

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
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Brooks McArthur
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Leo Sprinzen
Chase Taylor
Sean McKenzie, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, September 6, 2022, 5:00 PM

PUBLIC HEARING NOTICE

Remote Meeting

Zoom: <https://us02web.zoom.us/j/83225696227?pwd=SGQ0bTdnS000Wkc3c2J4WWw1dzMxUT09>

Webinar ID: 832 2569 6227

Passcode: 969186

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

1. ZP-22-416; 323-325 College Street (RH, Ward 8E) Advanta Ira Services, LLC / FBO Peter C. Potts / Benjamin Frye

Construction of 4-unit building addition with associated utility work and minor grading.

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

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AGENDA

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- I. Agenda**
- II. Communications**
- III. Minutes**
- IV. Certificate of Appropriateness**

- 1. ZP-22-443; 505 Lake Street (DW-PT, Ward 3C) City of Burlington / Michael Koch**
Proposed waterfront improvements for the existing Community Sailing Center including the installation/construction of a boat ramp, structural wall with wave attenuators, a pier with walkways, and a launch well and hoists. (Project Manager, Scott Gustin)
- 2. ZP-22-307; 120 Depot Street (RM-W, Ward 3C) Andrea Trombley / Steve Trombley**
Construct single-family house with associated site improvements. (Project Manager, Ryan Morrison)

V. Sketch Plan

- 1. ZSP-22-7; 52 Institute Road (RCO-RG, Ward 4N) City School Department / Administrative Offices/EED / Joe Weith**
Demolish existing high school and technical center and construct new 268,500 square foot high school and technical center. (Project Manager, Mary O'Neil)

VI. Adjournment

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Department of Permitting and Inspections

Zoning Division

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William Ward, Director
Theodore Miles, Code Compliance Officer
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Joseph Cava, Planning Technician
Celeste Crowley, Permit Administrator



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: September 6, 2022

RE: ZSP-22-7; 52 Institute Road (BHS BTC)

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



View along Institute Road (foreground)

File Number: ZSP-22-7

Zone: I (Institutional Core Campus Overlay District – Burlington High School Campus)

Ward: 4

Date application submitted to Open Gov: August 5, 2022

Applicant/ Owner: Joe Weith, White & Burke / Burlington School District

Request: Sketch Plan Review: Demolish existing high school and technical center and construct a new 268,500 square foot high school and technical center.

Background:

- **Zoning Permit 21-0583CA;** Expansion and renovation of Burlington High School and Burlington Technical Center. Request for a parking waiver and a five year project timeline. February, 2021.
- **Zoning Review 20-0194SP;** Sketch Plan review for renovations to BHS. September 1, 2020.
- **Zoning Permit 15-0982CA;** addition of storage shed. April 2015.
- **Zoning Permit 13-0291CA;** installation of rooftop condensing units on Buildings A and B. June 2013.
- **Zoning Permit 13-1037CA;** replace existing HVAC system with new heat pump system and condenser on roof of Building A. May 2013.
- **Zoning Permit 13-0053CA;** install new shed in north east portion of property. July 2012.
- **Non-Applicability of Zoning Permit Requirements 12-0558NA;** installation of photovoltaic system, Certificate of Public Good. November 2011.
- **Zoning Permit 11-1123CA;** install condensing unit on the side of F building at BHS. July 2011.
- **Zoning Permit 10-0850CA;** two new Energy Recovery Units on roof of A Building at Burlington High School. June 2010.
- **Zoning Permit 09-616CA;** Renovations to existing press box including new membrane roof covering, roof access hatch, ladder, and safety rail. March 2009.
- **Zoning Permit 09-321SN;** Electronic sign to be added to previously approved sign. October 2008.
- **Zoning Permit 09-241CA;** Relocate solar array from building side to flat roof of building with new rack mounting structure. September 2008.
- **Zoning Permit 09-137SN;** freestanding sign for Burlington High School. August 2008.
- **Zoning Permit 08-549SN;** one freestanding, internally lit, metal sign for Burlington High School. Application **denied**, February 2008.
- **Zoning Permit 06-457CA;** construction of 3,200 square foot building to house wood chip boiler system for existing high school. March 2006.
- **Zoning Permit 06-452CA;** redevelopment of high school athletic fields, parking, new service and entrance buildings and new sewage pump station. February 2006.
- **Zoning Permit 05-305CCA;** amended plan for building-mounted solar panels at BHS. Reduction from six panels to four. Child of permit 05-058CA. November 2004.

- **Zoning Permit 05-058CA;** Install 6 solar panels attaching to a pole located approximately 35 ft. off the SE corner of building A. July 2004.
- **Zoning Permit 04-723CA;** remove old green house. Enclose with walls, new roof and windows. July 2004.
- **Zoning Permit 00-028;** Installation of two metal halide flood lights on existing poles to illuminate the existing press box for the high school athletic field. July 1999.
- **Zoning Permit 99-186;** Amend previously approved bleacher system at the Burlington High School track to include a press box. October 1998.
- **Zoning Permit 98-305;** Replace existing steel and wood bleachers with new on the east and west sides of the Burlington High School track. Proposal includes installation of a slab on the east side (Portable units on the west). January 1998.
- **Zoning Permit 98-074;** Installation of a handicapped access ramp on the front of the existing Burlington high school. Materials to be painted metal (Dark green and concrete). August 1997.
- **Zoning Permit 97-033;** Add nonilluminated message board section under the existing freestanding sign for Burlington High School. Location on North Avenue and height and overall size to remain the same. July 1996.
- **Zoning Permit 87-678 / COA 87-215;** building three bay one-story garage for storage of aircraft parts for school program. January 1988.
- **Zoning Permit 87-320;** change an existing window on west side to exterior door to provide egress to new classroom. June 1987.
- **Zoning Permit 82-435;** construct bus shelter on the site of a removed bus shelter. September 1982.

Overview: A zoning permit was approved in February 2021 to allow renovation and expansion of Burlington High School; however after high levels of polychlorinated biphenyls, or PCBs were identified within building materials, students were moved to a former department store downtown, and technical classes dispersed throughout the city. Burlington School District now seeks approval for demolition of the existing high school, and construction of a new high school / technical center on the existing site.

The project development is subject to limited municipal review per **VSA §4413:**

Limitations on municipal bylaws

- (a) *The following uses may be regulated only with respect to **location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements**, and only to the extent that regulations do not have the effect of interfering with the intended function use:*
- (1) ***State or community owned and operated institutions and facilities.***

(2) Public and private schools and other educational institutions certified by the state department of education.

A zoning amendment (ZA 22-05) relative to re-zoning the site as an Overlay within the Institutional Zoning District was warned July 28, 2022 and adopted August 15, 2022. The Zoning District is now Institutional Core Campus Overlay (ICC-BHS).

I. Findings

Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

Per this standard, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. There are a number of zoning permits that require Certificates of Occupancy:

ZP-13-456 17126 – PROJECT...	Zoning Permit	Jun. 21, 2013	ACTIVE
ZP-13-289 17612 – PROJECT...	Zoning Permit	May. 1, 2013	ACTIVE
ZP-12-515 15407 – PROJECT...	Zoning Permit	Jul. 17, 2012	ACTIVE
ZP-11-436 26399 – PROJEC...	Zoning Permit	Jun. 28, 2011	ACTIVE
ZP-09-102 13919 – PROJECT...	Zoning Permit	Mar. 17, 2009	ACTIVE
ZP-08-589 13660 – PROJECT...	Zoning Permit	Oct. 7, 2008	ACTIVE
ZP-08-529 3261 – PROJECT_...	Zoning Permit	Sep. 15, 2008	ACTIVE
ZP-08-455 5338 – PROJECT_...	Zoning Permit	Aug. 13, 2008	ACTIVE

Affirmative finding as conditioned.

Article 3: Applications, Permits and Project Reviews

Section 3.2.1 Preapplication Conferences

(c) Sketch Plan Review:

This is Sketch Plan Review, in anticipation of a full application thereafter.

Section 3.2.3 Modification of Submission Requirements

Either the DRB or the administrative officer may require the submission of additional information when deemed necessary to make a decision on the zoning request in a timely manner. Such additional information may include but is not limited to the following:

8. Phasing schedule;

A zoning permit has a typical three year life span. If the applicant team desires a longer development period, a phasing schedule may accompany their application. This request should define the intended project segments and anticipated timing of each, which will, if approved by the DRB, allow for individual Certificates of Occupancy as each is completed.

Affirmative finding if conditioned.

Part 3: Impact Fees

Section. 3.3.2 Applicability

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

The proposed new gross area is subject to Impact Fees, unless it is determined that it meets an identified exemption. Staff will calculate those fees as appropriate based on the gross new floor area, with a credit for the building area lost to demolition. **Affirmative finding as conditioned.**

Part 5: Conditional Use and Major Impact Review

Section 3.5.2 Applicability

(b) Major Impact Review:

Major Impact Review shall be required for the approval of all development involving any one or more of the following:

Institutional: A development footprint of twenty thousand (20,000) s.f. or more, or the creation of forty thousand (40,000) s.f. or more of gross floor area.

Sec. 3.5.3 Exemptions

Major Impact Review shall not be required for applications involving one or more of the following:

(e) Projects where the scope and authority of municipal regulation is limited by statute pursuant to 24 VSA 4413.

Development at Burlington High School is exempt from Major Impact Review under

§ 4413. Limitations on municipal bylaws:

*(a) The following uses may be regulated only with respect to **location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements**, and only to the extent that regulations do not have the effect of interfering with the intended functional use:*

(1) State- or community-owned and operated institutions and facilities.

(2) Public and private schools and other educational institutions certified by the state department of education.

Affirmative finding.

Article 4: Zoning Maps and Districts

Section 4.4.4 Institutional District

(a) *The Institutional District (I) as illustrated in Map 4.4.4-1 allows for increased development scale and intensity than would typically be found in the adjacent residential districts to support continued growth and flexibility of the city's major public and higher education and health care institutions within their respective institutional missions. New development is intended to be sensitive [to] the historic development pattern of the existing campuses as well as the surrounding residential neighborhoods.*

The district is intended to support a broad range of related uses reflecting the residential institution's roles as either regional education, healthcare, cultural and research centers or municipal educational facilities. Buildings should be designed with a high level of architectural detailing to provide visual interest and create enjoyable, human-scale spaces. Sensitive transitions between adjacent lower scale residential and open space areas and larger scale institutional development should be provided. Sites should be designed to be pedestrian friendly and encourage walking between buildings. Where parking is provided onsite, it is intended to be hidden behind, to the side, within, or underneath structures.

Section 4.5.2 Institutional Core Campus Overlay Districts

(b) Areas Covered

6. *Burlington High School Campus (BHS) is intended to provide for increased development scale and intensity than would typically be found in the adjoining and underlying districts to facilitate the long-term use of this site as the city's public high school, and a hub of educational and athletic uses and other district services. Buildings are designed with architectural detailing to provide visual interest and create an enjoyable human-scale experience, both within its internal*



circulation and in relation to the surrounding neighborhood, with the majority of parking to be located behind, to the side, within or underneath structures particularly with respect to frontage along North Avenue. Development should reflect the district's core educational values in both design and quality.

(h) District Specific Regulations: Burlington High School Campus (BHS)

1. Lot Coverage

Maximum lot coverage shall be applied to the aggregate of all lots located within the ICC-BHS District. Lot coverage shall not exceed 60%.

The proposed lot coverage for both parcels combined (north and south sides of Institute Road) is 27.35%; far less than the 60% lot coverage limitation. **Affirmative finding.**

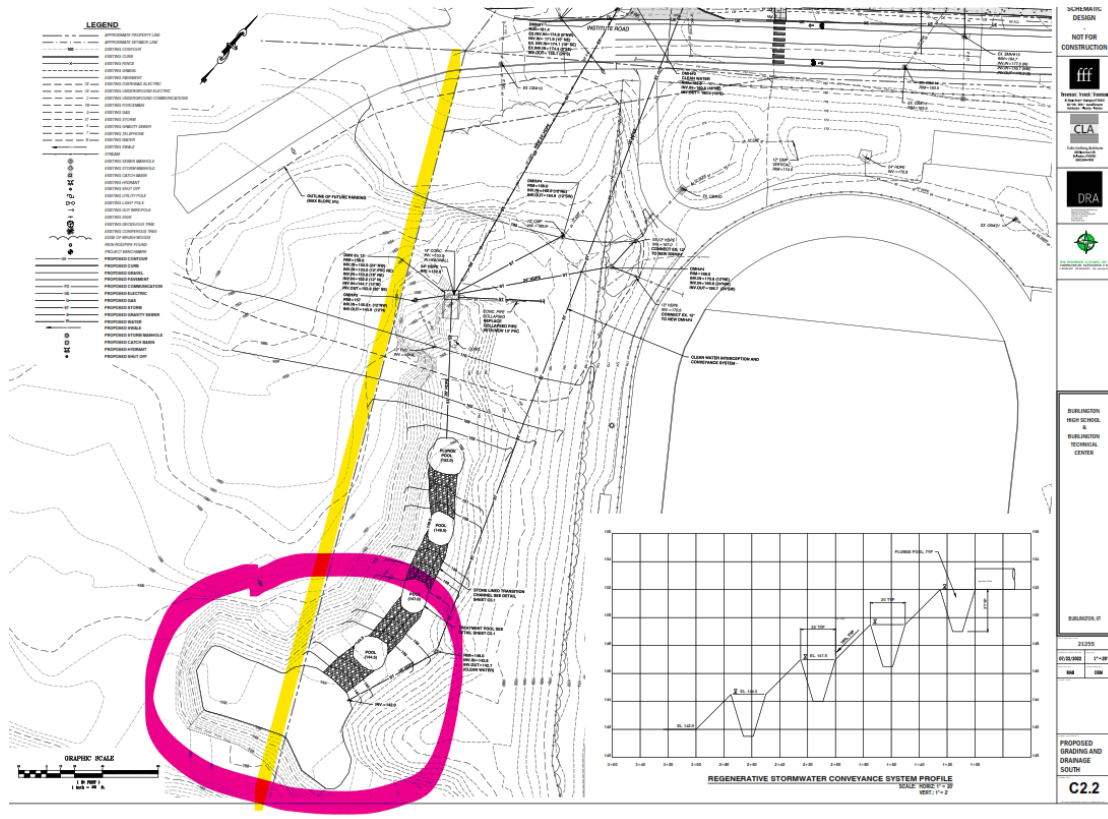
2. Setbacks

A minimum 20 ft front yard setback shall be applicable along North Avenue, and a 20 ft. minimum front yard setback along Institute Road. A minimum side setback of 10ft and a minimum rear setback of 20 ft shall apply only along the perimeter of the ICC-BHS District.

The proposed setback from North Avenue is 280 feet, and 120 feet from Institute Road. The irregular parcel boundaries of the two distinct lots create unique side/rear boundaries. With front yard setbacks defined, and the remaining perimeter boundaries of the overlay, there are no rear yard setbacks. All buildings are placed the minimum 20' for Front Yard and Perimeter setback requirement.



The proposed stormwater structure crosses the property boundary line onto the city-owned North Beach parcel. Either stormwater infrastructure must be limited to the parcels under review, or additional permitting for abutting properties shall accompany this application. For permanent infrastructure, an easement may be required.



Affirmative finding as conditioned.

3. Building Height

Building Height shall be measured under the provisions of Article 5. Building Height within the ICC-BHS shall not exceed:

- 60 ft for buildings or portions of buildings within 100 ft from the property line along North Avenue.
- 80 ft. for buildings or portions of buildings more than 100 ft. from the property line along North Avenue.

The maximum height along the elevation facing North Avenue (i.e.east elevation) is 57'. The maximum height along the elevation facing Institute Road (i.e.south elevation) is 62'11". The maximum building height along both elevations is well below the maximum allowed height. **Affirmative finding.**



4. Uses

Within the ICC-BHS district, School-Post Secondary & Community College, School-Secondary, School-Primary, School-Preschool (see Section 5.4.1) and School-Trade or Professional are permitted. When part of the educational program associated with a School Use or when hosted within a School facility, the following uses are also permitted:

<u>Permitted Uses:</u>	
<u>Automobile Body Shop</u>	<u>Museum Small</u>
<u>Automobile/Vehicle Repair</u>	<u>Museum Large</u>
<u>Café</u>	<u>Performing Arts Center</u>
<u>Community Center</u>	<u>Performing Arts Studio</u>
<u>Community Garden</u>	<u>Recreational Facility- Indoor</u>
<u>Conference Center</u>	<u>Recreational Facility- Outdoor</u>
<u>Composting</u>	<u>Recycling Center- Large</u>
<u>Daycare (See Sec. 5.4.1)</u>	<u>Recycling Center- Small</u>
<u>Health Club</u>	<u>Research and Development Facility</u>
<u>Library</u>	<u>Research Lab</u>
	<u>Park</u>

As would typically be understood, the redeveloped school will include a library, a 750 seat Auditorium/ performance space, a 12,000 sf gymnasium plus a 5,500 sf community gym, athletic facilities (including outdoor recreational facility with seating, and multiple technical / training program spaces. All are permitted uses in this ICC-BHS overlay. **Affirmative finding.**

Article 5: Citywide General Regulations

Section 5.1.1 Uses

Previous to Zoning Amendment ZA 22-05, School-Secondary and School-Technical were not permitted uses in the RCO-RG zoning district. As the use was pre-existing / non-conforming, it was allowed to continue.

As a result of the amendment that re-zoned the BHS parcel, Post Secondary & Community College, School-Secondary, School- Primary, School-Preschool and School-Trade or Professional are permitted. Additionally, all uses listed in the above table are permitted uses.

Affirmative finding as conditioned.

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2 Required Frontage or Access

52 Institute Road has frontage on both North Avenue and Institute Road, with vehicular access from the latter. The primary façade will front Institute Road, however the North Avenue elevation presents a distinct and welcoming expression. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

See Section 4.5.2 (h) 1, above.

Section 5.2.4 Buildable Area Calculation



(a) For any properties two (2) or more acres in size within any RCO, WRM, RM, WRL, or RL zoning district, the maximum building density or lot coverage shall be calculated using the buildable area only. With a change of zoning district to Institutional (ICC-BHS), this standard no longer applied. Not applicable.

(b) **Steep Slopes Overlay District** (As adopted by City Council August 15, 2022)

This overlay district consists of all lands delineated in Map 5.2.4-1 – Steep Slopes Overlay District. This overlay district contains expanses of contiguous land with an average slope of 15% or greater over 50-foot intervals and adjacent lands within 50 feet of the top of slope.

The boundaries shown on the Steep Slopes Overlay Map may be supplemented or modified by examination of one or more of the following sources by the Development Review Board whenever an application is submitted for review.

- Contour maps prepared from the most current orthophotography.
- On-site survey prepared by a registered professional engineer or surveyor.

The Zoning Administrative Officer or Development Review Board shall determine whether or not the Steep Slope Overlay District has been shown accurately on the application plans. The applicant may be required to revise the steep slope boundaries shown on the application plans.

The burden of proving the correct boundary shall be on the applicant, supported by engineering and/or surveying data or mapping.

1. District Specific Regulations

- A. The Steep Slope Overlay District shall be an overlay on all zoning districts. The regulations in the overlay are in addition to those regulations of the underlying zoning district.*
- B. These regulations apply to applications within the Overlay District that include 400 square feet or more of earth disturbance.*
- C. Finished slopes of all cuts and fills shall not exceed 30%, unless the applicant can demonstrate that steeper slopes can be stabilized and maintained adequately to the satisfaction of the ZAO or DRB in consultation with the City Engineer.*
- D. Any fills placed on a steep slope shall be properly stabilized and, when necessary, supported by retaining walls or other appropriate measures as approved by the ZAO or DRB in consultation with the City Engineer.*
- E. Finished grades shall be reasonably safe from slide, collapse, or similar failure as determined by the ZAO or DRB in consultation with the City Engineer.*

2. Additional Application Requirements

- A. A site plan prepared by a registered professional engineer or surveyor that accurately depicts the proposed development and related land disturbance relative to the Steep Slope Overlay District boundaries, with all pertinent information describing the proposal, and a topographical survey depicting existing and proposed contour lines at no greater than 2-foot intervals. The plan shall depict all proposed cut, fill, and grading.*
- B. A plan depicting the extent of proposed vegetation clearing.*

3. Approval Condition

- A. Prior to construction, the applicant shall provide a geotechnical analysis prepared and stamped by a professional geotechnical engineer that determines the suitability of the steep slope for development.*



The BHS Campus includes areas identified on the Steep Slopes Overlay Map. If development falls within the areas identified (including adjacent lands within 50' of the top of the slope), a geotechnical analysis is required to confirm the suitability of the slope for redevelopment.

Affirmative finding as conditioned.

Section 5.2.5 Setbacks

See Section 4.5.2 (h) 2, above.

Section 5.2.6 Building Height Limits

See Section 4.5.2 (h) 3, above.

Section 5.2.7 Density and Intensity of Development Calculations

The Institutional Zoning District has a density limitation of 20 dwelling units/acre (Table 4.4.4-1). There is no specific density or intensity of development provision provided under the ICC-BHS overlay. No dwelling units are proposed. **Affirmative finding.**

Part 3: Non Conformities

With warning and adoption of ZA 22-05, the existing non-conformities of use and general dimensional standards of the zoning district have been eliminated. The new structure conforms to the use and dimensional standards provided for with the rezoned parcel and as defined in the amendment (ZA22-05). **Affirmative finding.**

Section 5.4.8 Historic Buildings and Sites

Not applicable.

Section 5.4.9 Brownfield Remediation

Extensive testing of building materials and soils for hazardous materials has been conducted on the property. Hazardous materials have been detected on site including asbestos, lead, PCBs, and polyaromatic hydrocarbons (PAHs) in the soils that exceed EPS and VTDEC standards. Remediation of hazardous materials will consist of the following:

- Accessible asbestos containing materials (ACM) will be removed prior to demolition of the buildings.
- Buildings A – G will be abated prior to demolition activities.
- The entire buildings will be demolished and disposed of as PCB bulk product
- Site Investigation Report for hazardous building materials (PCBs) to be approved by VTDEC Sites Management Section (SMS).
- Site Investigation Report for soil materials to be approved by VTDEC SMS.
- Compliance with Vermont Department of Health lead and ACM regulations.
- Corrective Action Plan (CAP) for hazardous building materials (PCBs) and soil remediation to be approved by VTDEC SMS. This includes public notice and final decision.
- Corrective Action Construction Completion Report to be prepared for completed hazardous building materials (PCBs) and soil remediation.
- Performance based disposal of PCBs in accordance with the EPA 40 CFR section 761.61(b). This includes proper EPA notification and closure requirements.

Affirmative finding as conditioned.

Part 5: Performance Standards

Section 5.5.1 Nuisance Regulations

The proposed project will continue the existing use; however in more energy efficient buildings with upgraded infrastructure and improved pedestrian and vehicular parking facilities. No additional nuisance impacts are anticipated. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

A lighting plan will need to be submitted for review under the standards defined in this Section. That plan should include fixture information, a lighting plan, and photometrics. **Affirmative finding as conditioned.**

Section 5.5.3 Stormwater and Erosion Prevention

At Technical Review, a water resources representative recommended distributed stormwater management design, rather than all in one place. There was also a suggestion to incorporate a “blue” roof. A Stormwater and Erosion Prevention plan will need to be submitted for review by the Stormwater engineering division. Their written approval will be a condition of any permit.

Affirmative finding as conditioned.

Section 5.5.4 Tree Removal

At the previous BHS renovation review, the Gilman and Briggs Environmental Plan offered this: *The proposed project, which has been modified from the plan of August 2019, will impact none of the Dry Oak-Maple-Limestone Forest except an extremely small area at the east end of the proposed Building B and the existing Building C, for installation of a water line. ...I recommend that the forest edge be avoided as much as possible, and that tree-cutting be minimized.* The area

of the existing Building C, which will be removed, will be regraded and returned to a vegetated condition. With these considerations, I believe the Project will not have an undue adverse impact on the natural community and its composition through the rest of the site.

The applicant is encouraged to update and revise as necessary any submission relative to the northerly forest land and impacts anticipated from the redevelopment.

The application will be reviewed by the Conservation Board. **Affirmative finding as conditioned.**

Article 6: Development Review Standards

Part 1: Land Division Design Standards

No land division is proposed. Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

A study was commissioned of Gilman and Briggs Environmental Consultants and provided in an earlier application. This analysis included a list of identified plant and tree species, with mapping to indicate both rare and endangered species. The ultimate examination resulted in a determination of no impact relative to the area of (then) construction, a recommendation to limit tree clearing, and a return to a vegetative state within the outline of C Building. The applicant will need a revised assessment of impacts to natural areas, a tree removal plan, and more information about intended site landscaping. See information about steep slopes under 5.2.4 (b), above. **Affirmative finding as conditioned.**

(b) Topographical Alterations:

Overall, the introduction of stormwater features (gravel wetlands) will result in site modifications. **Affirmative finding.**

(c) Protection of Important Public Views:

There are no protected views from or through this site. Not applicable.

(d) Protection of Important Cultural Resources:

Not applicable.

(e) Supporting the Use of Renewable Energy Resources:

The redevelopment plan intends to achieve LEED Silver status.

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

(f) Brownfield Sites:

The site is not listed on the Vermont DEC list of identified Brownfields. Recent site analysis has determined the presence of site contamination, which will be addressed within this project. The applicant shall define specific steps within the demolition scope of this application to ameliorate site materials and conditions, toward creating a Corrective Action Plan in step with Vermont DEC review. **Affirmative finding as conditioned.**

(g) Provide for nature's events:

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

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

The narrative defines the introduction of Stormwater Treatment; however the structure crosses a parcel boundary. Water Resources personnel recommends a dispersal of stormwater infrastructure across the site, rather than one large structure.

The project will be required to satisfy all Chapter 26 requirements, with written approval of the City Stormwater program.

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

Improvements to building entrances will assure enhanced shelter for students and staff. Burlington School District maintains an active snow removal program for all their facilities. **Affirmative finding as conditioned.**

(h) Building Location and Orientation:

The building will continue to front Institute Road, with enhanced building elevation design to create a street face toward North Avenue. Additionally and due to the location of parking,

another defined front is proposed on the north elevation. Redevelopment will continue to emphasize and enrich the existing orientation to the street. **Affirmative finding.**



North elevation, BHS proposed

(i) Vehicular Access:

Normal access will continue as existing off Institute Road, with both a drop-off arc in front of the school (Institute Road) and an extended access northward for entrance to BTC, surface parking and bus turnaround. **Affirmative finding.**

(j) Pedestrian Access:

Much greater circulation will be afforded with the plan, Pedestrian paths original off North Avenue in several locations; leading students/staff to either the rear (north) access or the south (Institute Road) entrance. Paths circle the site, connecting to the BTC entrance on the west, the parking areas, and greenhouse. **Affirmative finding.**

(k) Accessibility for the Handicapped:

A principal accomplishment of this redevelopment is to achieve access throughout the complex and across the campus. 10 HCParking is provided in the top two surface parking lots, and one near the (Institute Road) main entrance. As a central entrance, another accessible space seems appropriate.

There are no accessible parking spaces at the BTC entrance, and should be considered. Overall ADA access compliance is under the jurisdiction of Burlington's building inspector.

Affirmative finding as conditioned.

(l) Parking and Circulation:

No changes are proposed to the student lot(s) across Institute Road.

The north parcel (52 Institute Road) proposes 352 permanent parking stalls. Utilizing the amended Parking Standards warned under ZA-20-04¹, the proposal acknowledges a maximum parking limitation of 1,275 spaces. (See Exhibit A.) The proposed parking falls within allowable limits.

Section 4.4.4 states: *Where parking is provided onsite, it is intended to be hidden behind, to the side, within, or underneath structures.*

The parking on the south side of Institute Road is not proposed to be altered.

New surface parking at 52 Institute Road (north side of Institute Road) is proposed to the rear of the building (side of BTC). There are a limited number of parking spaces in the entrance arc along Institute Road; these are intended for short term and visitor parking. These parking spaces do not adhere to the *behind/next to/underneath* guidance, there is some facility to be considered relative to proximity to the use. Handicap accessible parking is understandable; the DRB may discern the necessity of the plan which features 20 parking places in front of the building. Elimination of all but accessible spaces is recommended.

A loading dock is noted on the west elevation, near the BTC entrance.

As now within the Multi Modal Mixed Use Parking District, a Transportation Demand Management Plan will be required.

Affirmative finding as conditioned.

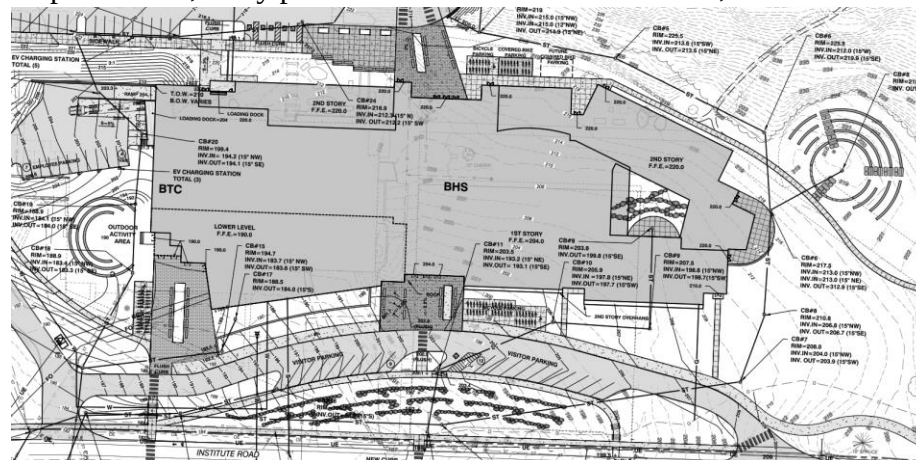
(m) Landscaping and Fences:

The applicant has offered to submit an updated version of the Gilman & Briggs plan relative to impacts to the natural areas. A site landscaping plan will be required.

Affirmative finding as conditioned.

(n) Public Plazas and Open Space:

There are several areas of existing and proposed gathering space, including two outdoor amphitheatres, entry plazas on both the north and south, and areas surrounding bicycle parking facilities.



. . Reference is made to Plans C2.0 and C2.1. Of course the existing athletic fields on the south side of Institute Road satisfy the need for active Open Space.

Affirmative finding.

¹ The City Attorneys' office advises that any project approved/permit issued under a pending zoning amendment warned by the City Council should be approved/issued conditioned upon the approval of the proposed bylaw.

(o) Outdoor Lighting:

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

An outdoor lighting plan, including fixture information, illumination levels, and a photometric plan will be required for a final application. **Affirmative finding as conditioned.**

(p) Integrate infrastructure into the design:

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

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

An existing greenhouse will be relocated to a retaining building foundation on the west. With an earlier review, underground electrical was included. The applicant shall confirm, and provide a defined utility plan.

Dumpsters appear to be located on the west near a loading dock. Any solid waste storage must be contained on all sides and covered to prevent blowing trash.

Affirmative finding as conditioned.

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

State Statute §4413 Limits Municipal Review per the following:

§ 4413. Limitations on municipal bylaws

*(a) The following uses may be regulated only with respect to **location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements**, and only to the extent that regulations do not have the effect of interfering with the intended functional use:*

(1) State- or community-owned and operated institutions and facilities.

*(2) **Public and private schools and other educational institutions certified by the state department of education.***

(3) Churches and other places of worship, convents, and parish houses.

- (4) *Public and private hospitals.*
- (5) *Regional solid waste management facilities certified under 10 V.S.A. chapter 159.*
- (6) *Hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. § 6606a.*

(a) Relate development to its environment:

1. Massing, Height and Scale:

The proposed redevelopment of Burlington High School / Burlington Technical Center is typical in scale, massing and height of institutional buildings. Absent the buildings to be removed, athletic accessory structures and the wood chip facility, there are no other structures on the parcels. **Affirmative finding.**

2. Roofs and Rooflines.

Not applicable per § 4413. **Limitations on municipal bylaws.**

3. Building Openings

Not applicable per § 4413. **Limitations on municipal bylaws.**

(b) Protection of Important Architectural Resources:

Not applicable.

(c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:

Not applicable per § 4413. **Limitations on municipal bylaws.**

(e) Quality of materials:

Not applicable per § 4413. **Limitations on municipal bylaws.**

(f) Reduce energy utilization:

The BHS/BTC project is registered as a LEED project. Additionally, Burlington School District is attempting to qualify for certification under CHPS; *Collaborative High Performance School Standards*.

From the submission narrative: *The new BHS/BTC building will use a renewable primary heating system as required by Burlington Ordinance Chapter 8 Article 5. The building's heating, cooling and domestic hot water will be provided by electric heat pumps connected via heat exchanger to an open-loop ground source (i.e. geothermal) heat pump loop. This system is designed to provide all anticipated heating and cooling needs for the project. The proposed system is based upon the confirmation of substantial water flows on site from a test well and design phase energy modeling of the building. The building enclosure performance will exceed VT CBES 2020 standards, with a particular focus on air tightness. Building and equipment performance values have been optimized through the energy modeling process.*

The roof is arranged and structured to support solar photovoltaic arrays and infrastructure will be put in place to support the BSD's plan to arrange for installation of solar PV by a third-party on the buildings' roof through a power purchase agreement.

Affirmative finding.

(g) Make advertising features complementary to the site:

Any signage will require a separate sign permit.

(i) Make spaces secure and safe:

Improved staff and student safety is core to the project. The inclusion of automatic sprinkler system throughout the complex, an addressable fire alarm system, new lighting, ventilation, and improved traffic circulation and parking are all identified as safety improvements. Additionally, the site has been designed to optimize circulation for emergency vehicle access as well as first responder entrances with a stretcher-sized elevator; significantly advancing site safety. The development is obligated to meet all applicable building and life safety code per the guidance of Burlington's building officials and fire marshal. **Affirmative finding as conditioned.**

Article 8: Parking

Zoning Amendment ZA-22-05 re-assigned the parcel to the Multi Modal Mixed Use Parking District.

As provided in Exhibit A – Parking Table, the maximum allowed number of parking spaces is 400 spaces (based on classrooms; 80 x 5); but the additional uses individually identified as

Vehicle Parking			
Maximum Parking Standard			
Use	Max Parking Standard	Proposed Metric	Max Parking Allowed
School Secondary	5 per Classroom	80 classrooms	400
Performing Arts Center	1 per 4 seats	750 seats	188
Recreational Facility - Outdoor Commercial	1 per 4 seats	1,000 seats	250
Recreational Facility - Indoor (Gym & Community Gym)	1 per 4 seats	1,750 seats	438
Total Max Parking Allowed			1276
Proposed Parking			
Type	No. of Spaces		
Permanent Spaces	352		
Overflow Event Parking	TBD		
Total Parking Spaces Proposed	TBD		

associated with the secondary school could conceivably increase the maximum parking allowance to 1,275. The 352 parking spaces proposed, however, are compliant with the individual maximum allowance for Secondary School use.

The school district is interested in identifying a location for overflow event parking that would be utilized occasionally to handle large events such as state championship sport events at the complex, graduation within the gymnasium and regional performances in the auditorium. While the applicant is analyzing a suitable location and subsurface material to support parking on green space, a parking management plan (within the required TDM) could create both a shared-use system between abutting property owners (i.e. use of parking at North Beach, or other parking areas not in service at the time of scheduled events) coupled with a shuttle service to deliver attendees on such occasions. Reference is made to 8.1.15 (b) for **Shared Parking for Off-Site Use**. A shared use parking plan would be preferred over establishing parking on green space, even if structural support is proposed. **Affirmative finding as conditioned.**

Sec. 8.1.16 Transportation Demand Management

(a) **Purpose:** *This section requires the implementation of a Transportation Demand Management (TDM) Program for certain projects for the purpose of advancing the goals of the City's land use and transportation plans, and promoting public health, safety, welfare, and protection of the environment by:*

- *Reducing parking demand;*
- *Reducing car ownership;*
- *Reducing vehicle miles traveled (VMT) and congestion; and,*
- *Increasing transit use and non-motorized travel;*

(b) **Applicability:** *A Transportation Demand Management Program shall be required for all projects located in the Multimodal Mixed Use Parking District (see Sec. 8.1.3(c)), and involving any one or more of the following:*

Dwelling Units	Creation of ten (10) or more dwelling units
Non-residential or Mixed Use Development	A building footprint of eight thousand (8,000) s.f. or more; or, the creation of fifteen thousand (15,000) s.f. or more of gross floor area.

For the redevelopment of BHS/BTC, a TDM is required.

(b) **Transportation Demand Management (TDM) Program:** *A TDM Program shall include each of the following elements at a minimum:*

a. **Outreach and Education:**

- i. *Designation of a Transportation Coordinator who directly, or indirectly through membership in a Transportation Management Association, shall be responsible for each of the following:*
 1. *Prepare and present informational and educational materials regarding available TDM strategies to all tenants and employees;*
 2. *Organize and host an annual meeting for all tenants and employees to present and discuss available TDM strategies, and opportunities for increased use and participation;*
 3. *Preparation and dissemination of an annual travel survey of all tenants and employees; and,*
 4. *Record-keeping and annual reporting to City of all TDM activities offered and rates of participation (including parking utilization if applicable).*

Burlington School District will be required to identify a Transportation Coordinator to complete the tasks defined, and complete annual reporting. These steps shall be more fully articulated in a final application with TDM.

- b. **TDM Strategies:** *In addition to compliance with the on-site Bicycle Parking requirements found in Article 8, Part 2, the following TDM strategies shall also be included at a minimum for a period of 10 years from receipt of a Certificate of Occupancy as follows:*
 - i. *GMT Transit passes shall be provided to all tenants and employees for free for the first year of occupancy or employment, and at a minimum discount of 50% for every year thereafter; and,*
 - ii. *A car share membership shall be offered to all tenants and employees for free for the first two years of occupancy or employment, and at a minimum discount of 50% for every year thereafter; or,*
 - iii. *In lieu of i and ii above, maintain an ongoing and active membership in a Transportation Management Association (TMA) that offers equivalent TDM strategies or better.*

Burlington School District has an ongoing relationship with Green Mt. Transit for neighborhood transportation routes. CarShare, if considered, would only be applicable to employees and staff. Alternately, equivalent TDM strategies may be identified, and articulated within a final TDM.

- c. **Parking Management:** *Where on-site or off-site parking is also made available:*
 - i. *Conduct parking utilization studies at least annually for a period of 10 years from receipt of a Certificate of Occupancy;*
 - ii. *With the exception of permanently affordable housing units, the cost of parking shall be un-bundled from all residential and non-residential leases and deeds and made available at a market rate;*

- iii. *Where parking spaces are made available to off-site users, parking spaces may be made available by a renewable lease, provided the term of any lease does not exceed one (1) year; and,*
- iv. *Priority parking spaces - located in closest proximity to a primary building entrance and/or public street frontage - shall be made available for each of the following:*
 - 1. *Handicapped spaces;*
 - 2. *Bicycles, scooters, and motorcycles spaces;*
 - 3. *Car-share: where 1 space must be offered for every 20 residential units, not to exceed a total of 5 spaces, subject to an agreement with a car-share provider; and,*
 - 4. *Carpool and/or Vanpool vehicles: where more than 20 spaces are available for non-residential uses. In such cases, 5 spaces or 5% of the parking spaces on site, whichever is less, must be reserved for carpool/vanpool use before 9:00 AM on weekdays.*

Subsections ii., iii and iv 3. are not applicable for this redevelopment. (c) i. is required; iv. 2 is met. One van space is identified near the BTC entrance (Plan C2.1); however that is likely associated with delivering students to job sites. 5 carpool spaces are illustrated, as well, on Plan C2.1 (north parking area, near entrance plaza.) The applicant's final submission shall define compliance with each standard.

- d. **TDM Agreement:** *Each TDM Plan shall include a signed commitment to and acknowledgement of each of the following on a form provided by the Administrative Officer:*
 - i. *Commitment to ongoing implementation of the TDM requirements as set forth above;*
 - ii. *Acknowledgement that the project has no claim to the ongoing availability of nearby on-street public parking, and that, as is the case with other on-street public parking, the City retains the right to charge for or remove such on-street parking at any time;*
 - iii. *Acknowledgement that failure to maintain transportation demand management as required above is a violation of this ordinance, and understanding that, pursuant to Sec. 2.7.8 of this ordinance, no zoning permit or certificate of occupancy may be granted until any such violation has been remedied; and,*
 - iv. *Commitment to notify any subsequent owners and tenants in writing of their obligations under this section as part of any purchase and sale and/or lease agreements.*

Review and Enforcement: *The Administrative Officer shall be responsible for determining compliance with the TDM Program requirements as set forth above, and*

ongoing implementation shall be included as a condition of any discretionary or administrative permit required for development subject to the conditions of this Section.

Failure to maintain a TDM Program as required above shall be a violation of this ordinance, and pursuant to Sec. 2.7.8 of this ordinance no zoning permit or certificate of occupancy may be granted without a TDM Program in effect.

Affirmative finding as conditioned.

Part 2: Bicycle Parking

Section 8.2.2

Bicycle parking requirements as set forth in this subpart shall apply to new development, changes in land use, and changes to a structure that cause an increase or decrease of 25% or greater in gross floor area, seating capacity, or number of dwelling units.

The new school facility will introduce 268,500 sf of new development.

In the 2021 review, Burlington School District estimated future capacity at 1,276 students and 190 staff (1,466 total).

The requirement is:

Schools (6-12th grade) 1/20,000 sf plus 1/10 student population (Long Term) and
4/classroom (short term)

Rough staff calculations based on applicant estimates are:

13 (268,500/20,000) + 128 (1,276/10) = 141 Long Term and

320 (4 x 80 classrooms) (Short term) for a total of 461 bike parking space.

The applicant team is not prepared to estimate student/staff population at this time; but gives a rounded estimate of 80 classrooms. Anticipated population and classroom count are essential to calculate required bicycle parking, and will need to be provided in the final application.

The applicant provides the following information for re-consideration of a bike parking waiver: *While the plans currently show **243 bicycle parking spaces**, the District and design team are still assessing the number of long term and short term spaces that would be appropriate for a school of this size. The 243 spaces currently shown are based on a recommendation put forth by the City DPW for the ReEnvision project (see attached memo dated 1/29/21). The Collaborative for High Performance Schools (CHPS) recommends 1.5 bike parking spaces per 10 students (see attached CHPS Criteria Interpretation) which would require 115 bike parking spaces (using a “design enrollment” of 1,150 students). Furthermore, LEED recommends 2.5% of all building occupants for short term bike parking and 5% for long term parking. If we were to assume 1,400 building occupants, the LEED standards would require 105 bike spaces (35 short term and 70 long term).*

*While the **CDO requires a minimum of 128 long term** [this omits the 1/20,000 sf requirement] **and 320 short-term spaces (448 total bicycle parking spaces)**, we believe somewhere between 105 to 243 bicycle parking spaces will be more than enough to adequately serve a school of this size.*

Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

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

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

William Ward, Director
Theodore Miles, Code Compliance Officer
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Joseph Cava, Planning Technician
Celeste Crowley, Permit Administrator



Bicycle parking is illustrated as distributed across the campus; at main entrances (two areas of substantial bike parking on both Institute Road entrance locations, at the north plaza entrance and two areas of covered bike parking adjacent to those. During the 2021 BHS application review, DPW requested that the DRB require **243 bike parking spaces**, including 77 long term spaces and 166 short-term spaces as student capacity is not increasing.

The DRB approved that bicycle parking waiver request, which continues to make sense within this re-development application, particularly if included within the overall TDM plan.

Affirmative finding with confirmation of capacity information, and DRB concurrence.

II. Conditions of Approval

1. **Impact fees.** The proposed new gross area is subject to Impact Fees, unless it is determined that it meets an identified exemption. Staff will calculate those fees as appropriate based on the gross new floor area, with a credit for the building area lost to demolition.
2. **Per Section 2.7.8 Withhold Permit**, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. There are a number of zoning permits that require Certificates of Occupancy.
3. The applicant shall seek appropriate abatement, remediation, and a Corrective Action Plan, with concurrence of the Vermont Department of Environmental Conservation (VTDEC) for Sites Management, and any other EPA required notifications, closures, and disposal practices.
4. The applicant shall provide a **revised assessment of existing natural areas**, and anticipated impacts. Associated with this assessment, definition as to **tree clearing** shall be required, as well as a **tree retention** plan, and an overall **landscaping plan**.
5. If the applicant team desires a longer development period than the typical three-year permit life, a **phasing schedule** may accompany a final application. This request should define the intended project segments and anticipated timing of each, which will, if approved by the DRB, allow for individual Certificates of Occupancy as each is completed.
6. As proposed, the stormwater infrastructure crosses a parcel boundary line. Either the assembly shall be limited to the parcel(s) under review, or additional permitting to include the abutting (affected) parcel shall accompany this application. An easement may be required for installation of permanent infrastructure to serve on parcel while situated on another.
7. The BHS Campus includes areas identified on the **Steep Slopes Overlay Map**. If development falls within the areas identified (including adjacent lands within 50' of the

top of the slope), a geotechnical analysis is required to confirm the suitability of the slope for redevelopment.

8. The number and arrangement of the accessible parking spaces will need review by the building official for compliance with ADA.
9. Parking is intended to be in the rear, side, within or underneath buildings in the Institutional zoning district (Section 4.4.4.) Parking spaces, other than handicap accessible along the Institute Road entry arc should be eliminated.
10. Anticipated **population (students & staff) and classroom count** are essential to calculate required bicycle parking, and will need to be provided in the final application.
11. A **Parking Management Plan** (for identification and allocation of parking spaces, including during special events and potentially off-site spaces), incorporated into a **Transportation Demand Management Plan** (to identify, encourage, promote and support different modes of transit) are required.
12. An outdoor **lighting** plan, including fixture information, illumination levels, and a photometric plan will be required for a final application.
13. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.
14. New electrical service shall be undergrounded.
15. Any project approved/permit issued under a pending zoning amendment warned by the City Council should be approved/issued conditioned upon the approval of the proposed bylaw.
16. Standard Permit Conditions 1-15 will apply.

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



MEMORANDUM

To: Burlington Development Review Board
Mary O'Neil, Principal Planner
Scott Gustin, Principal Planner & Asst. Administrative Officer

From: Joe Weith, Senior Project Manager

Date: August 19, 2022

Re: Sketch Plan Review – Project Narrative

Burlington School District (“BSD”) is proposing to demolish and remediate the existing Burlington High School/Burlington Technical Center (“BHS/BTC”) buildings on Institute Road and construct a new 268,500 square foot building for BHS/BTC. This narrative provides a brief description of the project and addresses several key design aspects and regulatory requirements as outlined in the Burlington Comprehensive Development Ordinance (“CDO”).

Project Description

Buildings A through G of the existing BHS/BTC campus will be fully demolished and remediated. The furthest building to the north which currently houses the wood chip plant will remain, however, the use and retrofit of this building has not yet been determined. Our plan is to demolish/remediate buildings A and B before construction of the new building begins and then demo/remediate buildings C through G simultaneously with construction of the new building.

The new 268,500 square foot BHS/BTC building will have a linear orientation along Institute Road. Two main entrances will serve the building – a south entrance and a north entrance. The south entrance will face Institute Road and serve as the primary entrance

for visitors and student drop-off. The north entrance will face the staff parking lot and bus drop-off area. Both entrances will provide direct access to the 2-story student commons which will function as the student activity hub and heart and soul of the new school.

No change is anticipated in the number of students and staff that have historically occupied the BHS/BTC campus on Institute Road.

Program highlights include:

- **Two-level Student Commons** for dining, gathering, collaboration.
- **Three Small Learning Communities for BHS** each with a variety of classroom sizes, science labs, extended learning areas, teacher planning, and student support spaces.
- **Significant Student Support resources** including Counseling & Special Needs.
- **Five Tech Center Program spaces** with dedicated BTC entrance.
- **Large Group Multi-Purpose Presentation space.**
- **750 seat Auditorium** with robust lighting, rigging, & sound systems.
- **12,000 sf Gym plus 5,500 sf Community Gym** with dedicated after-hours entrance.
- **Layout supports exterior connections** for extended learning areas & outdoor opportunities.

Dimensional Standards and Density

Building Setbacks: The building setback from North Avenue is 280 feet (20 foot minimum required) and 120 feet from Institute Road (20 foot minimum required).

Lot Coverage: The proposed lot coverage for both parcels combined (north and south sides of Institute Road) is 27.35% (Maximum lot coverage of 60% allowed).

Building Height: The maximum building height along the elevation facing North Avenue (i.e., east elevation) is 57 feet. The height segments used for this calculation were approximately 45 feet. The maximum building height along the elevation facing Institute Road (i.e., south elevation) is 62' – 11". The height segments used for this calculation were approximately 65 feet. The maximum building height along both elevations is well below the maximum allowed height of 80 feet.

Stormwater

The proposed stormwater management system will use a Regenerative Conveyance System (RCS) to provide centralized stormwater treatment and detention for the new school facilities. This system consists of a series of stepped pools and stone grade change structures with underlying filter and infiltration materials to provide improved water quality treatment. The system will handle stormwater flows from Institute Road, the lands to the north and a small portion of the athletic field impervious surfaces. The RCS system will be located south of Institute Road and west of the sports stadium. It will also correct the current state of disrepair of the existing stormwater outfall which is severely undermined and has partially collapsed .

To provide the most efficient treatment of the runoff from the school property, a system has been developed where the clean stormwater runoff from the Arms Forest area to the north will be intercepted and conveyed separately around the treatment facility.

These facilities have been designed to address the “3-Acre Rule” requirements recently adopted by the State for all of the redeveloped portion of the property.

Parking

Vehicle Parking: As shown in attached Exhibit A - Parking Table, the maximum allowed number of parking spaces is 1,275. The plans currently show 352 permanent parking stalls. We are currently analyzing the potential for additional overflow event parking that would be used only occasionally to handle large events such as state championship sporting events at the sports complex, graduation in the gymnasium and regional performances in the auditorium. The location, parking surface material (e.g., reinforced green space) and number of overflow event parking spaces will be determined before submission of the zoning application.

Bicycle Parking: While the plans currently show 243 bicycle parking spaces, the District and design team are still assessing the number of long term and short term spaces that would be appropriate for a school of this size. The 243 spaces currently shown are based on a recommendation put forth by the City DPW for the ReEnvision project (see attached memo dated 1/29/21). The Collaborative for High Performance Schools (CHPS) recommends 1.5 bike parking spaces per 10 students (see attached CHPS Criteria Interpretation) which would require 115 bike parking spaces (using a “design enrollment” of 1,150 students). Furthermore, LEED recommends 2.5% of all building occupants for short term bike parking and 5% for long term parking. If we were to assume 1,400 building occupants, the LEED standards would require 105 bike spaces (35 short term and 70 long term).

While the CDO requires a minimum of 128 long term and 320 short-term spaces (448 total bicycle parking spaces), we believe somewhere between 105 to 243 bicycle parking spaces will be more than enough to adequately serve a school of this size.

Traffic

Traffic operations on the proposed campus and on adjacent North Avenue have been reviewed by our traffic consultant. As the design has progressed, the traffic consultant has provided input on the circulation at the site as well as improvements to the operation of the signalized intersection to better accommodate all users (e.g., motorists, pedestrians, and cyclists). The total number of site users is not anticipated to significantly change from pre-pandemic levels as a result of this project. Focus was given to improvements in pedestrian, bicycle, and transit interactions with the property.

At the North Avenue/Institute Road intersection the following improvements are recommended and in planning pending Burlington City and GMT review and input:

- Addition of a right turn lane (turn to southbound) on the Institute Road approach;
- Relocate the southbound transit stop on North Avenue to the north side of the intersection;
- Add pedestrian crosswalks, accessible ramps, pedestrian push buttons and pedestrian signal heads across the north leg and east leg of the intersection;
- Add a traffic signal head to control the Institute Road approach;
- Repaint existing bicycle lanes northbound along North Avenue at the signalized intersection and add a bicycle turn box;
- Buffer southbound bicycle lane to the south of the intersection for first 200 feet (using paved area from moved transit stop);
- Restripe all pavement markings within 200' of the intersection

Energy Efficiency/Sustainability

The new BHS/BTC building will use a renewable primary heating system as required by Burlington Ordinance Chapter 8 Article 5. The building's heating, cooling, and domestic hot water will be provided by electric heat pumps connected via heat exchanger to an open-loop ground source (i.e., geothermal) heat pump loop. This system is designed to provide all anticipated heating and cooling needs for the project. This proposed system is based upon the confirmation of substantial water flows on site from a test well and design phase energy modeling of the building. The building enclosure performance will exceed VT CBES 2020 standards, with a particular focus on air tightness. Building and equipment performance values have been optimized through the energy modeling process.

The roof is arranged and structured to support solar photovoltaic arrays and infrastructure will be put in place to support the BSD's plan to arrange for installation of solar PV by a third-party on the building's roof through a power purchase agreement. The BHS/BTC

project is registered as a LEED project, and we will continue to refine and optimize energy and materials performance throughout the design and construction process.

Environmental

Extensive testing of building materials and soils for hazardous materials has been conducted on the property. Hazardous materials have been detected on site including asbestos, lead, PCBs, and polyaromatic hydrocarbons (PAHs) in the soils that exceed EPA and VTDEC standards. Remediation of hazardous materials will consist of the following:

- Accessible asbestos containing materials (ACM) will be removed prior to demolition of the buildings.
- Buildings A – G will be abated prior to demolition activities.
- The entire buildings will be demolished and disposed of as PCB bulk product waste.
- There will likely be select remediation of PCB building materials on the exterior of the building including joint and door caulking.
- Soil remediation will include select soil excavation and disposal to satisfy VTDEC and EPA regulations.

The abatement, remediation, and demolition will require the following regulatory agency permits and approvals to facilitate completion of the project:

- Site Investigation Report for hazardous building materials (PCBs) to be approved by VTDEC Sites Management Section (SMS).
- Site Investigation Report for soil materials to be approved by VTDEC SMS.
- Compliance with Vermont Department of Health lead and ACM regulations.
- Corrective Action Plan (CAP) for hazardous building materials (PCBs) and soil remediation to be approved by VTDEC SMS. This includes public notice and final decision.
- Corrective Action Construction Completion Report to be prepared for completed hazardous building materials (PCBs) and soil remediation.
- Performance based disposal of PCBs in accordance with the EPA 40 CFR section 761.61(b). This includes proper EPA notification and closure requirements.

Exhibit A - Parking Table

Vehicle Parking			
Maximum Parking Standard			
Use	Max Parking Standard	Proposed Metric	Max Parking Allowed
School Secondary	5 per Classroom	80 classrooms	400
Performing Arts Center	1 per 4 seats	750 seats	188
Recreational Facility - Outdoor Commercial	1 per 4 seats	1,000 seats	250
Recreational Facility - Indoor (Gym & Community Gym)	1 per 4 seats	1,750 seats	438
Total Max Parking Allowed			1276
Proposed Parking			
Type	No. of Spaces		
Permanent Spaces	352		
Overflow Event Parking	TBD		
Total Parking Spaces Proposed	TBD		



City of Burlington
Department of Public Works

Technical Services Engineering Division
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Burlington, VT 05402
P 802-863-9094 / F 802-863-0466 / TTY 802-863-0450
www.burlingtonvt.gov/DPW

TO: Mary O'Neil, Principal Planner, Dept. of Permitting & Inspections

FROM: Laura Wheelock, P.E., Senior Public Works Engineer
Nicole Losch PTP, Senior Transportation Planner

CC: Chapin Spencer, Director
Norm Baldwin, P.E., Assistant Director/City Engineer

DATE: January 29, 2021

SUBJECT: 52 Institute Road – Burlington High School Application to DRB

The Department of Public Works (DPW), has reviewed the application materials submitted by the applicant for the above referenced property and offer the following comments or suggestions related to work planned both within the public Right-of-Way (ROW) as well as within the parcel. Additionally there are comments around the bike parking waiver.

DPW respectfully requests that in their review of the application the comments and conditions mentioned in this communication be added onto the staff recommendations to become conditions of the applicant's permit.

Public Right-of-Way

1. There are proposed on street parking changes shown within the plans that will require the approval of the DPW Commission prior to the ability to implement those changes and new/adjusted crosswalks. **The applicant shall work with DPW staff to understand what is needed to facilitate this request to the DPW Commission. This approval is needed prior to obtaining and excavation permit.**
2. **The street lighting that is being adjusted along Institute Rd will need to be reviewed and approved by the Burlington Electric Department.** DPW's specific concern is ensuring that lighting design along this corridor meets pedestrian standards for the new sidewalk sections and crosswalks. We will also require that the lighting be installed and operational prior to use of the pedestrian facility.
3. DPW has concerns with the conflict of bicycles at the exit road and use of the bi-directional bike lane. Bicycles with origins or destinations south of Institute Road are being led to conflict with existing vehicles in the current layout of the site plan. **DPW request the applicant provide accommodations for these bicycle trips with widening the existing sidewalk on the parcel to allow bicycle trips to cross at North Ave and continue on a widened multiuse path to the path that exists within the bus loop to facilitate safer movement of these users.**

4. **DPW requests that the applicant provide an on ramp accommodation for bicycles with an origin/destination north of Institute Road at the corner where the bus loop and pedestrian facility meet at North Ave to allow these users to have a way to reach the location of the short and long term bike parking more directly.**

Parcel:

DPW offers the following comments for consideration of the Development Review Board (DRB) in their review of the application.

5. Within the site there are multiple locations where detectible warning strips are not shown in locations where a protected pedestrian facility interfaces with the road/vehicle ways. Americans with Disability Act (ADA) regulations require these devices at all these points even absent of a crosswalk. This occurs in several locations within the main parking area, as well as the improvements proposed at the student parking.
6. There are multiple locations where sidewalks dead-end at lawn, in our experience it can be difficult to remove snow with abrupt termination of walkways.
7. At the termination of the bike lane along the exit road the opening in the sidewalk should be widened to make navigating this transition safer for those on a bicycle.
8. Bike lane with the catch basins is a concern.
9. Bike lane unprotected from vehicle is a concern.

Bike Parking Waiver

The Department of Public Works was asked to comment on the BHS ReEnvisioning's parking waiver request related to bike parking.

BHS provided:

- A summary of the requirements based on the Zoning Ordinance – 474 total,
- An example of requirements suggested by the Collaborative for High Performance Schools (CHPS) – 191 total,
- A proposal to install 20 bike parking spaces initially and increase to 120 over time.

DPW requests the DRB require 243 bike parking spaces, including 77 long-term spaces and 166 short-term spaces; and that 100% of the bike parking be installed during the first phase of construction since student capacity is not increasing in future construction phases.

At a minimum, BHS should be required to follow the CHPS reference to install a minimum of 191 bike parking spaces during the first phase of construction; with 30% long-term parking as recommended in the Zoning Ordinance.

This was the first school review for bicycle parking requirements since the Zoning Ordinance's Bike Parking section was updated, and this was a good opportunity to review the applicability of the Zoning Ordinance requirements themselves. As a result, DPW also has suggestions for Zoning Ordinance revisions to align with real-world applications; and DPW's request to the DRB for BHS ReEnvisioning is based on this consideration.

- The Zoning Ordinance calculates bike parking based on the number of students, number of classrooms, and square footage. It equates to approximately 30% of the required bike parking for schools be long-term bike parking.
- The CHPS recommendations are based on student population. BHS estimates that future student capacity could be 1,276 and 190 staff (1,466 total). Although the CHPS recommendations are based on student population, bike parking should be considered as a need by both students and staff.
 - Applying the CHPS recommendations to total capacity equates to 220 total bike parking required; applying Zoning guidance, 66 should be long-term and 154 should be short-term spaces.
- To more closely align with the CHPS recommendations, the Zoning Ordinance could be amended to calculate:
 - Long-term bike parking as 1 space per 20 students and 1 space per 20,000 s.f. (a reduction from 1 space per 10 students), and
 - Short-term bike parking as 2 spaces per classroom (a reduction from 4 spaces per classroom)

Applying this hypothetical new threshold for bike parking relative to the Zoning Ordinance, BHS would require 77 long-term bike parking spaces, 166 short-term bike parking spaces, and 243 total bike parking spaces.

Please contact us if you have any questions or require additional information related to this review.

CHPS Criteria Interpretation [CCI-SS-01]

Published [5/16/2019]

Topic: Human Transportation-Number of Bike Spaces Required

Category: Sites

Applicable Prerequisites/Credits:

Edition	Criterion Number and Name
US-CHPS 2014/2016	SS 9.1 Human Powered Transportation
CA-CHPS 2014/2016	
NE-CHPS v3.x	
HI-CHPS 2012	SS C6 Human Powered Transportation
TX-CHPS 2009/2015	SS 9.1 Human Powered Transportation
VA-CHPS 2011	SS.C7 Pedestrian / Bike Access / Human Powered Transportation

Credit Interpretation Question:

The CHPS Criteria credit, Human Powered Transportation, states the following about bike parking spots:

"Provide suitable means for securing bicycles, and scooters outside the school, skates and skateboards and helmets indoors (including lockers and/or cabinets). The storage must be safe, convenient, and at accessible locations for a minimum number of occupants (students, teachers and staff) as specified below:

- Elementary: 20% (up to 500 occupants), 15% (over 500 occupants)
- Middle school: 15%
- High school: 10%, and plan for an additional 5% in the event of growth through designated space, but not suitable means for securing. "

CHPS has revisited bike parking space requirements since they seem to exceed the actual demand for bicycle parking. Therefore, CHPS has now adopted the language from the Core Criteria v3 on the number of bike parking spaces.

Credit Interpretation Ruling:

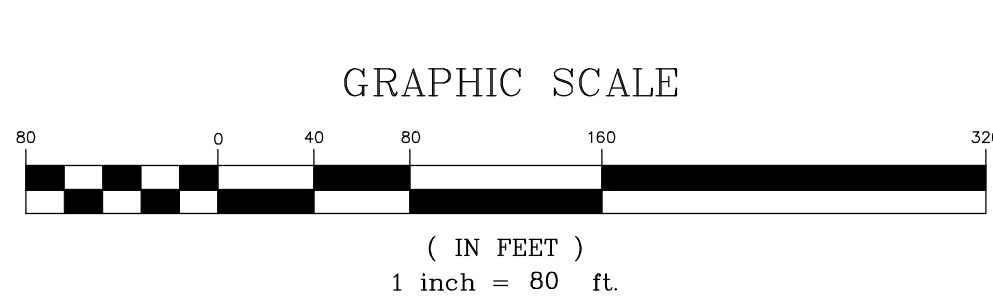
For grades 4-12: the credit will now require 1.5 bike parking spaces for every 10 students planned capacity (2 parking spaces minimum).

NOTES

- UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY CONFLICTS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER. THE CONTRACTOR SHALL CONTACT DIG SAFE (888-344-7233) PRIOR TO ANY CONSTRUCTION.
- PROPERTY LINE INFORMATION IS BASED ON A PLAN ENTITLED "EXISTING CONDITIONS SURVEY OF BURLINGTON HIGH SCHOOL AND BURLINGTON TECHNICAL CENTER" PREPARED BY AES NORTHEAST DATED 2014. THIS PLAN IS NOT A BOUNDARY SURVEY AND IS NOT INTENDED TO BE USED AS ONE.
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- CONTOUR INFORMATION OUTSIDE OF AREA OF INTEREST IS BASED UPON LIDAR DATA FROM 2014. HORIZONTAL AND VERTICAL DATUM BASED ON VCS NAD 83 AND NAVD 88.

LEGEND

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⊙	EXISTING CONIFEROUS TREE
⊙	EDGE OF BRUSH/WOODS
⊙	IRON ROD/PIPE FOUND
⊙	PROJECT BENCHMARK



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BURLINGTON
HIGH SCHOOL
&
BURLINGTON
TECHNICAL
CENTER

BURLINGTON, VT

PROJECT NO: 21255

ORIGINATION DATE: 07/22/2022 SCALE: 1" = 80'

DRAWN BY: MAB CHECKED BY: DSM

ISSUE LOG:

SHEET CONTENTS:
OVERALL
EXISTING
CONDITIONS
SITE PLAN

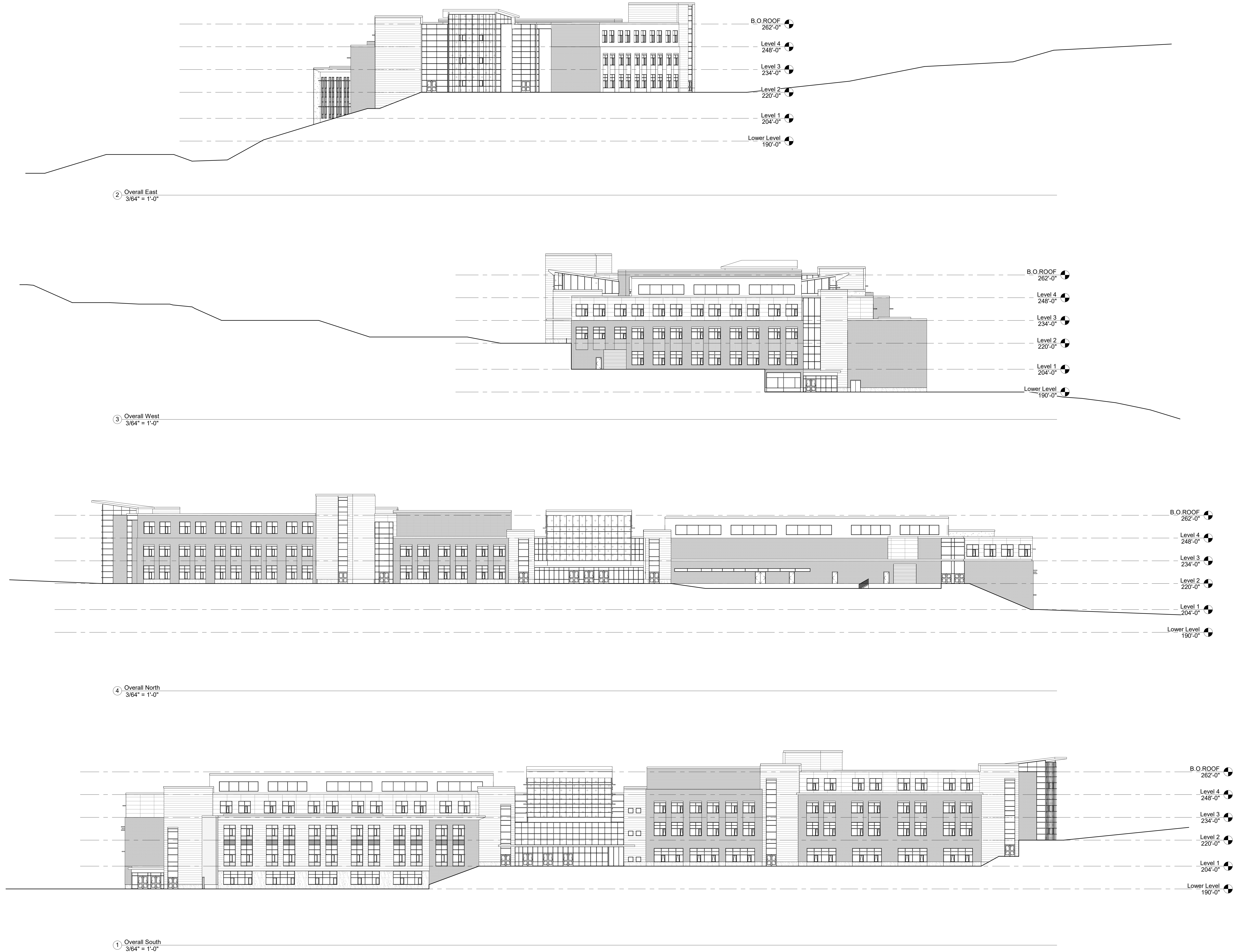
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BURLINGTON HIGH
BURLINGTON HIGH SCHOOL

BURLINGTON, VT

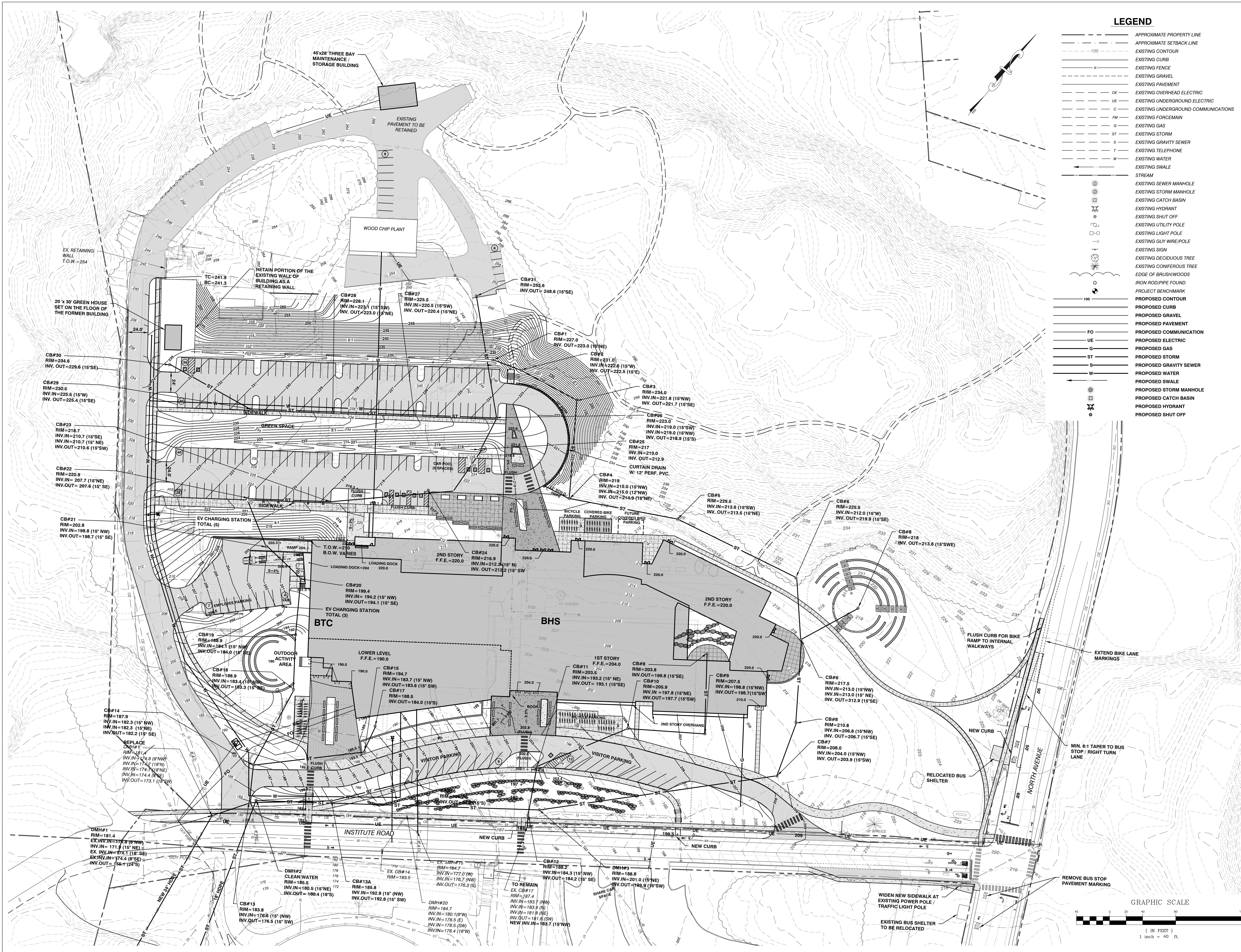
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21031.00
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**OVERALL
BUILDING
ELEVATIONS**

SHEET NO:
A2.0.1
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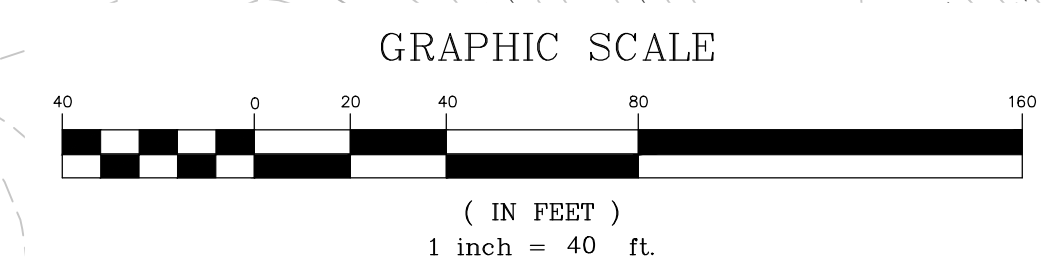






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	IRON ROD/PIPE FOUND
	PROJECT BENCHMARK
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BURLINGTON
HIGH SCHOOL
&
BURLINGTON
TECHNICAL
CENTER

BURLINGTON, VT

PROJECT NO:	21255
ORIGINATOR DATE:	07/22/2022
SCALE:	1" = 40'
DRAWN BY:	MAB
CHECKED BY:	DSM
ISSUE LOG:	

SHEET CONTAINS:
PROPOSED
GRADING AND
DRAINAGE
NORTH

SHEET NO:
C2.1

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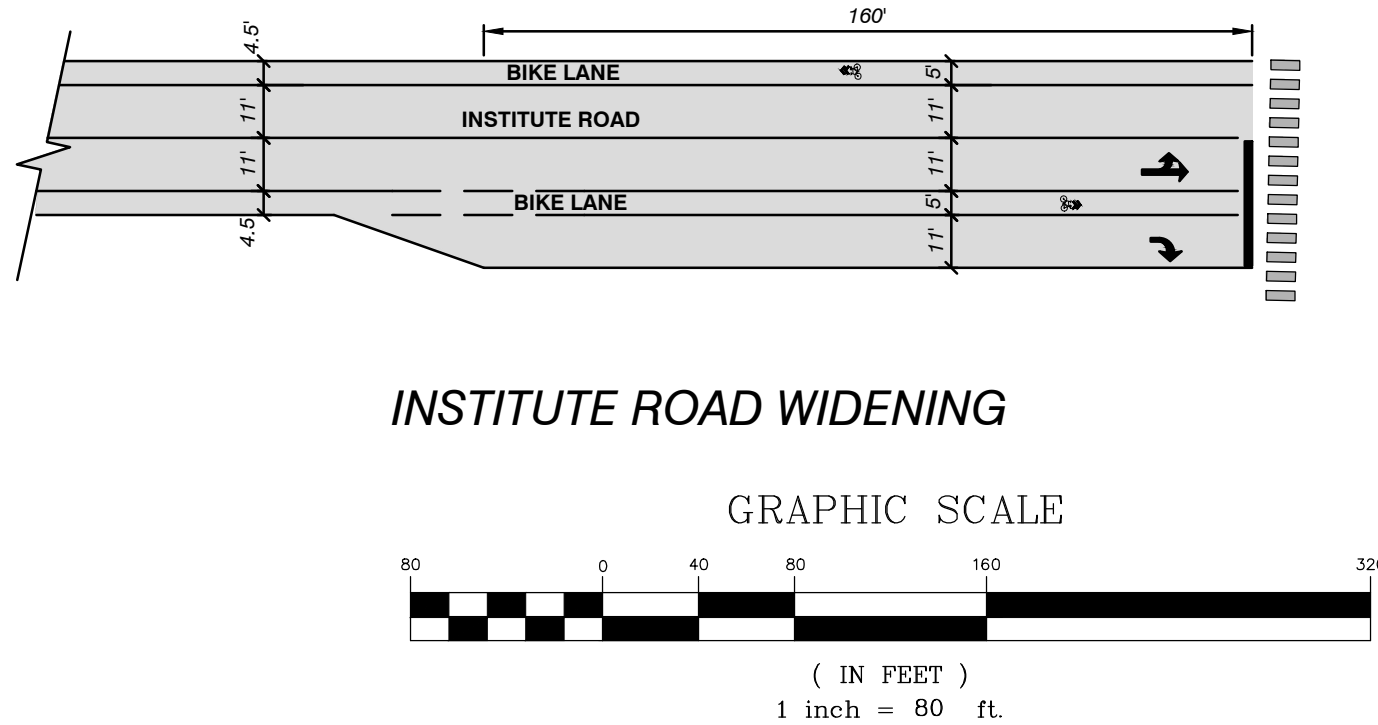
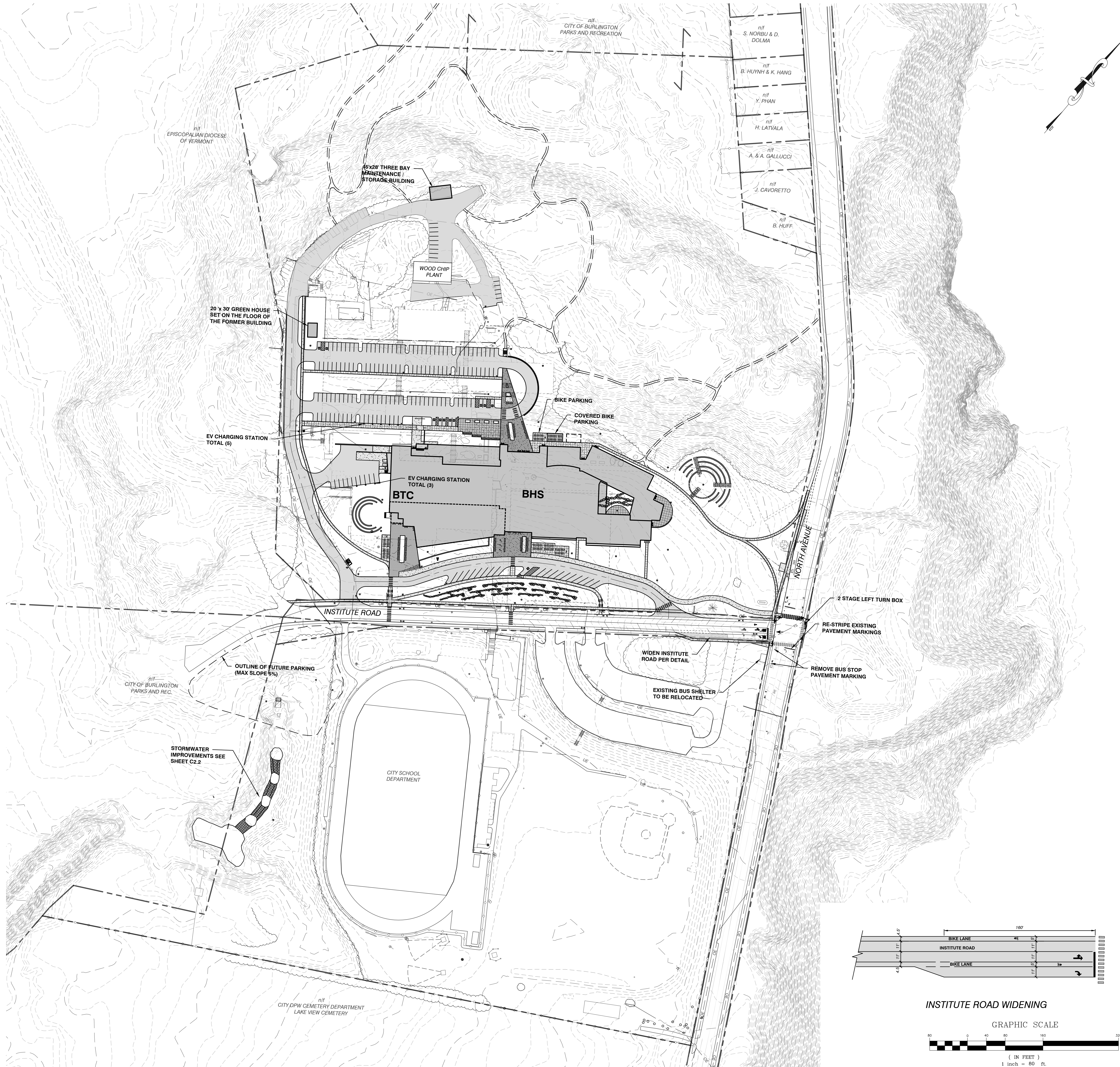


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⊙	PROPOSED SHUT OFF

GENERAL NOTES

- UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY CONFLICTS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER. THE CONTRACTOR SHALL CONTACT DIG SAFE (888-344-7233) PRIOR TO ANY CONSTRUCTION. IN ADDITION, THE CONTRACTOR SHALL HIRE A PRIVATE UTILITY LOCATING FIRM TO LOCATE OWNER OWNED UNDERGROUND UTILITIES PRIOR TO START OF ANY EXCAVATION.
- ALL EXISTING UTILITIES NOT INCORPORATED INTO THE FINAL DESIGN SHALL BE REMOVED OR ABANDONED AS INDICATED ON THE PLANS OR DIRECTED BY THE ENGINEER.
- THE CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS (WITH TIES) FOR ALL UNDERGROUND UTILITIES. THOSE PLANS SHALL BE SUBMITTED TO THE OWNER AT THE COMPLETION OF THE PROJECT.
- THE CONTRACTOR SHALL REPAIR/RESTORE ALL DISTURBED AREAS (ON OR OFF THE SITE) AS A DIRECT OR INDIRECT RESULT OF THE CONSTRUCTION.
- ALL GRASSED AREAS SHALL BE MAINTAINED UNTIL FULL VEGETATION IS ESTABLISHED.
- MAINTAIN ALL TREES OUTSIDE OF CONSTRUCTION LIMITS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK NECESSARY FOR COMPLETE AND OPERABLE FACILITIES AND UTILITIES.
- THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS FOR ALL ITEMS AND MATERIALS INCORPORATED INTO THE SITE WORK. WORK SHALL NOT BEGIN ON ANY ITEM UNTIL SHOP DRAWING APPROVAL IS GRANTED.
- IN ADDITION TO THE REQUIREMENTS SET IN THESE PLANS AND SPECIFICATIONS, THE CONTRACTOR SHALL COMPLETE THE WORK IN ACCORDANCE WITH ALL PERMIT CONDITIONS AND ANY LOCAL PUBLIC WORKS STANDARDS.
- THE TOLERANCE FOR FINISH GRADES FOR ALL PAVEMENT, WALKWAYS AND LAWN AREAS SHALL BE 0.1 FEET. UNLESS NOTED OTHERWISE, ALL EXISTING MANHOLE COVERS, VALVES, CURB STOPS AND OTHER ITEMS TO REMAIN SHALL BE ADJUSTED TO THE NEW FINISH GRADE.
- ANY DEWATERING NECESSARY FOR THE COMPLETION OF THE SITEWORK SHALL BE CONSIDERED AS PART OF THE CONTRACT AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
- THE CONTRACTOR SHALL COORDINATE ALL WORK WITHIN TOWN ROAD R.O.W. WITH TOWN AUTHORITIES.
- THE CONTRACTOR SHALL INSTALL THE ELECTRICAL, CABLE AND TELEPHONE SERVICES IN ACCORDANCE WITH THE UTILITY COMPANIES REQUIREMENTS.
- EXISTING PAVEMENT AND TREE STUMPS TO BE REMOVED SHALL BE DISPOSED OF AT AN APPROVED OFF-SITE LOCATION. ALL PAVEMENT CUTS SHALL BE MADE WITH A PAVEMENT SAW.
- IF THERE ARE ANY CONFLICTS OR INCONSISTENCIES WITH THE PLANS OR SPECIFICATIONS, THE CONTRACTOR SHALL CONTACT THE ENGINEER FOR VERIFICATION BEFORE WORK CONTINUES ON THE ITEM IN QUESTION.
- PROPERTY LINE INFORMATION IS BASED ON A PLAN ENTITLED "EXISTING CONDITIONS SURVEY OF BURLINGTON HIGH SCHOOL AND BURLINGTON TECHNICAL CENTER" PREPARED BY AES NORTHEAST DATED 2014. THIS PLAN IS NOT A BOUNDARY SURVEY AND IS NOT INTENDED TO BE USED AS ONE.
- IF THE BUILDING IS TO BE SPRINKLERED, BACKFLOW PREVENTION SHALL BE PROVIDED IN ACCORDANCE WITH AWWA M14. THE SITE CONTRACTOR SHALL CONSTRUCT THE WATER LINE TO TWO FEET ABOVE THE FINISHED FLOOR. SEE MECHANICAL PLANS FOR RISER DETAIL.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING TESTING AND INSPECTION SERVICES INDICATED IN THE CONTRACT DOCUMENTS, TYPICAL FOR CONCRETE AND SOIL TESTING.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL LAYOUT AND FIELD ENGINEERING REQUIRED FOR COMPLETION OF THE PROJECT. CIVIL ENGINEERING ASSOCIATES WILL PROVIDE AN AUTOCAD FILE WHERE APPLICABLE.
- THE OWNER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ANY AND ALL SAFETY FENCES OR RAILS ABOVE EXISTING AND PROPOSED WALLS. THE OWNER SHALL VERIFY LOCAL, STATE AND INSURANCE REQUIREMENT GUIDELINES FOR THE INSTALLATION AND VERIFY ANY AND ALL PERMITTING REQUIREMENTS.



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BURLINGTON HIGH SCHOOL & BURLINGTON TECHNICAL CENTER

BURLINGTON, VT

FF PROJECT NO: 21255

ORGANIZATION DATE: 07/22/2022 SCALE: 1" = 80'

DRAWN BY: MAB CHECKED BY: DSM

ISSUE LOG:

SHEET CONTENTS:

OVERALL PROPOSED SITE PLAN

SHEET NO: C2.0

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CIVIL ENGINEERING ASSOCIATES, INC.

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South Burlington, VT 05403

Phone: 802-864-2323
E-Mail: mkoch@cea-vt.com

July 26, 2022

Scott Gustin, AICP, CFM, Division Manager
Department of Permitting & Inspections
645A Pine Street
P.O. Box 849
Burlington, VT 05402-0849

**Re: Lake Champlain Community Sailing Center, Inc.
505 Lake Street
Zoning Permit Application**

Dear Mr. Gustin:

Please find enclosed Zoning Permit Application and supporting information for the proposed waterfront improvements at the existing Lake Champlain Community Sailing Center, located at 505 Lake Street.

The Applicant, Lake Champlain Community Sailing Center (CSC), and Landowner, City of Burlington, seek approval for the proposed construction of the infrastructure necessary for safe harbor and programmatic growth. A universally accessible education pier (i.e., accessible by wheelchair users and visitors with any other mobility impairments), safe launch site, deep-water basin and hoists will improve functionality, boost safety, expand access, and increase programmatic impact. Please refer to the enclosed Lake Access for All Memorandum which outlines the goals and design elements of the project.

The property is located within the Downtown Waterfront – Public Trust (DW-PT) zoning district in addition to the Design Review, and Special Flood Hazard Area overlay districts. The proposed waterfront improvements will be located lakeward of the existing sheet pile wall, which will remain in place.

The proposed waterfront improvements include:

- The **boat ramp** is designed to provide direct access from the boatyard into the lake, allowing safe launch of multiple boats, eliminating the bottlenecks that the facility currently experiences during concurrent programs, decreasing risk of harm to the children, youth and adults who launch boats and paddle craft, and improves overall access to the lake for the public.

- The **structural wall and wave attenuator** on the northern end of the launch ramp creates safer conditions by decreasing/eliminating waves while boats are being launched.
- The **center pier** with universally accessible walkway will facilitate ease of access by people with mobility impairments and decrease their risk of harm boarding and disembarking from boats. This walkway will connect with the sections of the existing Atlas dock and to additional sections that will be purchased. Combined, this system will connect the land to the lake, accommodate increased traffic and allow expansion of experiential learning programs. A large section level with the boatyard will be used as an outdoor classroom.
- The **launch well** and related hoists will expedite keelboat launch, increase access to the lake for larger teaching vessels and racing sailboats, improve access for adaptive boats, and allow CSC to better care for its fleet by decreasing exposure to storms, invasive species and waves created by passing boats. This feature will allow CSC to host local, regional, and/or national sailing competitions, providing a boost to the Vermont tourism economy.

Please refer to enclosed application materials and plan set for additional detail.

We look forward to working with staff and the Development Review Board in facilitating this application. If you should have any questions or require any additional information, please feel free to contact me at 864-2323, ext. 309 or at mkoch@cea-vt.com.

Respectfully,



Michael Koch
Staff Engineer

Enclosures: Zoning Permit Application,
Property Owner Consent Forms,
COA Level II Checklist,
Plan Set: Sheets G-001, G-002, V-101, V-102, C-101, C-102, C-103, C-104, & C-301,
Existing Conditions Photos,
Lake Access for All Memorandum, &
Soil Boring Results

cc: M. Quaid (electronic copy), CEA File 22126



LAKE CHAMPLAIN COMMUNITY SAILING CENTER

LAKE ACCESS FOR ALL

WATERFRONT REDEVELOPMENT PROJECT

Goal:

The Lake Access for All: Waterfront Redevelopment campaign seeks to completely overhaul our current waterfront, creating the infrastructure necessary for safe harbor and programmatic growth. A universally accessible education pier (i.e., accessible by wheelchair users and visitors with any other mobility impairments), safe launch site, deep-water basin and hoists will improve functionality, boost safety, expand access, and increase programmatic impact.

Usage:

The Community Sailing Center, founded in 1994, provides access to Lake Champlain for over 8,000 Vermonters and visitors annually. From May through early October our programming is in full swing. Concurrent programs include:

- Floating Classrooms – STEM education for 3-5th graders from five counties, serving over 2,000 students each year;
- LeaderShip – education for troubled youth, focusing on positive growth for close to 1,000 youth annually;
- Adaptive Watersports – in collaboration with Vermont Adaptive, we use adapted boats to get youth and adults with cognitive and physical disabilities out on the lake;
- Youth camps – sailing, paddling and multi-adventure camps, this summer serving 60+ campers daily;
- Adult sailing and paddling lessons for over 350 people each year;
- Sailboat, kayak, canoe, and paddle board rentals; and
- University of Vermont, Northern Vermont High School Sailing Teams call CSC their home.

Additionally, the Community Sailing Center serves as public access to Lake Champlain for small





boat sailors and for kayakers, canoers, and paddle boarders.

Eliminating barriers:

Public boat launches in Vermont are paid for by boat owners/fisherman through license fees and specific use taxes and are off limits to the general public¹. Vermont Fish & Wildlife Department annually reminds us that fishing access areas are for launching and retrieving motorboats – activities that are not compatible with small craft launch due to dangers posed by motors². In Burlington, the launch at Perkins Pier and at the Coast Guard ramp are primarily used by motorboats making them hazardous to small sailboats and paddle craft. Thus, ours is the only launch ramp available to the general public.

CSC, located on the waterfront with parkland to the North, public parks and a fishing pier to the south, offers a protected space for non-motorized craft to put in, sail/paddle from, and take out. Public parking, in addition to our own parking lot, increase accessibility. The design of our building and waterfront allows trailered boats to pull through the boatyard, launch using either the hoist or the ramp seen in the designs and exit the boatyard through the building. The design also allows expedited launching of more than one boat at a time, which is our current limit. By improving our waterfront capacity, we increase the number of people who can launch, enjoy the lake, and reap the many benefits of time on the water.



Designed for the future:

- The 50' wide ramp is designed to provide direct access from the boatyard into the lake, allowing safe launch of multiple boats, eliminating the bottlenecks we currently experience during concurrent programs, decreasing risk of harm to the children, youth and adults who launch boats and paddle craft, and improves overall access to the lake for the public.
- The structural wall and wave attenuator on the north end of the launch ramp creates safer conditions by decreasing/eliminating waves while boats are being launched.

¹ Howard Weiss-Tisman, Who Should Have Access to VT Boat Ramps?, Rutland Herald Online, 10/30/18

² Don't Swim at Boat Launch Sites, Bennington Banner, 6/18/20



- The permanent pier with universally accessible walkway will facilitate ease of access by people with mobility impairments and decrease their risk of harm boarding and disembarking from boats. This walkway will connect with the sections of Atlas dock that we already own and additional sections that will be purchased. Combined, this system will connect the land to the lake, accommodate increased traffic and allow expansion of our experiential learning programs. A large section level with the boatyard will be used as an outdoor classroom.
- The deep-water basin and hoists will expedite keelboat launch, increase access to the lake for larger teaching vessels and racing sailboats, improve access for our adaptive boats, and allow CSC to better care for our fleet by decreasing exposure to storms, invasive species and waves created by passing boats. This feature will allow CSC to host local, regional, and/or national sailing competitions, providing a boost to the Vermont tourism economy.

Together, these elements will create a safe harbor for all.

We will increase access to the lake for small watercraft, provide a safe launch site for multiple boats at once, create a site for outdoor learning, improve lake access for people with disabilities, and establish a keelboat launch that currently doesn't exist in Burlington. This safe harbor will positively impact the health and safety of Lake Champlain, the vitality of Vermont's tourism economy, and the community.



QUESTIONS?

Please contact:

Mike Quaid, CSC Project Manager,
mike@communitysailingcenter.org | 518-817-9485

Owen Milne, Executive Director
owen@communitysailingcenter.org | 802-864-2499

www.lakeaccessforall.org
communitysailingcenter.org



Office of Mayor Miro Weinberger

I am pleased to support the Community Sailing Center's Waterfront Redevelopment project, which will continue the transformation of the Burlington waterfront.

The Burlington waterfront has undergone dramatic changes in the last two decades that have created new economic opportunities, including the transformation of Waterfront Park, the renovated Bike Path, the new Burlington Marina, and the Skate Park. Since 1994 the Community Sailing Center (CSC) has focused on providing lake access to community members who traditionally face barriers to water-based recreation and education. By offering non-profit programming that engages students, troubled teens, and people with disabilities, as well as scholarships for services (camps, lessons, rentals) CSC continues to fulfill their mission of encouraging and celebrating responsible use and long-term stewardship of Lake Champlain by fostering educational and recreational opportunities for all members of our community, regardless of age, gender, race, physical ability, or financial means.

CSC's Waterfront Redevelopment project will not only increase the safety of children and adults accessing the lake through CSC, it will also allow the Sailing Center to expand its vital programming. CSC serves more than 8,000 residents and visitors annually with an array of programming that reaches all facets of the community. Floating Classrooms provide lake-based, experiential STEM education to 2,000+ students each year. LeaderShip annually offers close to 1,000 teens opportunities to develop resilience and a growth mindset, to exercise self-control, and to cultivate gratitude in themselves and amongst their peers. Adaptive Watersports removes barriers to outdoor education and recreation faced by people with diverse physical and cognitive disabilities. CSC's newest program, the Diversity Access Initiative, creates long-term access to summer camps for children who are black, indigenous, people of color (BIPOC), overcoming generational social, cultural, and ethnic barriers to lake-based recreation. Over 100 community-based partner organizations and schools ensure that CSC reaches those residents that are most in need of assistance. It is also notable that CSC earns revenue to offset much of the cost of these non-profit programs by also offering youth summer camps, adult sailing lessons, boat rentals, venue rentals and winter boat storage.

The City of Burlington is pleased to pledge full support for this vital waterfront project. We look forward to continuing our relationship with the Community Sailing Center as programming expands through the completion of this project.

Sincerely,

Miro Weinberger
Mayor



June 14, 2022

To Whom It May Concern:

The Greater Burlington Industrial Corporation (GBIC) is pleased to support the Community Sailing Center's Waterfront Redevelopment project. This project is included in our Regional Priorities List as we recognize its importance to the community, both through the creation of access to the lake, and through the development of new tourism opportunities.

This project, on the campus that includes the Community Sailing Center's Net-Zero Sailing Education building, will complement waterfront development that has taken place over the last two decades. The Community Sailing Center (CSC) bridges the gap between the community and the lake by making lake-based education and recreation accessible to all residents of Chittenden County regardless of age, gender, race, physical ability, or the means to pay. Earned revenue from vital services to the community (camps, lessons, rentals, venue rentals and winter boat storage) offsets the cost of non-profit programming which addresses the barriers to lake access for children of color, students, at-risk teens and people with disabilities. CSC's Waterfront Redevelopment project will both increase the safety of children and adults accessing the lake through CSC and enable expansion of these important programs. Additionally, upon completion of this project CSC will be poised to host sailing regattas. These events will bring visitors who will access hotel rooms, restaurants, and services throughout the community and attractions throughout the state. The most consistent wind on Lake Champlain coincides with the economic 'down time' between Labor Day and peak leaf season. Regattas at this time of year have the potential to greatly impact tourism, and will introduce visitors to our beautiful state, our precious lake, and the good people who live here. The Vermont Convention Bureau indicates that a two-day event that draws 100 people is likely to generate approximately \$32,000 in tourism revenue. Coupled with improving lake access for small boaters and kayakers, the Burlington waterfront will become even more of a destination than it is presently.

We hope you will recognize the many and varied impacts of the Community Sailing Center's Waterfront Redevelopment project. This project is truly transformational. It will stimulate economic growth while promoting positive environmental and social impact to the communities connected to Lake Champlain.

Sincerely,

Frank Cioffi

President, GBIC

GBIC ~ Greater Burlington Industrial Corporation
Frank Cioffi, President
• 60 Main St., Burlington, VT 05401 •
802.862.5726 ext. 12 • frank@vermont.org • www.gbicvt.org



Looking east



Looking east



Looking northeast



Looking southeast



Looking north



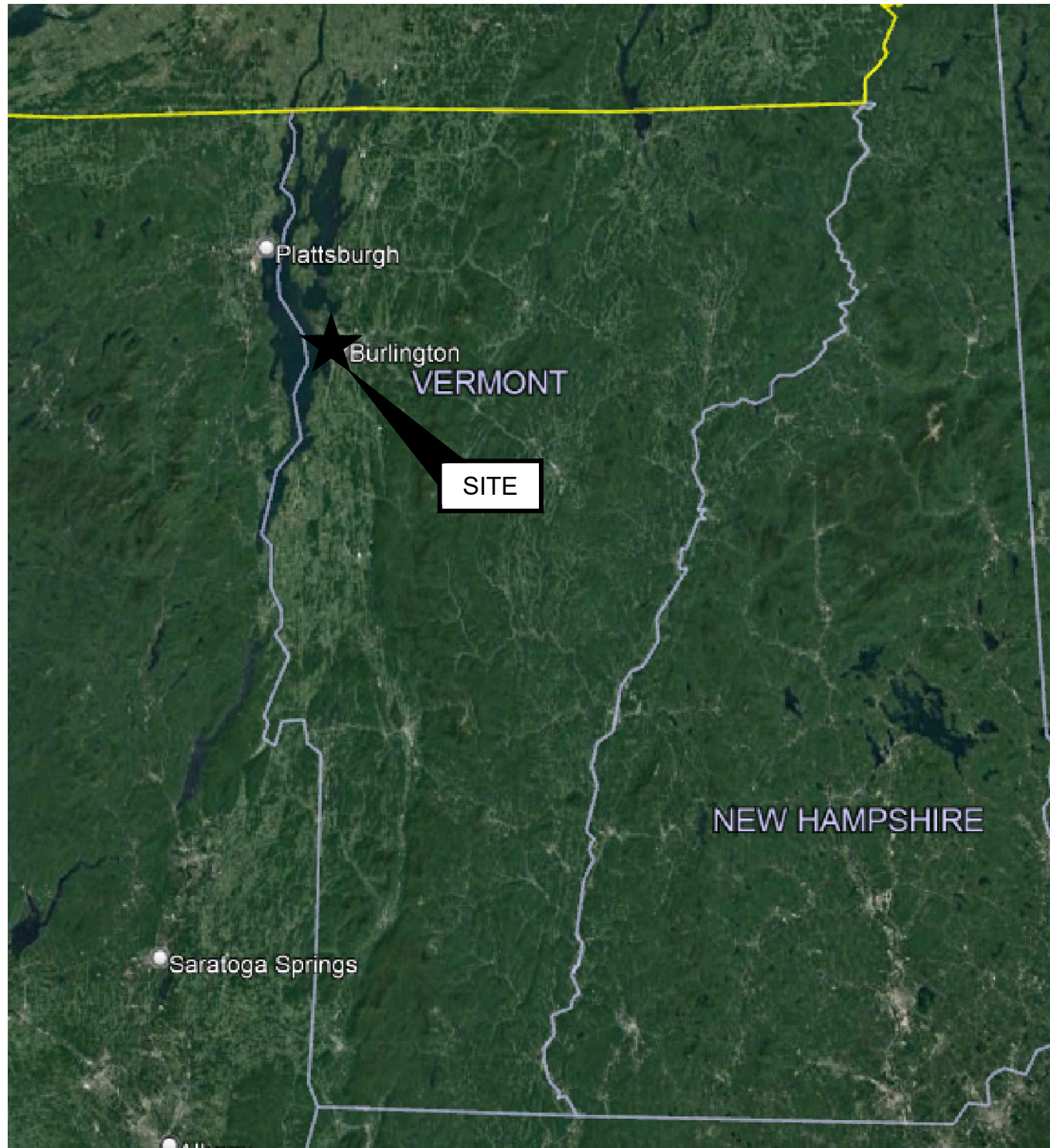
Looking north



Looking south

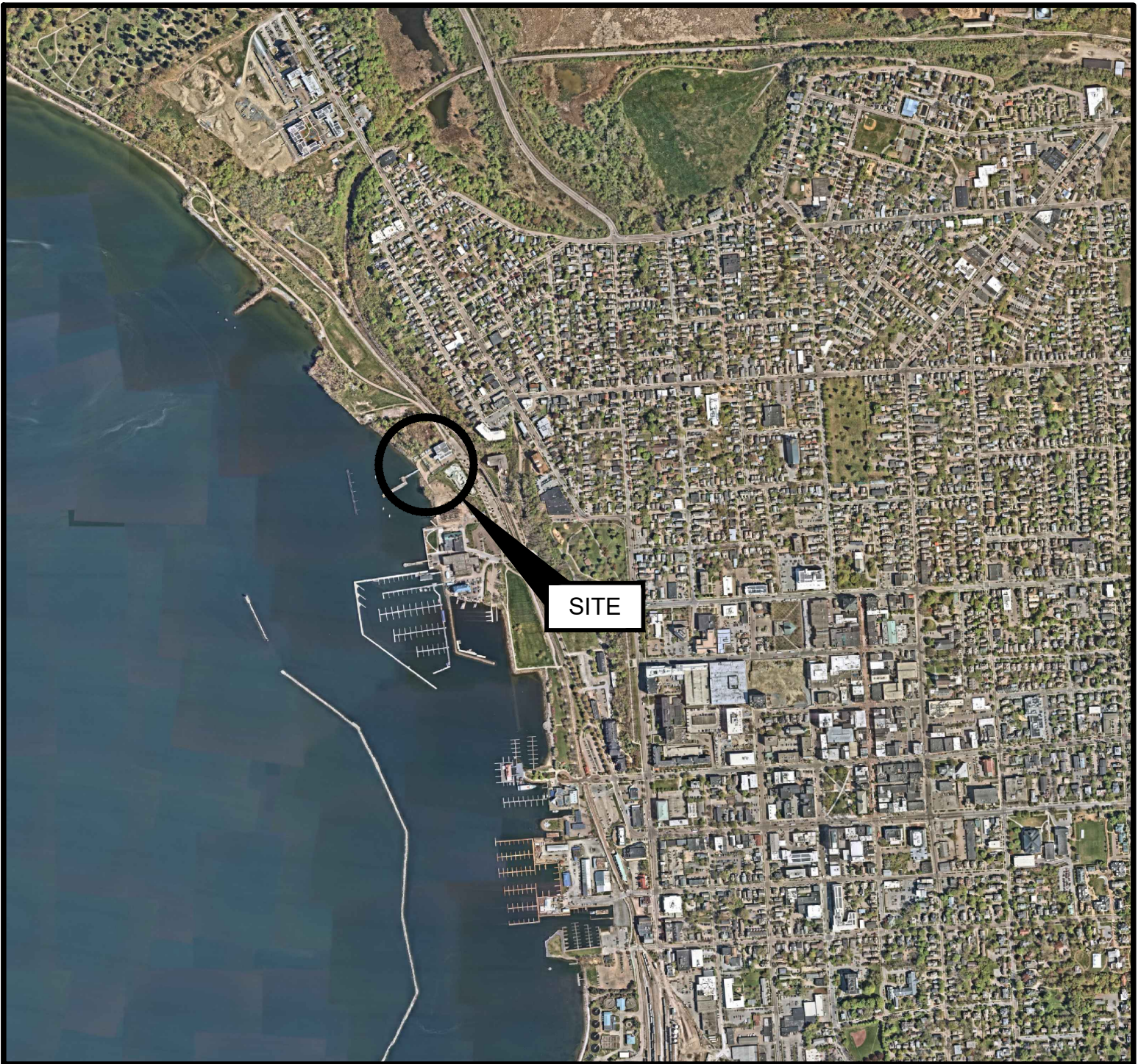
WATERFRONT IMPROVEMENTS

LAKE CHAMPLAIN COMMUNITY SAILING CENTER BURLINGTON, VT



SOURCE:
GOOGLE EARTH

STATE MAP
(NOT TO SCALE)



SOURCE:
NEARMAP DATED 05/13/2021

SITE LOCATION MAP
(NOT TO SCALE)

SHEET INDEX

SHEET NO.	DRAWING NO.	TITLE
1	G-001	COVER SHEET
2	G-002	GENERAL NOTES
3	V-101	EXISTING CONDITIONS PLAN 1 OF 2
4	V-102	EXISTING CONDITIONS PLAN 2 OF 2
5	C-101	SITE ACCESS AND LAYDOWN PLAN
6	C-102	SITE CONTROLS
7	C-103	WATERFRONT GENERAL ARRANGEMENT PLAN
8	C-104	PROPOSED STRUCTURES PLAN
9	C-301	PROPOSED SECTIONS
10	C-105	DREDGING PLAN

PREPARED FOR:

LAKE CHAMPLAIN COMMUNITY
SAILING CENTER
505 LAKE STREET
BURLINGTON, VT 05401
(802)864-2499



PREPARED BY:

GEI CONSULTANTS, INC.
400 UNICORN PARK DRIVE
WOBURN, MA 01801
(781)721-4000



FOR PERMITS ONLY

				DRAFT	DWG. NO. G-001
2	7/8/2022	REVISED PER USACE MEETING	CRP		SHEET NO. 1 OF 10
1	5/31/2022	PERMITS	CRP		
0	3/30/2022	PRELIMINARY	CRP		
NO.	DATE	ISSUE/REVISION	APP		

THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, IS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF GEI CONSULTANTS AND IS NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF GEI CONSULTANTS.

GEI PROJECT NO. 2200776

SURVEY NOTES:

1. BASE PLAN OBTAINED FROM SURVEY TITLED "WATERFRONT IMPROVEMENTS, 505 LAKE STREET, BURLINGTON, VT" PREPARED BY CEA ASSOCIATES, INC. DATED 07/15/2019.
2. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY CONFLICTS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER. THE CONTRACTOR SHALL CONTACT DIG SAFE (888-344-7233) PRIOR TO ANY CONSTRUCTION.
3. PROPERTY LINE INFORMATION BASED ON INFORMATION ABSTRACTED FROM THE CITY OF BURLINGTON LAND RECORDS. THIS PLAN IS NOT A BOUNDARY SURVEY AND IS NOT INTENDED TO BE USED AS ONE. MONUMENTATION RECOVERED IS CONSISTENT WITH RECORDED DOCUMENTS.
4. SITE INFORMATION IS BASED ON A FIELD SURVEY PERFORMED BY CIVIL ENGINEERING ASSOCIATES, INC JANUARY 2019. CIVIL ENGINEERING ASSOCIATES, INC. SURVEY ORIENTATION IS "GRID NORTH", VERMONT COORDINATE SYSTEM OF 1983 (HORIZONTAL) AND NGVD29 (VERTICAL)
5. PROJECT BENCHMARK IS LAKE CHAMPLAIN ESTABLISHED FROM THE UNITED STATES GEOLOGICAL SURVEY GAUGING STATION 04294500 LOCATED IN BURLINGTON, VERMONT. (DATUM NGVD 29).
6. THIS PROPERTY LIES WITHIN THE DOWNTOWN WATERFRONT - PUBLIC TRUST DISTRICT (DW-PT) AND THE OVERLAY DISTRICTS: WETLAND CONSERVATION, RIPARIAN AND LITTORAL CONSERVATION, SPECIAL FLOOR HAZARD AREA, SPECIAL FLOOD HAZARD AREA AND DESIGN REVIEW.

DESIGN VESSEL NOTES:

DESIGNER: SKIP ETCHHELLS

DIMENSIONS:

OVERALL LENGTH	30 ft / 9.29 m
WATERLINE LENGTH	22 ft / 6.70 m
BEAM	7 ft / 2.12 m
DRAFT	4.5 ft / 1.37 m
DISPLACEMENT	3400 lbs / 1.564 tonnes
SAIL AREA (MEASURED)	290.9 sq. ft. / 88.67 sq. m
SPINNAKER (NOMINAL)	400 sq. ft. / 121.92 sq. m

LEGEND

	APPROXIMATE PROPERTY LINE
	APPROXIMATE SETBACK LINE
	EXISTING CONTOUR
	EXISTING CURB
	EXISTING FENCE
	EXISTING GRAVEL
	EXISTING PAVEMENT
	EXISTING GUARD RAIL
	EXISTING ELECTRIC
	EXISTING FORCEMAIN
	EXISTING GAS
	EXISTING STORM
	EXISTING GRAVITY SEWER
	EXISTING TELEPHONE
	EXISTING WATER
	EXISTING SWALE
	STREAM
	WETLANDS
	WETLANDS BUFFER
	MEAN WATER (95.5)
	ORDINARY HIGH WATER (98.0)
	FEMA FLOOD HAZARD AREA (102.0)
	EXISTING SEWER MANHOLE
	EXISTING STORM MANHOLE
	EXISTING CATCH BASIN
	EXISTING YARD DRAIN
	EXISTING WELL
	EXISTING HYDRANT
	EXISTING SHUT OFF
	EXISTING UTILITY POLE
	EXISTING LIGHT POLE
	EXISTING GUY WIRE/POLE
	EXISTING SIGN
	EXISTING DECIDUOUS TREE
	EXISTING CONIFEROUS TREE
	EDGE OF BRUSH/WOODS
	IRON ROD/PIPE FOUND
	CONCRETE MONUMENT FOUND
	TEST PIT
	PERCOLATION TEST
	PROJECT BENCHMARK

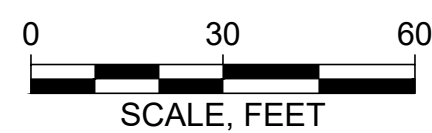
FOR PERMITS ONLY

Attention: 01"0 If this scale bar does not measure 1" then drawing is not original scale.	DRAFT	Designed: CRP	GEI Consultants GEI CONSULTANTS, INC. 400 UNICORN PARK DRIVE WOBURN, MA 01801 (781)721-4000	LAKE CHAMPLAIN COMMUNITY SAILING CENTER 505 Lake St. Burlington, VT 05401	WATERFRONT IMPROVEMENTS					SHEET NAME GENERAL NOTES	SHEET NO. G-002
		Drawn: JSF									
		Checked:									
		Approved: CRP									
		P.E. No:									
		GEI Project 2200776									
				BURLINGTON, VT		2	7/8/2022	REVISED USACE MEETING	CRP		
						1	5/31/2022	PERMITS	CRP		
						0	3/30/2022	PRELIMINARY	CRP		
						NO	DATE	ISSUE/REVISION	APP		

FITZGERALD, JAMISON b:\Working\lake champlain community sailing center\00_CAD\Design\Working\permit set\Working\V-101 EXISTING CONDITIONS PLAN.dwg - 7/8/2022

DATUM

EL. 102.0 FEMA FLOOD HAZARD AREA
EL. 98.0 ORDINARY HIGH WATER
EL. 95.5 MEAN WATER



Attention:
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If this scale bar does not measure 1" then drawing is not original scale.

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Designed: CRP
Drawn: JSF
Checked:
Approved: CRP
P.E. No:
GEI Project 2200776



LAKE CHAMPLAIN
COMMUNITY
SAILING CENTER
505 Lake St.
Burlington, VT
05401

BURLINGTON, VT

WATERFRONT
IMPROVEMENTS

2	7/8/2022	REVISED USACE MEETING	CRP
1	5/31/2022	PERMITS	CRP
0	3/30/2022	PRELIMINARY	CRP
NO	DATE	ISSUE/REVISION	APP

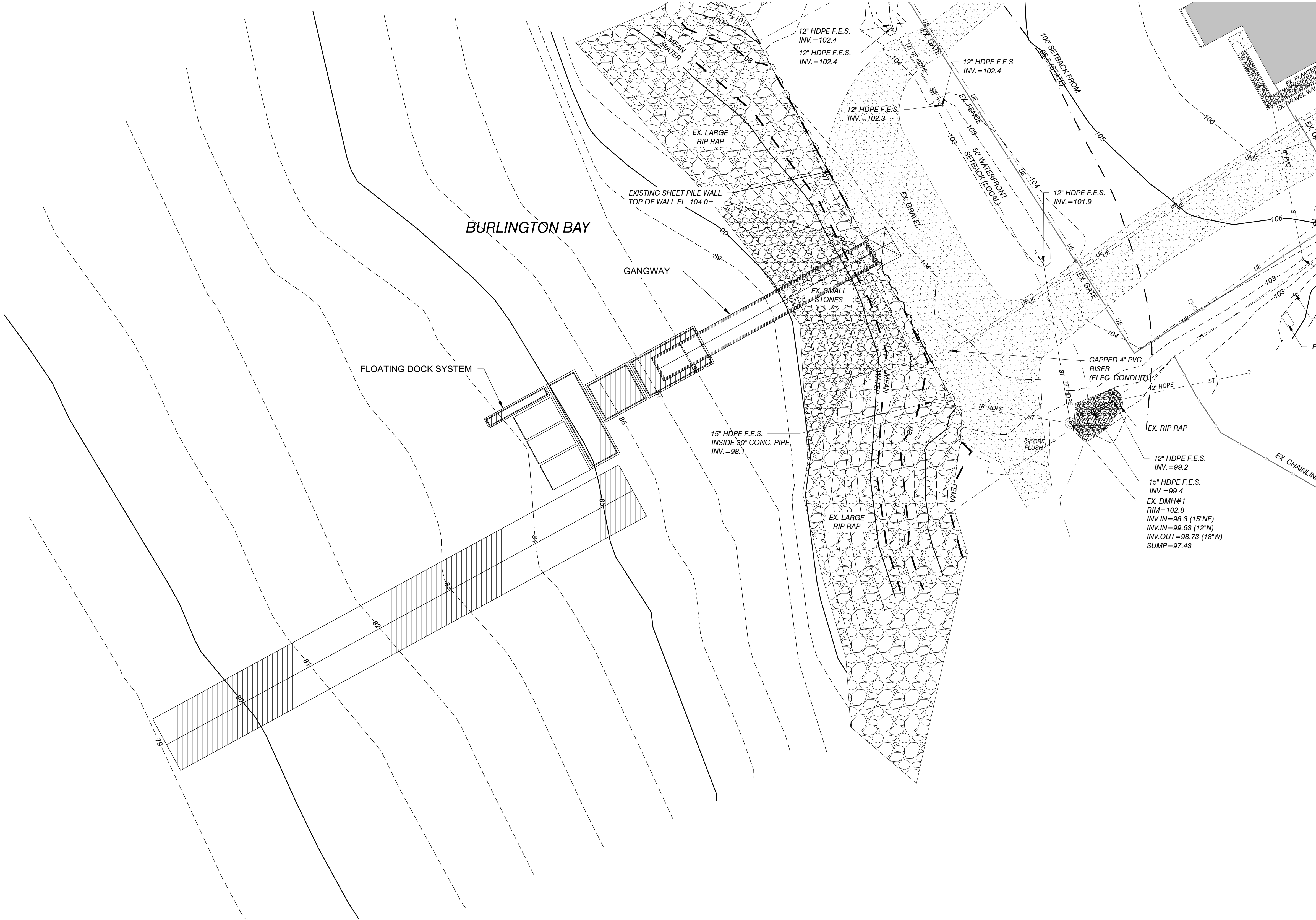
SHEET NAME
EXISTING CONDITIONS
PLAN 1 OF 2

SHEET NO.

V-101

FOR PERMITS ONLY

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DATUM

EL. 102.0 FEMA FLOOD HAZARD AREA
EL. 98.0 ORDINARY HIGH WATER
EL. 95.5 MEAN WATER



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Drawn:	JSF
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Approved:	CRP
P.E. No:	
GEI Project	2200776



LAKE CHAMPLAIN
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1	5/31/2022	PERMITS	CRP
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NO	DATE	ISSUE/REVISION	APP

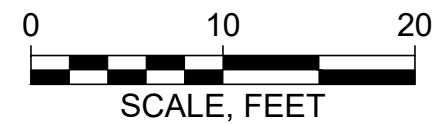
SHEET NAME
**EXISTING CONDITIONS
PLAN 2 OF 2**

SHEET NO.

V-102

FOR PERMITS ONLY

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Approved:	CRP
P.E. No:	
GEI Project	2200776



LAKE CHAMPLAIN
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SAILING CENTER
505 Lake St.
Burlington, VT
05401

BURLINGTON, VT

WATERFRONT
IMPROVEMENTS

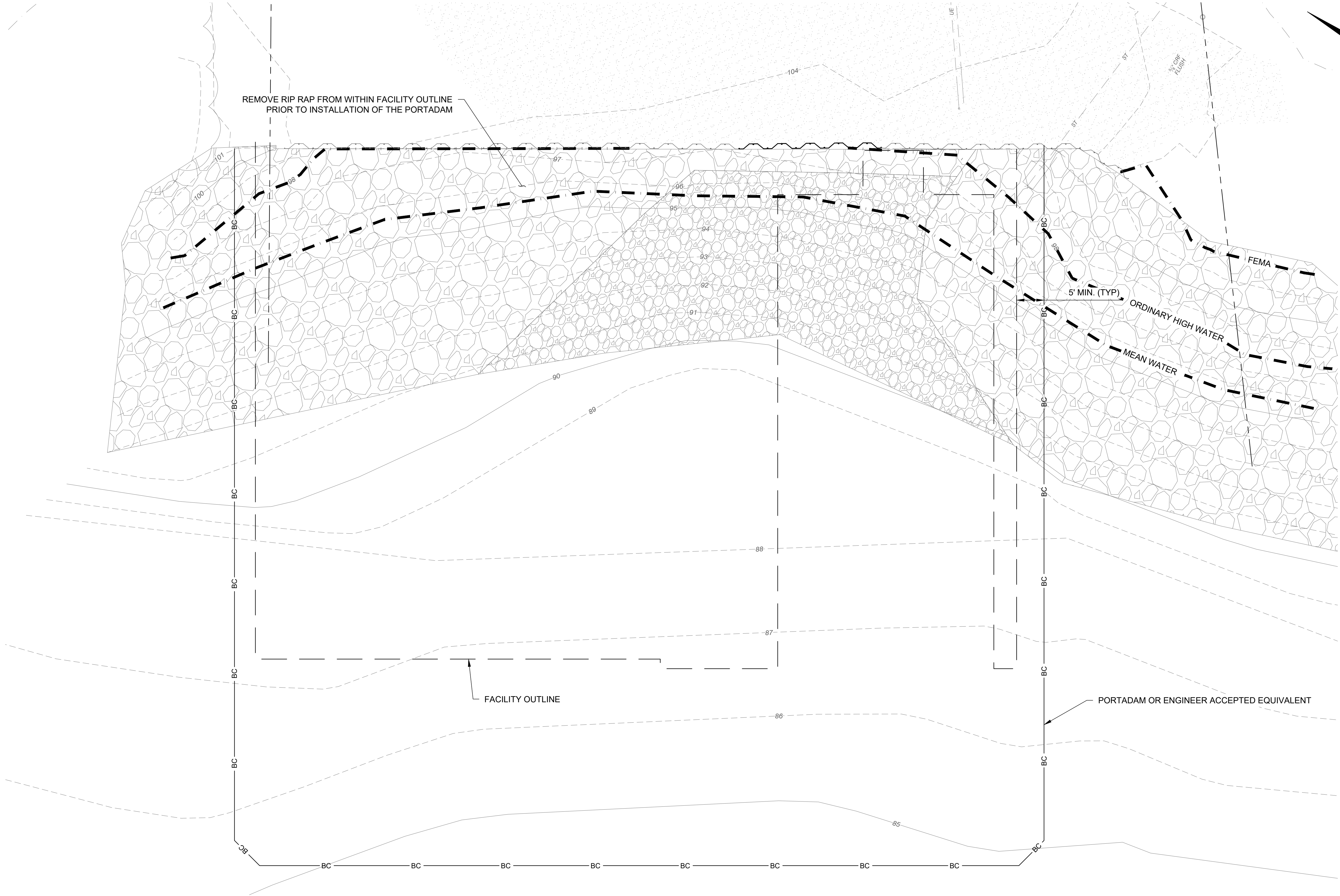
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1	5/31/2022	PERMITS	CRP
0	3/30/2022	PRELIMINARY	CRP
NO	DATE	ISSUE/REVISION	APP

SHEET NAME
SITE CONTROLS

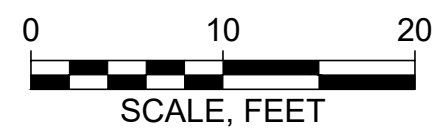
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C-102

FOR PERMITS ONLY



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not original scale.

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Drawn: JSF
Checked:
Approved: CRP
P.E. No:
GEI Project 2200776



LAKE CHAMPLAIN
COMMUNITY
SAILING CENTER
505 Lake St.
Burlington, VT
05401

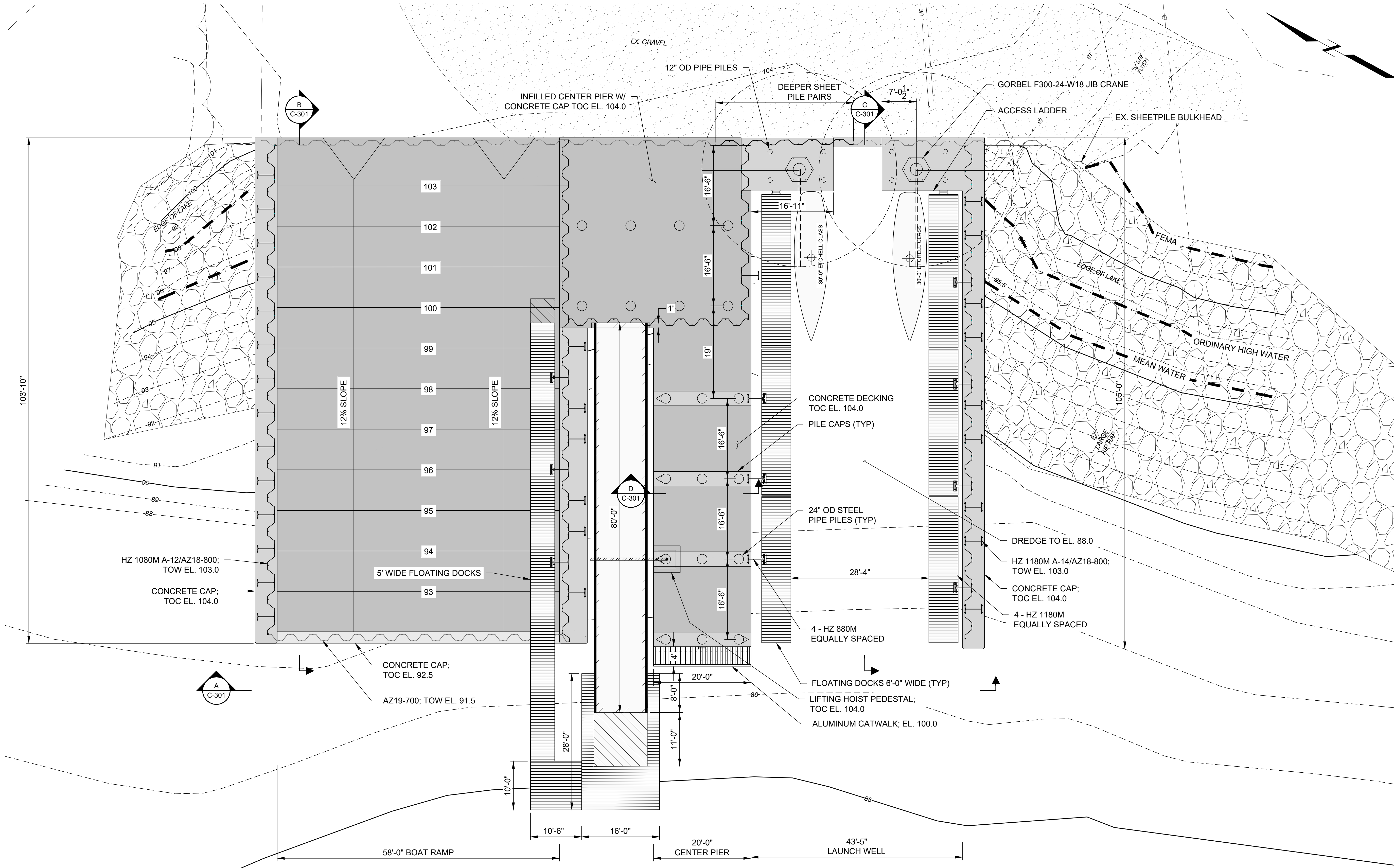
BURLINGTON, VT

WATERFRONT
IMPROVEMENTS

2	7/8/2022	REVISED USACE MEETING	CRP	
1	5/31/2022	PERMITS	CRP	
0	3/30/2022	PRELIMINARY	CRP	
NO	DATE	ISSUE/REVISION	APP	

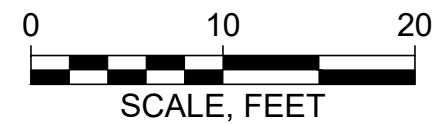
SHEET NAME
WATERFRONT GENERAL
ARRANGEMENT PLAN

SHEET NO.
C-103



FOR PERMITS ONLY

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<i>Drawn:</i>	JSF
<i>Checked:</i>	
<i>Approved:</i>	CRP
<i>P.E. No:</i>	
<i>GEI Project</i>	2200776



LAKE CHAMPLAIN
COMMUNITY
SAILING CENTER
505 Lake St.
Burlington, VT
05401

BURLINGTON, VT

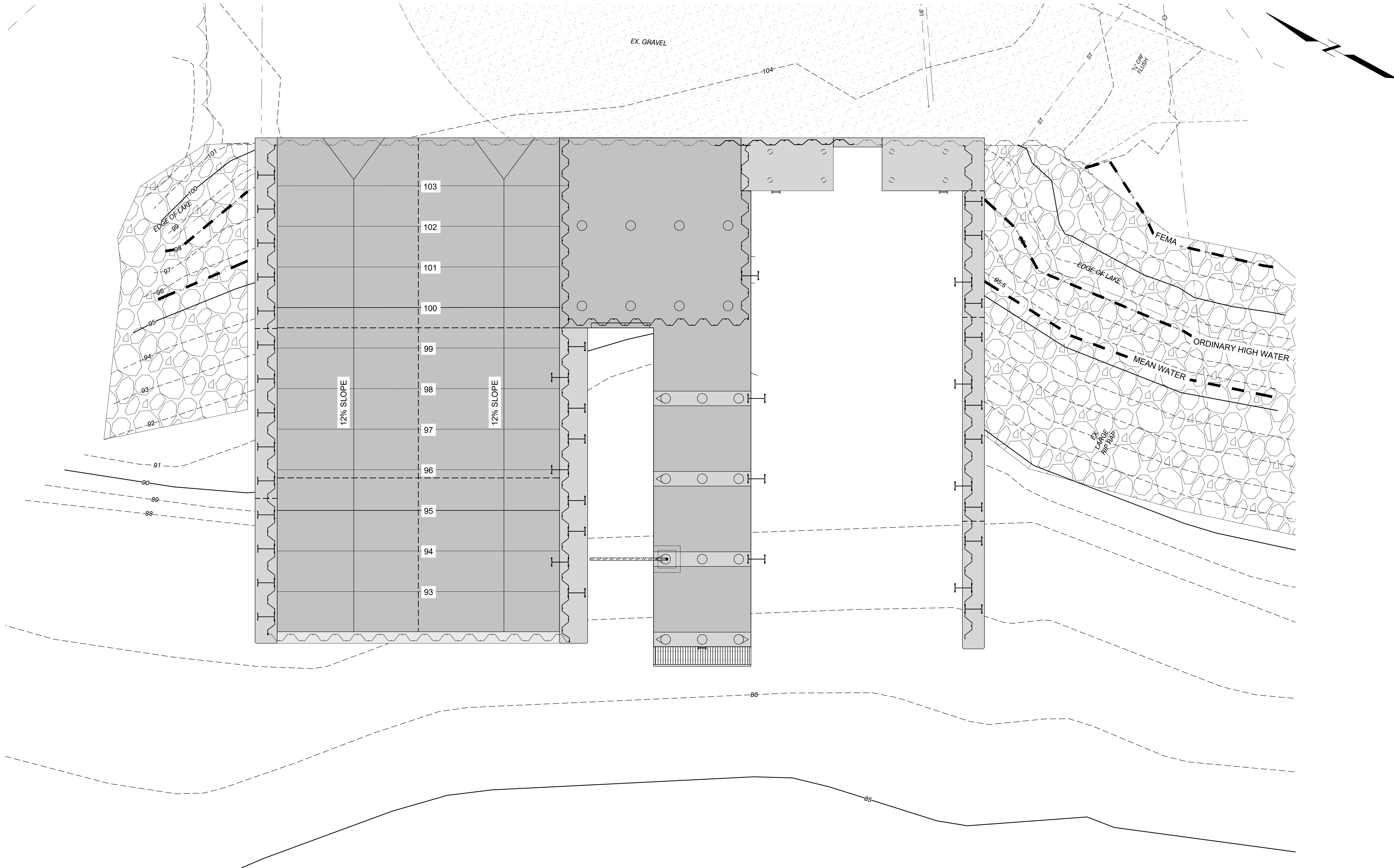
WATERFRONT
IMPROVEMENTS

2	7/8/2022	REVISED USACE MEETING	CRP
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NO	DATE	ISSUE/REVISION	APP

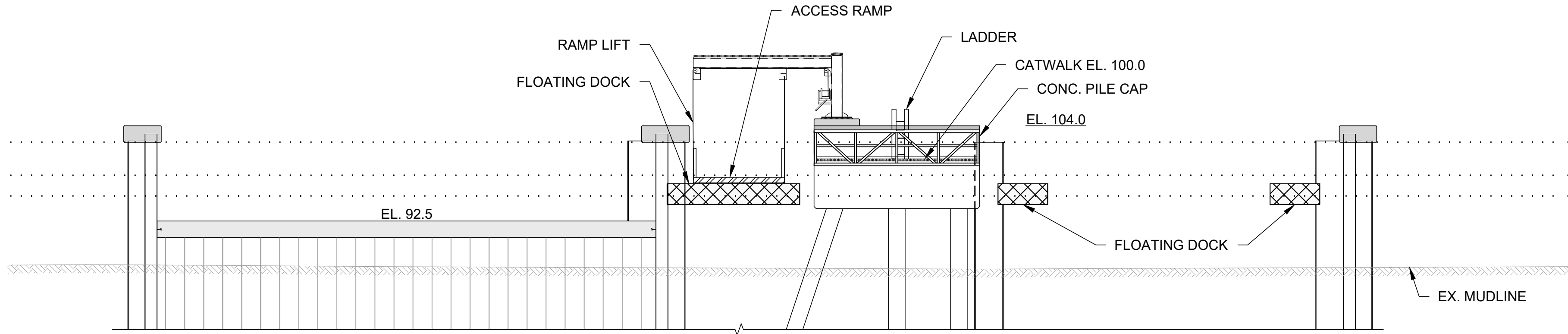
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PROPOSED STRUCTURES PLAN

SHEET NO.
C-104

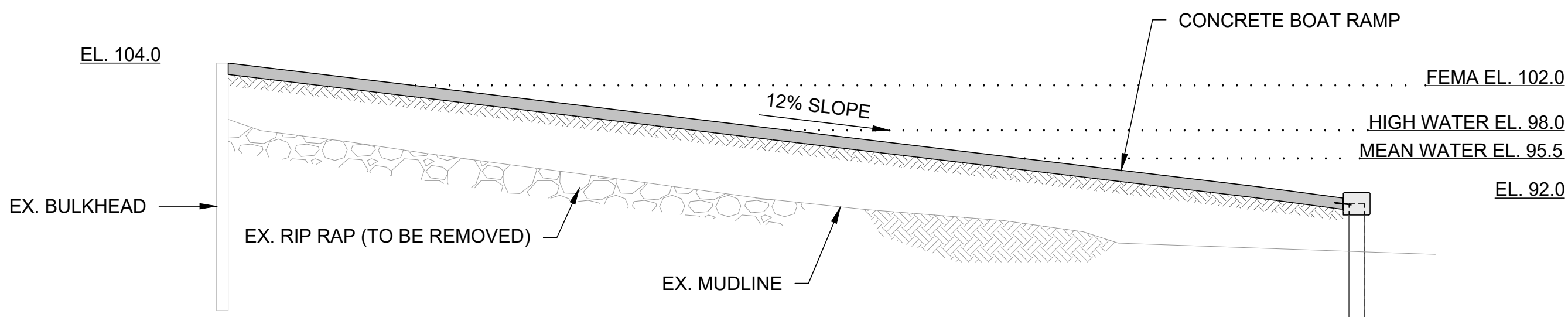
FOR PERMITS ONLY



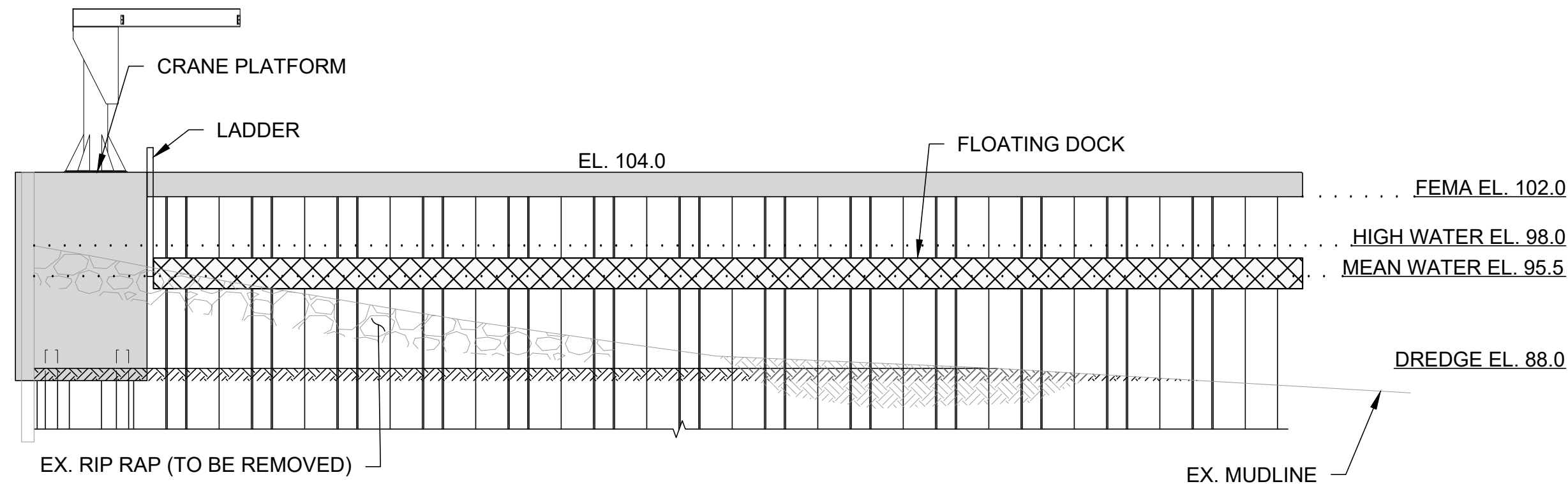
FITZGERALD, JAMISON b:\Workinglake champlain community sailing center\2200776 lake champlain community sailing center\00_CAD\Design\Working\permit set\Working\C-301_PROPOSED SECTIONS.dwg 7/8/2022



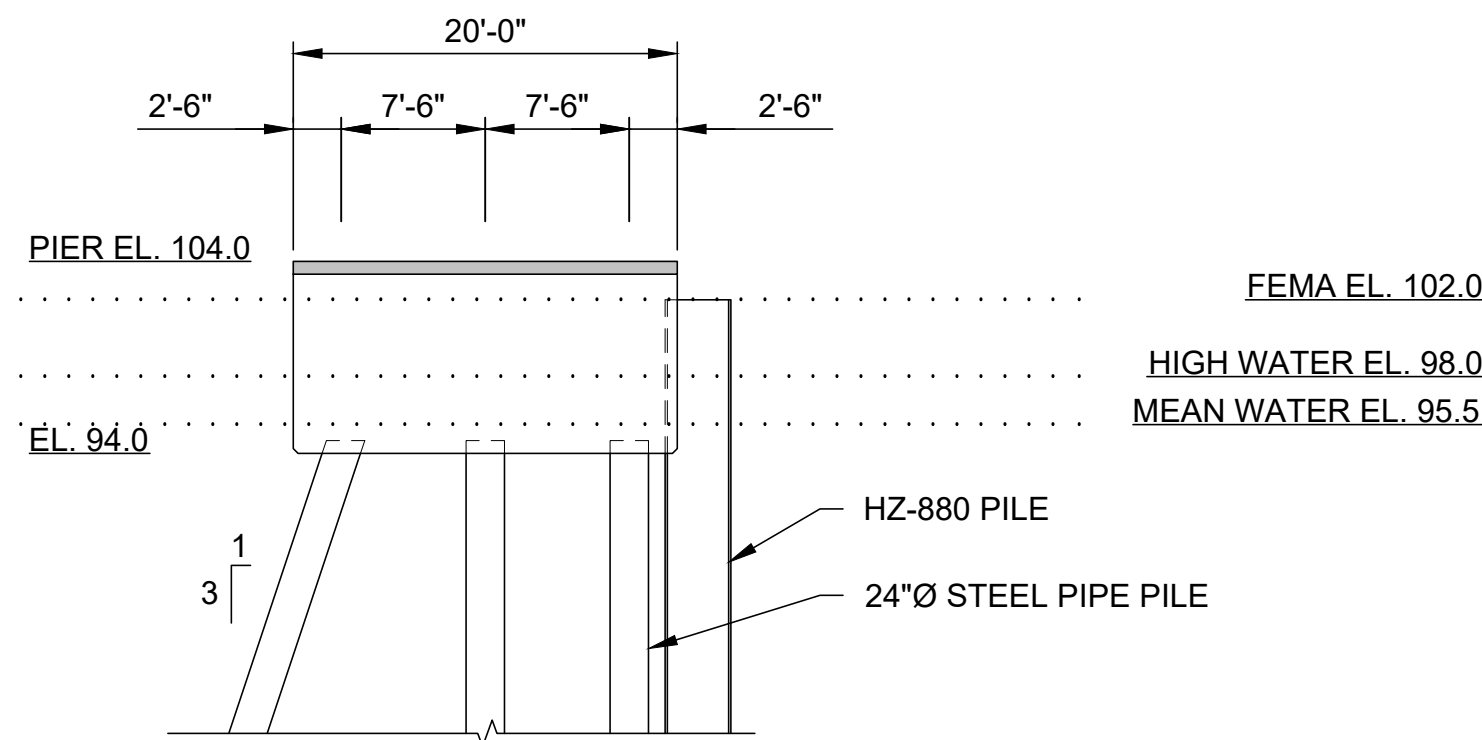
A ELEVATION
C-103 FACILITY
SCALE: 1" = 10'



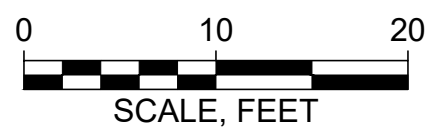
B SECTION
C-103 BOAT RAMP
SCALE: 1" = 10'



C SECTION
C-103 FLOAT EMBAYMENT
SCALE: 1" = 10'



D SECTION
C-103 CENTER PIER
SCALE: 1" = 10'



Attention:
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Designed: CRP
Drawn: JSF
Checked:
Approved: CRP
P.E. No:
GEI Project 2200776



LAKE CHAMPLAIN
COMMUNITY
SAILING CENTER
505 Lake St.
Burlington, VT
05401

BURLINGTON, VT

**WATERFRONT
IMPROVEMENTS**

2	7/8/2022	REVISED USACE MEETING	CRP
1	5/31/2022	PERMITS	CRP
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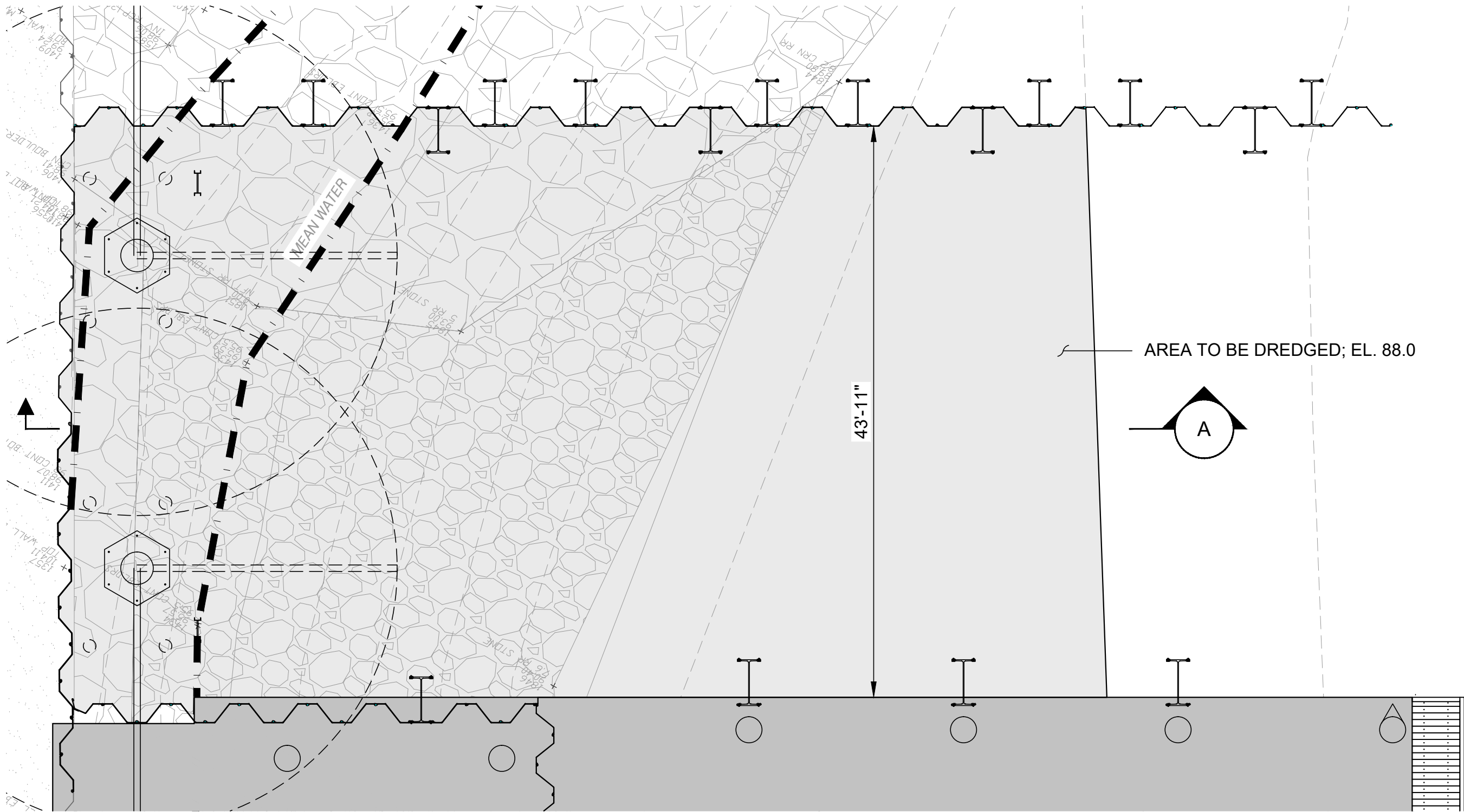
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PROPOSED SECTIONS

SHEET NO.

C-301

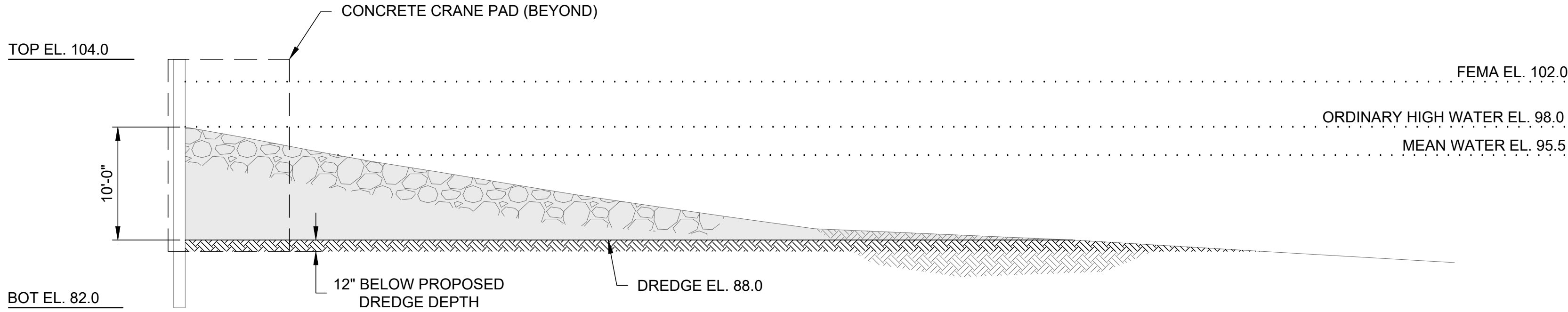
FOR PERMITS ONLY

FITZGERALD, JAMISON b:\Working\lake champlain community sailing center\2200776 lake champlain community sailing center\00_CAD\Design\Working\permit set\Working\05 DREDGING PLAN.dwg - 7/8/2022



DREDGE:	
SQUARE FOOTAGE:	3,600 SF
VOLUME REMOVE:	530 CY

PLAN
LAUNCH WELL DREDGING SCALE: 1"=8'-0"



A SECTION
LAUNCH WELL DREDGING SCALE: 1"=8'-0"



Attention:
0 1"
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Designed:	CRP
Drawn:	JSF
Checked:	
Approved:	CRP
P.E. No:	
GEI Project	2200776



LAKE CHAMPLAIN
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05401

BURLINGTON, VT

WATERFRONT
IMPROVEMENTS

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0	3/30/2022	PRELIMINARY	CRP
NO	DATE	ISSUE/REVISION	APP

SHEET NAME

DREDGING PLAN

SHEET NO.

C-105

FOR PERMITS ONLY

Department of Permitting & Inspections

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

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Joseph Cava, Planning Technician
Ted Miles, Code Compliance Officer
Charlene Orton, DPI Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: September 6, 2022
RE: ZP-22-443; 505 Lake Street

=====

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

Zone: DW-PT Ward: 3C

Owner/Applicant: City of Burlington / Lake Champlain Community Sailing Center

Request: Proposed waterfront improvements for the existing Community Sailing Center. Install/build a boat ramp, a structural wall wave attenuators, a pier with walkways, and a launch well and hoists.

Applicable Regulations:

Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines)

Background Information:

The applicant is seeking approval to construct a number of improvements related to lake access for the existing sailing center. These improvements include a concrete ramp into the water, a new pier and boat hoists, and a protected "well" for hoisting boats into, and out of, the lake. Essentially all of the work will take place within the lake. VT ANR and the US Army Corps of Engineers have permitting jurisdiction over the lake encroachment. The sailing center is a permitted use in the Downtown Waterfront – Public Trust (DW-PT) zone. Zoning review of this application is limited to the structural improvements and their location within the Special Flood Hazard Area (SFHA).

Given the location within the SFHA, project plans have been provided to the state floodplain coordinator. No comments have been received. The 30-day comment period ends September 1, 2022.

The Conservation Board performed a courtesy review of this project August 1, 2022 and expressed no concerns. The review was "courtesy" because the project is within the city's downtown waterfront and is not affected by the lakeshore buffer.

Previous zoning actions for this property:

- 5/23/20, Approval to construct a concrete pad
- 9/25/17, Approval to install signs
- 7/14/17, Approval to construct 9 onsite parking spaces
- 4/29/11, Approval reconfigure and fence boat yard

- 5/26/10, Approval redevelop the Moran Plant, including construction of the Community Sailing Center

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

I. Findings

Article 4: Maps & Districts

Sec. 4.4.1, Downtown Mixed Use Districts:

(a) Purpose

(4) Downtown Waterfront – Public Trust District (DW-PT)

The subject property is located in the Downtown Waterfront – Public Trust (DW-PT) District. This district is intended to enhance and diversify commercial and residential development in the downtown waterfront area, and to increase access, utilization, and enjoyment of the lakeshore by the community. Strong emphasis is placed on enhancing public access to the lakeshore.

The proposed improvements to the sailing center are consistent with this intent. The sailing center is open to the public, including access to the water. The proposed improvements will enhance access to the lake. **(Affirmative finding)**

(b) Dimensional Standards & Density

A FAR of 2 is allowed in the DW-PT zone. No new onshore buildings are included in this proposal. Existing FAR will remain unchanged.

There is no lot coverage limit in the DW-PT zone.

No minimum setbacks apply to the project as proposed.

No new onshore buildings are proposed. Existing building height remains unchanged.
(Affirmative finding)

(c) Permitted & Conditional Uses

See (d) 2 below.

(d) District Specific Regulations

1. Use Restrictions

A. Ground Floor Residential Uses Restricted
(Not applicable)

2. Public Trust Restrictions

The subject property is located within that area of the DW-PT north of Main Street. The sailing center – open to the public on a non-discriminatory basis – is a permitted use (i.e. marina).
(Affirmative finding)

3. Facades and Setbacks on Side and Rear Property Lines
(Not applicable)

4. Building Height Setbacks

A. Principal View Corridors
(Not applicable)

B. Church Street Buildings
(Not applicable)

C. Side Street Building Height
(Not applicable)

5. Lake Champlain Waterfront Setbacks

No new onshore buildings are included in this proposal. Proposed work continues to allow public access to the lakeshore. **(Affirmative finding)**

6. Residential District Setback
(Not applicable)

7. Development Bonuses/Additional Allowances
None are sought.

Sec. 4.5.4, Natural Resource Protection Overlay District:

All of the proposed work encroaches into the special flood hazard area.

(a) District Specific Regulations: Special Flood Hazard Area

(7) Special Review Criteria

A. The danger to life and property...

The proposed improvements will have no impact on flood heights or velocities. **(Affirmative finding)**

B. The danger that material may be swept onto other lands...

The boat ramp and pier will be fixed structures built into the ground and lake bottom. The floating docks will be anchored to the sheet piling and/or pier. Flood velocities are typically not problematic along the lakeshore. Flood waters rise and then fall. Wave attenuators are in place to limit wave action. Water velocity is a danger within the floodway that follows the river corridor. There is little danger that the proposed facilities will be swept away. **(Affirmative finding)**

C. The proposed water supply and sanitation systems...

Municipal water and sewer serve the sailing center. No changes are proposed. **(Affirmative finding)**

D. The susceptibility of the proposed facility and its contents to flood damage...

The pier will be constructed to an elevation of 104' above sea level – 2' above the 102' base flood elevation. Construction to this elevation significantly reduces the changes of inundation and flood damage. The ramp, of course, descends into the water and is protected by the pier and sheet piling to reduce potential for damage. **(Affirmative finding)**

E. The importance of the services provided...

The sailing center serves as a significant public amenity affording access to the lakeshore. The proposed work will improve access to the water. **(Affirmative finding)**

F. The availability of alternative locations...

Given the purpose of the sailing center and the intent of the proposed work to improve access to the water, alternative locations are not warranted. It is a functionally dependent use necessarily located within the SFHA. **(Affirmative finding)**

G. The compatibility of the proposed use with existing development...

As noted elsewhere in these findings, the sailing center is consistent with the intent of the DW-PT zone. **(Affirmative finding)**

H. The relationship of the proposed use to the Municipal Development Plan...

PlanBTV: Downtown and Waterfront specifically calls for additional marina capacity to better serve the intense demand for water uses along Burlington's downtown water front. The plan notes the present conditions as inadequate and cites the exiting 8-year wait list for a boat slip (Water Use Expansion)

The sailing center is accessible by boat, vehicle, bus, bike, and foot. It is consistent with PlanBTV: Downtown and Waterfront's call for transportation options and connectivity (Yield to Pedestrians, Biking, Bikeways, and Transit). **(Affirmative finding)**

I. The safety of access to the property...

Access to the property will be unaffected by the base flood event. The sailing center building and boat storage are located outside of the SHFA. **(Affirmative finding)**

J. The expected heights, velocity, duration, rate of rise...

The maximum regulatory flood elevation along the lakeshore is 102' above sea level. The velocity of flood waters along the lakeshore is not problematic. Water is more or less stationary as it rises and falls. The duration of flooding and the rate of its rise depend entirely on spring snowmelt and precipitation events. The lake has risen above 102' just once on record (spring 2011). Sediment transport is insubstantial. Sediment transport is associated with moving waterways such as rivers. The proposed improvements to the sailing center will have no impact on flood height, velocity, duration, rate of rise, or sediment transport. **(Affirmative finding)**

K. Conformance with all other applicable requirements...

See Articles 4, 5, and 6 of these findings.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Article 4 above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable in the DW-PT zone.

Sec. 5.2.5, Setbacks

See Article 4 above.

Sec. 5.2.6, Building Height Limits

See Article 4 above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Article 4 above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.3, Stormwater and Erosion Control

Earthwork immediately along the lakeshore associated construction of the proposed improvements will require review and approval of an erosion prevention and sediment control plan by the city's stormwater program. **(Affirmative finding)**

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

The property does not contain any important natural features as identified in the Open Space Protection Plan or as outlined in Sec. 4.5.4, *Natural Resource Protection Overlay Districts*. The downtown waterfront is specifically excluded from the Riparian & Littoral Conservation zone. **(Affirmative finding)**

(b) Topographical alterations

The existing property is essentially flat and will remain so. Topographic alteration is modest and is largely related to construction of the new boat ramp. **(Affirmative finding)**

(c) Protection of important public views

There are significant public views from the subject property, particularly westward across the lake. These views will be preserved. The proposed construction will not adversely impact any identified public view corridor. **(Affirmative finding)**

(d) Protection of important cultural resources

The property is a lakeshore fill site of industrial origin. It has no known archaeological significance. It contains no archaeological site points, nor is it located within an archaeologically sensitive area. **(Affirmative finding)**

(e) Supporting the use of alternative energy

No alternative energies are incorporated into the project design. Construction of the project will have no adverse impact on potential use of alternative energies onsite. **(Affirmative finding)**

(f) Brownfield sites

This property is included on the Vermont DEC Hazardous Site List. A corrective action plan (CAP) has been established and amounts to capping contaminated soils in place. This was done as part of the original site redevelopment. It is the applicant's responsibility to coordinate with VT

DEC as to the corrective action plan and any earthwork associated with this new project.
(Affirmative finding as conditioned)

(g) Provide for nature's events

Post construction stormwater management measures are not required for the proposed work. As noted above, an erosion control plan must be in place prior to construction, subject to review and approval by the city's stormwater program. **(Affirmative finding)**

(h) Building location and orientation

No new onshore buildings are included in this proposal. **(Not applicable)**

(i) Vehicular access

Vehicular access remains unchanged. **(Not applicable)**

(j) Pedestrian access

Pedestrian access to the property remains unchanged. The proposed improvements will enable greater access by pedestrians to the lakeshore with construction of the proposed pier. **(Affirmative finding)**

(k) Accessibility for the handicapped

The application narrative notes that the proposed improvements will include ADA accessibility. Associated handicap parking will remain unchanged. **(Affirmative finding)**

(l) Parking and circulation

Onsite parking and circulation will remain unchanged. Access to the boat ramp and hoists will stem from the existing interior circulation. **(Affirmative finding)**

(m) Landscaping and fences

No new landscaping is proposed. All of the work is lake-side of the shoreline piling. **(Not applicable)**

(n) Public plazas and open space

Significant public open space exists adjacent to the sailing center. Even within the sailing center facility, public access to the lakeshore is available. The proposed work will not adversely impact available public open space or access to the water. **(Affirmative finding)**

(o) Outdoor lighting

No new outdoor lighting is proposed. **(Not applicable)**

(p) Integrate infrastructure into the design

This project includes no new utilities or trash and recycling facilities. **(Not applicable)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

Not applicable.

II. Conditions of Approval

1. **Prior to release of the zoning permit**, the required erosion prevention and sediment control plan shall be reviewed and approved by the city's stormwater program.
2. It is the applicant's responsibility to coordinate with VT DEC as to the corrective action plan and any earthwork associated with this new project.
3. Per Sec. 4.5.4, (f) 8, construction within the Special Flood Hazard Area is subject to the following conditions:

C. All development:

- (i) New construction and/or substantial improvements to structures shall be reasonably safe from flooding and be:
 1. Designed and adequately anchored to prevent flotation, collapse, or lateral movement during the occurrence of the base flood;
 2. Constructed of materials resistant to flood damage;
 3. Constructed by methods and practices that minimize flood damage; and
 4. Constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (ii) All development shall be designed to minimize flood damage to the proposed development and to public facilities and utilities;
- (iii) All development shall be designed to provide adequate surface drainage to reduce exposure to flood hazards;
- (iv) All new construction and substantial improvements that have fully enclosed areas below the lowest floor shall:
 1. Be solely used for parking of vehicles, storage, or building access, and such a condition shall clearly be stated on any permits; and,
 2. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Such designs must be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria: A minimum of two openings of two walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters;
- (v) All necessary permits shall be obtained from those governmental agencies from which approval is required by federal or state law.

D. Residential Development:

- (i) Not applicable.

E. Non-Residential Development:

- (i) All new construction and substantial improvements for nonresidential purposes shall have the lowest floor, including basement, elevated one foot or more above the base flood elevation. Existing non-residential structures may be flood proofed where designed to be watertight to one foot or more above the base flood elevation, with walls substantially impermeable and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A permit for a proposed building to be flood proofed shall not be issued until a registered architect or

engineer has reviewed the structural design, specifications and plans and has certified that the design and methods of construction are in accordance with meeting the provisions of this subsection.

F. Water Supply Systems:

Not applicable;

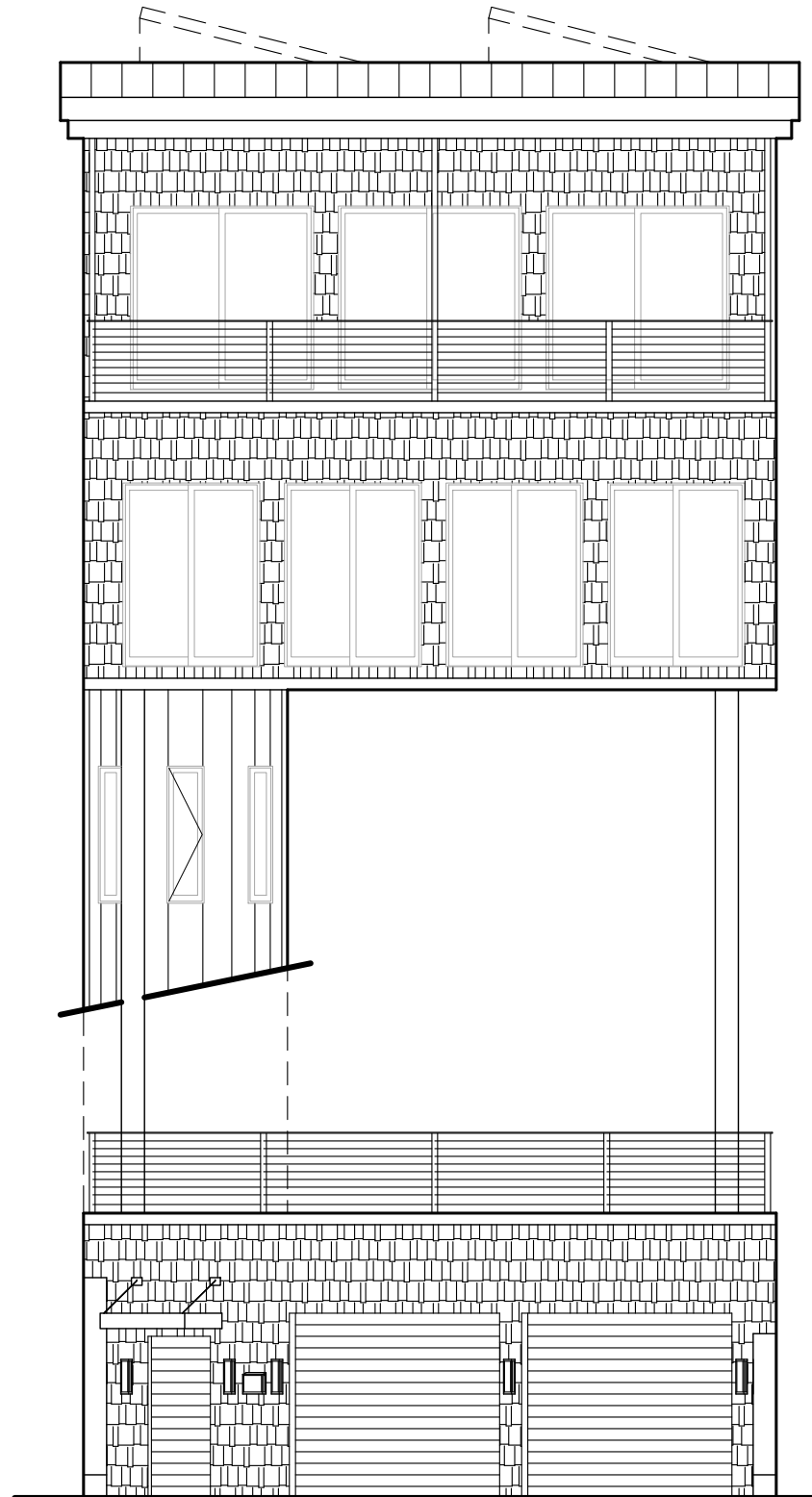
G. On-Site Waste Disposal Systems:

Not applicable;

H. Recreational Vehicles:

(i) Not applicable.

4. It is the applicant's responsibility to comply with all applicable ADA requirements.
5. All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
6. Standard Conditions 1-15.



TROMBLEY RESIDENCE

120 Depot Street
Burlington, Vermont

DESIGN REVIEW SET

Drawing list:

Cover

A0.0 - Site Plan & Zoning

A1.0 - Garage Level Plan

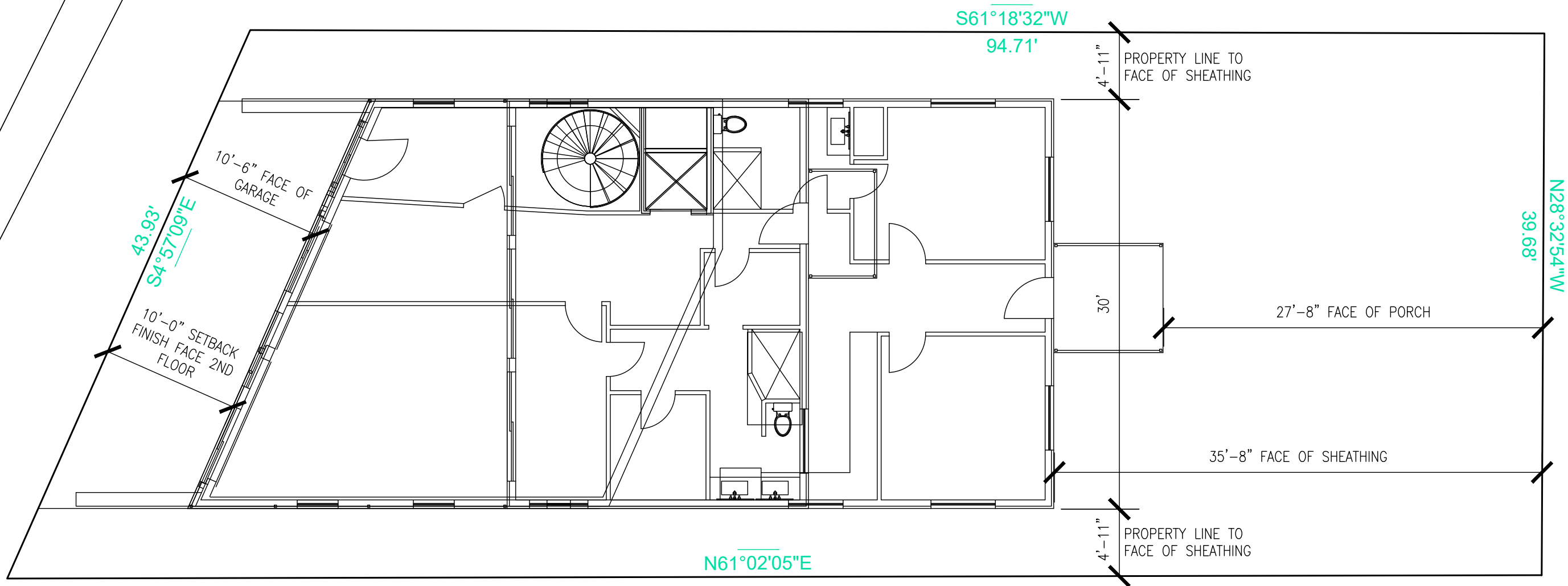
A1.1 - Mid-Level Plan

A1.2 - Top-Level Plan

A2.1 - South Elevation

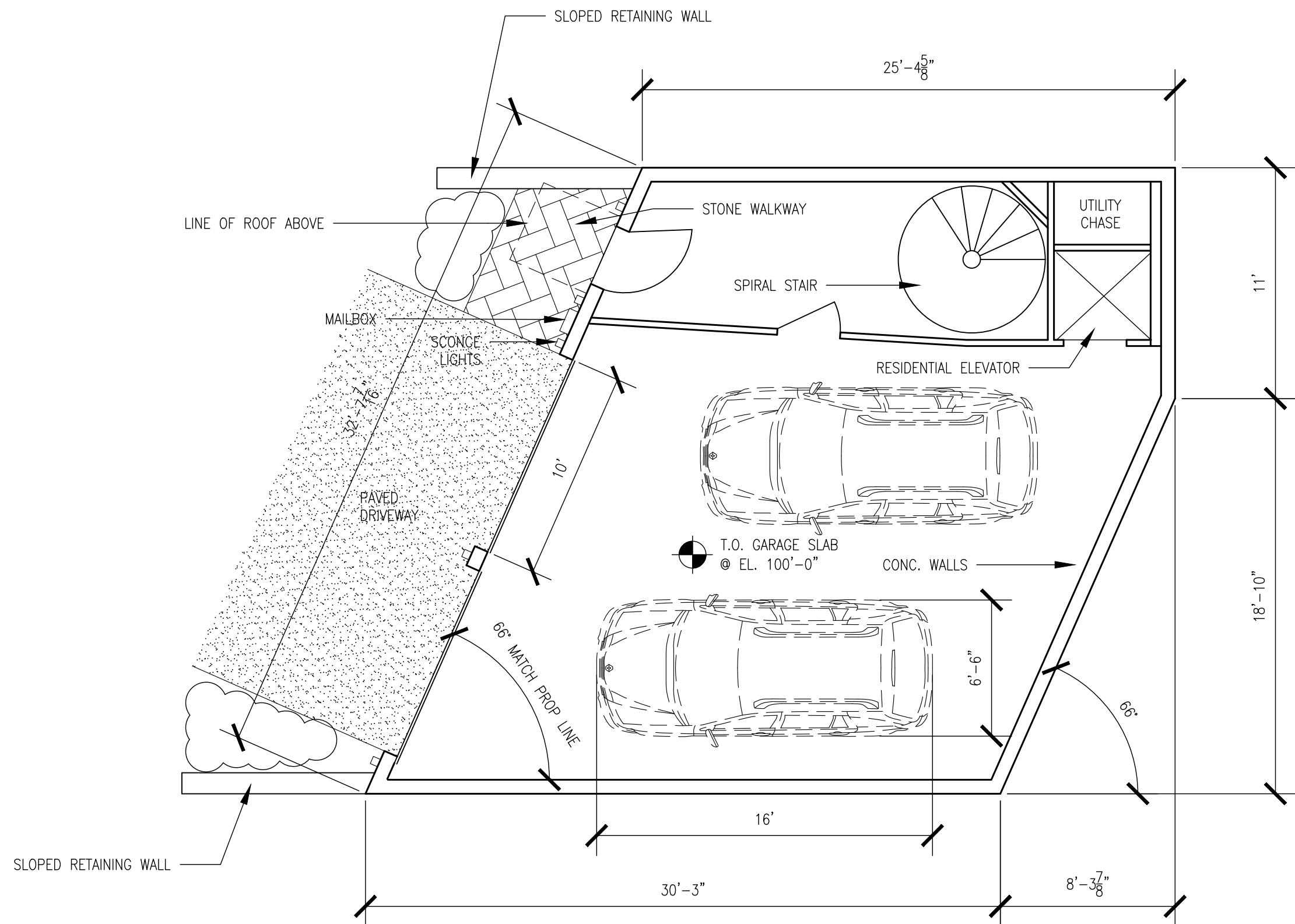
A2.2 - North Elevation

A2.3 - East & West Elevations



1 SITE PLAN
1/8" = 1'-0"

SETBACK REQUIREMENTS – WRM			
TYPE	REQUIREMENT	ACTUAL	COMMENTS
LOT COVERAGE	60%	52.1%	FOOTPRINT, PORCH & DRIVE = 2,153 SF / 4,132 SF LOT
FRONT	10' *	10'	(DEPOT ST.) VARIANCE FOR 10' GRANTED.
SIDES	3'-11 1/2"	4'-9" +	4'-11" TO SHEATHING – SIDING SYSTEM WILL BE < 2"
REAR	26' *	27'-8"	AVE LOT DEPTH = 104' (25% = 26')
REAR	35' MAX	14'-1"	FROM NORTH AVE SIDE FROM EXIST GRADE



1 GARAGE PLAN
3/16" = 1'-0"
1. GARAGE SLAB ELEVATION 100'-0" IS EQUAL TO 157'

JPF Architecture, PLLC
Dubois & King, Inc.

Architect:
Engineer:

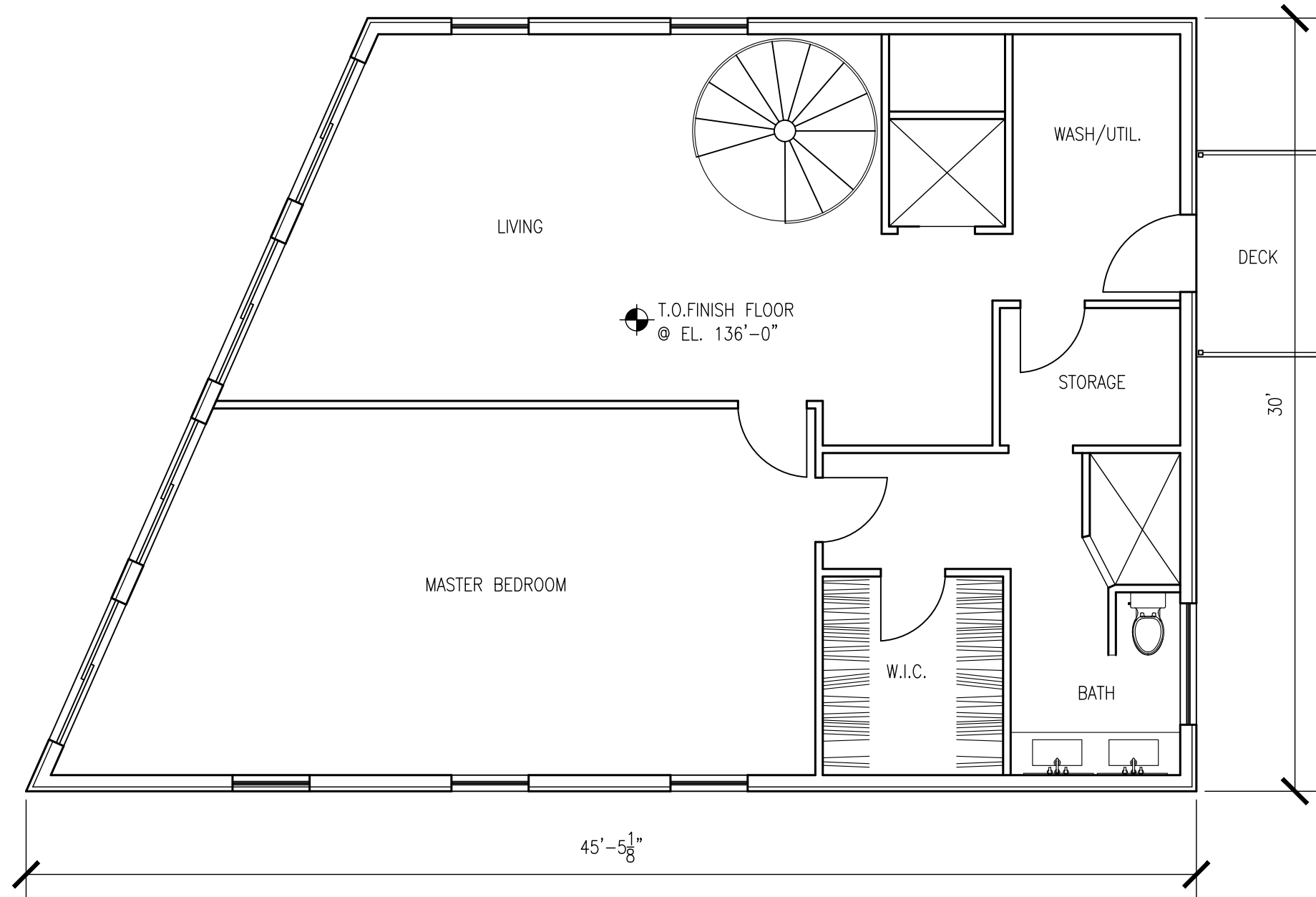
TROMBLEY RESIDENCE
120 Depot Street

GARAGE
PLAN

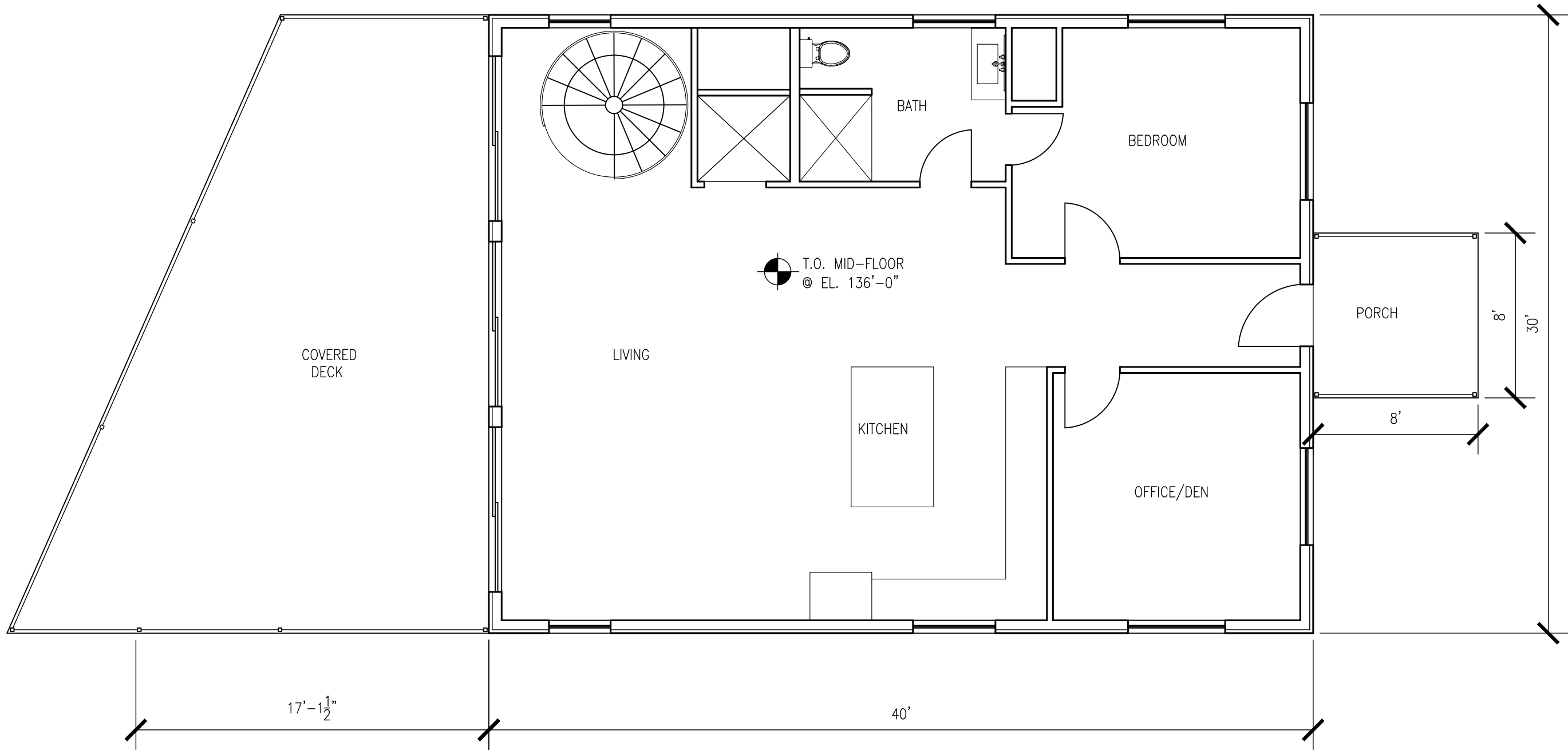
DATE
7.27.

SHEET NUMBER

A1.0



1 MID-LEVEL PLAN
3/16" = 1'-0"



1

TOP-LEVEL PLAN

3/16" = 1'-0"

JPF Architecture, PLLC
Dubois & King, Inc.

Architect:
Engineer:

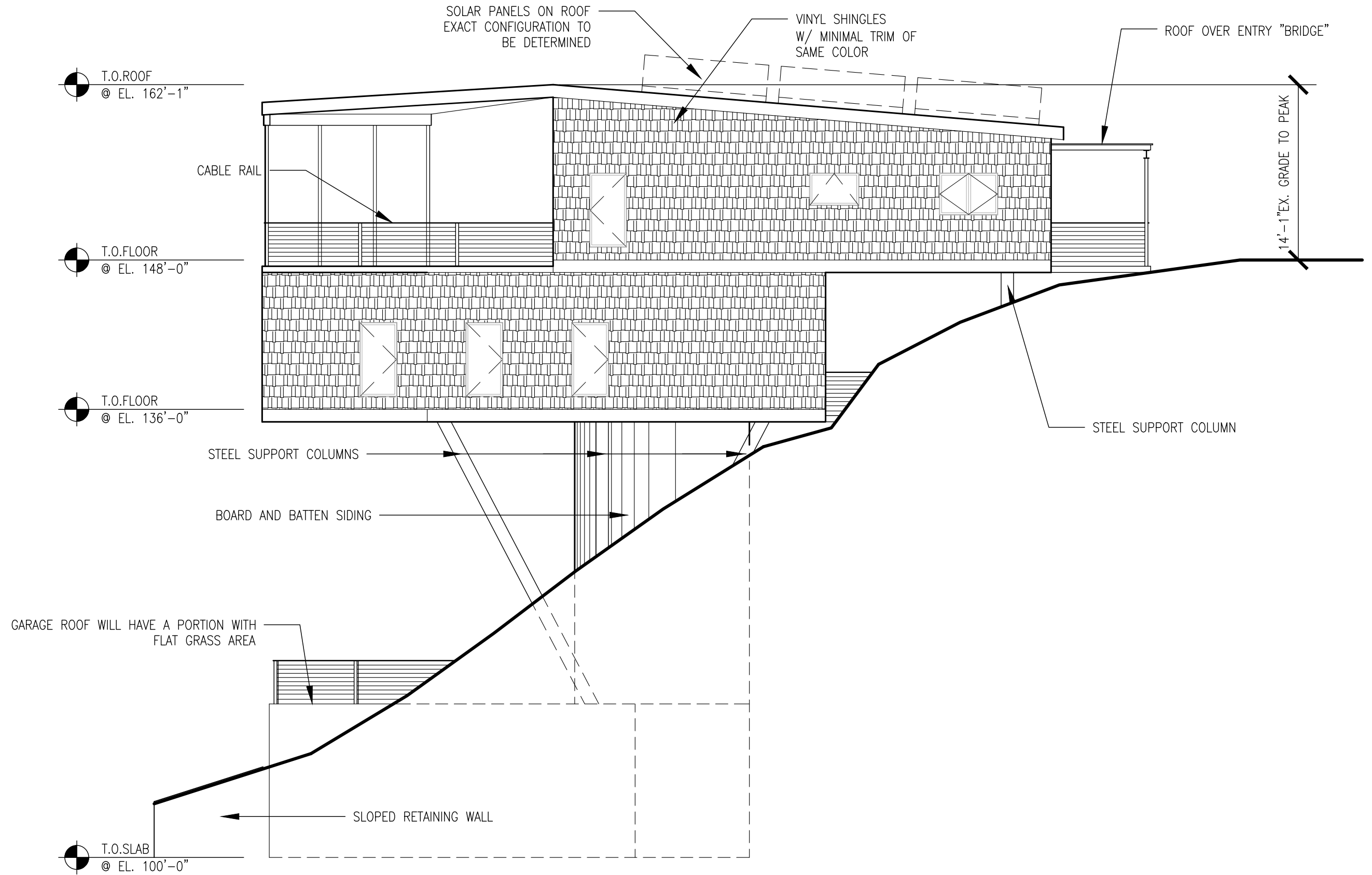
TROMBLEY RESIDENCE
120 Depot Street

TOP-LEVEL
PLAN

DATE
7.27.

SHEET NUMBER

A1.



1 SOUTH ELEVATION
1/8" = 1'-0"

JPF Architecture, PLLC
Dubois & King, Inc.

Architect:
Engineer:

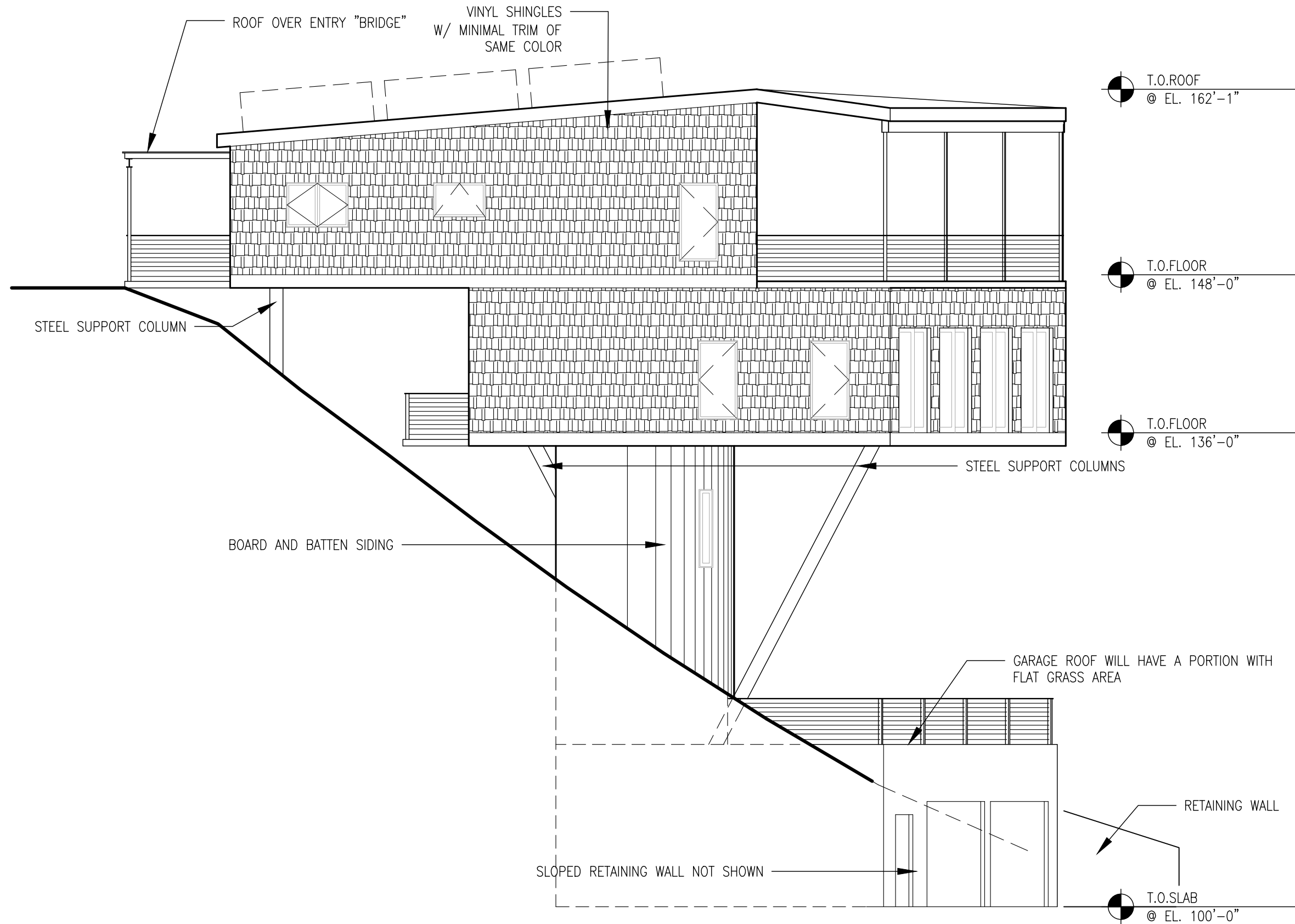
TROMBLEY RESIDENCE
120 Depot Street

SOUTH
ELEVATION

DATE
7.27.

SHEET NUMBER

A2.



1 NORTH ELEVATION

1/8" = 1'-0"

1. GARAGE SLAB ELEVATION 100'-0" IS EQUAL TO 157'

JPF Architecture, PLLC
Dubois & King, Inc.

Architect:
Engineer:

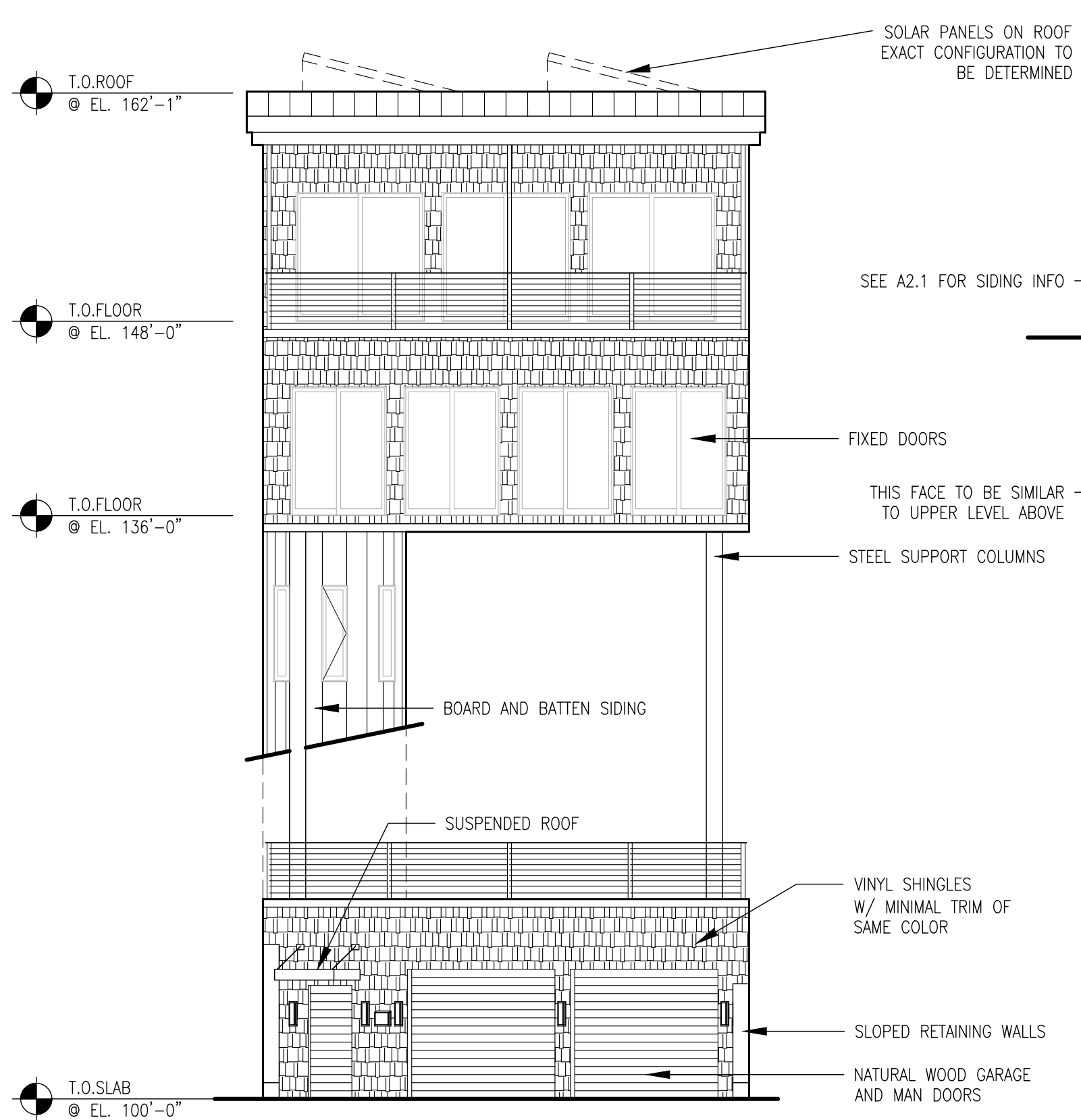
TROMBLEY RESIDENCE
120 Depot Street

NORTH
ELEVATION

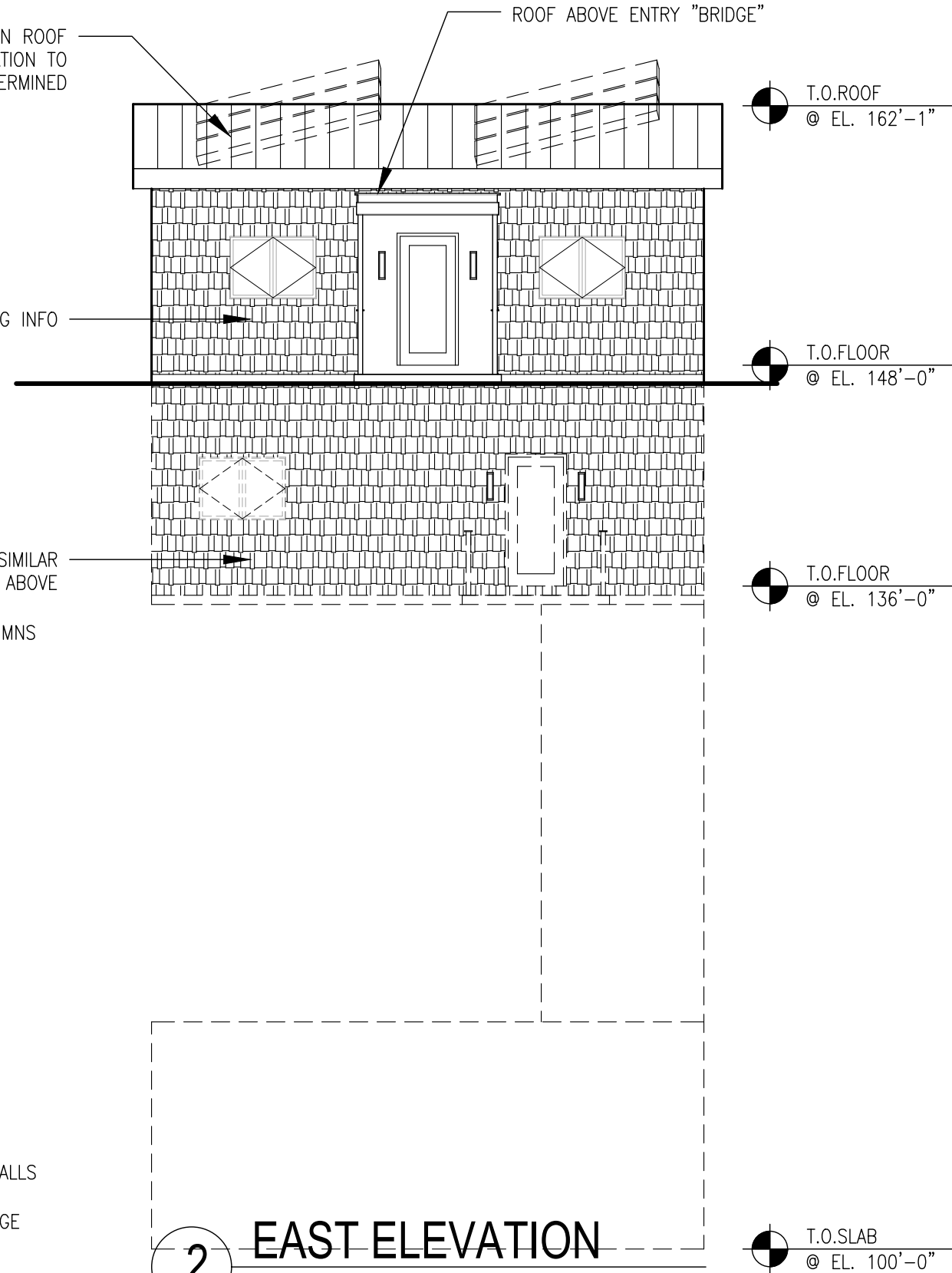
DATE
7.27.

SHEET NUMBER

A2.



1 WEST ELEVATION
1/8" = 1'-0"
1. GARAGE SLAB ELEVATION 100'-0" IS EQUAL TO 157'



2 EAST ELEVATION
1/8" = 1'-0"
1. GARAGE SLAB ELEVATION 100'-0" IS EQUAL TO 157'

JPF Architecture, PLLC
Dubois & King, Inc.

Architect:
Engineer:

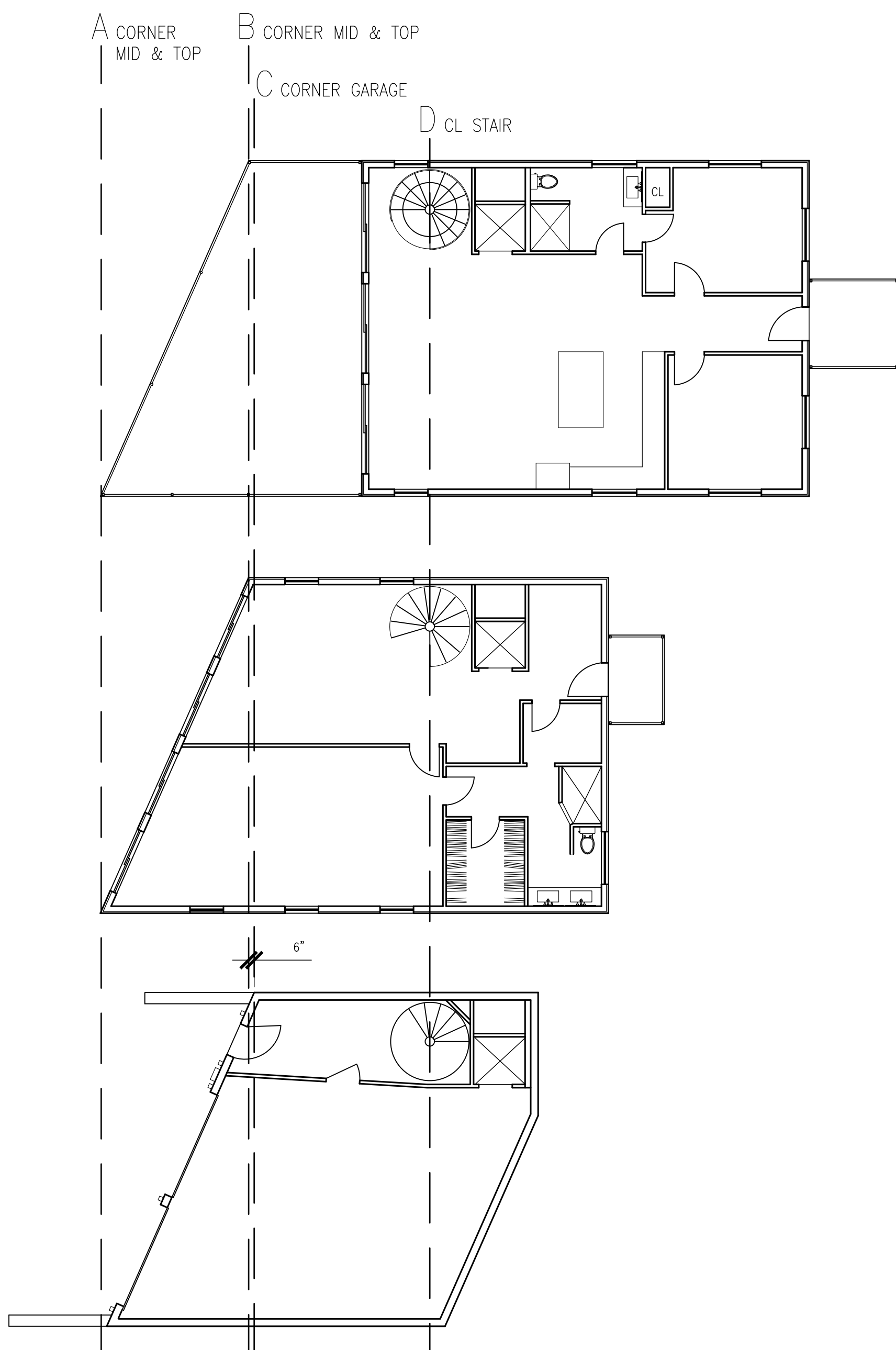
TROMBLEY RESIDENCE
120 Depot Street

EAST & WEST
ELEVATIONS

DATE
7.27.

SHEET NUMBER

A2.



ALIGNMENT DRAWING







Trex Select® Composite Decking

Select decking is the perfect pairing of price and minimal maintenance.



Trex Select® Composite Decking

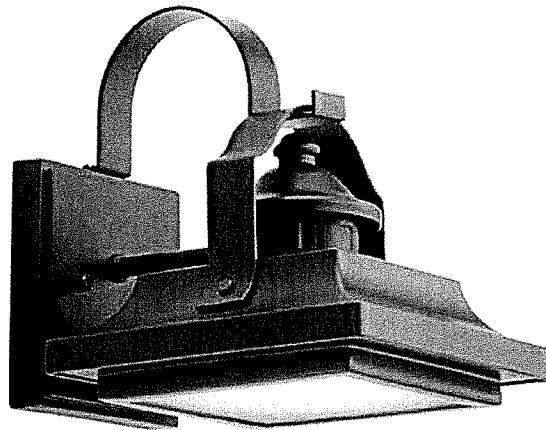
FEATURES

High Performance

Trex Select stands up to both weather and weekend mishaps alike, thanks to its high-performance shell. It resists stains and mold better than traditional composites.

Perennial Beauty

Trex Select comes in five nature-inspired colors that pair smartly with any home, and offer a soft, splinter-free finish that's comfortable underfoot.



EXCLUSIVE

\$69.98



THIS ITEM IS OUT OF STOCK
We'll notify you once this item is back in stock.



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Notify Me

The olde bronze finish delivers a timeless look that complements masonry or siding

Clear glass panels feature a subtle wave-like texture to add a rustic touch

Carriage-inspired design works well with traditional colonial architectural features, like decorative mouldings and doors

Fixture Height (inches)

7.38



LOWE'S PLANS & SERVICES
Add Available Plans and Pro Services in Cart



Pickup at South Burlington Lowe's

☒ Pickup not available



Delivery

☒ Ship to Home - Unavailable

☒ Scheduled Delivery - Unavailable

OVERVIEW

This olde bronze wall mount light is part of the Linford collection. The classic design and vintage wavy glass give this fixture a very traditional look and feel. Coordinate with other fixtures from the Linford collection for a cohesive lighting plan.

- The olde bronze finish delivers a timeless look that complements masonry or siding
- Clear glass panels feature a subtle wave-like texture to add a rustic touch
- Carriage-inspired design works well with traditional colonial architectural features, like decorative mouldings and doors
- Fixture dimensions: 7.38-in H x 6.5-in W x 8 in extension from wall
- All mounting hardware and detailed instructions are included for an easy installation



**Prop65
Warning
Label**
PDF



**Installation
Manual**
PDF



**Kichler Linford 1-Light 7.38-in
Olde Bronze Integrated Outdoor
Wall Light**

\$**69**.98

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[Overview](#)

[Specifications](#)

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36 in. x 80 in. Craftsman 3 Lite V Groove Unfinished Stain Left-Hand/I...
by Krosswood Doors ★★★★★ (2) 20 **SPECIAL BUY \$1290⁵²**

Product Overview

Specifications

Questions & Answers

Customer Reviews

Home / Doors & Windows / Exterior Doors / Front Doors / Wood Doors / Wood Doors With Glass

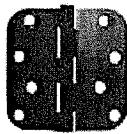
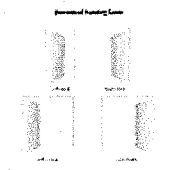
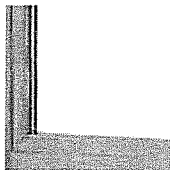
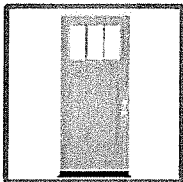
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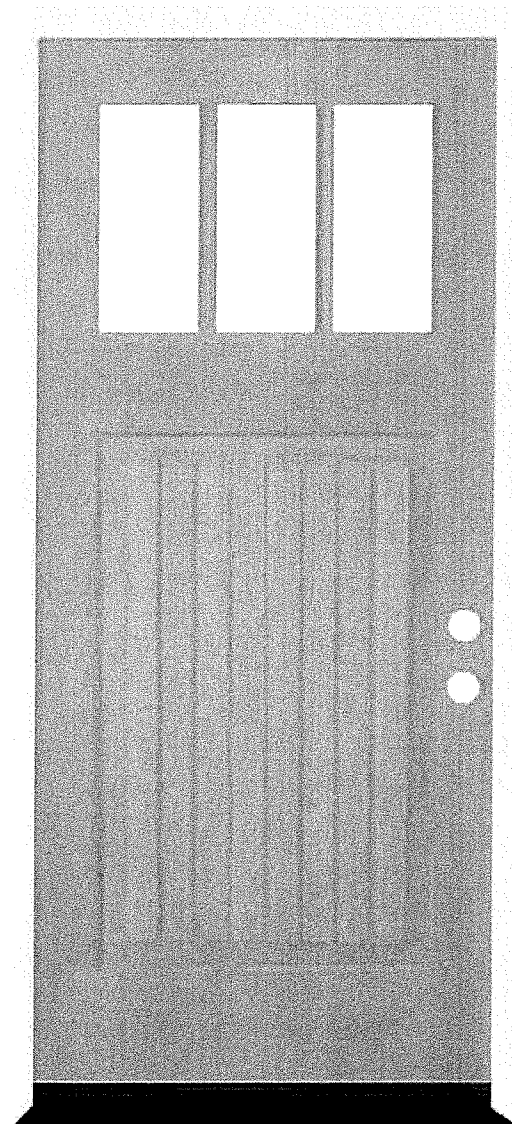
Krosswood Doors (Brand Rating: 3.7/5)

36 in. x 80 in. Craftsman 3 Lite V Groove Unfinished Stain Left-Hand/Inswing Douglas Fir Prehung Front Door

★★★★★ (2) Questions & Answers (7)



Product Image



Hover Image to Zoom

CEDAR SPECTRUM™

AUTHENTIC LOOK WITHOUT COMPROMISE

Deep grains and rough textures you can see from the curb, moulded from real cedar siding make Cedar Spectrum™ the perfect choice for homeowners looking for rustic, authentic craftsmanship that lasts.



COLORS

WHITE	ABCD	DOUBLE 9" HAND-SPLIT
PEARL	ABCD	DOUBLE 7" SHINGLE
CREAM	ABCD	DOUBLE 6.25" ROUND CUT
ALMOND	ABCD	TRIPLE 5" SHINGLE
TAN	ABCD	DEEPLY REALISTIC GRAIN
CLAY	ABCD	ROUGH TEXTURE
HAZELNUT	BD	AUTHENTIC LOOK
AMBER	BD	STANDS UP TO THE ELEMENTS
BRIARWOOD	BD	MOLDED FROM REAL CEDAR SIDING
TEAK	ABD	ULTRA-LOW MAINTENANCE
BROWNSTONE	B	LIMITED LIFETIME TRANSFERABLE WARRANTY*
SHADED CEDAR	ABD	
HAMPTON RED	ABD	
CINNABAR	B	
GRAY	ABCD	
FLINT	ABCD	
PEWTER	ABD	
SHADED GRAY	ABD	
SHADOW	ABD	
IRON	B	
BRUNSWICK	B	
SAVON	ABD	
WEDGEWOOD	ABD	
OLIVE	BD	
THISTLE	ABD	
SAGEBROOK	ABD	
PALM	BD	
DUBLIN	B	

Due to printing limitations, color representations may not be exact.
* Upcharge applies.

DOUBLE 9" HAND-SPLIT
DOUBLE 7" SHINGLE
DOUBLE 6.25" ROUND CUT
TRIPLE 5" SHINGLE
DEEPLY REALISTIC GRAIN
ROUGH TEXTURE
AUTHENTIC LOOK
STANDS UP TO THE ELEMENTS
MOLDED FROM REAL CEDAR SIDING
ULTRA-LOW MAINTENANCE
LIMITED LIFETIME TRANSFERABLE WARRANTY*

PERFORMANCE GUARANTEED



EXCEEDS INDUSTRY STANDARDS
RIGOROUS, 35-POINT TESTING
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CONSISTENT COLOR
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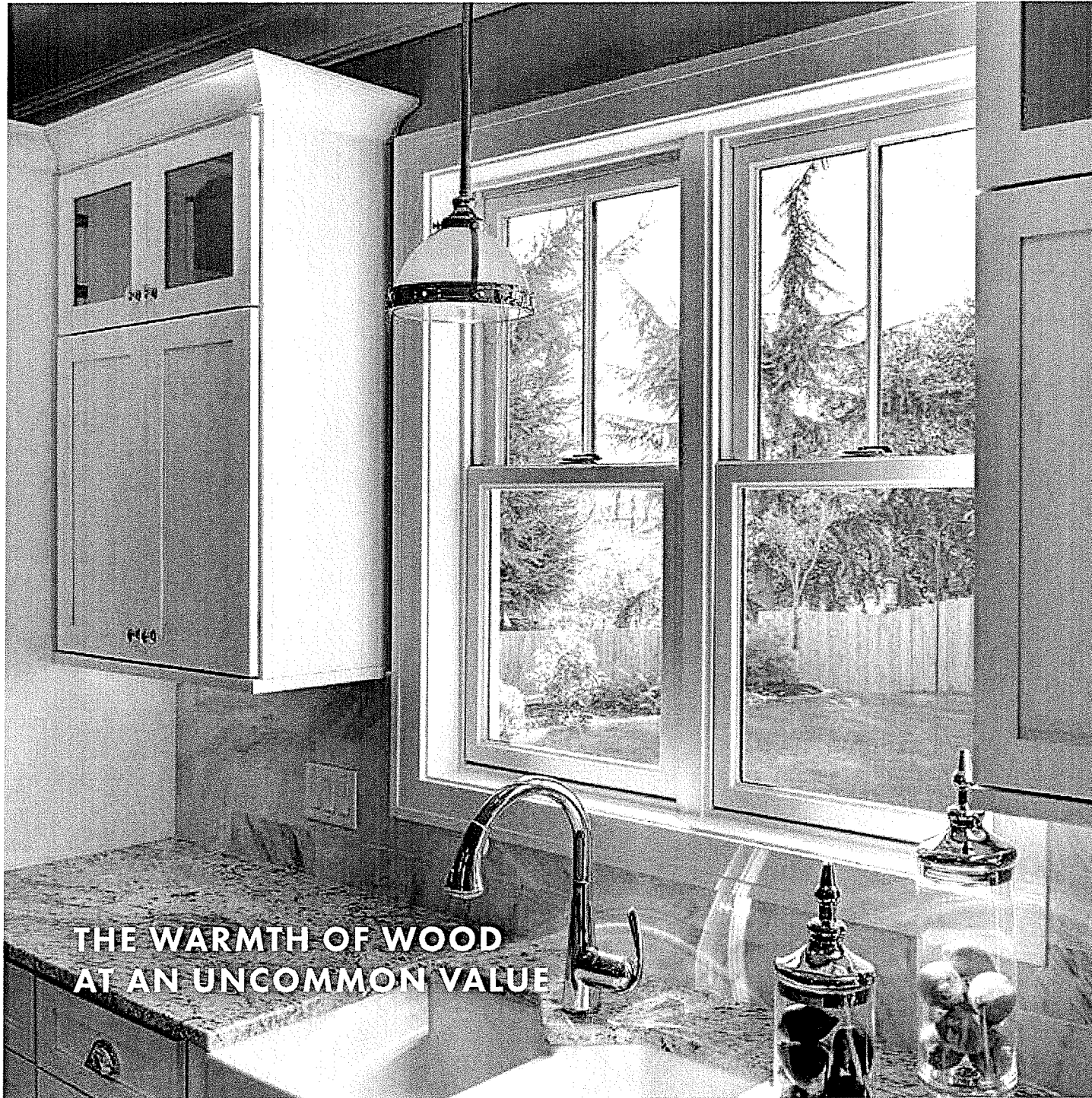
GP Georgia-Pacific
Vinyl Siding & Accessories

BOARD & BATTEN

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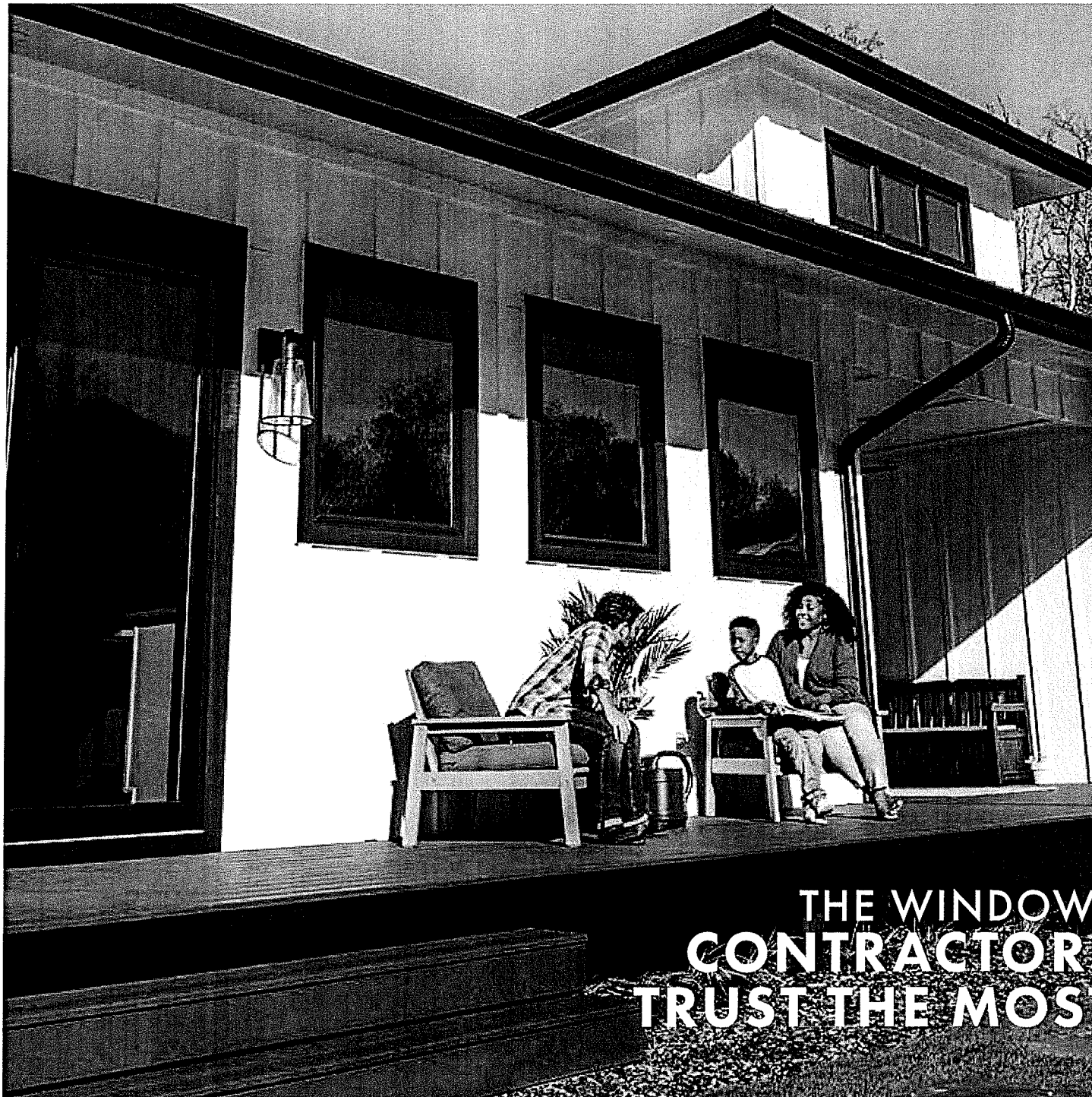
200 SERIES



**THE WARMTH OF WOOD
AT AN UNCOMMON VALUE**



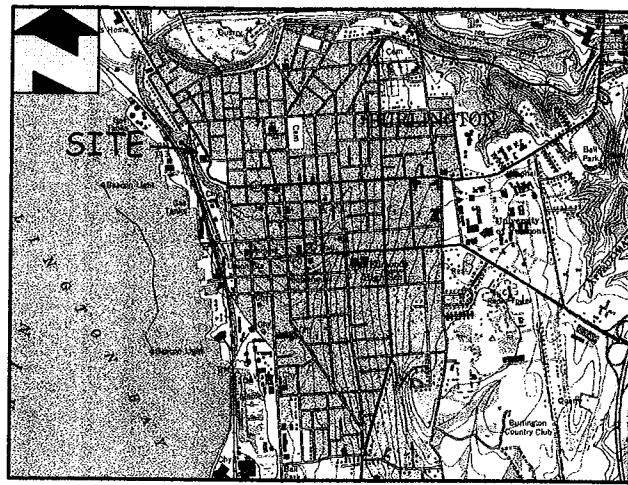
400 SERIES



**THE WINDOW
CONTRACTOR
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*2020 Andersen brand survey of U.S. contractors.

2021-22 PRODUCT GUIDE FOR PROFESSIONALS



LOCATION PLAN N.T.S.

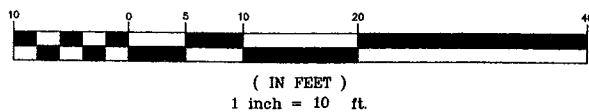


CITY OF BURLINGTON
N/F
VOL.438, PG.402
PARCEL I.D.
043-3-186-000

LEGEND

	Subject Tract Property Line
	Stone Wall
	Apparent Property Line
	Sideline of Easement
	IPF
	Rebar Found
	5/8" Rebar SET VT711
	Calculated Point
	GMP
	Marble Monument Found
	CMP
	Concrete Monument Found
	Utility Pole
	A.G.
	Below Existing Grade
	N/F
	Now or Formerly
	Land Records Volume / Page
	(100.00)
	Distance from Deeds or
	Surveys of Record

GRAPHIC SCALE



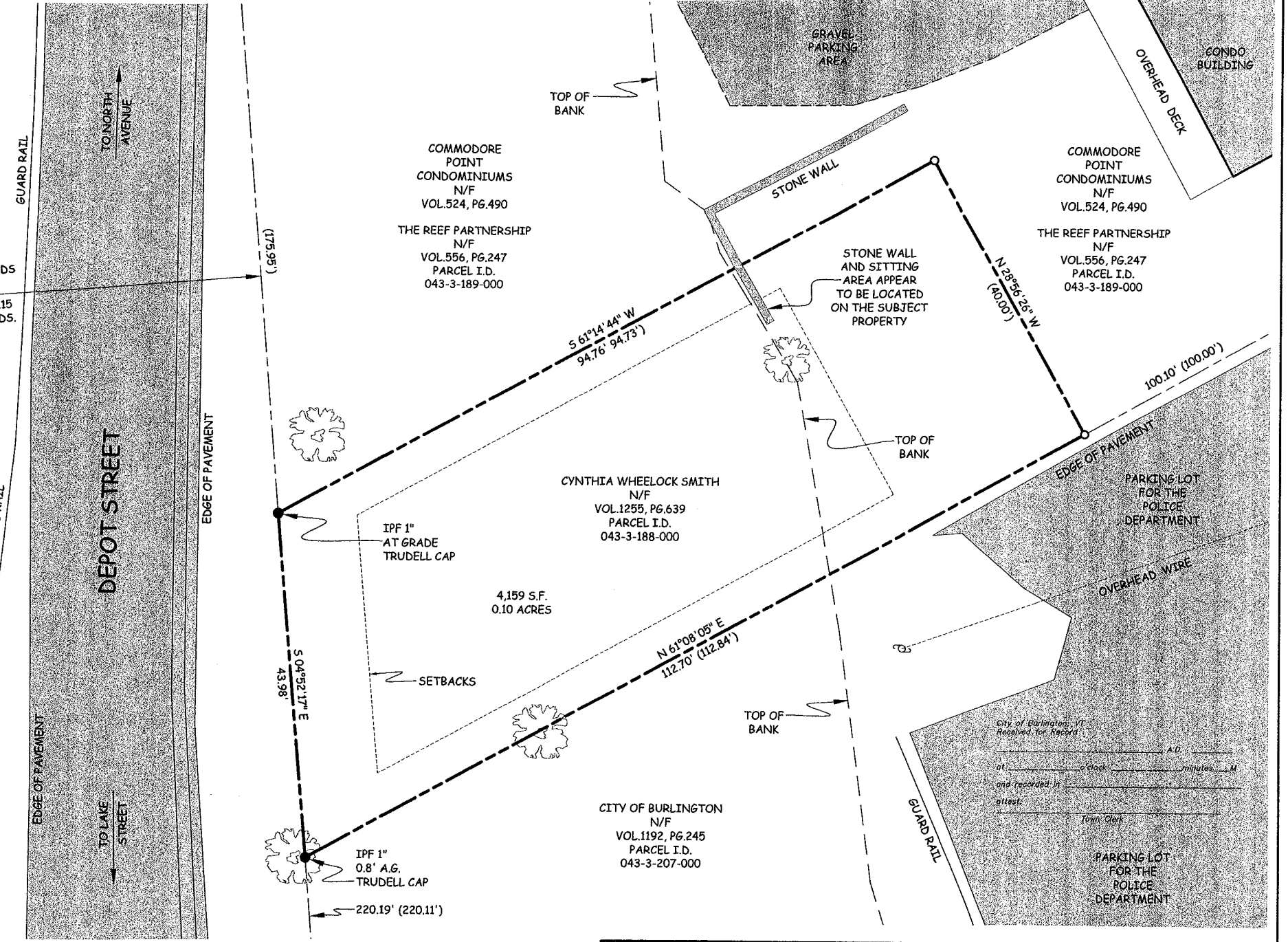
General Survey Notes:

- This Boundary Survey has been compiled from field surveys and record evidence including the following plots:
 - "Commodore Point, 1-45 North Ave. Burlington, VT, 22-28 Sherman St., Burlington, VT, Boundary Plot", by Trudell Consulting Engineers, Inc., dated 9-7-83 and recorded in slide #286 E of the City of Burlington Land Records.
 - "A Portion of the Central Vermont Railway, Inc. Lands, Burlington, Vermont", by Donald L. Hamlin Consulting Engineers, Inc., dated 10-1-81 and recorded in slides #241A & #241B of the City of Burlington Land Records.
 - "Lot Plan, Breakwater Condominiums, Burlington, Vermont", by Krebs & Lansing Consulting Engineers, Inc., dated January 21, 83 and recorded in slide #31 of the City of Burlington Land Records.
- This Boundary Survey is required to meet the standards of the Vermont Statute Title 27, Section 1403, (A) through (E).
- The improvements shown hereon were located by a survey on the ground completed on 11-11-14 & 11-12-14.
- This survey revealed boundary inconsistencies between recorded and physical boundary evidence pertinent to this property. These inconsistencies are shown hereon.

- Survey methods employed and the resulting error of closure/precision ratio, meet or exceed minimum precision requirements for suburban surveys as outlined in "Standards for the Practice of Land Surveying" adopted by the Vermont Board of Land Surveyors effective 1-7-13. A random traverse control loop was established using a Trimble S6 Total Station in unison with a Trimble TSC2 Data Collector.
- The measurements and information produced by this survey and shown hereon may contrast from recorded survey information due to differences in orientation, declination or methods of measurement.
- The premises shown and described hereon may be subject to existing buried utilities, easements, rights-of-way, restrictions, covenants, permits, regulations, and/or setback lines which may not be recorded in the public records. Clear evidence of an easement or restriction of record or evidence of easements and structures which are readily apparent from a casual above-ground view, are delineated hereon. No liability is assumed by the undersigned for any loss associated with the existence of any undiscovered easements or restrictions on the use of the property which are not shown of record or are not readily apparent.

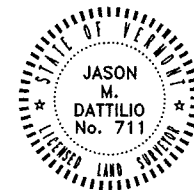
- The right-of-way width of 66' feet, Four rods for Depot Street is based on physical evidence and previous. The original survey bill for this road was not recovered in the City of Burlington Land Records.
- The diameters of existing monumentation shown on this plan reflect outside diameter dimensions unless otherwise noted.
- Iron pin boundary markers shown hereon as "SET" or "to be SET" are 5/8" diameter reinforcing steel, 40" long, crowned with an aluminum surveyor's cap set by a Vermont licensed land surveyor at the discretion of the property owner / developer. The placement of these markers may be necessary to satisfy the conditions of the Zoning / Planning / Development Review Board's approval.
- North orientation (base of bearings) is based on survey grade RTK (Real Time Kinematic) GPS observations made on 11-11-14 utilizing a Trimble R8 GNSS receiver. The transmitting base station was the University of Vermont CORS (Continuously Operating Reference Station) station. The resultant horizontal datum is NAD 83 (CORS).
- Only deeds, plats, and plans of public record, which were properly indexed in the City of Burlington Land Records have been reviewed, examined and utilized for the purpose of this survey.

- The descriptions of these lands and the physical evidence located and existing on the ground were compared and analyzed to conclude a final boundary opinion most indicative of the original intent of the conveyances and in harmony with existing physical boundary evidence. Where conflicts between physical boundary evidence and written record evidence are substantial, deeds and/or documents should be executed to eliminate any color of title or conflict. No bounds shown herein are determined via the legal theory of Adverse Possession. This is a determination to be made by a court entrusted with authority to do so. Evidence, which could be determined to be potential adverse possession and/or indicate a prescriptive right, if reasonably apparent, is shown herein. To that extent, this plot of survey may be subject to any unidentified claims or rights. Assumptions for correctness and accuracy are indicated on this plot of survey.
- This survey is certified to Cynthia W. Smith for the single purpose of depicting her boundary lines. No liability is assumed by the undersigned for any loss associated with the use of this survey other than the said purpose.
- The location of setbacks shown hereon, are based on information provided by the client.
- This is an original Mylar.

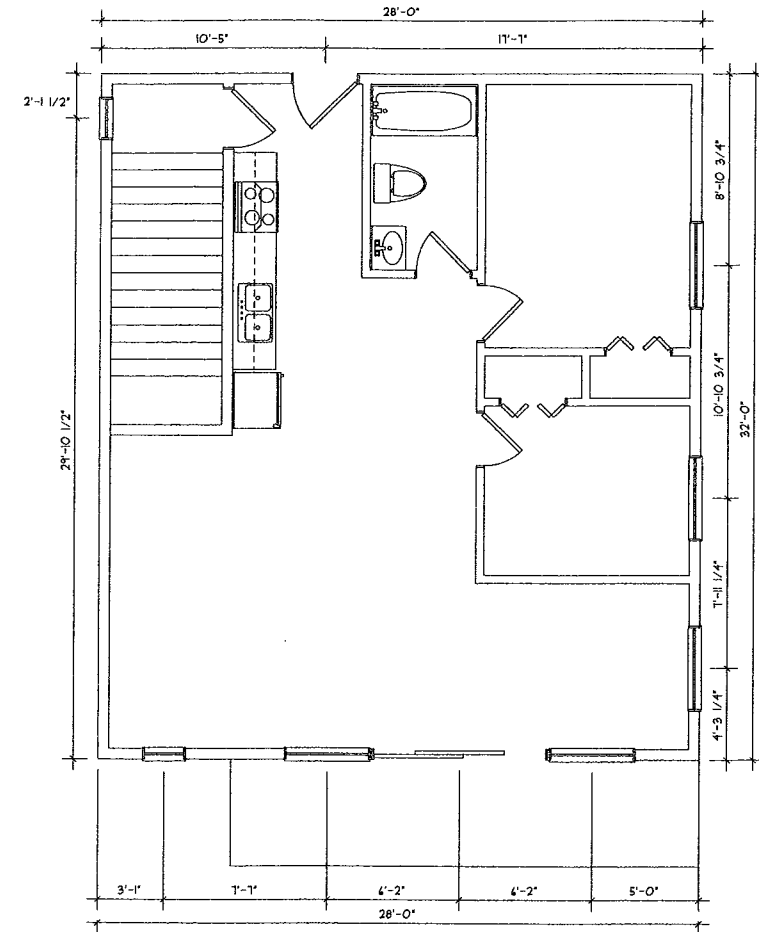
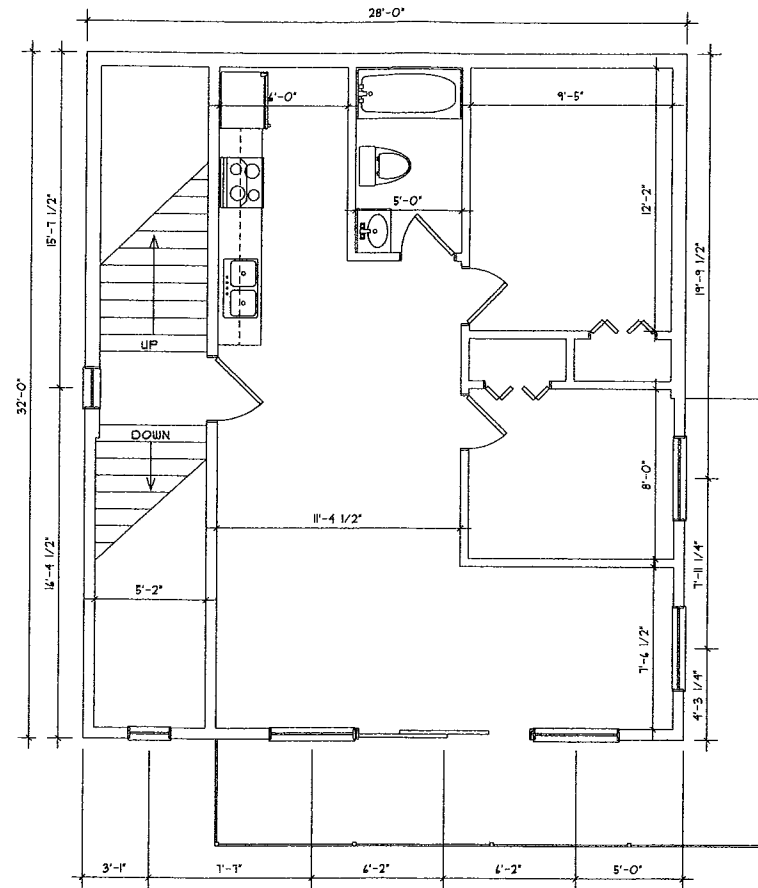
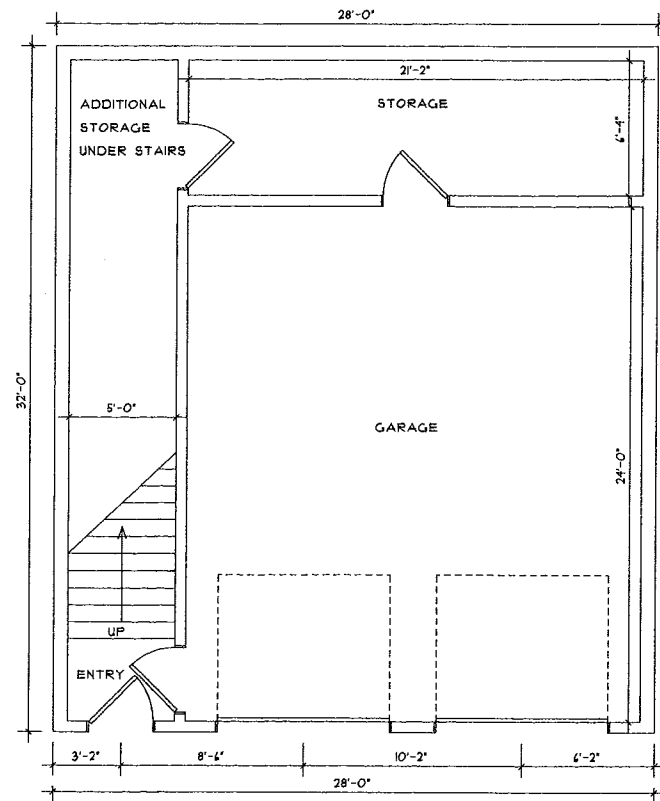


Information shown on this property plot is a faithful portrayal of circumstances pertinent to the subject property. A collaboration of field, parcel and pertinent record evidence was used in the analysis of boundary conclusions shown hereon. This property plot complies with the requirements of Vermont Statute Title 27, Section 1403, (A) through (E), to the best of my knowledge and belief.

Jason M. Dattilio 12/15/14
Jason M. Dattilio, L.S. VT #711 Dated



DATE 11-12-14	REVISION ☒ RECORD DRAWING ☐ PRELIMINARY ☐ SKETCH/CONCEPT		BOUNDARY SURVEY Lands of CYNTHIA WHELOCK SMITH Volume 1255, Page 639 31 North Avenue, City of Burlington, Vermont	BY Date of Plot 11-13-14 JOB# BURL0153 FILE WORK.DWG PLAN SHEET # 1 of 1
SURVEYORS JMD-JP-MS DRAWN MS/JMD CHECKED CLOSURE LHA/JMD SCALE 1"=10'	1 Lake Street St. Albans, VT 05478 504-3555 1-800-570-0685 www.bapls.com			



REVISIONS	BY

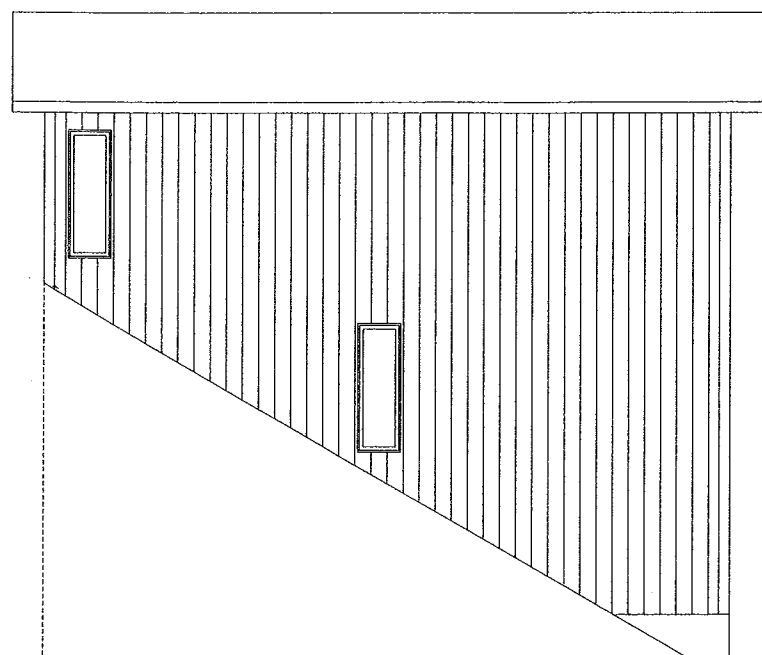
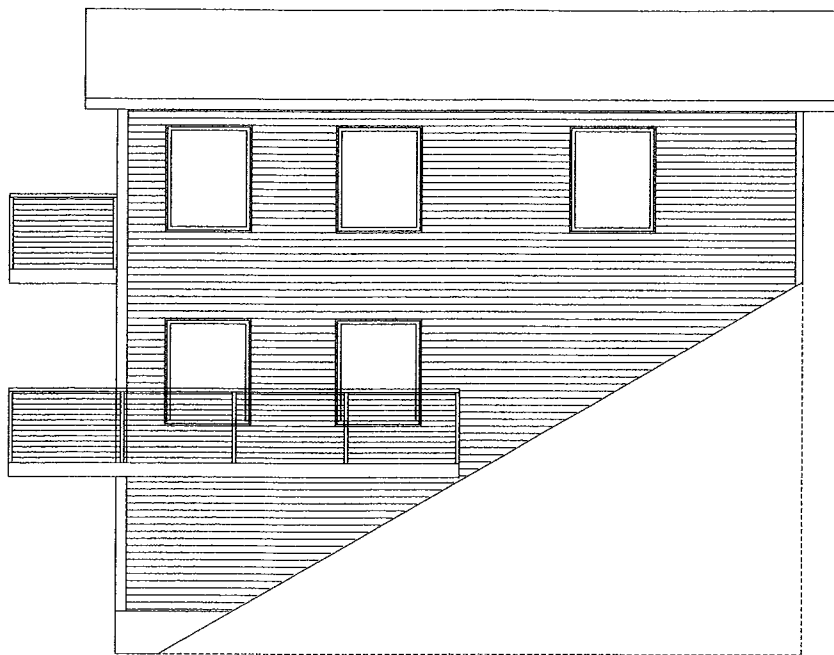
PROVIDING QUALITY, SERVICE & VALUE SINCE 1888

Allenlumber co

SMITH

DRAWN :	CHECKED :
TRL	
DATE : 10/04/14	
SCALE : 1/4" = 1'	
JOB NO. :	
SHEET	

A-1



REVISIONS	BY

PROVIDING QUALITY, SERVICE & VALUE SINCE 1888
Allenlumber co

SMITH

DRAWN : TRL	CHECKED :
DATE : 10/06/14	
SCALE : 1/4" = 1'	
JOB NO. :	
SHEET	

A-1

Department of Permitting & Inspections

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

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



MEMORANDUM

TO: Development Review Board
FROM: Ryan Morrison, Associate Planner
DATE: September 6, 2022
RE: 22-307; 120 Depot Street

=====

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

Zone: RM-W Ward: 3C

Owner/Applicant: Steven & Andrea Trombley

Request: Construct a single-family residence on a vacant property, and after the fact tree removal.

Applicable Regulations:

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

Overview:

The project is to construct a single family home on an existing vacant lot, and after the fact tree removal. Most of the property consists of a steep slope.

Due to the steepness of the property and the difficulty to create a reasonable building envelope, two separate variances have been approved; both for a ten-foot setback to the front property line (Depot Street). These were approved in 2014 (expired) and 2021 (still active). A conceptual home plan was included with the 2014 variance showing a compact home meeting the approved setbacks and height requirements. As part of this application, the new home will maintain the ten-foot front yard setback as approved under ZP-21-508, but will exceed the maximum height requirement. See below.

The Design Advisory Board reviewed this application at two meetings. On July 12, 2022, the DAB voted 5-0 to *'table the application until such time as the applicant returns with revised plans.'* The main revision was to redesign the upper floor living space so that it would be the foremost structural aspect facing Depot Street, rather than the garage. Another concern, or rather question, was whether or not the gap between the garage and the first level of living space, although connected with an elevator/stair shaft, meets the intent of required living space above the garage, since the garage exceeds 50% of the street facing façade.

The DAB reviewed the application a second time, per the applicant's request, and unanimously voted 5-0 to recommend denial of the application because the proposal *'doesn't meet the standards of Article 6'*. No changes to the proposal were made for this second DAB meeting.

The plans have since been revised to make the upper story living space the foremost portion of the new home. The gap between the garage and the upper living stories is still proposed, and whether or not that meets the intent of the ordinance remains to be determined. See Article 6 below.

Previous zoning permit action:

- **Zoning Permit 21-508**; variance from front yard setback. Approved August 4, 2021
- **Zoning Permit 15-0339VR**; variance from front yard setback. Approved October 24, 2014

Recommendation: Denial as per the following findings:

I. Findings

Article 3: Applications, Permits and Project Reviews

Part 3: Impact Fees

Section 3.3.2 Applicability

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

Impact fees shall be calculated based on the total gross square footage of the principal use including attached accessory uses (i.e. garage). Per the submitted plans, an estimate of the fees is:

SF of Project 3,345

Department	<u>Residential</u>	
	Rate	Fee
Traffic	0.224	749.28
Fire	0.253	846.29
Police	0.051	170.60
Parks	0.848	2,836.56
Library	0.525	1,756.13
Schools	1.095	3,662.78
Total	2.996	\$ 10,021.64

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

Section 3.3.8 Time and Place of Payment

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

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

Affirmative finding as conditioned.

Article 4: Zoning Maps and Districts

Section 4.4.5 Residential Districts

(a) Purpose

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

district by its proximity to Lake Champlain, and a greater consideration needed for views from the lake and stormwater runoff.

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

(b) Dimensional Standards and Density

Table 4.4.5-1 Minimum Lot Size and Frontage

The RM-W zoning district sets no minimum lot size requirement. The minimum frontage requirement is 30 ft. The subject property has 44 ft of frontage along Depot Street. **Affirmative finding.**

Table 4.4.5-2 Base Residential Density

Proposed unit: $1 / (4,180 \text{ lot size} / 43,560 \text{ acre})$ or $1 / .0959 = 10.42$; < 20 units per acre limitation. The proposal complies with the base residential density of the RM-W zone. **Affirmative finding.**

Table 4.4.5-3 Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}			
		Front	Side	Rear	
WRM	60%	Min/Max: Ave. of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width Or ave. of side yard setback of 2 adjacent lots on both sides Max required: 20'	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	Height: 35-feet
120 Depot Street	52.5%	10' in accordance with approved variance ZP-21-508.	A 44' wide property requires a minimum 4' 3" side yard setback. Proposed setbacks: 4' 11".	Given a lot depth range of 95'-113', the min. rear yard setback ranges 24'-28". Proposed setback: 35' 8".	62' 1"

The proposal is compliant with lot coverage and setback requirements. The proposed height, however, exceeds the maximum allowance. Section 5.2.6 below explains how height is measured, and in this case, there are no exceptions to height requirements where steep slopes are present.

Adverse finding.

(c) Permitted and Conditional Uses

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

(d) District Specific Regulations

1. Setbacks

No setback encroachments are proposed or sought. **Not applicable.**

2. Lot Coverage

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

3. Accessory Residential Structures and Uses

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

4. *Residential Density*

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

Affirmative finding as conditioned.

5. *Uses*

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

6. *Residential Development Bonuses*

No development bonuses are included or sought. **Not applicable.**

Article 5: Citywide General Standards

Section 5.2.3 Lot Coverage Requirements

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

Section 5.2.4 Buildable Area Calculation

The parcel is less than 2 acres in size. **Not applicable.**

Section 5.2.5 Setbacks

b. Exceptions to Yard Setback Requirements

5. *Accessory Structures and Parking Areas*

Accessory structures no more than fifteen (15) feet in height, parking areas, and driveways may project into a required side and rear yard setback provided they are no less than five (5) feet from a side or rear property line where such a setback is required.

The rear deck is partially located within the rear yard setback. However, due to its height being less than 15 ft, it could locate as close as 5 ft to the rear property line. It is proposed at 27' 8" from the rear property line. **Affirmative finding.**

Section 5.2.6 Building Height Limits

No structure shall exceed thirty-five (35) feet in height unless otherwise authorized under the district-specific provisions of Article 4.

(a) Height Measurement

The maximum height of any building shall be measured as follows:

1. *Starting Point: Building height shall be measured from:*

- A. *A public sidewalk, alley, or other public way or space where the proposed building's street-facing façade is within a 50-foot horizontal distance of the lot's street frontage.* The majority of the proposed home is within 50-feet of the lot's street frontage. All structures within 50 feet of the street frontage, whether individual, stacked, multiple stories, etc., cannot exceed the maximum 35-foot height allowance of the RM-W zoning district. The proposed structure will reach a height of 62'1" within a 50-foot horizontal distance from the public way (Depot Street). There are no provisions in the zoning ordinance that allow for excessive height where a steep slope runs perpendicular to street frontage. The zoning ordinance would have to be amended before height in

excess of 35 ft can be considered. Currently, there are no plans to amend the ordinance. As proposed, the height is noncompliant. **Adverse finding.**

- B. *The average finished grade within a 10-foot horizontal distance of the building's street-facing façade where the proposed building is more than a 50-foot horizontal distance from the lot's street frontage.*

Not applicable.

- C. *For buildings on sloped sites, see additional measurement standards in (b) below.*

(b) Buildings on Sloped Sites

Buildings on slopes shall reflect the pre-construction topography of the site by making use of opportunities to vary the building's height and roof forms relative to terrain changes as follows:

1. *Measurement Interval:* *Building height shall be measured along the street-facing façade at intervals of no less than 32-feet or more than 65-feet along the entire length of the street-facing façade(s).*



This provision applies to structures with long street-facing facades sited on slopes that run parallel with a street (as shown in the example above). The subject property's slope runs perpendicular to the street, and the proposed structure's street facing façade does not exceed 32-feet. **Not applicable.**

2. *Lots Fronting on Two or More Streets:*

Not applicable.

3. *Illustration:*

To evaluate the height and bulk of a proposed building in context with its surroundings, the applicant may be required to prepare a scale model, computer visualization, illustrations, or other renderings.

Not applicable.

(c) Exceptions to Height Limits

1. *Additions and new construction on parcels created prior to January 1, 2008 that contain a non-conforming Principal Building exceeding the maximum permitted Building height may exceed the maximum permitted Building height of the zoning district subject to the design review provisions of Art. 3 and 6, but in no event shall exceed the height of the existing non-conforming Principal Building.* **Not applicable.**

2. *In no case shall the height of any structure exceed the limit permitted by federal and state regulations regarding flight paths of airplanes. **Not applicable.***
3. *Ornamental and symbolic architectural features, including towers, spires, cupolas, belfries and domes; greenhouses, garden sheds, gazebos, rooftop gardens, terraces, and similar features; and fully enclosed stair towers, elevator towers and mechanical rooms, where such features are not used for human occupancy or commercial identification, are exempt from specific height limitations but shall be subject to the design review provisions of Art. 3 and 6. Such features and structures shall be designed and clad in a manner consistent and complementary with the overall architecture of the Building. **Not applicable.***
4. *Exposed mechanical equipment shall be allowed to encroach beyond the maximum building height by no more than 15-feet provided that portion exceeding the height limit does not exceed 20% of the roof area.*
Exposed mechanical equipment shall be fully screened on all sides to the full height of the equipment, and positioned on the roof to be unseen from view at the street level. Screening may consist of parapets, screens, latticework, louvered panels, and/or other similar methods. Such features and structures shall be designed and clad in a manner consistent and complementary with the overall architecture of the Building
*Where mechanical equipment is incorporated into and hidden within the roof structure, or a mechanical penthouse setback a minimum of 10-ft from the roof edge, no such area limit shall apply and the structure shall be considered pursuant with 4 above. **Not applicable.***
5. *All forms of communications equipment including satellite dish antennae shall not be exempt from height limitations except as provided in Sec 5.4.7 of this Article. **Not applicable.***
6. *The administrative officer may allow for up to a 5% variation in the maximum building height to account for grade changes across the site. In no event however, shall such additional height enable the creation of an additional story beyond the maximum permitted. **Not applicable.***

Section 5.2.7 Density and Intensity of Development Calculations

See Table 4.4.5-1, above. **Affirmative finding.**

Section 5.4.9 Brownfield Remediation

Not applicable.

Section 5.5.1 Nuisance Regulations

None identified. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

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

Section 5.5.3 Stormwater and Erosion Control

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

Section 5.5.4 Tree Removal

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

(1) Grounds for approval

Tree removal involving six (6) or more trees, each of ten (10) inches or greater in caliper or the removal of ten (10) or more trees, each of which is three (3) inches or greater in caliper during any consecutive twelve (12) month period may be permitted for any of the following reasons:

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

Not applicable

B. Thinning of trees for the health of remaining trees according to recognized accepted forestry practices;

Not applicable

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

Not applicable

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

More than 10 trees exceeding 3” in caliper have been removed. The applicant acknowledged their removal as part of future development, and now seeks an after-the-fact permit for their removal – noting that the stumps outside the building envelope will remain in place. This section allows for tree removal in association with an approved development plan. While it is reasonable to assume that this tree removal would be permitted with the development proposal, the proposed development itself does not comply with the height limitation of the RM-W zoning district.

Adverse finding.

(2) Grounds for denial

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

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

Not applicable

B. Providing stabilization on slopes vulnerable to erosion;

Not applicable

C. Located within a riparian or littoral buffer;

Not applicable

D. Provide unique wildlife habitat;

Not applicable

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

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

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

The subject property is steeply pitched except for the upper, easternmost end. Recently, the lot was cleared of trees, and this application also includes a request to permit after-the-fact tree removal. Section 5.5.4, *Tree Removal*, allows tree removal as part of an approved development, which this application seeks. No other important natural features exist onsite. **Affirmative finding.**

(b) Topographical alterations

The property is steeply pitched, and some topographical alterations will occur to accommodate the new home. However, the new home is more or less designed to work with the topography, rather than altering the topography to accommodate the structure. **Affirmative finding.**

(c) Protection of important public views

Where the property flattens out at the eastern end, views of Lake Champlain and the Adirondack mountains from the east will be marginally affected given a building height of 14' 1" above the highest grade. The bulk of the development will occur below the highest elevation of the property and not impact views at all. **Affirmative finding.**

(d) Protection of important cultural resources

The vacant property contains no known archaeological resources. **Not applicable.**

(e) Supporting the use of alternative energy

The plans show rooftop solar panels. Additionally, the home will not adversely impact the actual or potential use of alternative energies by neighboring properties. **Affirmative finding.**

(f) Brownfield sites

The subject property is not an identified brownfield. **Not applicable.**

(g) Provide for nature's events

As required, an erosion prevention and sediment control plan has been provided to the city's stormwater program staff and will need to be approved prior to the release of the zoning permit. Shelters will be provided above the garage level entrance, and the decks. Given the development footprint, surrounding steep slope, and proximity to Depot Street, room for snow storage is limited, but there is area to the side of the driveway. However, with the smaller driveway and short walkway to the man-door, there isn't much area to clear of snow. **Affirmative finding as conditioned.**

(h) Building location and orientation

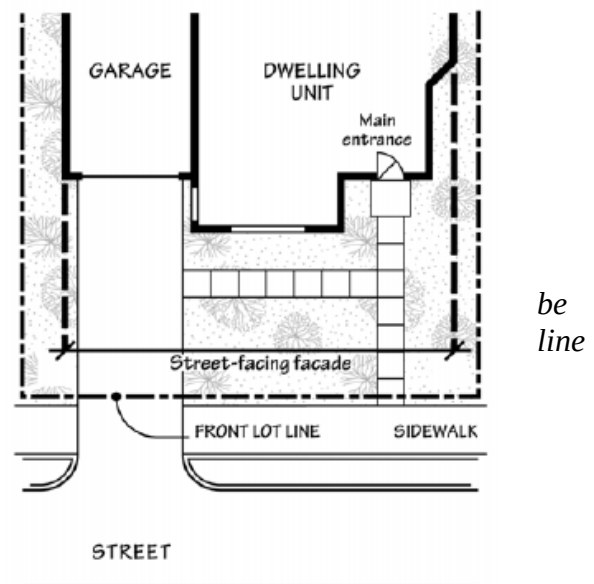
The introduction of new buildings and additions shall maintain the existing development pattern and rhythm of structures along the existing streetscape. New buildings and additions should be aligned with the front façade of neighboring buildings to reinforce the existing “street-edge,” or where necessary, located in such a way that complements existing natural features and landscapes. Buildings placed in mixed-use areas where high volumes of pedestrian traffic are desired should seek to provide sufficient space (optimally 12-15 feet) between the curbline and the building face to facilitate the flow of pedestrian traffic. In such areas, architectural recesses and articulations at the street-level are particularly important, and can be used as an alternative to a complete building setback in order to maintain the existing street wall.

This proposal will be the first development fronting Depot Street, so there is no existing development pattern to maintain here.

Principal buildings shall have their main entrance facing and clearly identifiable from the public street. The development of corner lots shall be subject to review by the city engineer regarding the adequacy of sight distances along the approaches to the intersection. To the extent practicable, development of corner lots in non-residential areas should try to place the building mass near the intersection and parallel to the street to help anchor the corner and take advantage of the high visibility location.

This is a unique design where the garage is the only portion at the street level. As proposed, a clearly identifiable entrance is included.

In residential areas, accessory buildings shall be located in such a way so as to be secondary and subordinate in scale and design to the principal structure. A parking structure – either attached or detached – shall be setback from the longest street-facing wall of the principal structure and be deferential yet consistent in character and design. Where a front yard setback is required, any street-facing garage wall containing garage doors shall set back a minimum of 25’ from the front property to prevent parked vehicles from blocking the public sidewalk. Where a garage is not oriented towards the street (i.e. the garage doors face the rear or side yard), the street-facing garage wall shall have windows or doors or other features that break-up the mass into smaller elements, and be blended with the character of the residential portion of the structure.

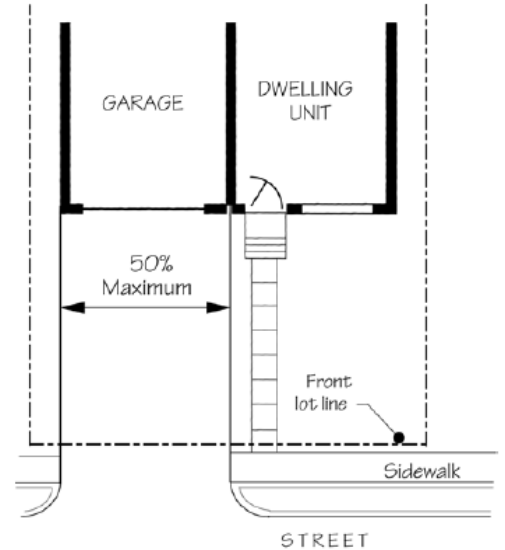


The property received variance approval (ZP-21-508) for a 10 ft front yard setback, and thus the minimum 25’ garage setback does not apply here. The garage will provide ample room for two vehicles. The plans show the garage to be setback 6 inches from the longest street facing wall of the principal structure – the mid-level living space above. **Affirmative finding.**

Where a garage is attached to a principal single-family or duplex residential structure and oriented to the street (i.e. the garage doors face the street) the following standards shall apply:

1. *Except as provided in subsections 3, 4 and 5 below, a street-facing garage wall shall constitute no more than 50% of the width of the street-facing façade of the entire structure (including the garage portion), and shall not exceed 24-feet. In cases where a street-facing garage wall constitutes between 30%-50% of the street-facing façade, living space is encouraged above to integrate the garage more closely into the design and mass of the overall structure. In cases where the street-facing garage wall constitutes more than 50% of the width of the street-facing façade, living space above is required.*

The street-facing wall of the garage constitutes more than 50% of the width of the street-facing façade and living space is required above. But what constitutes ‘above’ here? The upper living space is only connected to the garage via an elevator/stair shaft, with an approximate 22 ft open-air gap between the two. Due to the large gap between the garage and upper living space, compliance with this requirement is questionable. The DRB is requested to make a determination on whether or not the proposed layout meets the intent of this provision. **No finding possible.**



2. *Each bay of the garage shall have a separate entrance door of no more than 10-feet in width.*

The garage doors are proposed at 10 ft in width. **Affirmative finding.**

3. *Where the width of the street-facing façade of the residential portion of the structure is less than 14 feet, the street-facing garage portion may be allowed up to but not exceeding 14 feet in order to allow for a single garage bay.*

Not applicable.

4. *Where a garage entrance is within a single roofline and wholly integrated into the overall design the front façade of the structure, it may constitute more than 50% of the width of the street-facing façade provided there is interior living space above, and the primary pedestrian entrance offers a clear and welcoming entrance from the street.*



The garage exceeds 50% of the total façade width and is not within a single roofline and wholly integrated into the design of the front façade. **Adverse finding.**

5. *Enclosed space originally designed and constructed as a garage for vehicular parking but converted to living space may be converted back to enclosed vehicular parking provided there is no expansion of the building footprint necessary to complete the conversion.*

Not applicable.

(i) Vehicular access

The proposal will see direct vehicular access to the garage from Depot Street. **Affirmative finding.**

(j) Pedestrian access

The proposal will see direct pedestrian access from Depot Street, via a walkway and man-door at the garage level. **Affirmative finding.**

(k) Accessibility for the handicapped

No handicap accessibility is evident or required with this proposal. **Not applicable.**

(l) Parking and circulation

The proposal includes a two-car garage, accessed directly from Depot Street. **Affirmative finding.**

(m) Landscaping, fences, and retaining walls

No new landscaping or fencing is indicated in the plans. The lot was cleared of trees, and the applicant notes that the tree stumps will remain in place outside the development footprint, additional slope-stabilizing landscaping needs to be installed. The plans indicate retaining walls extending street-ward from both sides of the garage, which will provide additional slope stabilization. **Affirmative finding as conditioned.**

(n) Public plazas and open space

No public plaza or open space is included or required in this proposal. **Not applicable.**

(o) Outdoor lighting

See Sec. 5.5.2 *Outdoor Lighting* above. **Affirmative finding.**

(p) Integrate infrastructure into the design

Utilities are required to be installed underground, including electricity. Additional utilities and meters shall be placed out of sight from the street, or adequately screened. The plans will need to be updated to include all utilities, mechanical units, meters, etc. Trash/recycling will be stored in the garage. **Affirmative finding as conditioned.**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The subject property is the only one along the eastern side of Depot Street that does not also front North Avenue. Nearby structures (multifamily, commercial, police station) front North Avenue, with only one other property utilizing Depot Street for vehicular access. Given the lot's steep slope, only 14 ft of the top floor will be seen from the east. The rest of the home will be below the top elevation of the property – meaning it will be small in scale when compared with neighboring structures – albeit neighboring structures fronting North Avenue. On the other hand, the new home will be quite noticeable as viewed from Depot Street, which is the result of the lot's steep slope. Massing of the structure is broken up by distinct building components along the front, side and rear elevations. **Affirmative finding.**

2. Roofs and Rooflines

The proposed home will have a shed roof. The garage roof below will be flat, topped with grass. **Affirmative finding.**

3. Building Openings

The primary front façade will be lined with sliding doors that provide access to the top floor's Lake Champlain-facing deck. The mid-level front façade will be lined with fixed doors. The side and rear facades will see appropriately placed fenestration. Overall, fenestration is appropriately scaled and stylistically appropriate for the proposed building design. **Affirmative finding.**

(b) Protection of important architectural resources

Not applicable.

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

The ground level garage will have siding to match the home above, and a few variations including garage doors, a man-door with roof above, and exterior light fixtures. The upper levels, while a considerable height above the garage, would be viewed as offering an active and inviting street edge. **Affirmative finding.**

(e) Quality of materials

The proposed home will be clad in vinyl shingle siding, while the elevator shaft will be sided with board and batten siding. The roof will be metal standing seam. Additional features include steel support columns, composite decking and cable deck railings. Spec sheets have been included for windows and doors as well, which will either be wooden or fiberglass. The materials proposed are of acceptable quality and durability for this new construction. **Affirmative finding.**

(e) Reduce energy utilization

The proposed building must comply with the current energy efficiency standards of Burlington and the State of Vermont. **Affirmative finding as conditioned.**

(f) Make advertising features complimentary to the site

No advertising is included in this proposal. **Not applicable.**

(g) Integrate infrastructure into the building design

No building or ground-mounted mechanical equipment is included in the project plans. If any is proposed, it must be depicted, screened, and comply with minimum setback requirements. Utility meters also need to be shown on the plans, and need to be out of view from the street. **Affirmative finding as conditioned.**

(h) Make spaces safe and secure

The proposed building must comply with the city's current egress requirements. Building entries will be illuminated. **Affirmative finding.**

Article 8: Parking

Per Table 8.1.8-1, at the time of application, single-family dwellings require two parking spaces in the Neighborhood Parking District. The garage will provide two parking spaces. **Affirmative finding.**

II. Conditions of Approval should the DRB approve the application

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

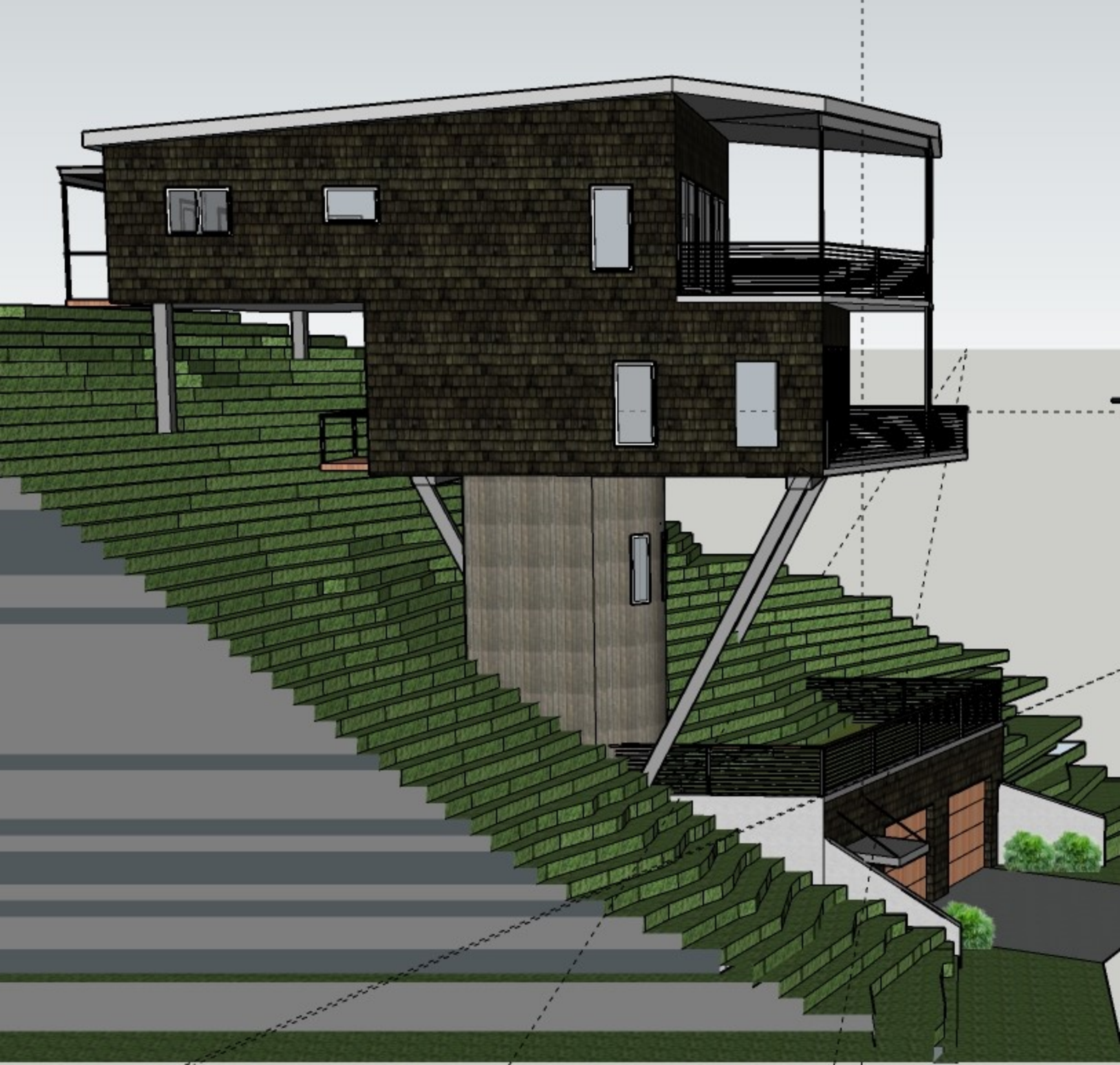
SF of Project 3,345

Department	<u>Residential</u>	
	Rate	Fee
Traffic	0.224	749.28
Fire	0.253	846.29
Police	0.051	170.60
Parks	0.848	2,836.56
Library	0.525	1,756.13
Schools	1.095	3,662.78
Total	2.996	\$ 10,021.64

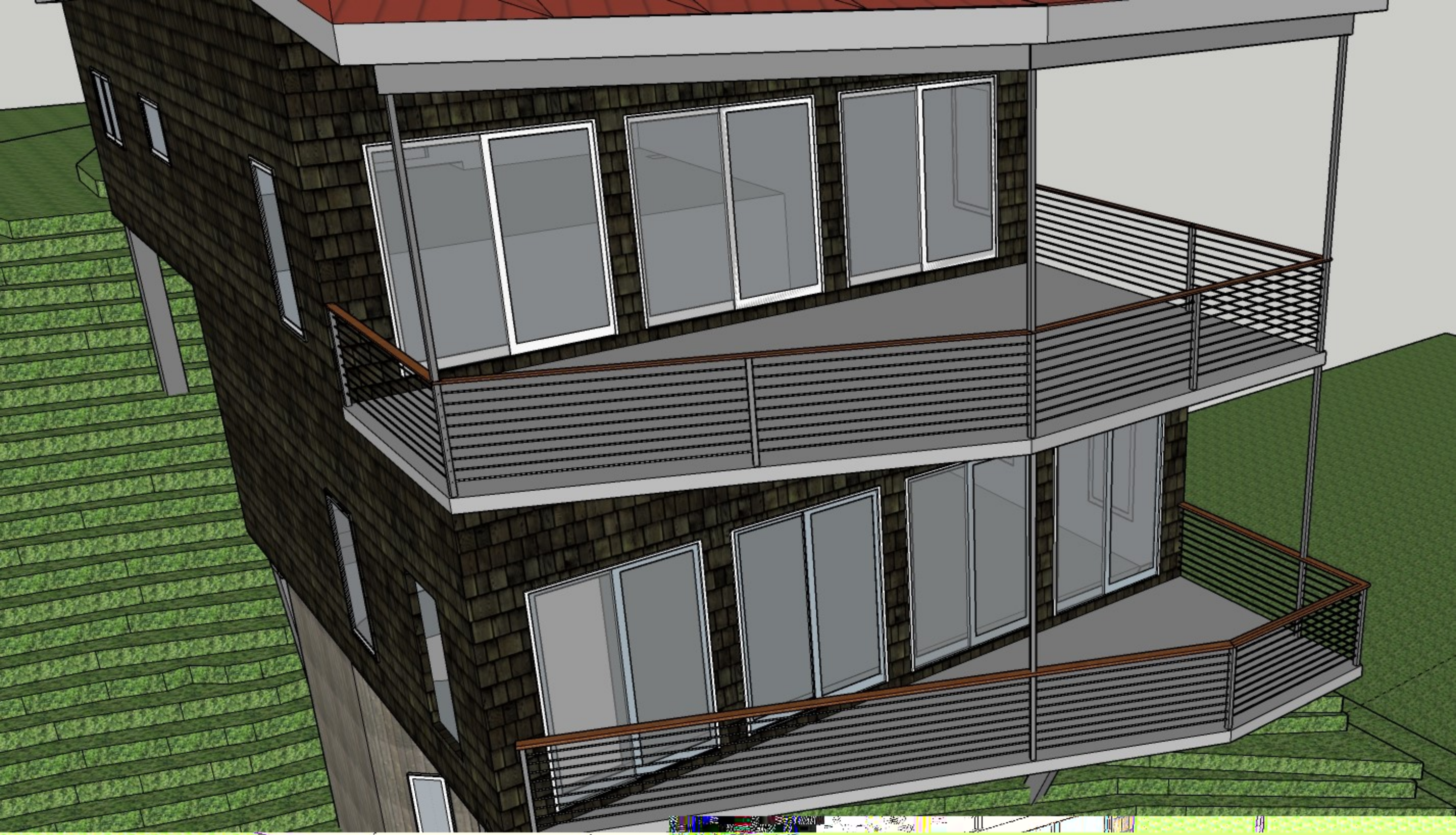
2. **Prior to the release of the zoning permit**, the plans shall be revised to include new, slope stabilizing landscaping (including existing stumps to remain), and any utilities/meters/mechanical units.
3. **Prior to the release of the zoning permit**, the associate EPSC plan shall be approved by the Stormwater Program Manager.
4. **Prior to the release of the zoning permit**, the applicant shall obtain a letter from the Dept. of Public Works confirming adequate water and sewer capacity.
5. All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
6. The single detached dwelling may be occupied only by a "family" as defined in Article 13 of the Comprehensive Development Ordinance.
7. New utility lines must be buried.
8. The proposed building must comply with all building and life safety code as defined by the building inspector and fire marshal.
9. A State of Vermont wastewater permit is required.
10. Standard Permit Conditions 1-15.





















Burlington Development Review Board

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

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



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, September 6, 2022, 5:00 PM

AGENDA

Remote Meeting

Zoom: <https://us02web.zoom.us/j/83225696227?pwd=SGQ0bTdnS000Wkc3c2J4WWw1dzMxUT09>

Webinar ID: 832 2569 6227

Passcode: 969186

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

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Certificate of Appropriateness**

- 1. **ZP-22-443; 505 Lake Street (DW-PT, Ward 3C) City of Burlington / Michael Koch**
Proposed waterfront improvements for the existing Community Sailing Center including the installation/construction of a boat ramp, structural wall with wave attenuators, a pier with walkways, and a launch well and hoists. (Project Manager, Scott Gustin)

Approve

- 2. **ZP-22-307; 120 Depot Street (RM-W, Ward 3C) Andrea Trombley / Steve Trombley**
Construct single-family house with associated site improvements. (Project Manager, Ryan Morrison)

Deny

- V. **Sketch Plan**

- 1. **ZSP-22-7; 52 Institute Road (RCO-RG, Ward 4N) City School Department / Administrative Offices/EED / Joe Weith**
Demolish existing high school and technical center and construct new 268,500 square foot high school and technical center. (Project Manager, Mary O'Neil)

- VI. **Adjournment**

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The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements to participate are encouraged to contact the Zoning Division at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188 (TTY users: 865-7142).

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facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

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Sean McKenzie, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, September 6, 2022, 5:00 PM

MINUTES

Remote Meeting

Board Members Present: All members were remote. Caitlin Halpert, Brooks McArthur, Sean McKenzie, Brad Rabinowitz, Leo Sprinzen, and Chase Taylor

Board Members Absent: AJ LaRosa and Geoff Hand

Staff Members Present: All members were remote. Scott Gustin, Mary O'Neil, Ryan Morrison, and Joseph Cava

- I. Agenda
- II. Communications
- III. Minutes
- IV. Certificate of Appropriateness

1. **ZP-22-443; 505 Lake Street (DW-PT, Ward 3C) City of Burlington / Michael Koch**
Proposed waterfront improvements for the existing Community Sailing Center including the installation/construction of a boat ramp, structural wall with wave attenuators, a pier with walkways, and a launch well and hoists. (Project Manager, Scott Gustin)
Jack Milbank, Michael Koch: Sworn in.

Caitlin Halpert: Can you give us a brief overview of the project?

Michael Koch: The Lake Champlain Community Sailing Center is looking to make improvements to the waterfront to create a safer and more accessible environment for sailors of all ages. The four aspects of the project include a wider concrete boat ramp to allow for multiple vessels coming in and out, a new dock for improved ADA access and classroom learning, two launch hoists, and a wave wall to act as a breakwater for launching and removing boats from the water.

Jack Milbank: The sailing center provides a welcoming environment for individuals of all ages. The proposed expansion of the sailing center would help to forge and expand crucial relationships with local school systems including the University of Vermont. The proposed expansion would also have minimal environmental impacts on Lake Champlain.

Caitlin Halpert: Any questions from the board?

Leo Sprinzen: Are there any utilities proposed including lighting?

Michael Koch: There is already electrical in place for the proposed hoists, but no expansion of lighting is proposed.

Leo Sprinzen: Is there a proposed time limit on public access and use including gated access?

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Jack Milbank: The existing facility is gated, but the facility would be open to smaller recreational boats throughout the day.

Brad Rabinowitz: Is boating access associated with the Sailing Center or a general public access?

Jack Milbank: It is through the Sailing Center.

Caitlin Halpert: Is there anyone from the public who wishes to speak on this? Hearing none, we will deliberate later on.

2. **ZP-22-307; 120 Depot Street (RM-W, Ward 3C) Andrea Trombley / Steve Trombley**
Construct single-family house with associated site improvements. (Project Manager, Ryan Morrison)
Steve Trombley, Sharon Bushor, Bill Pierson, Sally Edith, Virginia Gillespie, and Tony Gillespie:
Sworn in.

Caitlin Halpert: Can you give us a brief overview of the project?

Steve Trombley: Before securing the property, I've talked with Scott about this project. Part of the discussion this evening is about the tree removal to fit the design of the proposed single-family home with the angled landscape. Height requirements changed in April which ultimately changed the scope of this project including several alternatives like revising the design, seeking a variance for the proposed design, or coming before the DRB for an alternative solution.

Caitlin Halpert: Scott, can you or Ryan give us some feedback on this project?

Ryan Morrison: The DAB deliberated on the design of the proposed single-family residence and Steve has implemented some design changes in light of the height ordinance. The ordinance says that the height can't exceed 35 ft.

Caitlin Halpert: What were the revisions to the height ordinance looking to change?

Scott Gustin: The previous height ordinance was too open to interpretation. The new ordinance tightens up the language and explains the ordinance better. The implication for this property is that the applicable height measurement methodology changed from taking the average finished grade around the entire building to just measuring height along the Depot St frontage.

Caitlin Halpert: Any questions from the board?

Brad Rabinowitz: Was the factor of height for the proposed single-family residence driven by the views of Lake Champlain?

Steve Trombley: The upper decks do provide views of the surrounding landscape, but the height is to also incorporate solar panels.

Brad Rabinowitz: Does this property connect with the condo property at the top of the hill?

Steve Trombley: Yes, the upper level connects to the condominium parking lot.

Caitlin Halpert: Is it true that the gap between the height of the garage and base of the upper floor levels is 25 ft.?

Steve Trombley: Yes

Caitlin Halpert: I question the design, and if it were stacked instead of being supported on stilts, this alternative design could bring it within the height ordinance requirement.

Sharon Bushor: I have two concerns. The first is with height, in light of the recent ordinance. My other issue is with Section 5.5.3 concerning storm/wastewater runoff. The design is clearly in disregard to this section and brings to light the continued stability of the embankment. As the roots from the stumps of the downed trees deteriorate, what will be holding the embankment back other than the proposed residence?

Caitlin Halpert: Questions like these are outside the DRB's decision making process.

Bill Pierson: In 2020, a storm water drain was constructed from North St. to Depot St. and I have a concern that the driveway proposed for Depot St. would interfere with this previously existing drainage system.

Sally Edith: My concern is the level of traffic on Depot St. and whether or not the proposed residence would create a danger to bicycle and pedestrian traffic when a car pulls out of the proposed driveway.

Virginia Gillespie: We know from previous weather extremes that the embankment is fragile, and we wanted to make sure that the proposed construction wouldn't disturb the condominium residences above.

Tony Gillespie: The existing design isn't within the revised ordinance and the bike path link with Depot St. would create dangerous conditions for pedestrian traffic. Our driveway along this portion of the embankment was washed out, and I feel this process isn't addressing the runoff concerns.

Caitlin Halpert: Any questions from the board? Hearing none, Steve, would you like to respond to any of these questions and concerns?

Brad Rabinowitz: In regard to the public commentary, the wing walls on the sides of the garage do create blind spots. Its difficult to interpret without having a site plan to accurately define the site as a whole.

Steve Trombley: Soil boring has been done to address soil and erosion concerns regarding the existing embankment. Is there any discretionary decision-making from the board to consider previous designs?

Caitlin Halpert: This is definitely something we will talk about during deliberative session.

Steve Trombley: I hope the time and resources placed on this project will also be considered during deliberation. I also hope the recent ordinance change in April 2022 would also be taken into consideration when this project was started beforehand.

Scott Gustin: The current height standards were adopted in October 2019.

Caitlin Halpert: We will deliberate later on.

V. Sketch Plan

1. ZSP-22-7; 52 Institute Road (RCO-RG, Ward 4N) City School Department / Administrative Offices/EED / Joe Weith

Demolish existing high school and technical center and construct new 268,500 square foot high school and technical center. (Project Manager, Mary O'Neil)

Joe Weith, Brian Leet, Dave Marshall, Jason Charest, Sharon Bushor spoke.

Joe Weith: I'll turn this over to our architect, Brian for discussion.

Brian Leet: Outdoor connection was a major component of the design. The site plan addressed multi-modal traffic for school busses, cars, and pedestrian traffic. Another emphasis was on safety including a main entrance and upper entrance into the commons, a public entrance for sporting and other public events, and a service entrance. The overall plan is five distinct levels, but the code only places the building at four distinct levels.

Caitlin Halpert: Questions from the board?

Leo Sprinzen: Have you addressed the easement needed for storm water runoff?

Dave Marshall: We have recommendations from the water division of public works to improve the existing storm water system to make the existing features more functional. The easements would allow business to function in a sustainable manner.

Leo Sprinzen: Can you address the storm water treatment?

Dave Marshall: A defensive approach would contain the clean water above the high school and divert it into the storm water management pond to prevent the treatment plant from becoming overwhelmed.

Brad Rabinowitz: Can you address the difference between City busses and school busses?

Brian Leet: This is part of our management plan to configure the bus pick up and drop off points at different locations of the campus from where parents are picking up students.

Caitlin Halpert: Is the north section designed for one way traffic?

Brian Leet: Yes, there is space for stacked parking of up to four school busses in addition to traffic flow.

Brad Rabinowitz: Will the tech center still be a part of the high school campus?

Joe Weith: Yes, but some programs are slated to be moved to the South Burlington airport where the trades align with the work being done.

Sean McKenzie: Is there clear delineation for pedestrians, bicycles, and vehicular traffic?

Brian Leet: Pedestrian and bicycle traffic coming from the bike path will have greater opportunities from the north side of the proposed building. There are also plans to implement bike lanes along institute road connecting from North Ave.

Leo Sprinzen: I fear that the proposals for bike parking are lacking for some areas and I'd like to see more connecting crosswalks. I also have a concern for understanding the landscape plan with the new building.

Brian Leet: It is confusing looking at the plan, but there are proposals for biodiversity as part of this project plan.

Caitlin Halpert: Any additional questions from the board or public?

Joe Weith: Brian, can you address the parking for safety?

Brian Leet: We have parking across the street from the high school on Institute Rd. and tiered parking proposed behind the building. For safety, the doors will automatically lock coming into the

building. Administrative overview places an increased emphasis on visitors coming through the front of the building.

Jason Charest: I am the President of the City Bluffs homeowner's association, and there is a concern amongst residents living across the street about toxic dust being generated from the structure's demolition.

Sharon Bushor; The site is a mixture of two zoning districts, and I've never heard of what happened when an institutional facility holds large scale sporting events.

Brian Leet: A traffic study will be completed to account for peak events to mitigate the amount of parking that's on site.

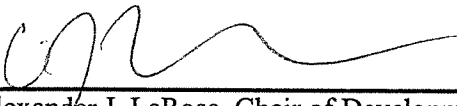
Joe Weith: We will continue to evaluate this as we apply for our permits.

Caitlin Halpert: Close the sketch plan review.

Enter deliberative session.

VI. Adjournment

Hearing closed at 6:30 PM.



Alexander J. LaRosa, Chair of Development Review Board

10/25/22

Date



Joseph H. Cava

9-9-22

Joseph H. Cava, Permitting & Inspections Permit Technician

Date

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