48%	40 du/ac
RM-W	72%	40 du/ac
RH	92%	80 du/ac

B. Adaptive Reuse Bonus:

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

- ~~(i) The building shall be listed or eligible for listing in the United States Department of the Interior's National Register of Historic Places or the Vermont State Register of Historic Places;~~
- ~~(ii)(i) The gross floor area shall not exceed the pre-redevelopment gross floor area of the existing structure by more than twenty-five (25) percent;~~
- ~~(iii)(i) The density limits of the underlying residential zoning district in Sec. 4.4.5(b) above shall not apply. The intensity and extent of development shall be limited by gross floor area maximum in (ii) above and Table 4.4.5-6 below;~~
- ~~(iv)(i) The adaptive reuse and rehabilitation conforms to the requirements of Art 5, Historic Buildings;~~
- ~~(v)(i) Neighborhood commercial uses less than 2,000 sqft gross floor area may be permitted by the DRB subject to the applicable requirements of Sec. 4.4.5(d)(5)(A) above. Neighborhood commercial uses 2,000 sqft or larger in gross floor area shall not be permitted. In combination, the sum of neighborhood commercial uses shall be limited to no more than 50% of the gross floor area of the existing structure; and;~~

~~(vi)(i) Lot coverage shall not exceed:~~

~~Table 4.4.5-6: Adaptive Reuse Bonus~~

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

~~C. Residential Conversion Bonus.~~

~~Development in excess of the limits set forth in Tables 4.4.5-2 and 4.4.5-3 may be permitted by the DRB subject to conditional use review for the conversion of an existing non-conforming nonresidential principal use not involving a historic building to a conforming residential use subject to all of the following conditions:~~

~~(i) Any structure proposed for demolition shall not be listed or eligible for listing in the United States Department of the Interior's National Register of Historic Places or the Vermont State Register of Historic Places; and,~~

~~(ii)(i) Lot coverage and residential density shall not exceed:~~

~~Table 4.4.5-7: Residential Conversion Bonus~~

District	Maximum Lot Coverage	Maximum Density (dwelling unit/acre)
RL, RL-W	50% (62% with inclusionary allowance)	8 du/ac (8.75 with inclusionary allowance)
RM, RM-W	60% (72% with inclusionary allowance)	30 du/ac (37.5 with inclusionary allowance)
RH	80% (92% with inclusionary allowance)	60 du/ac (69 with inclusionary allowance)

D. Limitations on Residential Development Bonuses:

For projects where the conditions of more than one applicable bonus listed above **and under Sec. 5.4.8 (e)** are met, the applicant may use the most permissive exemption to the underlying lot coverage or residential densities applicable.

In no case shall any development bonuses and allowances granted, either individually or in combination, enable a building to exceed the maximum density, lot coverage and building height permitted in any district as defined below:

Table 4.4.5-8: Maximum Density, Lot Coverage and Building Heights with Bonuses

District	Maximum Density	Maximum Height	Maximum Lot Coverage
RH	80 du/ac	45-feet (68-ft in RH Overlay)	92%
RM-W	40 du/ac	60-feet	72%
RM	40 du/ac	35-feet	60%
RL, RL-W	20 du/ac	35-feet	50%

Sec. 5.3.4 Nonconforming Uses, (a) Changes and Modifications:

1. Nonconforming Non-Residential Use:

A nonconforming non-residential use shall not be expanded or altered in any way, other than to full conformity under this Ordinance, except as follows:

A. Exception for residential conversion.

A non-residential nonconforming use may be converted to a residential non-conforming use pursuant to the applicable ~~adaptive reuse or~~ residential conversion provisions of Sec. 4.4.5(d)(~~67~~).

B. Existing Neighborhood Commercial Uses.

Existing non-residential uses intended to primarily serve the nearby residential area shall not be considered non-conforming to the extent they comply with the provisions of Sec. 4.4.5(d)(~~56~~).

2. Nonconforming Residential Use:

A change or expansion of a non-conforming residential use may be allowed subject to conditional use approval pursuant to the provisions of Article 3, Part 5 by the DRB provided:

- A. Such an expansion does not add any additional dwelling units except as may be permitted for ~~adaptive reuse or~~ residential conversion bonuses approved per the provisions of Sec. 4.4.5(d)(~~67~~), **the Historic Building Rehabilitation Bonus under Sec. 5.4.8 (e), and-or** for Accessory Dwelling Units per the provisions of Sec. 5.4.5;
- B. (remainder as written)

Sec. 5.4.8 Historic Buildings and Sites

(e) Historic Building Rehabilitation Bonus:

In order to facilitate the rehabilitation and reuse of historic buildings, in Residential and Institutional districts, development in excess of the limits set forth in Tables 4.4.4-1, 4.4.5-2 and 4.4.5-3 may be permitted by the DRB subject to conditional use review for the conversion of an existing non-conforming nonresidential principal use within a historic building to a conforming residential use subject to all of the following conditions:

- (i) The principal building shall be listed or eligible for listing in the United States Department of the Interior's National Register of Historic Places or the Vermont State Register of Historic Places;
- The gross floor area shall not exceed the pre-redevelopment gross floor area of the existing structure by more than twenty five (25) percent;
- (ii) The density limits of the underlying residential zoning district in Sec 4.4.4(b) and 4.4.5(b) above shall not apply. The intensity and extent of development shall instead be limited to an expansion up to a total of 125% of pre-existing gross floor area of the principal building by gross floor area maximum in (ii) above and Table 4.4.5-6 below;
- (iii) The adaptive reuse and rehabilitation conforms to the requirements of Art 5, Historic Buildings Sec. 5.4.8 (b) above;
- (iv) Neighborhood commercial uses less than 2,000 sqft gross floor area may be permitted by the DRB subject to the applicable requirements of Sec. 4.4.5(d)(5)(A) above. Neighborhood commercial uses 2,000 sqft or larger in gross floor area shall not be permitted. In combination, the sum of neighborhood commercial uses shall be limited to no more than 50% of the gross floor area of the existing structure; and,
- (v) Lot coverage shall not exceed;

Table 4.4.5-6: Adaptive Reuse Bonus

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

END PROPOSED AMENDMENT

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The intent of the proposed amendment is to correct a conflict in the use of terms regarding the adaptive reuse of historic buildings and applicable development bonuses intended to encourage their reuse and rehilitation, and expand such bonuses into the Institutional District where applicable.

Proposed Amendment

The following amendments to the Burlington CDO are included in this proposal:

1. Move Sec. 4.4.5(d) 6. B - Adaptive Reuse Bonus to become Sec. 5.4.8(e), rename it to "Historic Building Rehabilitation Bonus," and make it applicable in the Institutional District in addition to the Residential Districts.
2. Correct references to Sec. 5.3.4 Nonconforming Uses, (a) Changes and Modifications:

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme	Dynamic	Distinctive	Inclusive	Connected
Land Use	Conserve	Sustain	Grow	

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety or affordability.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

Process Overview

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

Planning Commission Process				
Draft Amendment prepared by: Staff	Presentation to & discussion by Commission 9/14/21	Approved for Public Hearing	Public Hearing	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected

2020 Census

Summary of Initial Data Release



Presentation to City Council
September 13, 2021

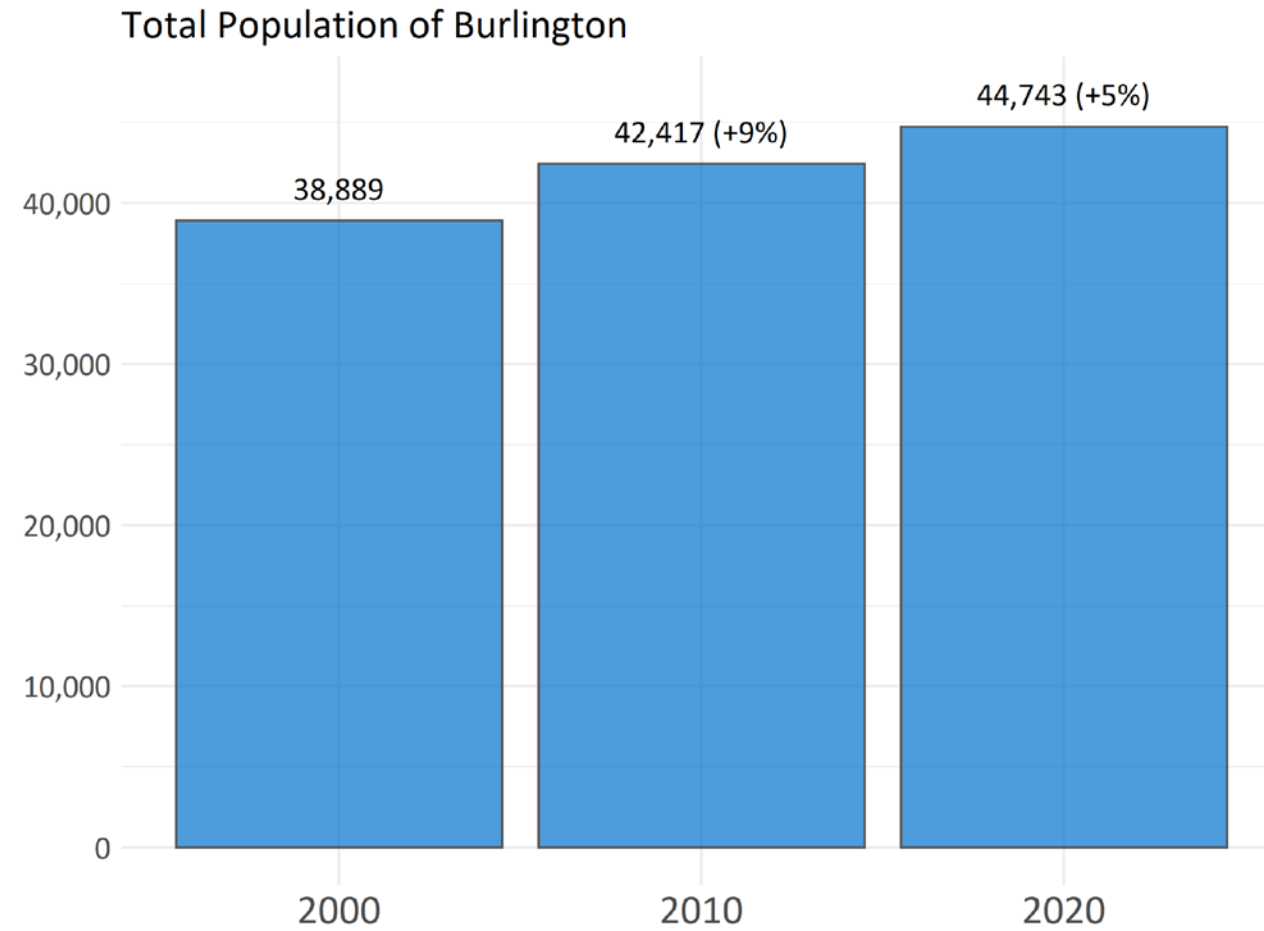
What is in the Redistricting Dataset?

This dataset includes the following at multiple levels for city:

- Total population and population 18+
- Race and ethnicity
- Total housing units, occupied vs. vacant

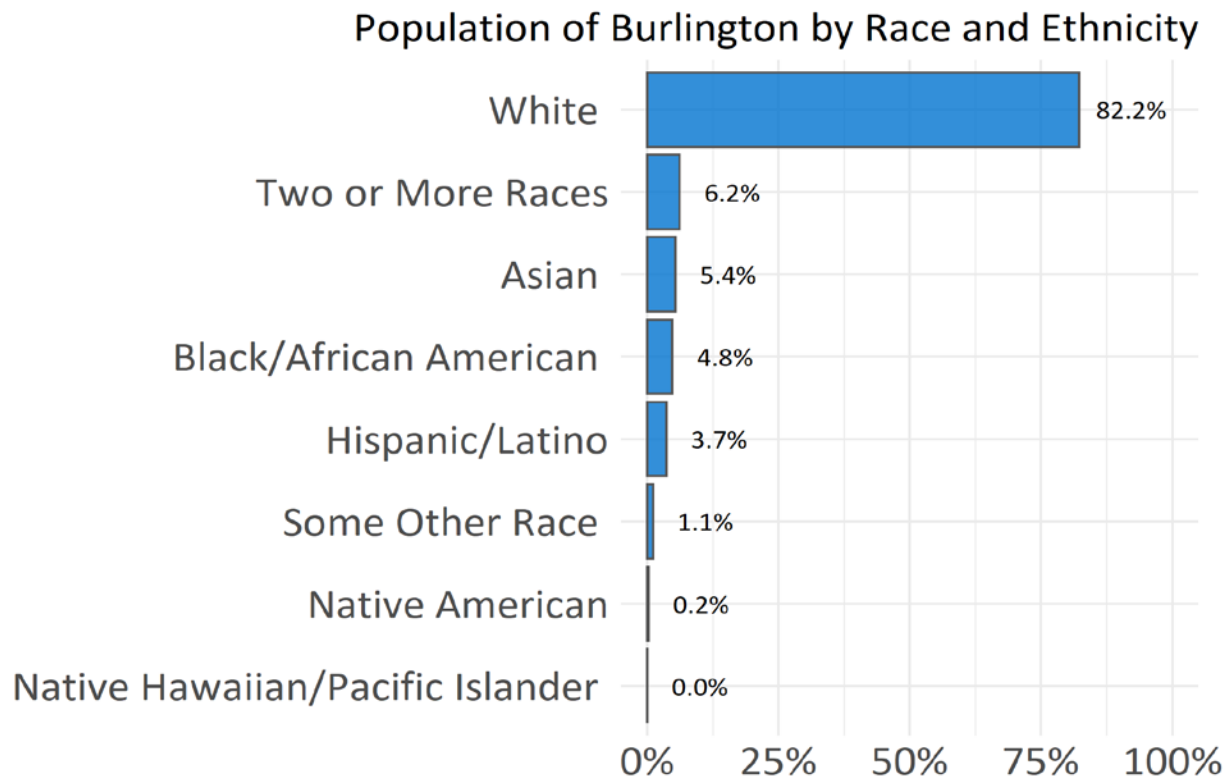
Additional population and housing datasets, and cross-tabulations, will be released on a rolling basis in 2022.

City Population, 2000-2020



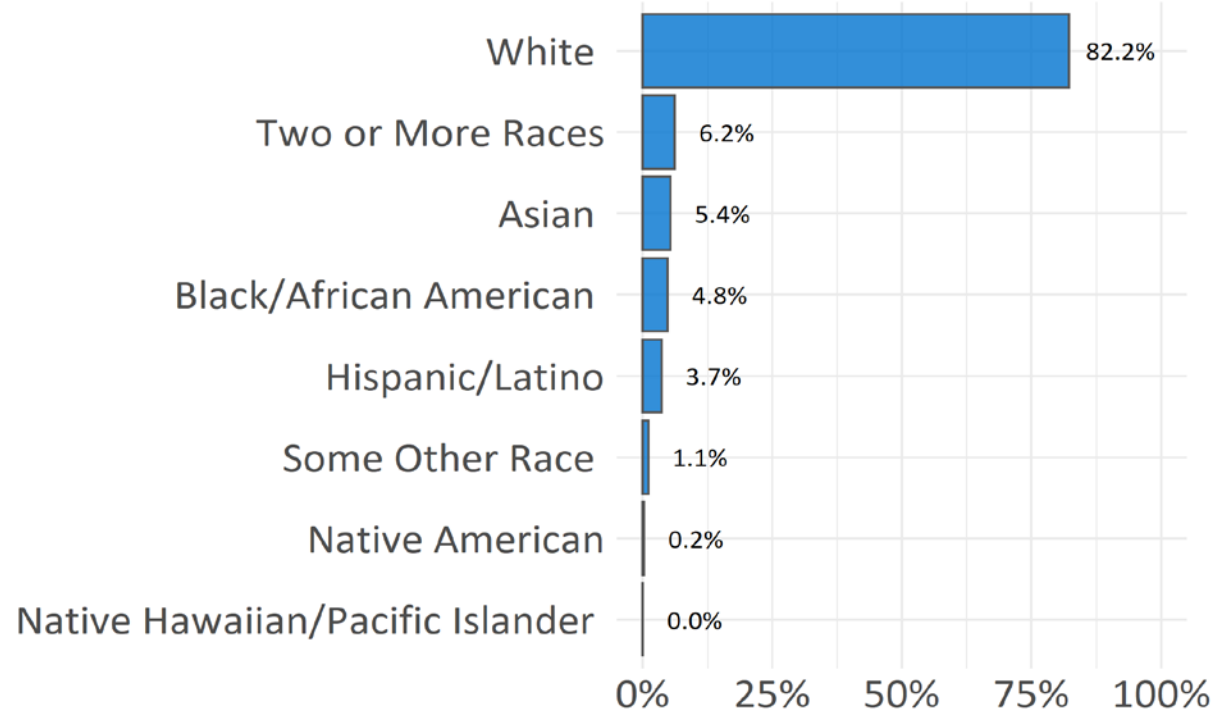
Explore population changes in all VT towns: <https://vcgi.vermont.gov/data-release/2020-census-data>

Race & Ethnicity, 2020

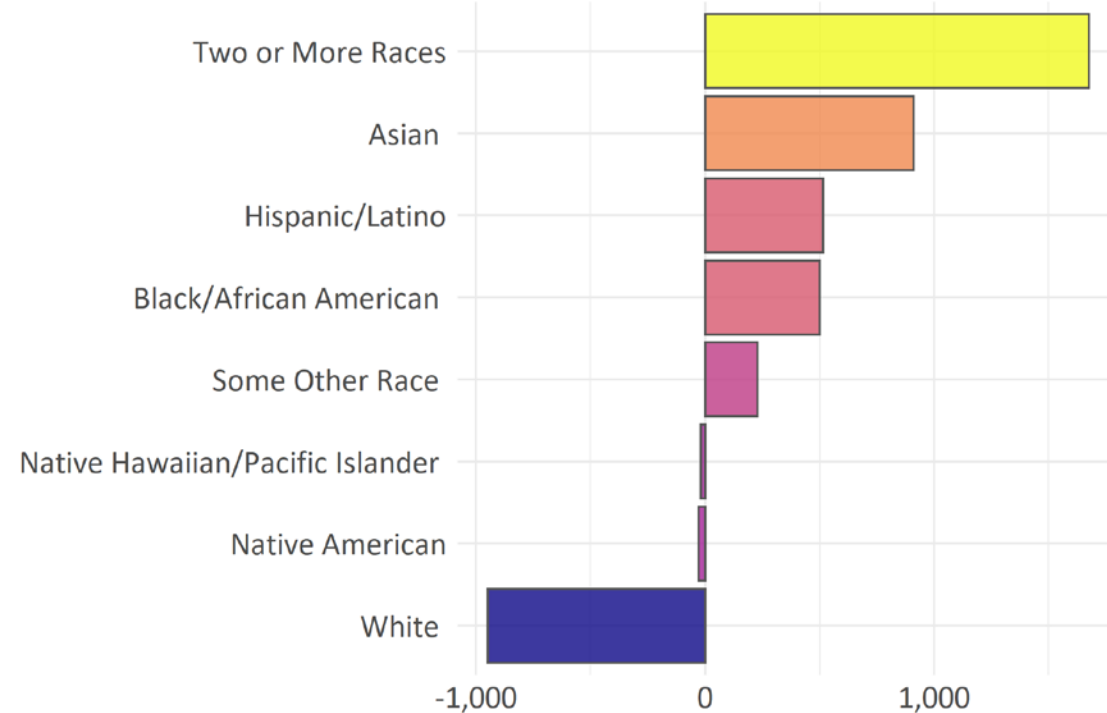


Race & Ethnicity, 2020

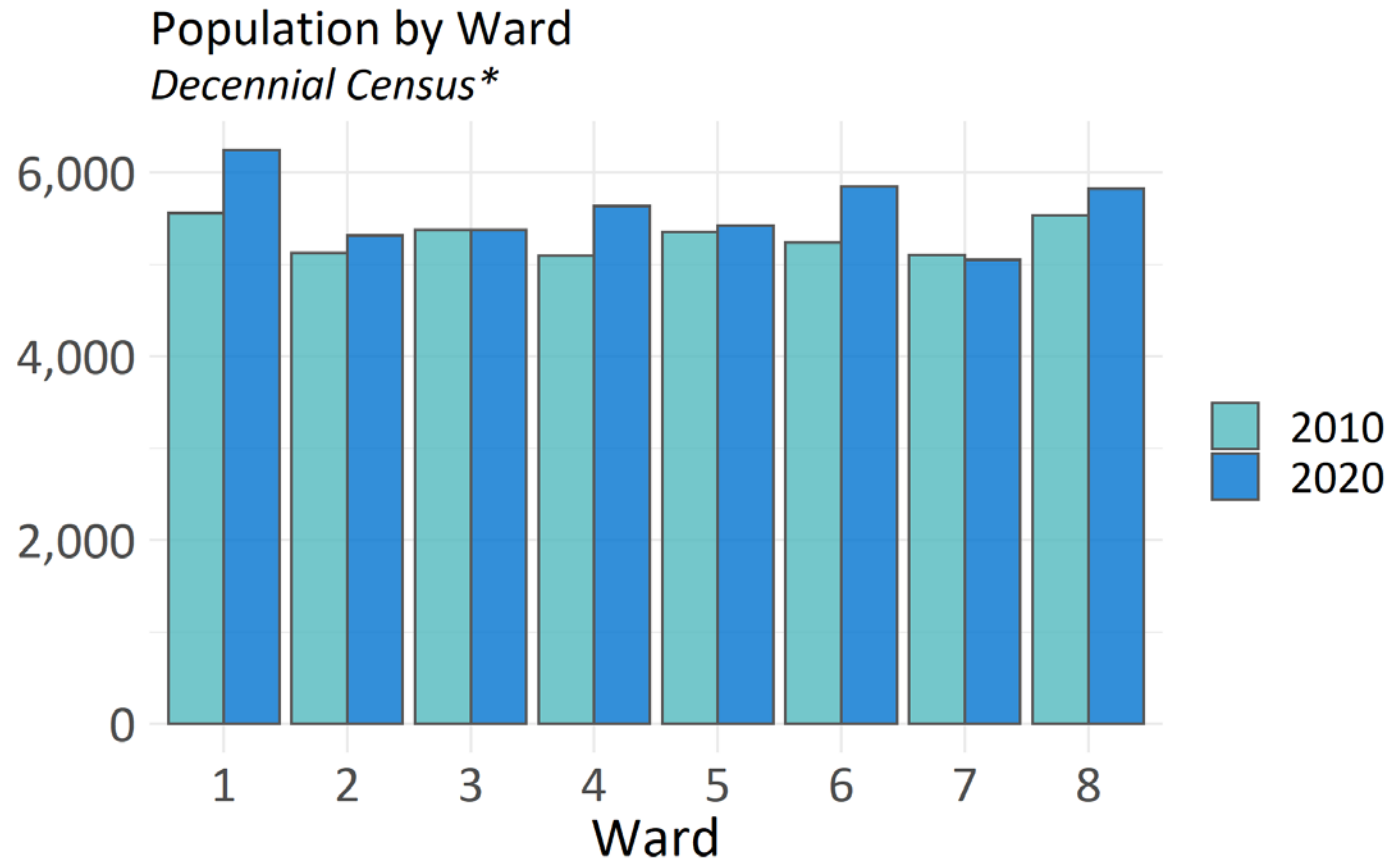
Population of Burlington by Race and Ethnicity



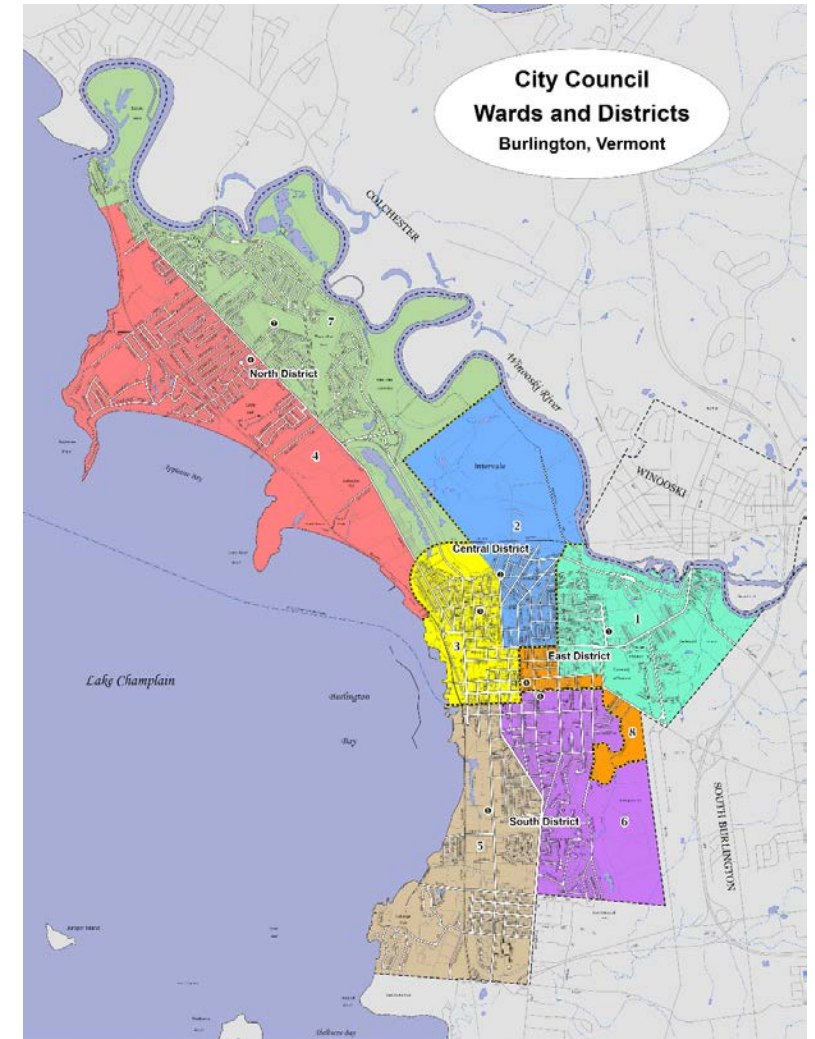
Change in Population since 2010 By Race and Ethnicity



Population by Ward, 2020



**Adjusted for a data error related to UVM dorm location.*

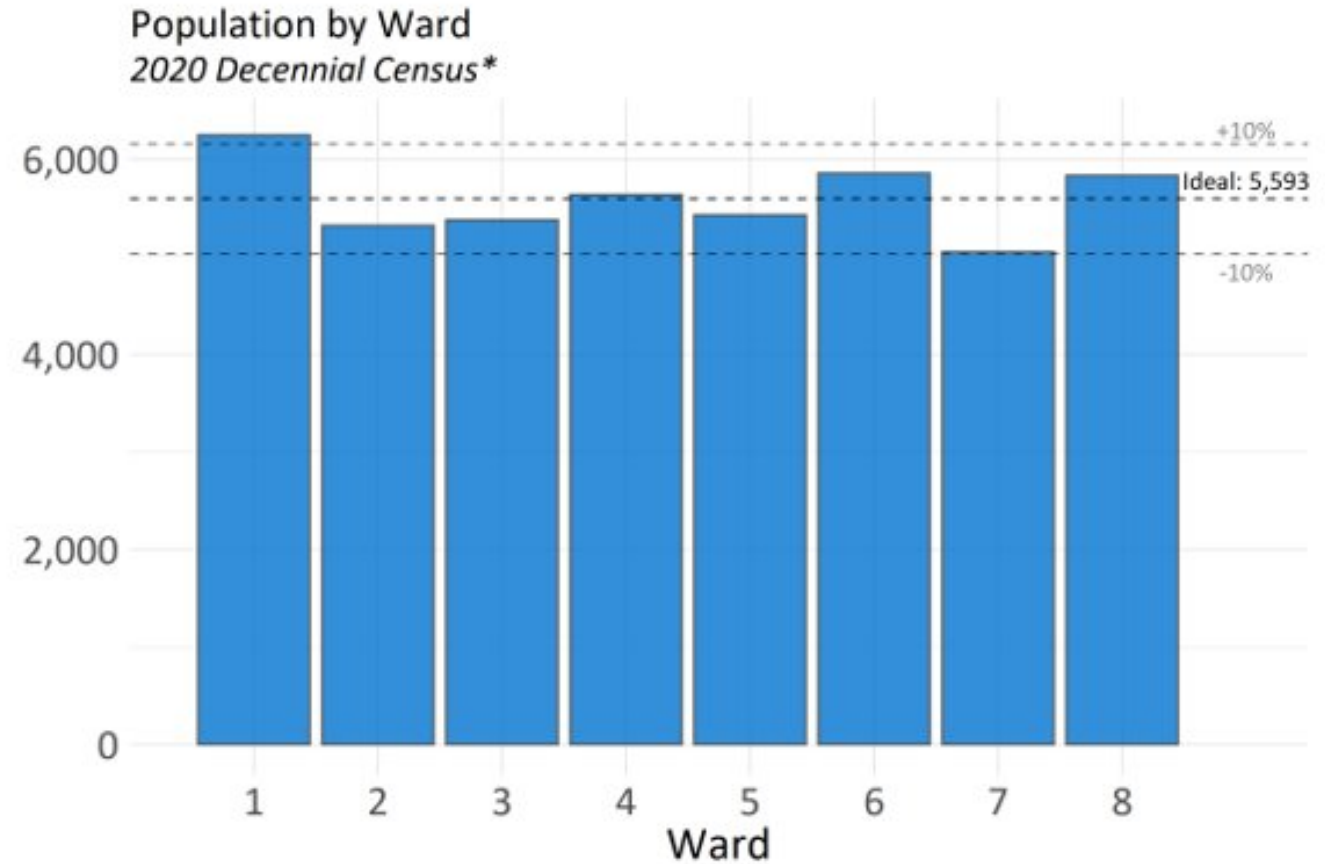


Population by Ward, 2020

“Ideal size” is calculated by dividing the City’s total population by 8 Wards.

To determine if Wards are of roughly equal size:

- population of each Ward relative to the ideal size
- % deviation between the most and least populous Wards



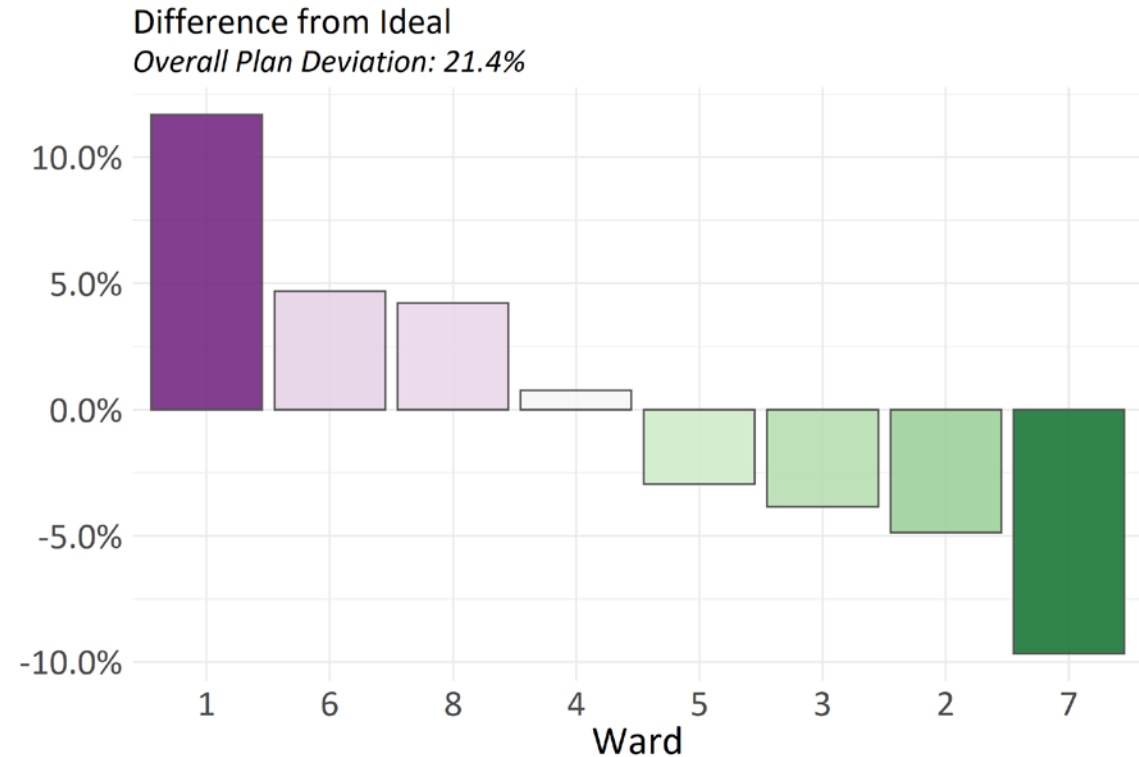
*Adjusted for a data error related to UVM dorm location.

Population by Ward, 2020

“Ideal size” is calculated by dividing the City’s total population by 8 Wards.

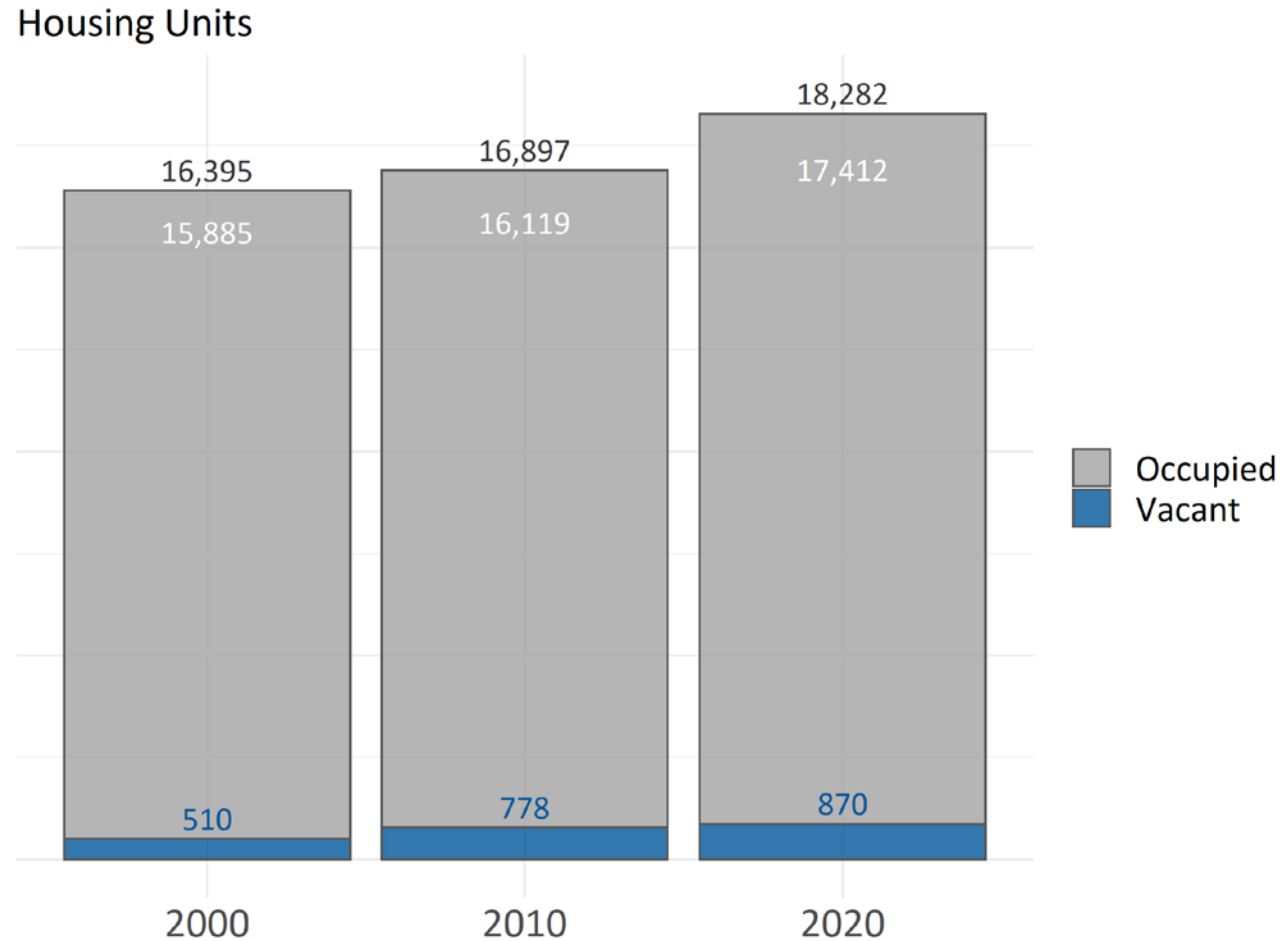
To determine if Wards are of roughly equal size:

- population of each Ward relative to the ideal size
- % deviation between the most and least populous Wards



2020 Decennial Census, adjusted for a data error related to UVM dorm location.

Total Housing Units, 2000-2020



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Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Michael Gaughan
Emily Lee
Brynne Martin

Burlington Planning Commission

Tuesday, September 14, 2021, 6:30 P.M.

Remote Meeting via Zoom, with City Hall In-Person Option

Minutes

Members Present	A Montroll, Y Bradley, A Friend, E Lee, M Gaughan, B Martin
Staff Present	D White, M Tuttle, S Gustin
Attendance	S Bushor

I. Agenda

Call to Order	Time: 6:35pm
Agenda	Add new item VII regarding 2020 Census Data

II. Chair's Report

A Montroll	No report
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III. Director's Report

D White	Council Ordinance Committee has approved three amendments public hearing on October 18, and will take up short-term rental proposal. Staff has many items on the radar from our FY22 budget and work plan, and many other requests have come in since. Councilor Hanson has introduced a proposal to eliminate minimum parking requirements and institute transportation demand management requirements city-wide. Staff supports eliminating parking requirements, though prefer it be included in other major amendments on the work plan, but have recommended that the TDM study in the department's budget inform any new TDM regulations.
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IV. Public Forum

Name(s)	Comment
S Bushor	Regarding two proposed amendments on the agenda, request clarification on maximum lot coverage for the Adaptive Reuse bonus, if permitting simplification includes lots with less than 60' frontage, and what state level floodplain review includes. Changing one non-residential use to another seems straightforward, but concerned about administrative review eliminating opportunity to evaluate any difference in impacts.

V. Proposed CDO Amendment ZA-22-01 Historic Preservation Bonus

Action: Approve Municipal Bylaw Amendment Report and warn for public hearing		
Motion by: E Lee	Second by: A Friend	Vote: Approved 5-0-1; Y Bradley absent during vote
Type: Discussion, Action	Presented by: D White	

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.

D White presented an overview of this amendment, which is a complement to ZA-21-04 which the Commission referred last year. Text of the amendment is available online at:

<https://www.burlingtonvt.gov/CityPlan/PC/Agendas>

- It was noted that table 4.4.5-6 needs to be renumbered with the move to Article 5, and confirm that all of the applicable bonuses from all locations are accounted for in the maximums.
- E Lee expressed support for incentives for adaptive reuse because it helps with the preservation and repair of older buildings that serve the community.

VI. Proposed CDO Amendment ZA-22-02 Permitting Simplifications

Action: Approve Municipal Bylaw Amendment Report and warn for public hearing

Motion by: A Friend

Second by: M Gaughan

Vote: 5-0-1; Y Bradley absent during vote

Type: Discussion, Action

Presented by: S Gustin

S Gustin presented an overview of the amendment, which is available online at:

<https://www.burlingtonvt.gov/CityPlan/PC/Agendas>

In response to questions about these changes, S Gustin noted that these are primarily eliminating requirements that are duplicative and/or do not add value:

- Regarding changing one permitted non-residential use to another, often the main consideration was the change in minimum parking required. But this is not applicable in certain mixed-use areas now where there is no minimum parking requirement.
- Special Flood Hazard area along lake and river presently requires even small projects to be reviewed by the DRB regardless of impact. This eliminate the all-inclusive requirement; projects in this area are still reviewed by VT Agency of Natural Resources under City's standards per state statute.

VII. 2020 Initial Census Data Summary

Action: No Action

Motion by:

Second by:

Vote: N/A

Type: Presentation

Presented by: M Tuttle

M Tuttle provided an overview of the 2020 Census Redistricting data, including changes in city and ward population, race and ethnicity, and housing units. Slides from this presentation are available online at:

<https://www.burlingtonvt.gov/CityPlan/PC/Agendas>

VIII. Commissioner Items

- Next Meeting is September 28, 2021 at 6:30pm
- There will be an Executive Committee meeting prior to the October 12 meeting

IX. Minutes and Communications

Action: Approve the minutes and accept the communications

Motion by: A Friend

Second by: E Lee

Approved Unanimously

Minutes Approved: July 27, 2021

Communications Filed:

- Documents included in agenda packet and posted online
- A Friend asked for more information about the Jurisdictional Opinion regarding University Place. Staff shared information about what these communications are for, and where to find more information about the University Place project on the Department of Public Works website.

X. Adjourn

Adjournment		Time: 7:33pm	
Motion: A Friend	Second: E Lee	Vote: Approved Unanimously	



Andy Montroll, Chair

Signed: October 18, 2021

Respectfully submitted by:



Meagan Tuttle, Comprehensive Planner