

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
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Kieran Christianson
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Chase Taylor
Sean McKenzie, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, August 17, 2021, 5:00 PM

PUBLIC HEARING NOTICE

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

Zoom: <https://us02web.zoom.us/j/84106530127?pwd=Y2p5RG16OXFQN3lBWlJKdINBWmdSQT09>

Password: 302244

Webinar ID: 841 0653 0127

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

- 1. ZP-21-136; 92 Farrington Parkway (RL, Ward 7N) Raymond K. Ingram Jr.**
Appeal of 15-year determination as to yard parking next to driveway. (Continued hearing)
- 2. ZP-21-559; 64 East Ave (RL, Ward 1E) MBVT, Inc**
2-lot subdivision to create one new single-family building lot.

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

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

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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AGENDA

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Public Hearing**
 1. **ZP-21-136; 92 Farrington Parkway (RL, Ward 7N) Raymond K. Ingram Jr.**
Appeal of 15-year determination as to yard parking next to driveway. (Continued hearing) (Project Manager: Scott Gustin)
 2. **ZP-21-559; 64 East Ave (RL, Ward 1E) MBVT, Inc.**
Two-lot subdivision to create one new single-family building lot. (Project Manager: Ryan Morrison)
- V. **Certificate of Appropriateness**
 1. **ZP-21-514; 489 Main Street (I, Ward 6S) University of Vermont**
Landscape improvements, removal of barn behind Pomeroy Hall and addition. Relocate arch. Pedestrian circulation improvements, underground storm water detention system, parking modifications. (Project Manager: Scott Gustin)
 2. **ZP-21-515; 184-194 South Prospect Street (I, Ward 6S) University of Vermont**
Landscape improvements, removing of building and driveway. Pedestrian circulation improvements, underground storm water detention system, parking modifications. (Project Manager: Scott Gustin)
- VI. **Sketch Plan**
 1. **ZSP-21-6; 95 Elbow Street and ZSP-21-5; 105 Elbow Street (RL-W, Ward 7N) 2751 North Miami Ave LLC and Doug Henson**
Construct a residential duplex. (Project Manager: Ryan Morrison)
 2. **ZSP-21-4; 3131 North Ave and ZSP-21-3; 3135 North Ave (RL-W, Ward 7N) 2751 North Miami Ave LLC and Doug Henson**
Construct a single-family dwelling. (Project Manager: Ryan Morrison)
- VII. **Adjournment**

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489 Main Street Narrative:

The University of Vermont is submitting this application for a zoning permit for landscape improvements and removal of the barn behind Pomeroy Hall & addition at 489 Main Street.

This is part of a larger landscape and building removal project that includes the work at 489 Main Street as well as work at the merged lot consisting of 172, 178 & 184-194 South Prospect Street. The plan is to beautify an area that is one of the first views of campus for students who are considering UVM as their potential college of choice. This project is part of the larger story of both making improvements to a sensitive and important area of campus, as well as fitting in with the University's overall historic preservation priorities.

This application is for all work on the 489 Main St. parcel only. That work consists of the removal of the barn at the back of Pomeroy Hall, and landscape improvements. There are currently 12 parking spaces on this lot. After the landscape improvements the number of parking spaces will go down to 8. The existing lot coverage is 75.75%. After the proposed improvements, lot coverage will go down to 64.64%.

The entire (larger) project consists of landscaping improvements, removal of Pomeroy Barn at 489 Main Street and removal of the building at 172 South Prospect including its driveway; creation of an open air sitting area and a gathering space for student groups on Admissions tours. The project will also include pedestrian circulation improvements, an underground stormwater detention system and parking modifications.

The University is working closely with the Vermont Division of Historic Preservation (VDHP) and other state agencies regarding documentation, demolition and mitigation for these two structures. As part of the overall project, landscaping and parking will be reconfigured. The number of spaces overall (including but not limited to this application) will be slightly altered from 149 existing spaces to 146 proposed spaces.

One component of this project is to move the "UVM Arch" northerly along the multi-use path so that it is closer to Main Street. This will create a frame to welcome people walking northerly to UVM, and will frame this part of campus for pedestrians on Main Street, looking south.

This area is owned by the City; moving the arch will be contingent on an agreement with the City on this new placement of the arch. If agreement is not reached before construction, the arch move may be delayed or separated out of this project. The University would like to start construction later this summer.

We understand that the University is subject to limited municipal review, as per state statute 24 VSA 4413:

§ 4413. Limitations on municipal bylaws

(a)(1) 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

The estimated construction cost for the 489 Main St. component is \$300,000.

184-194 South Prospect Street Narrative:

The University of Vermont is submitting this application for a zoning permit for landscape improvements at the merged lot at 172, 178 & 184-194 South Prospect St., including the removal of the building at what was formerly 172 South Prospect Street.

This is part of a larger landscape and building removal project that includes 489 Main Street as well as the merged lot consisting of 172, 178 & 184-194 South Prospect Street, as per the applications for ZP-21-505, ZP-21-506 & ZP-21-507. The plan is to beautify an area that is one of the first views of campus for students who are considering UVM as their potential college of choice. This project is part of the larger story of both making improvements to a sensitive and important area of campus, as well as fitting in with the University's overall historic preservation priorities.

This application consists of landscaping improvements, removal of the building at 172 South Prospect including its driveway, pedestrian circulation improvements, additional landscaping, an underground stormwater detention system, and parking modifications.

There are currently 137 parking spaces on the merged lot. After the proposed improvements, there will be one additional space, for a total of 138 parking spaces on the merged lots. Existing lot coverage is 32.41%, and that will go up to 33.71%. The larger project also includes the removal of Pomeroy Barn at 489 Main Street and landscape and parking improvements on that parcel. Overall, the project on both this application and the 489 Main Street application together will go from 149 spaces to 146 spaces.

The University is working closely with the Vermont Division of Historic Preservation (VDHP) and other state agencies regarding documentation, demolition and mitigation for these two structures.

The University would like to start construction later this summer.

We understand that the University is subject to limited municipal review, as per state statute 24 VSA 4413:

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Pomeroy Barn, North Elevation



DANGER
FALLING
ICE &
SNOW

Pomeroy Barn, Northeast Corner

Hall
Luse
MONT

DANGER
FALLING
ICE &
SNOW

Pomeroy Barn, Northwest Corner



Pomeroy Barn, West Elevation



UVM Arch, looking south



Pomeroy Barn, Southwest corner



UVM Arch, looking south





172 South Prospect



172 South Prospect



178 and 184 South Prospect



184 South Prospect, back of building



Existing Parking, back of 184-194 South Prospect



24 HOUR
TOWING
ENFORCED

24 HOUR
TOWING
ENFORCED

USE CENTER
CLIENT PARKING
USE CENTER PARKING
NOT RE-ENTRY
NOVEMBER - DECEMBER
ALL PARKING SPACES
IN THIS AREA

USE CENTER
CLIENT PARKING
USE CENTER PARKING
NOT RE-ENTRY
NOVEMBER - DECEMBER
ALL PARKING SPACES
IN THIS AREA



Back Parking Lot, 172, 178 & 184-194 South Prospect

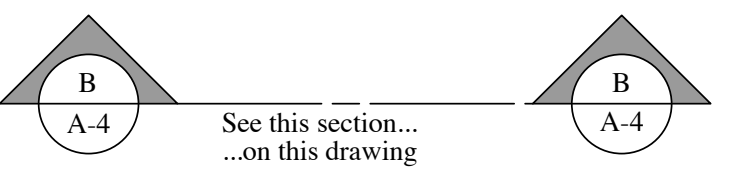


184 South Prospect, Admissions

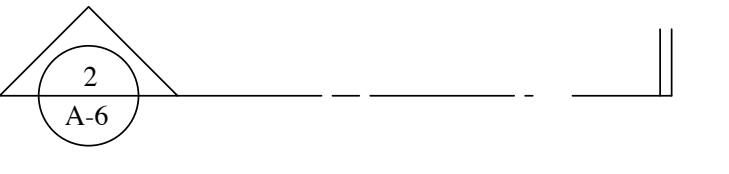


178 South Prospect

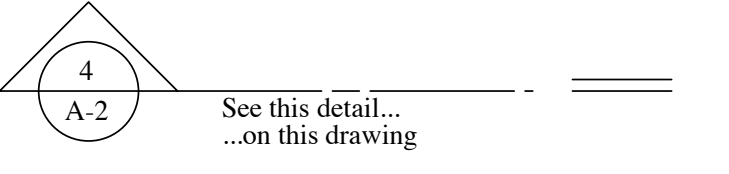
DRAWING SYMBOLS



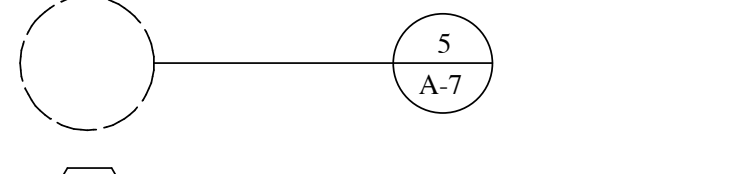
BUILDING SECTION



WALL SECTION



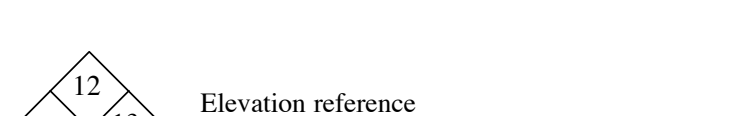
DETAIL



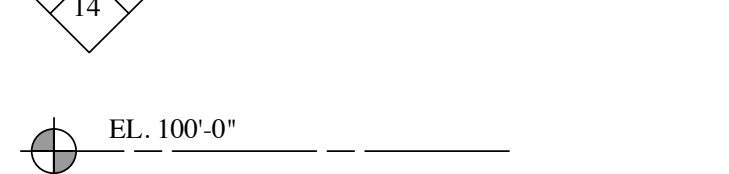
ENLARGED DETAIL



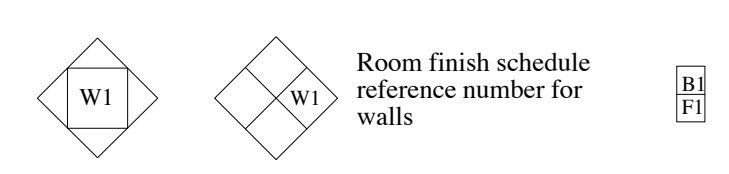
WINDOW TYPE



DOOR NUMBER



INTERIOR ELEVATION

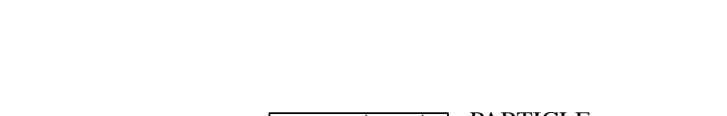
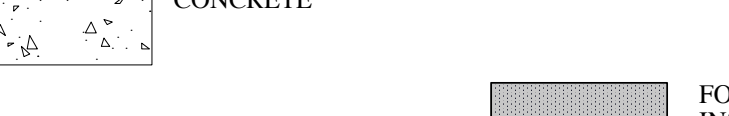
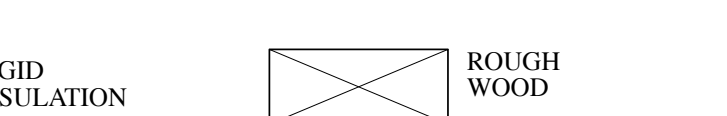
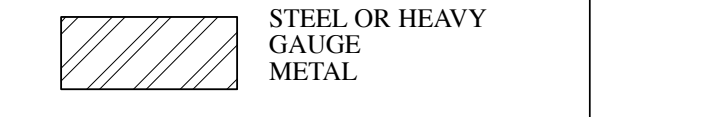
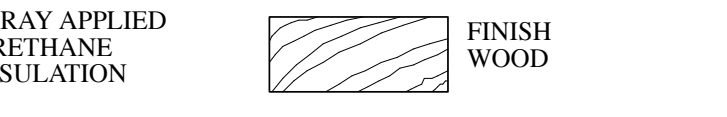
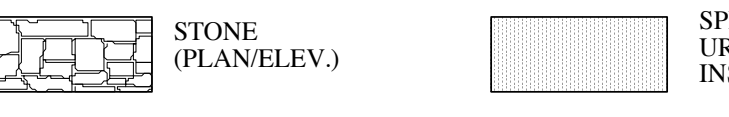


VERTICAL ELEVATION



ROOM FINISH SCHEDULE

MATERIALS



ABBREVIATIONS

ABI	additive bid item	DF	drinking fountain	JAN	janitor	SPEC	specification(s)
ACT	acoustic ceiling tile	ELEC	electric(al)	JT	joint	SQ	square
ADJ	adjustable	EL	elevation	LAV	lavatory	SS	stainless steel
AFF	above finish floor	ELEV	elevator	MAX	maximum	STD	standard
ALUM	aluminum	EQ	equal	MECH	mechanical	SD	storm drain
ANC	anchor, anchorage	EXG	existing	MFR	manufacturer	STRUC	structural
ARCH	architect(ural)	EXT	exterior	MH	manhole	SYS	system
BSMT	basement	FG	fiberglass	MO	masonry opening	TBP	tile backing panel
BIT	bituminous	FIN	finish	MTL	metal	TDO	thermoset decorative overlay
BLKG	blocking	FF	finish floor	MIN	minimum	TEL	telephone
BD	board	FE	fire extinguisher	NIC	not in contract	TG	tempered glass
BOT	bottom	FLG	flashing	NTS	not to scale	THK	thick(ness)
BRK	brick	FD	floor drain	OC	on center	TH	threshold
BLDG	building	FRT	fire retardant	OD	outside diameter	T&G	tongue & groove
BTWN	between	FTG	footing	OPNG	opening	T&G	tongue & groove
CB	catch basin	FND	foundation	OP-CT	owner provided-contractor installed	T&G	tongue & groove
CJ	control joint	GA	gage, gauge	OP-OI	owner provided-owner installed	T&G	tongue & groove
CLG	ceiling	GALV	galvanized	OP-OI	owner provided-owner installed	T&G	tongue & groove
CT	ceramic tile	GC	general contract(or)	OP-OI	owner provided-owner installed	T&G	tongue & groove
CL	clean out	GFE	government furnished equipment	OP-OI	owner provided-owner installed	T&G	tongue & groove
CLR	clear(ance)	GFCI	government furnished and	OP-OI	owner provided-owner installed	T&G	tongue & groove
COL	column	GWB	gypsum wall board	OP-OI	owner provided-owner installed	T&G	tongue & groove
CONC	concrete	HPDL	high pressure decorative laminate	OP-OI	owner provided-owner installed	T&G	tongue & groove
CMU	concrete masonry unit	HWD	hardwood	OP-OI	owner provided-owner installed	T&G	tongue & groove
CONT	continuous or continue	HVAC	heating, ventilating &	OP-OI	owner provided-owner installed	T&G	tongue & groove
DP	dampproofing	HT	height	OP-OI	owner provided-owner installed	T&G	tongue & groove
DEM	demolish, demolition	HOR	horizontal	OP-OI	owner provided-owner installed	T&G	tongue & groove
DET	detail	ID	inside diameter	OP-OI	owner provided-owner installed	T&G	tongue & groove
DIA	diameter	INS	insulation	OP-OI	owner provided-owner installed	T&G	tongue & groove
DWG	drawing			OP-OI	owner provided-owner installed	T&G	tongue & groove

UNIVERSITY OF VERMONT

POMEROY BARN & 172 S. PROSPECT
DEMOLITION / IMPROVEMENTS

SOUTH PROSPECT ST
BURLINGTON, VERMONT 05401

PERMIT SET
JUNE 22, 2021



LIST OF DRAWINGS

CIVIL DRAWINGS

C-1.0	OVERALL SITE PLAN
C-1.1	SITE PLAN
C-1.2	SITE PLAN
C-2.0	EXISTING CONDITIONS PLAN
C-2.1	DEMOLITION PLAN
C-3.0	EROSION PREVENTION & SEDIMENT CONTROL PLAN PRECONSTRUCTION
C-3.1	EROSION PREVENTION & SEDIMENT CONTROL PLAN CONSTRUCTION & STABILIZATION
C-4.0	CIVIL DETAILS
C-4.1	CIVIL DETAILS
C-4.2	CIVIL DETAILS

ARCHITECTURAL DRAWINGS

SP-1.0	OVERALL LANDSCAPE PLAN • PERSPECTIVE VIEWS 1 & 2
SP-1.1	ENLARGED LANDSCAPE PLAN WEST • PERSPECTIVE VIEWS 3, 4, & 5
SP-1.2	ENLARGED LANDSCAPE PLAN EAST • POMEROY PLAZA • PERSPECTIVE VIEWS 6, 7, & 8
SP-1.3	POMEROY PLAZA ENLARGED LANDSCAPE PLAN

ELECTRICAL DRAWINGS

E-1.0	ELECTRICAL SITE PLAN
E-2.0	TRENCH & POLE BASE DETAILS
E-3.0	SITE PLAN PHOTOMETRIC ANALYSIS

LANDSCAPE DRAWINGS

L-1.0	LANDSCAPE PLAN
L-1.1	LANDSCAPE DETAILS

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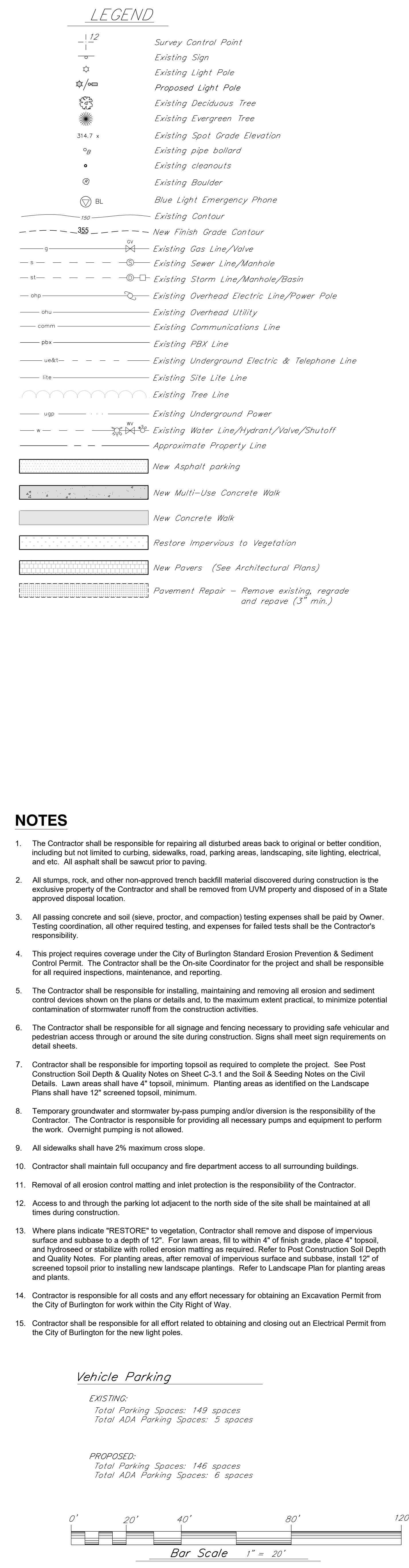
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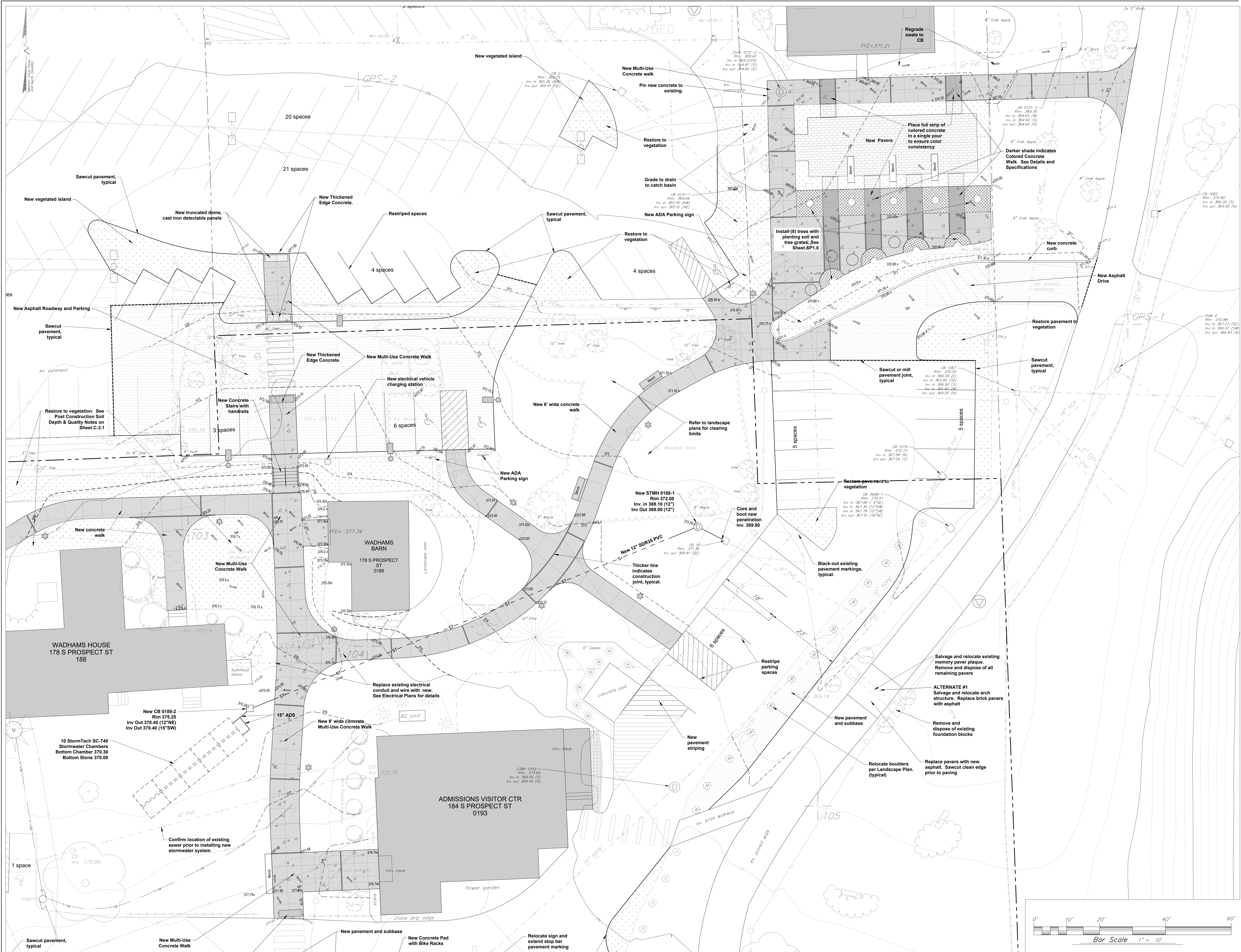
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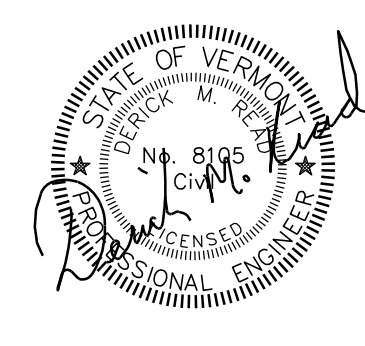
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SAS PROJECT NO. 0935



18266/Pomeroy Base Sells currentLow





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K&L PROJECT NO. 18266

PROJECT

**UVM
POMEROY
BARN
&
172 S. PROSPECT
DEMOLITION /
IMPROVEMENTS**

**S. PROSPECT ST.
BURLINGTON, VT
05405**

DATE: June 22, 2021
SCALE: 1" = 10'
DRAWN: RA, DMR
CHECKED:

REVISIONS

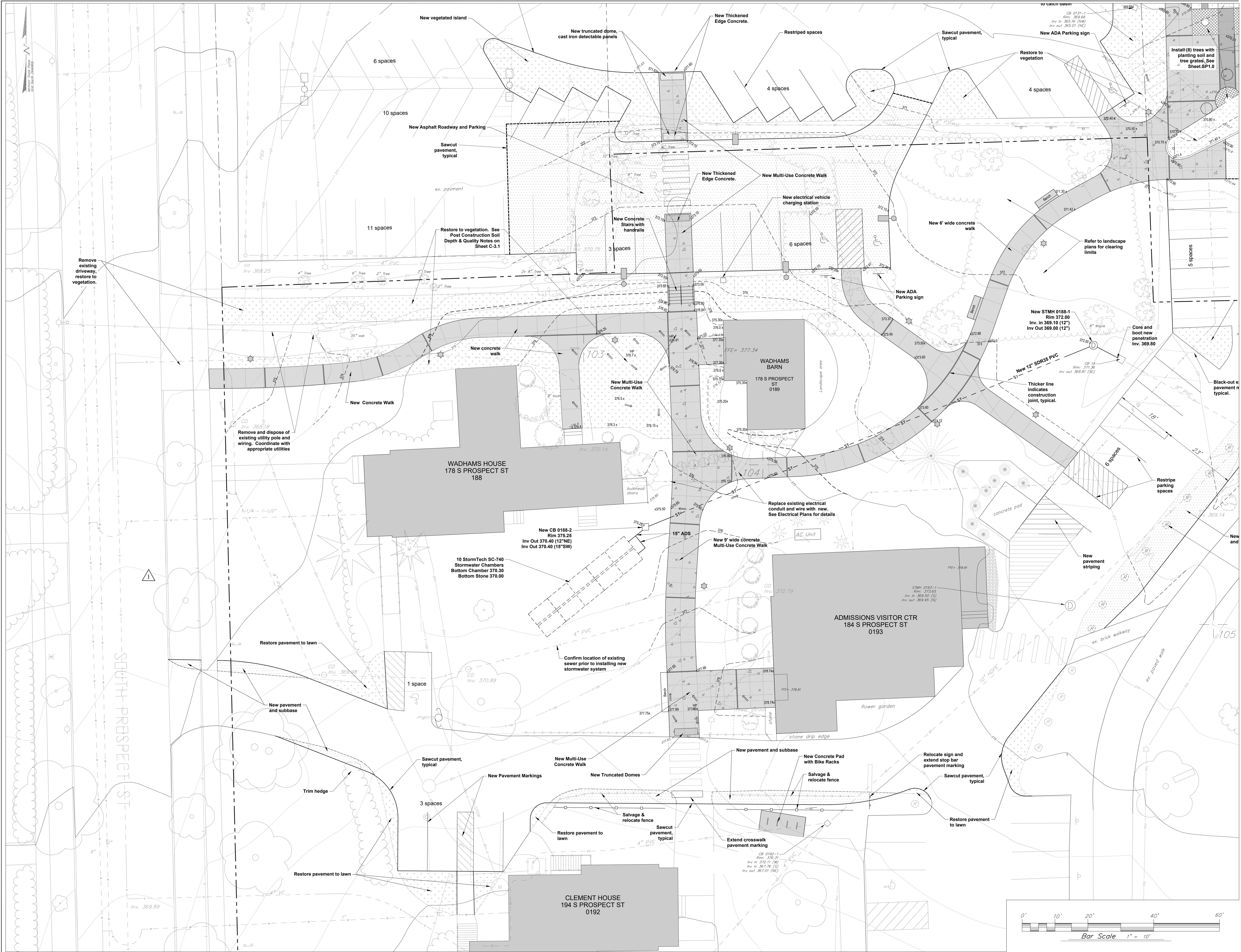
1	4/22/2021	Addendum #1
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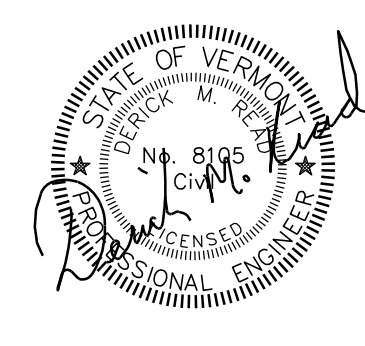
PERMIT SET

SITE PLAN

C-1.1

18266/Pomeroy Barn Site Current.dwg





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UVM

POMEROY BARN & 172 S. PROSPECT

DEMOLITION / IMPROVEMENTS

S. PROSPECT ST. BURLINGTON, VT 05405

DATE: June 22, 2021
SCALE: 1" = 10'
DRAWN: RA, DMR
CHECKED:

REVISIONS

PERMIT SET

SITE PLAN

C-1.2

18266/Pomeroy Barn Site Plan (current.dwg)

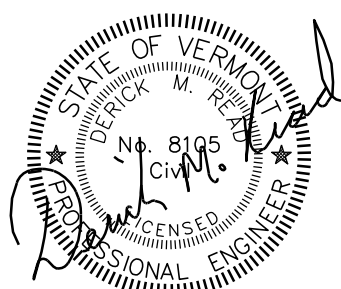
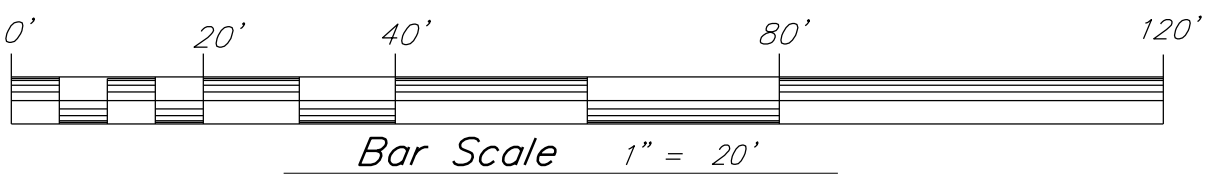


Notes:

- This plan is not a boundary survey. Property lines are based on mapping provided by UVM Campus Planning Services and is to be considered approximate.
- The underground utilities shown on this plan are based on visible utilities located during a topographic survey performed by Krebs & Lansing in May 2020 and from UVM Utility Master Plan mapping. Underground utilities are approximate and not warranted to be exact or complete. Dig Safe shall be contacted prior to any excavation.
- Elevations are based on GPS observations that reference the NAVD 88 vertical datum measured in U.S. Survey foot.
- Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch. Project vertical datum based on NAVD 88 (Geoid 12A).
- The location of underground electrical lines which service the site lights may not all be shown on this plan. Other electrical lines may also exist which are not shown on this plan.

LEGEND

12	Survey Control Point
Existing Sign	
Existing Light Pole	
Existing Deciduous Tree	
Existing Evergreen Tree	
314.7 x	Existing Spot Grade Elevation
Existing pipe bollard	
Existing cleanouts	
Existing Boulder	
Blue Light Emergency Phone	
Existing Contour	
Existing Gas Line/Valve	
Existing Sewer Line/Manhole	
Existing Storm Line/Manhole/Basin	
Existing Overhead Electric Line/Power Pole	
Existing Overhead Utility	
Existing Communications Line	
Existing PBX Line	
Existing Underground Electric & Telephone Line	
Existing Site Lite Line	
Existing Tree Line	
Existing Underground Power	
Existing Water Line/Hydrant/Valve/Shutoff	
Approximate Property Line	
Existing steam line	
Existing Low Pressure Steam & Condensate	
Limits of Topographic Survey	



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K&L PROJECT NO. 18266

PROJECT

UVM
POMEROY
BARN
&
172 S. PROSPECT
DEMOLITION /
IMPROVEMENTS
•
S. PROSPECT ST.
BURLINGTON, VT
05405

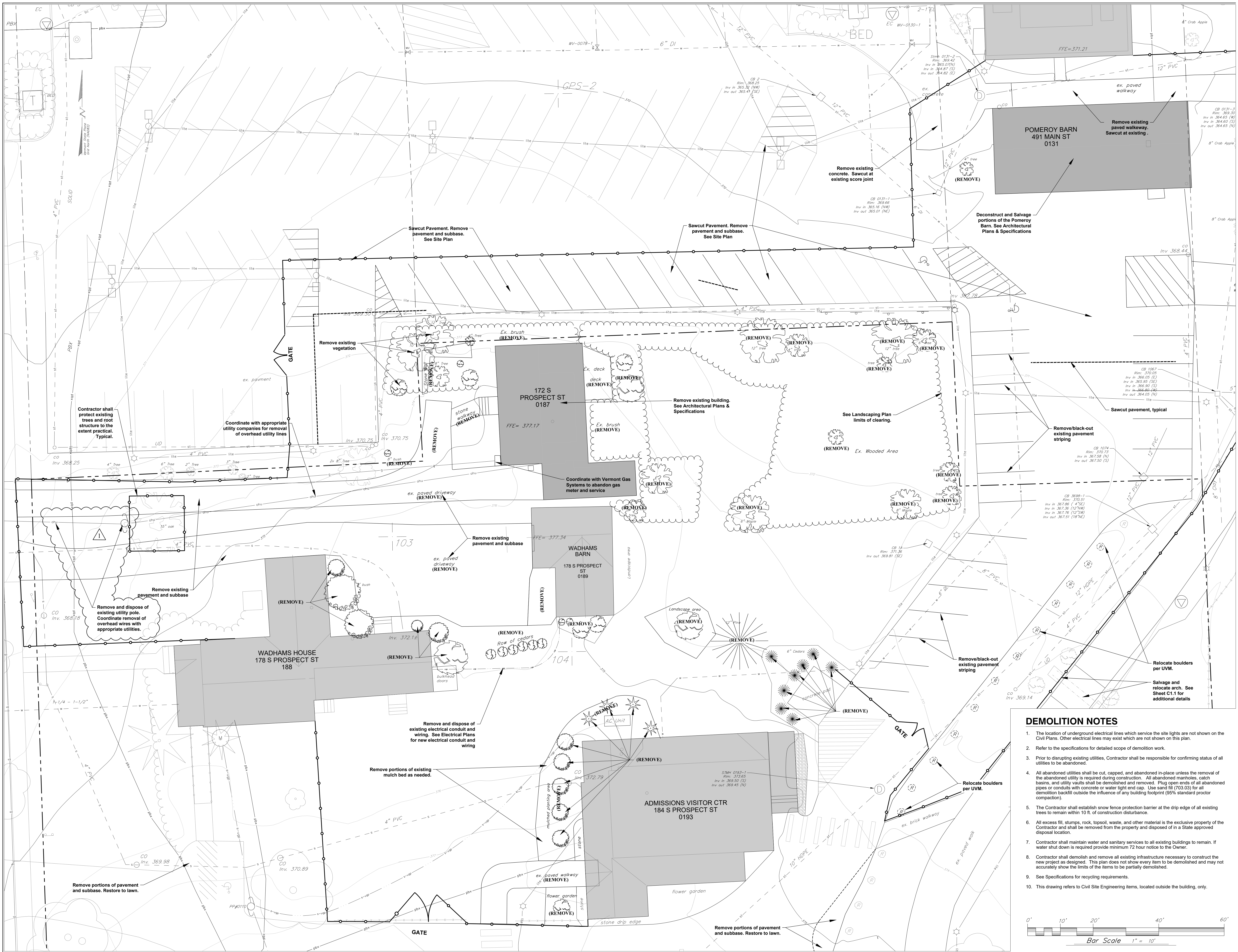
DATE: June 22, 2021
SCALE: 1" = 20'
DRAWN: RA, DMR
CHECKED:

REVISIONS

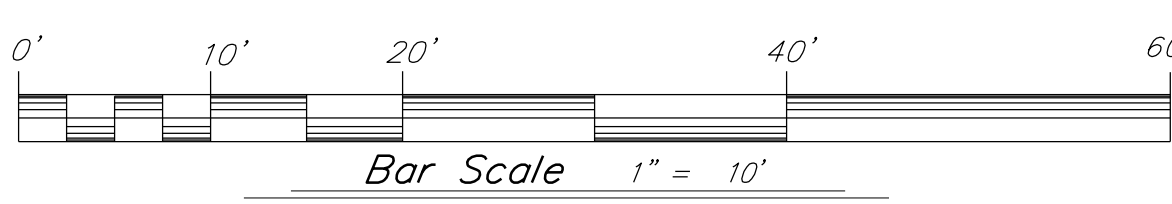
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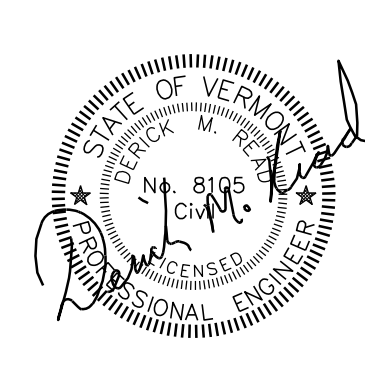
EXISTING
CONDITIONS
PLAN

C-2.0



- ### DEMOLITION NOTES
- The location of underground electrical lines which service the site lights are not shown on the Civil Plans. Other electrical lines may exist which are not shown on this plan.
 - Refer to the specifications for detailed scope of demolition work.
 - Prior to disrupting existing utilities, Contractor shall be responsible for confirming status of all utilities to be abandoned.
 - All abandoned utilities shall be cut, capped, and abandoned in-place unless the removal of the abandoned utility is required during construction. All abandoned manholes, catch basins, and utility vaults shall be demolished and removed. Plug open ends of all abandoned pipes or conduits with concrete or water tight end cap. Use sand fill (703.03) for all demolition backfill outside the influence of any building footprint (95% standard proctor compaction).
 - The Contractor shall establish snow fence protection barrier at the drip edge of all existing trees to remain within 10 ft. of construction disturbance.
 - All excess fill, stumps, rock, topsoil, waste, and other material is the exclusive property of the Contractor and shall be removed from the property and disposed of in a State approved disposal location.
 - Contractor shall maintain water and sanitary services to all existing buildings to remain. If water shut down is required provide minimum 72 hour notice to the Owner.
 - Contractor shall demolish and remove all existing infrastructure necessary to construct the new project as designed. This plan does not show every item to be demolished and may not accurately show the limits of the items to be partially demolished.
 - See Specifications for recycling requirements.
 - This drawing refers to Civil Site Engineering items, located outside the building, only.





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PROJECT

**UVM
•
POMEROY
BARN
&
172 S. PROSPECT
DEMOLITION /
IMPROVEMENTS**

**S. PROSPECT ST.
BURLINGTON, VT
05405**

DATE: June 22, 2021
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CHECKED:

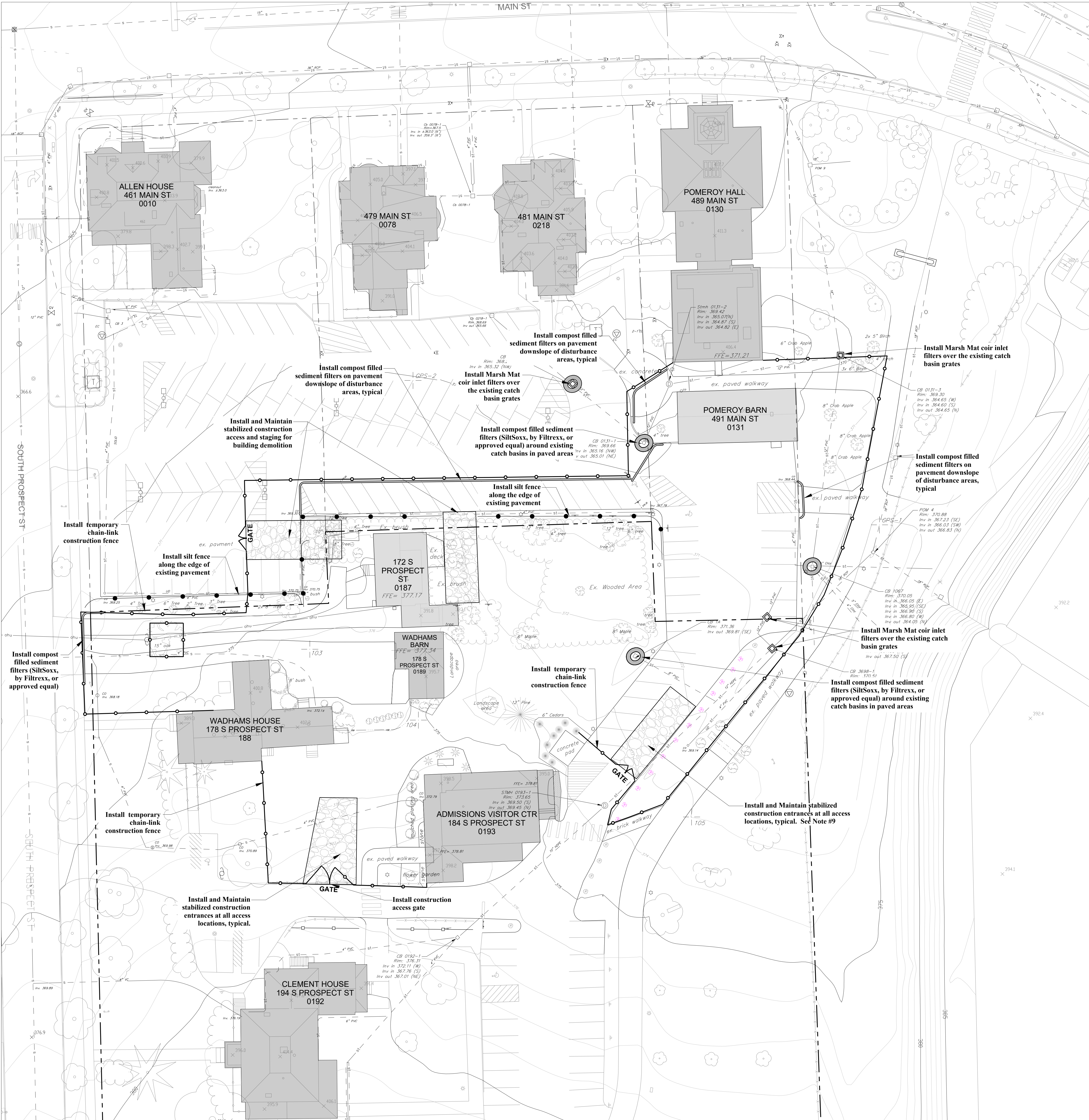
REVISIONS

PERMIT SET

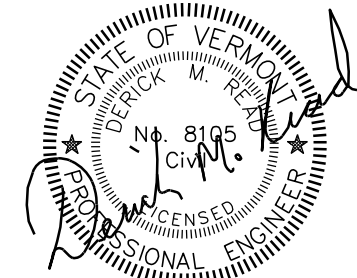
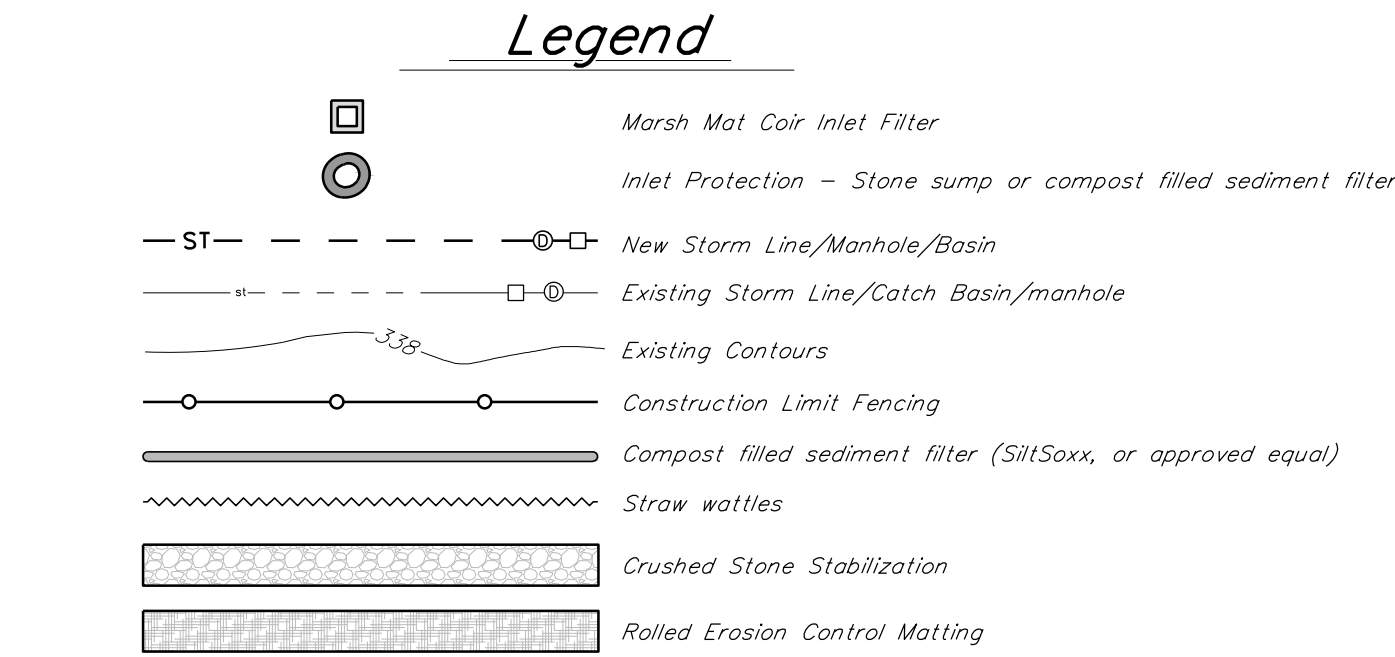
**DEMOLITION
PLAN**

C-2.1

15266/Pomeroy Barn Set.dwg



- ### Erosion Prevention and Sediment Control Notes
- Contractor shall be responsible for complying with all City of Burlington erosion prevention and sediment control standards and permit requirements during construction. The City Erosion Prevention & Sediment Control Permit shall be posted near the construction entrance, or in a location visible to the public.
 - The Contractor shall be the On-site Coordinator for the project and shall be responsible for all required inspections (minimum weekly and after any storm event that produces a discharge) maintenance, and reporting.
 - The limit of disturbance shall be clearly defined by Contractor's surveyor prior to clearing. Clearing and grubbing shall not begin until disturbance limits and sediment controls are in place. All roots, stumps and deleterious materials shall be removed from the site. The Contractor shall minimize the amount of disturbed land at any given time.
 - The erosion prevention and sediment control practices shown on these plans are the minimum required for the project. The Contractor shall employ and maintain as many best management practices as necessary to prevent soil from leaving the construction site. If evidence is found of sediment tracking or eroded soil leaving the construction site, the Engineer may direct Site Contractor to implement additional best management practices at no additional cost to Owner.
 - All areas of disturbance shall be permanently or temporarily stabilized as soon as possible and within 48 hours of final grading. All areas of disturbance shall be at least temporarily stabilized 14 days after initial disturbance during the summer or daily during winter construction unless the following exceptions apply:
 - Stabilization is not required if earthwork is to continue in the area in the next 24 hours and there is no precipitation forecast in the next 24 hours.
 - Stabilization is not required if the work is occurring in a self-contained excavation (i.e. no outlet) with a depth of 2 ft. or greater (e.g. house foundation excavation, utility trenches). Stabilization measures shall include mulch and netting, erosion control matting, crushed stone, gravel, or pavement.
 - Unless specifically indicated on the plans acceptable methods of stabilization shall include:
 - **STRAW** Mulching — 2 tons per acre. Only **STRAW** mulch is allowed. Approximately 2" uniform thickness. Only allowed on relatively flat areas with minimum upslope watershed. Mulch must be properly secured with netting to prevent material from being blown away by wind (windthrow).
 - **Hydroseeding*** — Preferred Method of Temporary Stabilization. Apply at the manufacturer's recommended application rate. Contractor shall provide evidence of proper application rate. Hydroseeding must be accompanied by erosion control matting in areas of concentrated flow. **Hydroseeding on slopes 3:1 and steeper, as shaded on the plan, and all hydroseeding after October 1st must be done with a dense cover of hydromulch, Fixelene High Performance, Flexible Growth Media, or approved equal.**
 - **Erosion control matting** — NAG S75BN may be applied to slopes less than 3:1 (H:V). NAG S150BN matting must be applied to all slopes 3:1 (H:V) or greater (unless otherwise indicated) and in areas of concentrated flow. **All rolled erosion control matting must be removed prior to first mowing.**
 - **Crushed stone or crushed gravel** — Typically used for temporary access roads and construction staging areas.
 - The Contractor shall use water for dust control.
 - The Contractor shall provide inlet protection around all catch basins (existing or new) that collect construction site stormwater runoff. At a minimum, MarshMat, or approved equal, coir inlet filters shall be installed over all catch basin grates. Additional inlet control shall be installed as identified on the plans or as warranted during construction. Inlet protection must be maintained until final stabilization has been reached.
 - A stabilized construction entrance (See Detail) shall be installed and maintained at all construction access locations where construction vehicles travel off the existing hardscape. Contractor shall be responsible for installing crushed stone to provide stable areas for construction vehicle traffic, staging, and storage. The Contractor is responsible for providing and maintaining sufficient stone to prevent rutting and sediment tracking.
 - Any paved roads used by construction vehicles shall be swept daily, or at a greater frequency, if dirt or gravel is tracked from the site. The swept debris shall be removed from face of curb, if applicable, before any forecasted rain event.
 - All temporary erosion and sediment control measures shall be removed within 30 days after final stabilization or after the measures are no longer needed, unless otherwise authorized.
 - All sediment removed from sediment control practices shall be placed in an approved soil disposal area.
 - All areas that do not have established vegetation by October 15th must be stabilized in accordance with the Winter Stabilization requirements outlined in the Low Risk Site Handbook. See Details.
 - After permanent seeding the Contractor shall be responsible for watering to ensure adequate vegetative growth. Weed growth is not considered acceptable vegetative growth.
 - Water from dewatering activities that flows off site must be clear. Turbid, or visibly discolored water must not be pumped into storm sewers. Discolored water must be pumped to a sediment filter bag, DirBag or approved equal, in the location indicated on the plans or other area approved by the Engineer that is located away from exposed or disturbed soil.
 - Contractor shall call James Sherrard at 503-7027 or email (jsherrard@burlingtonvt.gov) at least 24 hours prior to initiating earth disturbance and submit name, cell phone number, and email contact information of the erosion control coordinator for the project.
- The perimeter of the site and all BMPs will be inspected at the end of each workday to ensure that sediment will not leave the site. If sediment has traveled beyond the site boundary, it shall be swept up or otherwise removed and deposited on-site in an upgradient area at the end of each workday.



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K&L PROJECT NO. 18266

PROJECT

**UVM
•
POMEROY
BARN
&
172 S. PROSPECT
DEMOLITION /
IMPROVEMENTS**

**S. PROSPECT ST.
BURLINGTON, VT
05405**

DATE: June 22, 2021
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REVISIONS

PERMIT SET

**EROSION PREVENTION &
SEDIMENT CONTROL
PLAN
PRECONSTRUCTION**

C-3.0

18266/PomPavilion-

ACAD Layer Naming Convention

X-XXXX-XXXX- XXXX
| | | Identifier
| | Minor Group
| Major Group
Discipline Code

Discipline Codes:
B – Background (x–ref) (by WM Group only)
C – Civil
E – Electrical
M – Mechanical
S – Site
T – Telecommunications
U – Controls
X – Other

Major Group Codes:
B – Background (x–ref) (by WM Group only)
BASE Roads, parking lots, walks, general

BLDG Building
NGAS Natural Gas
SSWR Sanitary Sewer
STRM Storm Sewer
WATR Domestic Water

E – Electrical
PPOW Primary Power Distribution
SPOW Secondary Power Distribution
EPOW Emergency Power
LITE Lighting

M – Mechanical
CHWR Chilled Water
FOIL Fuel Oil and Tanks
STEM Steam, Condensate
COGN Future Cogen Conduits

T – Telecommunications
PBX PBX
TELE Telephone

U – Controls
EMCM Emergency Communication
BC Building Controls
SECU Security/Fire

Identifier Codes:
PIPE Pipe (Actual pipe either active or abandoned)
CNDT Conduit (Actual conduit/bank either active or abandoned)
IDEN Identification (Manhole/pipe/conduit labels)
NOTE Notes (Notes as required – 1”=30’ scale)
HTCH Hatching (UVM & non-UVM building hatching) (Background ONLY)

Symbols (i.e. manholes, hydrants, handholes, valves, etc.) should appear on PIPE/CNDT layer.
(Others as needed)

2.) ACAD Standards

A) TEXT STYLE:	B) LINE STYLE:
FOR GENERAL TEXT USE: "UVM-GENTEXT" STYLE	EXISTING – ACTIVE:
FONT: SIMPLEX	LINE TYPE: CONTINUOUS
FONT SIZE (IDENTIFIER LAYER): 3.50 (MODEL SPACE)	LINE TYPE SCALE: 1.000
FONT SIZE (NOTES LAYER ONLY): 2.50 (MODEL SPACE)	(examples) 8"=PS
JUSTIFY: BOTTOM OR TOP CENTER	
ORIENTATION: LEFT TO RIGHT	
OR BOTTOM TO TOP	
FORMAT: ENGINEERING	
	EXISTING – ABANDONED:
	LINE TYPE: DASHED2
	LINE TYPE SCALE: 0.35
	(examples) 4"=C-on

AS-BUILT (RECORD) DRAWINGS

The Contractor shall be responsible for providing the Owner with an as-built (record) utility site drawing in both PDF and AutoCAD format that meets the specifications below

1. Drawing shall be in AutoCAD 2013 format. The civil design AutoCAD file drawing shall be used as the base for the as-built drawing. All information added to the base AutoCAD drawing shall be drafted in accordance with the Utility Record Drawing Drafting Standards shown on this plan.

2. The Contractor shall continue to update as-built drawing throughout the project. The as-built drawing shall be updated so that at any time in the project, infrastructure installed is located, plotted and drafted in the as-built drawing within 2 weeks of installation.

The Contractor shall copy the as-built drawing to the Engineer weekly during construction. The drawing shall include as-built survey shots including elevation and description of shot. The as-built survey shots shall be placed on a separate layer from the line work and shall be designated by date as AB-SHOT-XX-XX-XX (date). (For example, an as-built waterline tap shot shall be on a layer titled (AB-SHOT-01-08-08).

3. The Contractor shall utilize survey equipment able to locate infrastructure at the desired accuracy listed below. Footing drains and underdrains are exempt from the as-built requirements if they are constructed in accordance with the plans. Stormwater collection pipes for footing drains or underdrains must be survey located and included in the Record Drawing.

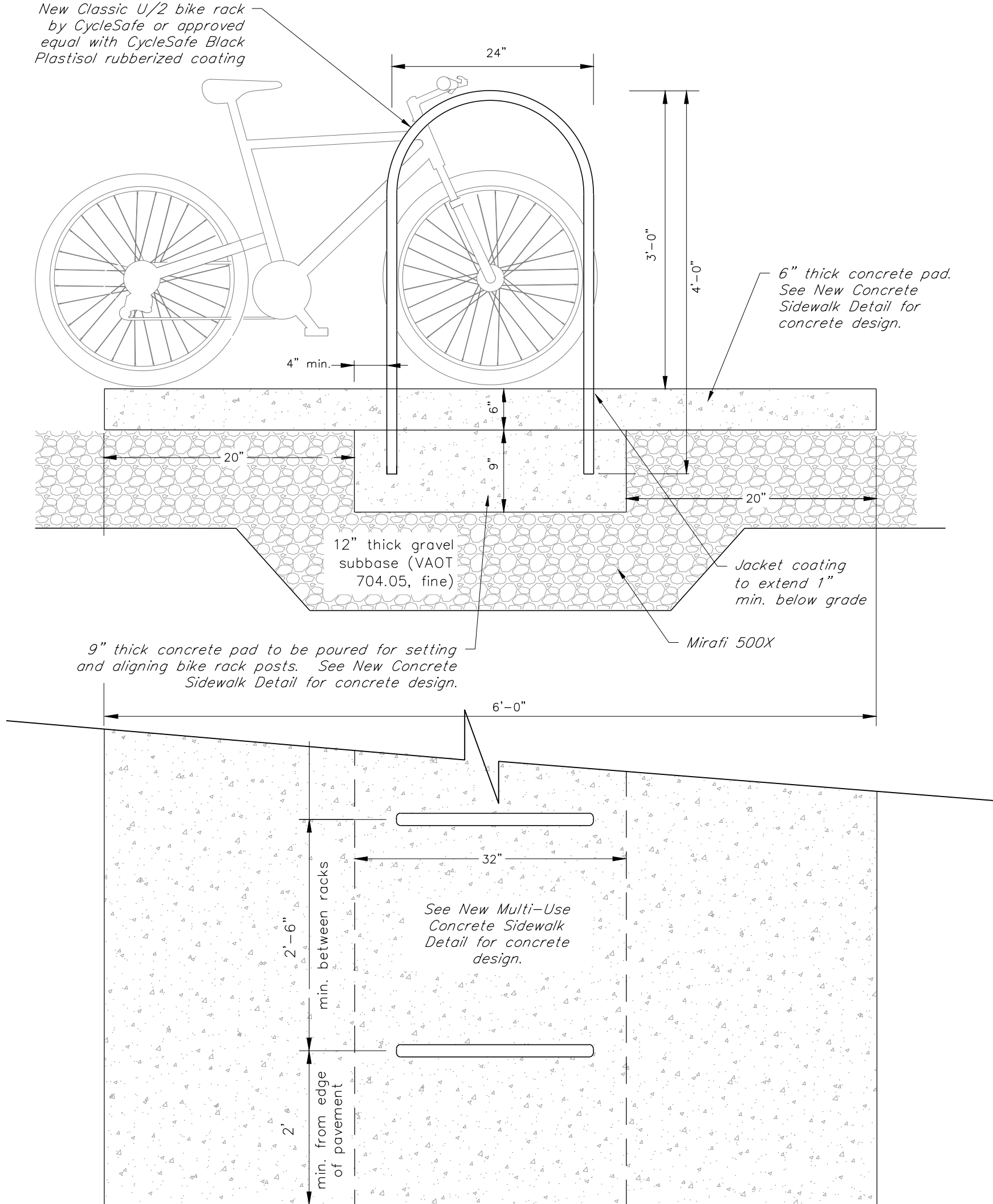
Utility	Horizontal Tolerance	Vertical Tolerance
Storm manhole/cb/chambers – rims/inverts/sumps Storm cleanout – invert Storm pipe – change slope/bend Storm pipe – building invert	1'	0.1'
Electric-Primary – change slope/bend Electric-Primary – tap concrete (every 36' max.) Electric-Primary – trench x-section (number and type conduit, encasement detail)	1'	0.1'
Electric-Secondary – change slope/bend Electric-Secondary – tap concrete (every 36' max.) Electric-Secondary – trench x-section (number and type, encasement detail)	1'	0.1'
Other – EXISTING UTILITIES, ETC.	1'	0.1'

Contractor shall be responsible for locating and identifying all existing utilities that are exposed in the process of installing new utilities. Provide at least 2 shots on each utility found (every 36' max) as well as bends, fittings, and changes in slope.

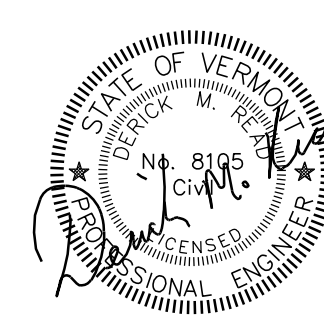
Site Lighting – Contractor shall be responsible for providing to the Owner a "mark-up" plan showing the layout of the site lighting conduit from light pole to light pole. If unforeseen site conditions require site lighting conduits to deviate from a predictable light pole to light pole path, the Contractor shall be responsible for providing "as-built" topographic shots in accordance with the standards for Electric-Secondary above.

Construction Notes

- The methods and materials of construction shall conform to the latest standards of the City of Burlington and the State of Vermont. All work shall be in conformance with all permits and approvals issued for the project. In case of conflict, the more stringent specification shall apply as directed by Engineer. All work shall be done in a workmanlike manner and completed in the time specified by Owner.
- The Contractor shall be responsible for all work and materials shown and required to make the job complete. These drawings do not show every fitting or appurtenance. Materials shall be as specified on the drawings. Manufacturer's product specifications shall be submitted for all materials to the Engineer for approval prior to installation.
- The location and size of existing underground utilities is not warranted to be exact or complete. The Contractor shall field locate all utilities and shall contact the affected utility company, the Engineer and the City of Burlington prior to making any hook ups. The Contractor shall be solely responsible for all existing utilities and their uninterrupted services. All off-site backfill, sheeting and shoring, dewatering, clearing and grubbing, erosion control, dust control, traffic control, grading, and all incidentals shall be included as part of the required work.
- Repair of all disturbed areas, grading, seeding, mulching, repair of roads and curbs, paving, and other incidentals are included as part of the required work. All disturbed areas shall be loamed and mulched until permanent ground cover is established.
- The Contractor shall verify all horizontal control and temporary bench marks before use.
- The workmen and public shall be protected by the Contractor from any and all hazards connected with the construction work. Open trenches, materials, or equipment within the working limits are to be guarded by the use of adequate barricades or flag men. All barricades left in position overnight are to be properly lighted. Kerosene pots are not acceptable. When work narrows the usable pavement, flag men shall be employed to aid the flow of traffic so that there will be no undue delays. The Contractor shall be held responsible for the safety of all workmen and the general public and all damages to property occurring from or upon the work occasioned by negligence or shall be held responsible for the safety of all workmen and the general public and all damages to property occurring from or upon the work occasioned by negligence or day or night within the working area. All work shall be in conformance to OSHA regulations, Title 19, Parts 1926.651 and 1926.652, and applicable to VOSHA regulations.
- Contractor shall contact Dig Safe and non-member utilities prior to any excavation.
- All new storm extending from catch basin structures shall be laid with a laser to elevation and slope as shown on the plans.
- The Contractor shall sawcut all existing pavement to be removed. The Contractor shall minimize the pavement area disturbance. Contractor shall be responsible for all pavement repair and restoration necessary to complete the work.
- The Contractor shall be responsible for all construction layout.
- Temporary sediment control measures shall be erected prior to any clearing or construction. Fencing may be erected in phases, but in no case shall construction of clearing proceed fencing. Special areas may be designated by the Owner for preservation of existing trees. These areas shall be the Contractor's responsibility to insure no damage is done to designated trees.
- Existing plantings are located in general areas as shown on the plans. Contractor shall protect plantings scheduled to remain so as not to damage these or their root systems.
- Contractor shall comply with all permits and approvals issued for this project.
- Slope stability upon unsaturated soil conditions. If during construction saturated soils are encountered, contact the Engineer immediately.



Bike Rack Detail
NTS



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UVM
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POMEROY
BARN
&
172 S. PROSPECT
DEMOLITION /
IMPROVEMENTS
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S. PROSPECT ST.
BURLINGTON, VT
05405

DATE: June 22, 2021
SCALE: N.T.S.
DRAWN: RA, DMR
CHECKED:

REVISIONS

PERMIT SET

CIVIL
DETAILS

C-4.2

18266/PrmFavilion-Details.dwg



1 VIEW FROM N. PROSPECT ST.



2 BIRDSEYE VIEW NORTHEAST

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SAS PROJECT NO. 0935

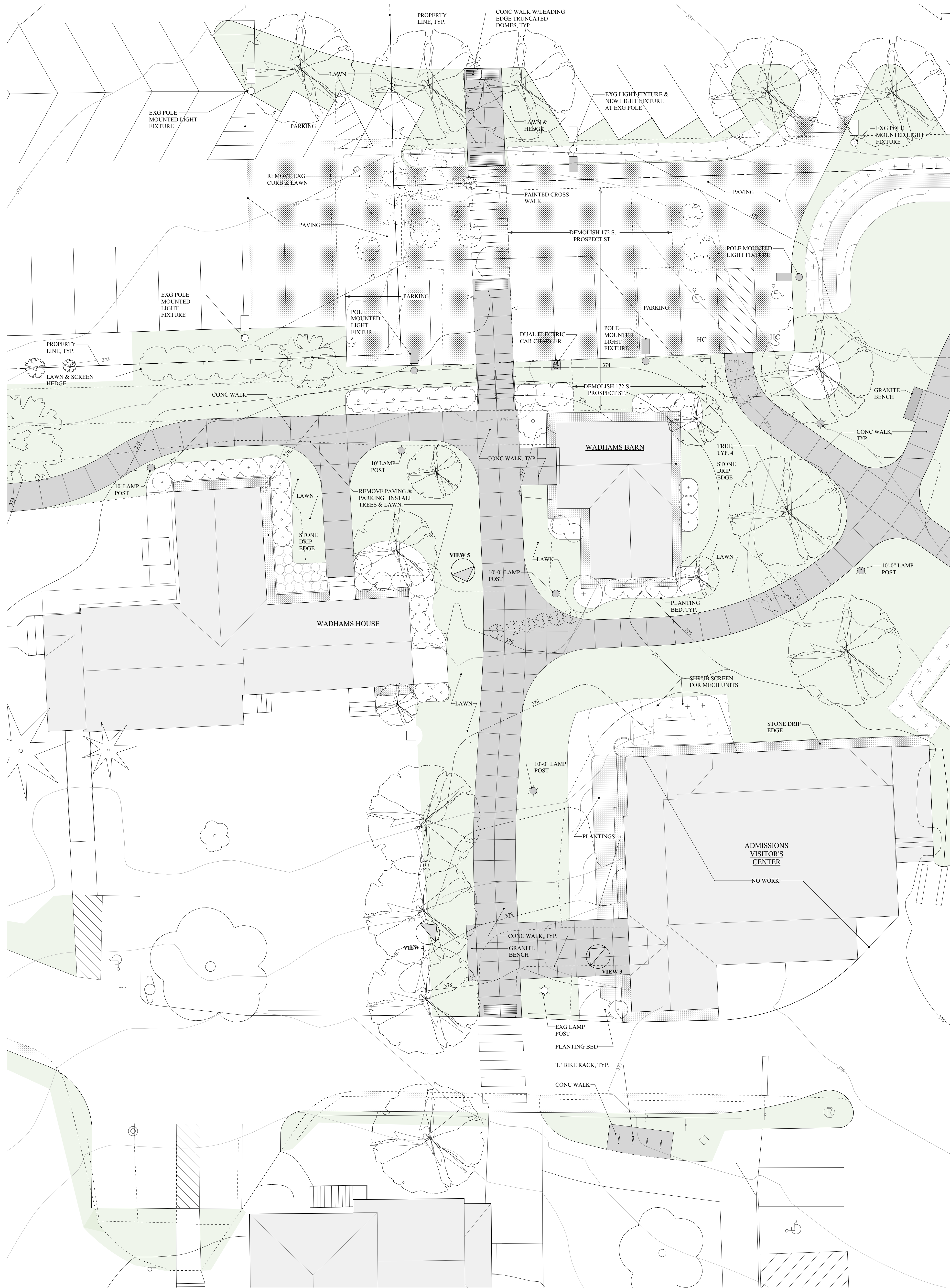
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SCALE: AS NOTED
DRAWN: CD
CHECKED:

REVISIONS

PERMIT SET
OVERALL
LANDSCAPE
PLAN
•
PERSPECTIVE VIEWS
1 & 2

SP-1.0



3 VIEW TO NORTHWEST



4 VIEW TO NORTHEAST



5 VIEW TO SOUTHEAST

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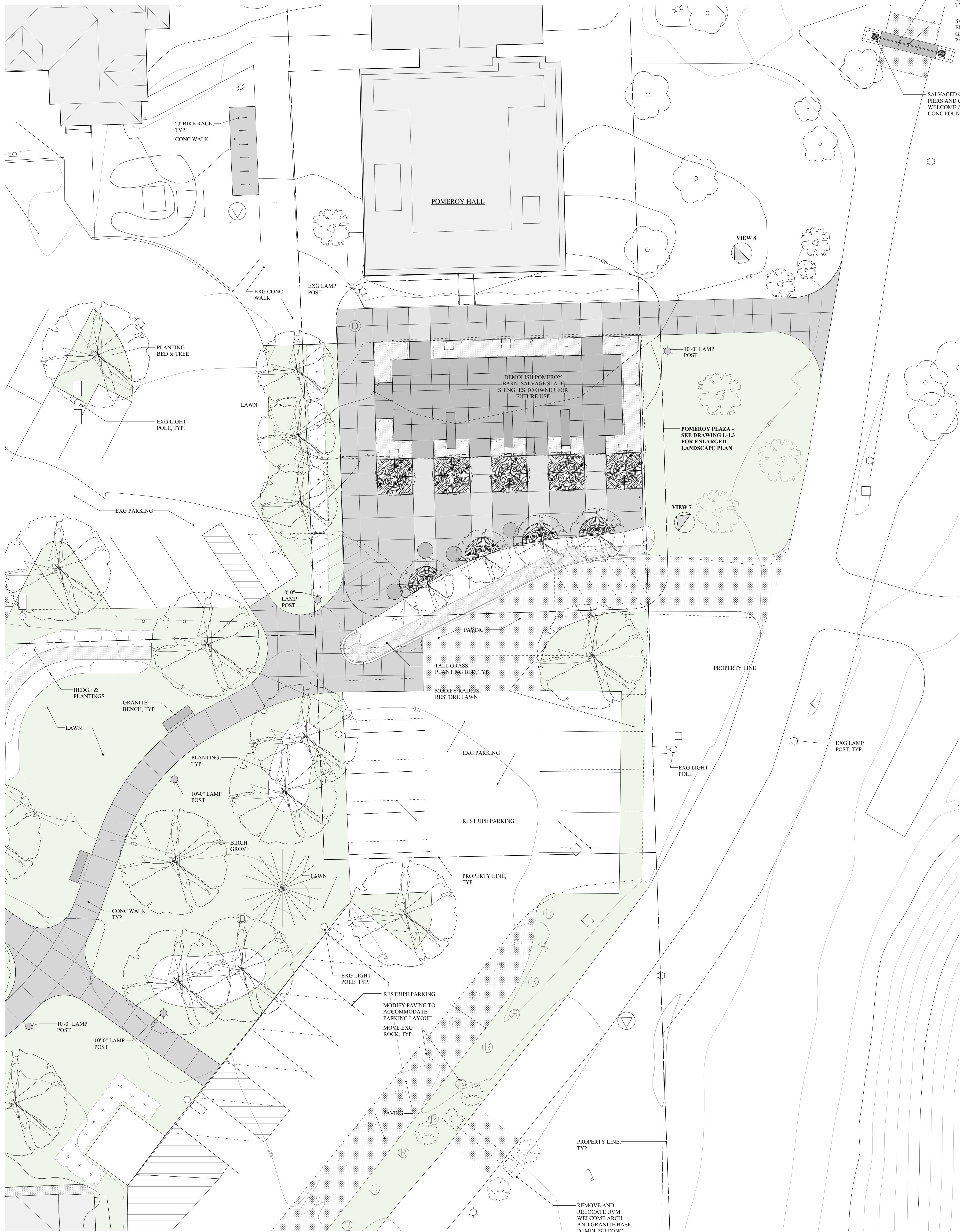
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PERMIT SET

ENLARGED LANDSCAPE
PLAN WEST
•
PERSPECTIVE VIEWS
3, 4, & 5

SP-1.1



6 VIEW TO NORTHEAST



7 VIEW TO SOUTHWEST



8 BIRDSEYE VIEW SOUTHWEST

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ENLARGED LANDSCAPE
PLAN EAST
•
POMEROY PLAZA
•
PERSPECTIVE VIEWS
6, 7, & 8

SP-1.2

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SIENKIEWYCZ

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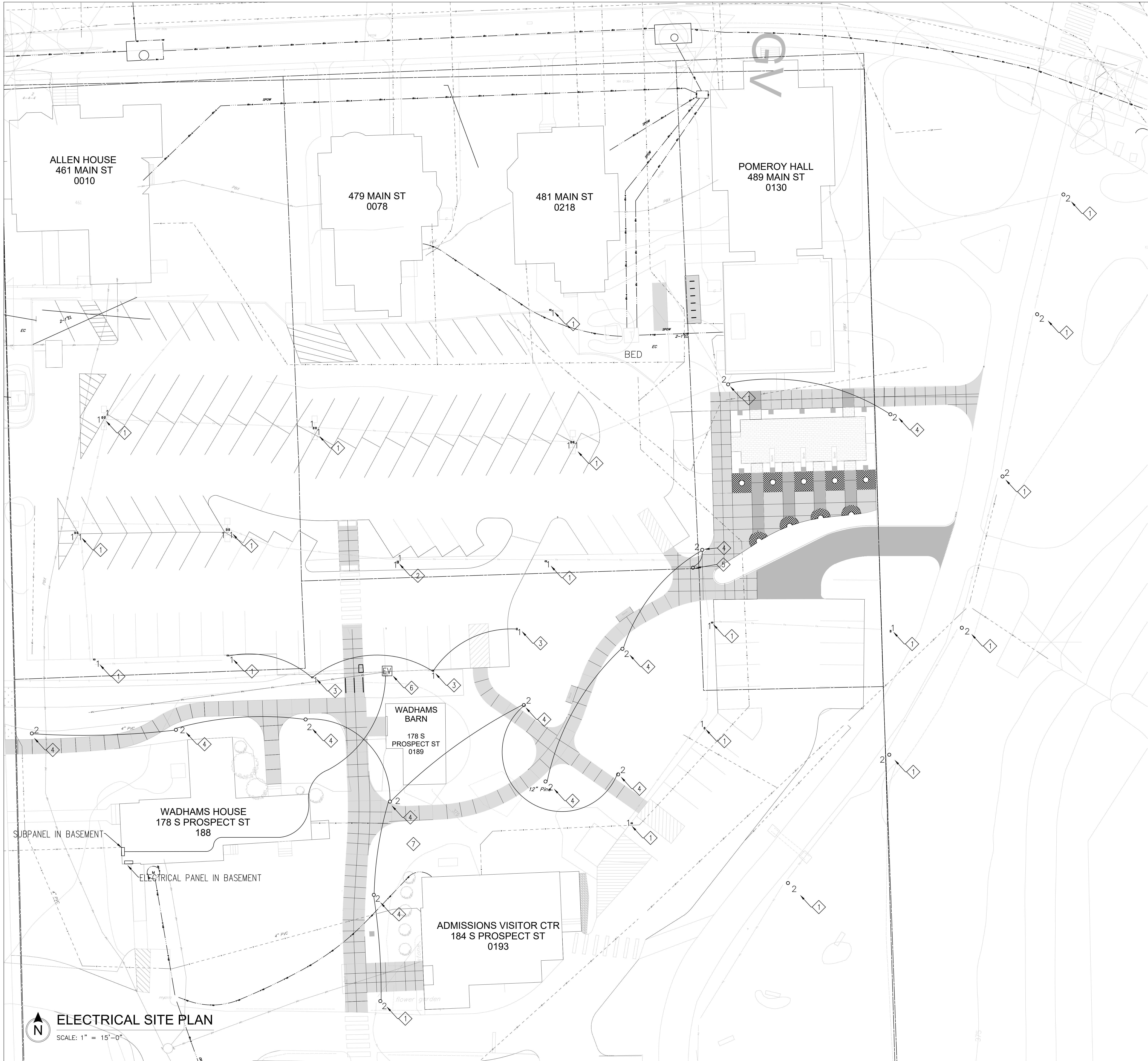
PERMIT SET

POMEROY PLAZA
ENLARGED LANDSCAPE
PLAN

SP-1.3



PROJECT
NORTH
ENLARGED LANDSCAPE PLAN • POMEROY PLAZA • PHASE 2
1/4" = 1'-0"



GENERAL NOTES THIS SHEET:

A. IN GENERAL, ALL EXISTING UNDERGROUND ELECTRICAL SERVICES, CONDUITS, AND WIRING SHOWN ON THESE PLANS ARE TO REMAIN AS IS UNLESS NOTED OTHERWISE AND SHALL BE PROTECTED AS REQUIRED DURING WALKWAY RECONSTRUCTION. PROVIDE DIG SAFE SERVICES FOR FINDING EXACT LOCATION OF CONDUITS.

KEYED NOTES THIS SHEET:

- EXISTING LIGHT & ASSOCIATED CIRCUIT TO REMAIN IN PLACE AS IS. SHOWN FOR COORDINATION PURPOSES ONLY WITH NEARBY CONSTRUCTION WORK PROPOSED UNDER THIS PROJECT.
- FURNISH & INSTALL NEW SHOEBOX STYLE POLE MOUNTED FIXTURE - UVM STANDARD - RAB WFL0205/PC ON EXISTING 14" POLE IN THIS LOCATION. ORIENT NEW HEAD FACING SOUTH AS SHOWN ON THIS PLAN AND EXTEND LIGHTING CIRCUIT TO NEWLY INSTALLED FIXTURE. USE (2) #8 AWG COPPER, (1) #60, 1" PVC-80. SEE TRENCH DETAILS, SHEET E2.0.
- FURNISH & INSTALL NEW 14" TALL SHOEBOX STYLE POLE MOUNTED FIXTURE - UVM STANDARD - RAB WFL0205/PC, WITH POLE RAB P564-11-1402. PROVIDE NEW CONCRETE POLE BASES AS SHOWN ON DETAILS, SHEET E2. EXTEND EXISTING NEARBY LIGHTING CIRCUIT TO NEW PROPOSED LIGHT FIXTURE LOCATIONS AS SHOWN ON THIS PLAN. USE (2) #8 AWG COPPER, (1) #60, 1" PVC-80. SEE TRENCH DETAILS, SHEET E2.0.
- FURNISH & INSTALL NEW 10' TALL LANTERN STYLE POLE MOUNTED FIXTURE - UVM STANDARD - LUMEC. PROVIDE MATCHING 10' POLE AS PER MANUFACTURER'S SPECIFICATION. PROVIDE NEW CONCRETE POLE BASES AS SHOWN ON DETAILS, SHEET E2. EXTEND EXISTING NEARBY LIGHTING CIRCUIT TO NEW PROPOSED LIGHT FIXTURE LOCATIONS AS SHOWN ON THIS PLAN. USE (2) #8 AWG COPPER, (1) #60, 1" PVC-80. SEE TRENCH DETAILS, SHEET E2.0.
- EXISTING 14" SHOEBOX STYLE FIXTURE & POLE TO REMOVED. REMOVE AND DISPOSE OF CONCRETE POLE BASE. REUSE AND EXTEND EXISTING POWER CONDUCTORS FOR NEW FIXTURE AS ABLE. RETURN REMOVED POLE AND LIGHT TO UVM.
- FURNISH & INSTALL EV CHARGING STATION IN THIS LOCATION ALONG WITH POWER CIRCUIT. ROUTE UNDERGROUND POWER FEED IN APPROXIMATE PATHWAY SHOWN ON THIS PLAN BACK TO SOURCE. PANEL IN WADHAMS HOUSE BASEMENT. CHARGER TO BE TYPE CHARGEPOINT CH4000 LEVEL 2. FURNISH & INSTALL A 2'X2' CONCRETE BASE FOR THIS CHARGING BOLLARD PER MANUFACTURER'S SPECIFICATIONS. FURNISH & INSTALL (2) #6, (1) #60, 1" C FOR 2 POLE 200V 40A CIRCUIT. PROVIDE MATCHING CIRCUIT BREAKER FOR THIS EV CHARGING STATION. SEE TRENCH DETAILS, SHEET E2.0
- EXISTING CONDUIT IN THIS AREA IS CURRENTLY NOT COMPLETELY BURIED. CONDUIT IS TO BE REPLACED AND BURIED AS NOTED ON CIVIL DRAWINGS. CONTRACTOR IS TO RETIEF ALL ELECTRICAL CIRCUITS HOUSED IN THIS EXISTING CONDUIT AS PART OF THE SCOPE OF THIS PROJECT.

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SIENKIEWICZ

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SAS PROJECT NO. 0935

PROJECT

UVM
•
POMEROY
BARN & 172 S.
PROSPECT
DEMOLITION /
IMPROVEMENTS
•
S. PROSPECT ST
BURLINGTON, VT
05405

DATE: JUNE 22, 2021

SCALE: AS NOTED

DRAWN: ZER

CHECKED: MPK

REVISIONS

PERMIT SET

Electrical Site
Plan

E1.0

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SAS PROJECT NO. 0935

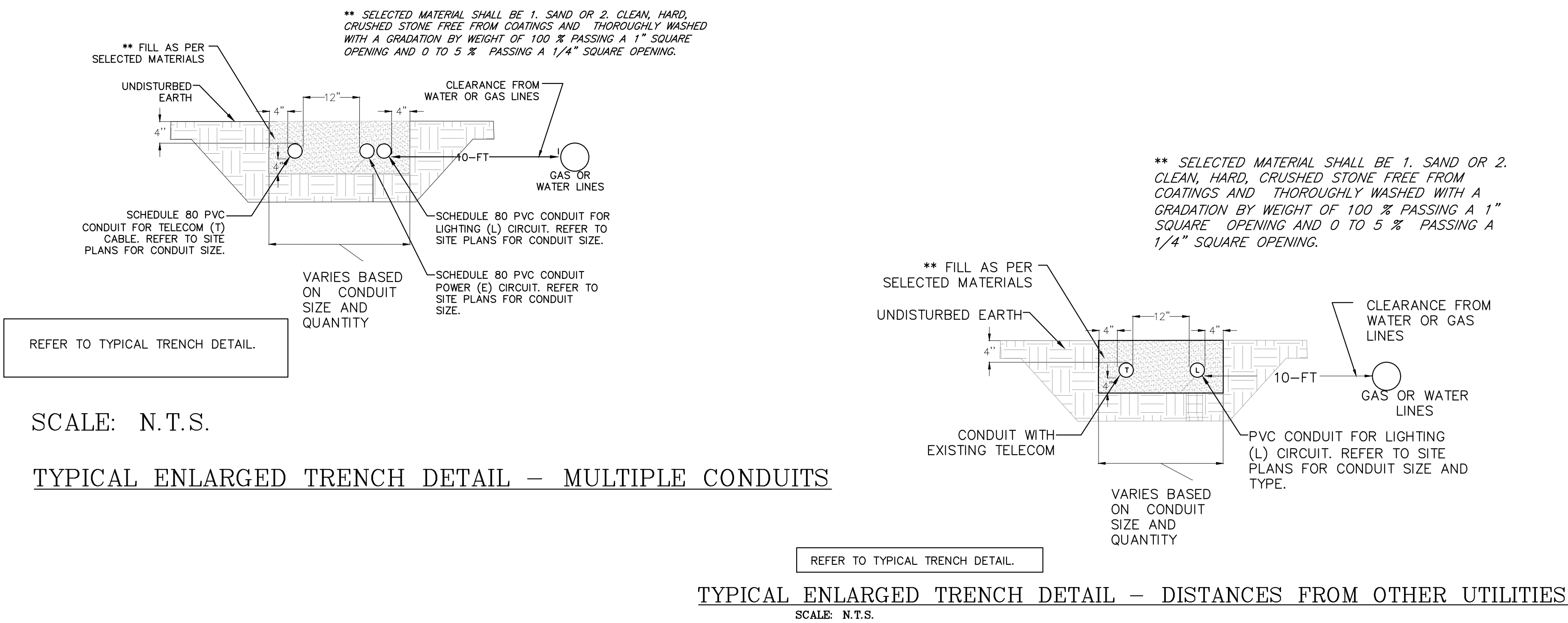
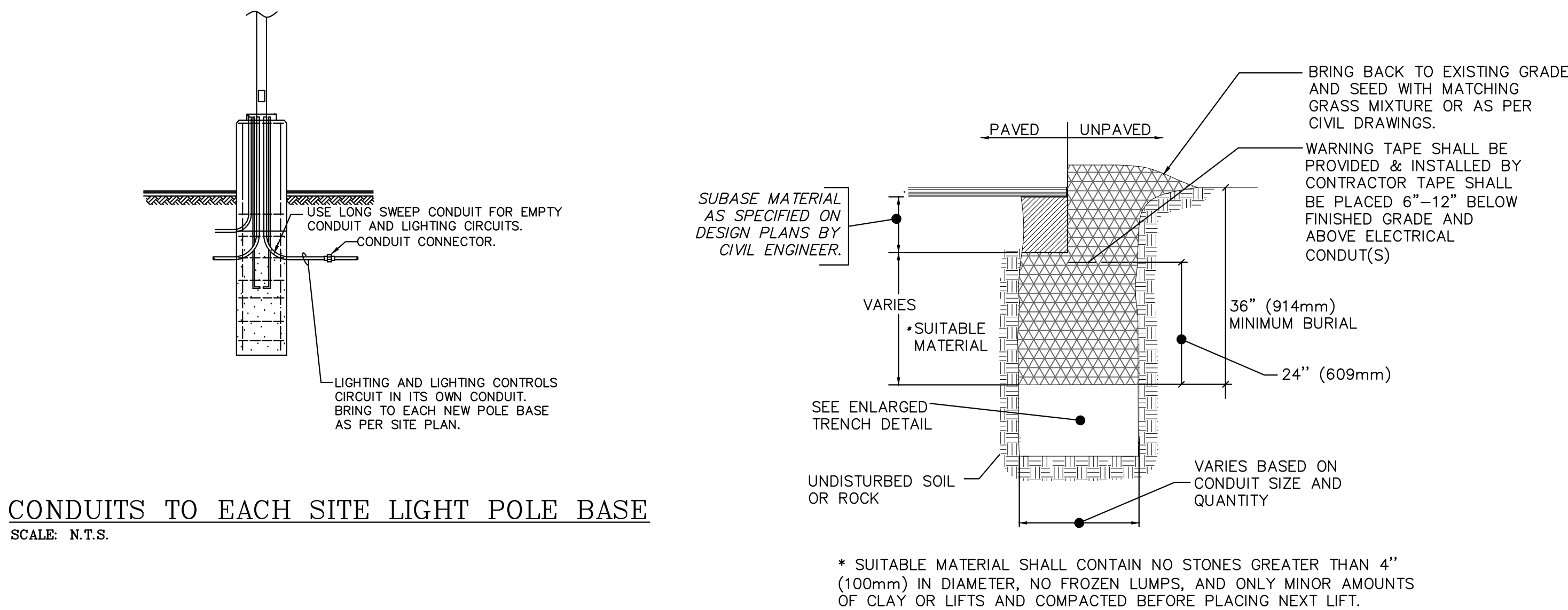
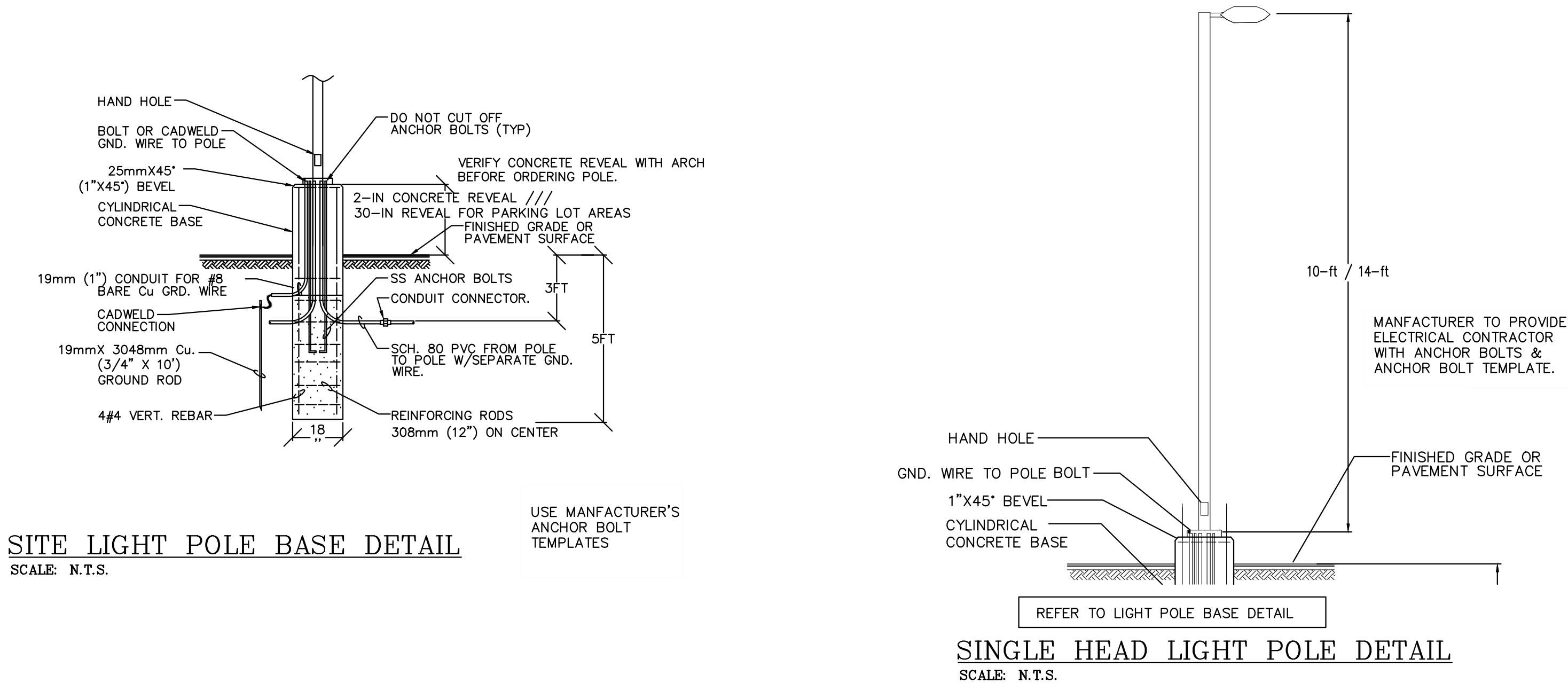
PROJECT
UVM
•
POMEROY
BARN & 172 S.
PROSPECT
DEMOLITION /
IMPROVEMENTS
•
S. PROSPECT ST
BURLINGTON, VT
05405

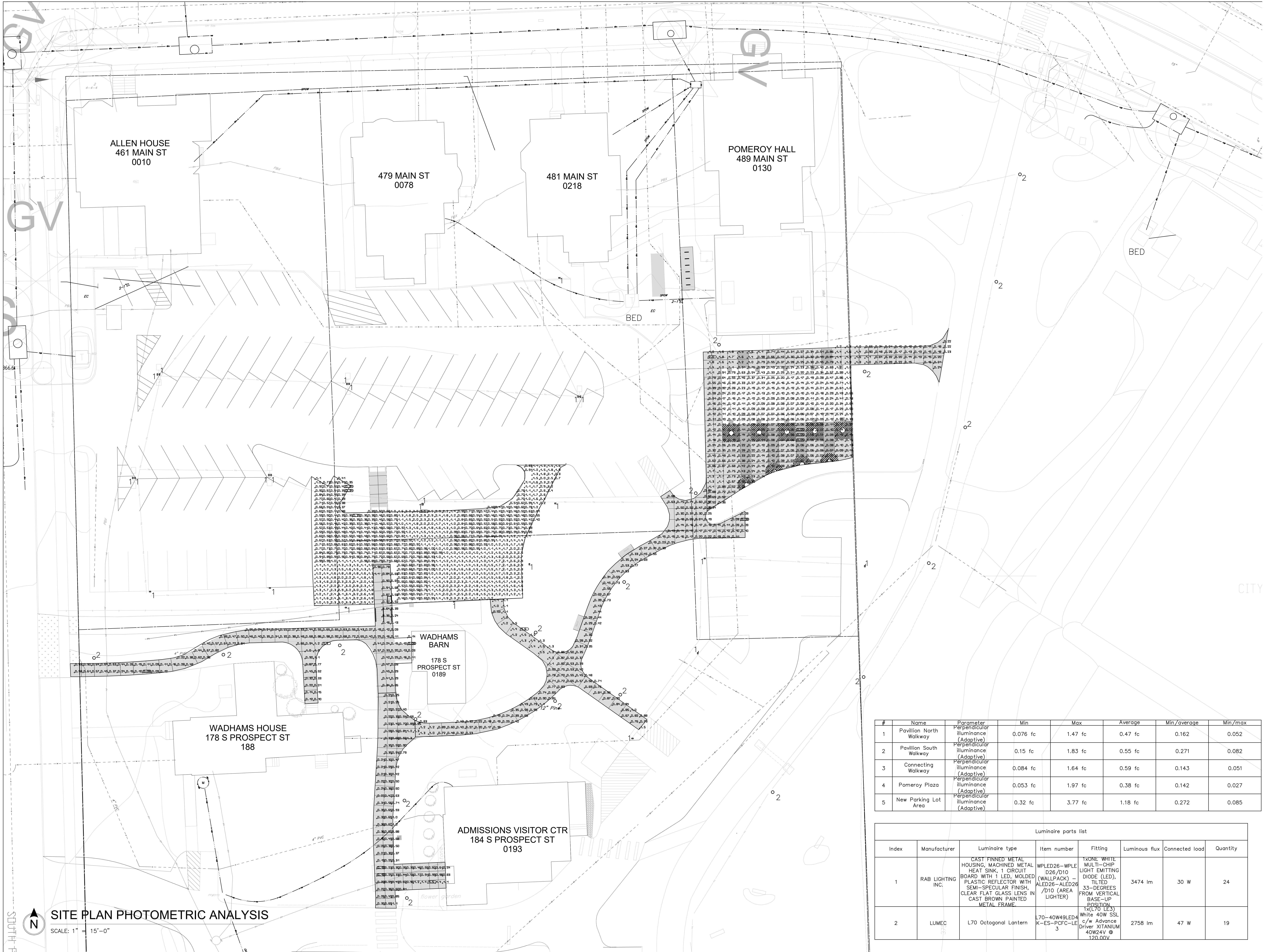
DATE: JUNE 22, 2021
SCALE: AS NOTED
DRAWN: ZER
CHECKED: MPK
REVISIONS

PERMIT SET

Trench and
Pole Base
Details

E2.0





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802-425-2877

SAS PROJECT NO. 0935

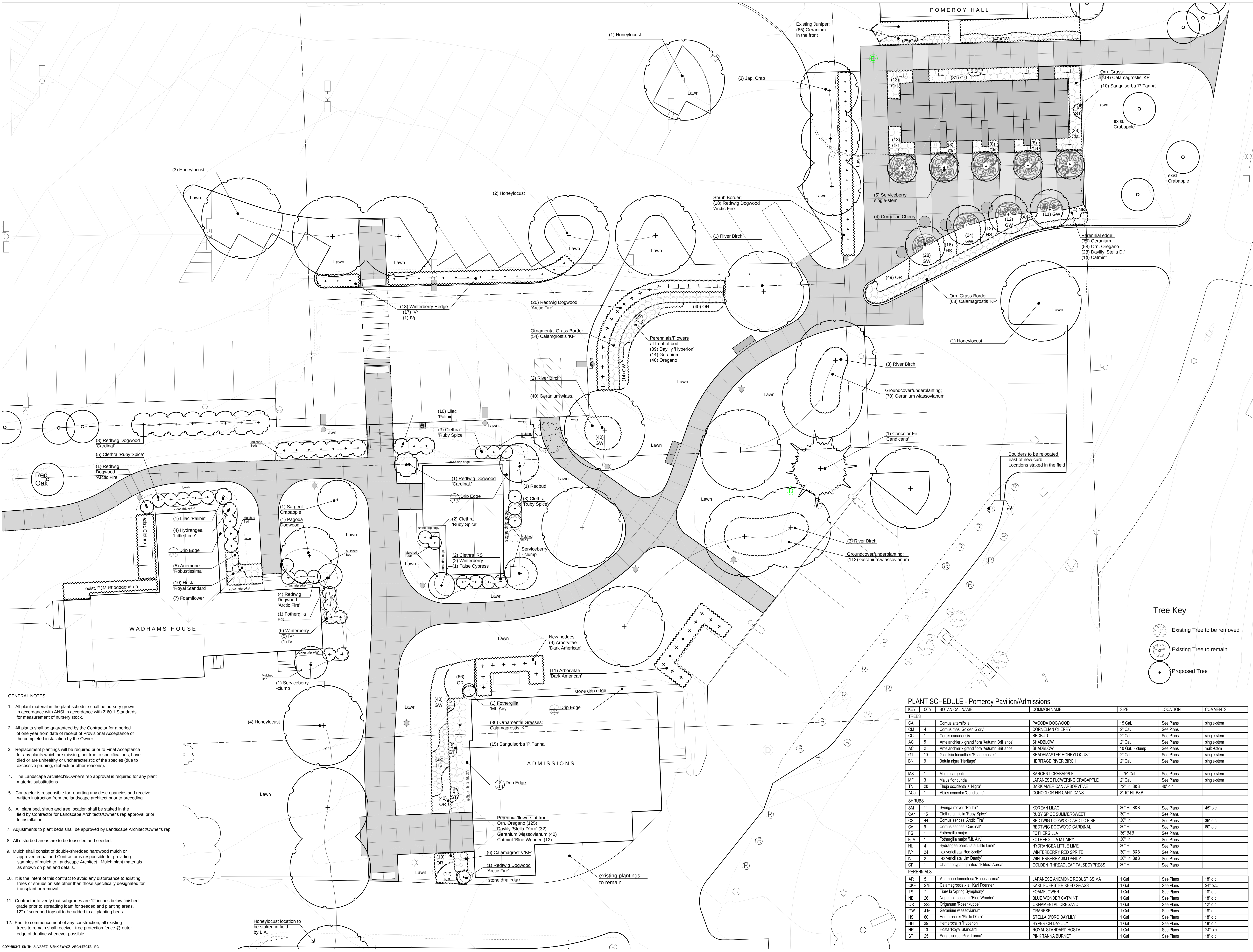
PROJECT
UVM
•
POMEROY
BARN & 172 S.
PROSPECT
DEMOLITION /
IMPROVEMENTS
•
S. PROSPECT ST
BURLINGTON, VT
05405

DATE: JUNE 22, 2021
SCALE: AS NOTED
DRAWN: ZER
CHECKED: MPK
REVISIONS

PERMIT SET

Site Plan
Photometric
Analysis

E3.0



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SAS PROJECT NO. 0935

PROJECT

UVM
•
POMEROY
BARN
&
172 S. PROSPECT
DEMOLITION /
IMPROVEMENTS
•
S. PROSPECT ST.
BURLINGTON, VT
05405

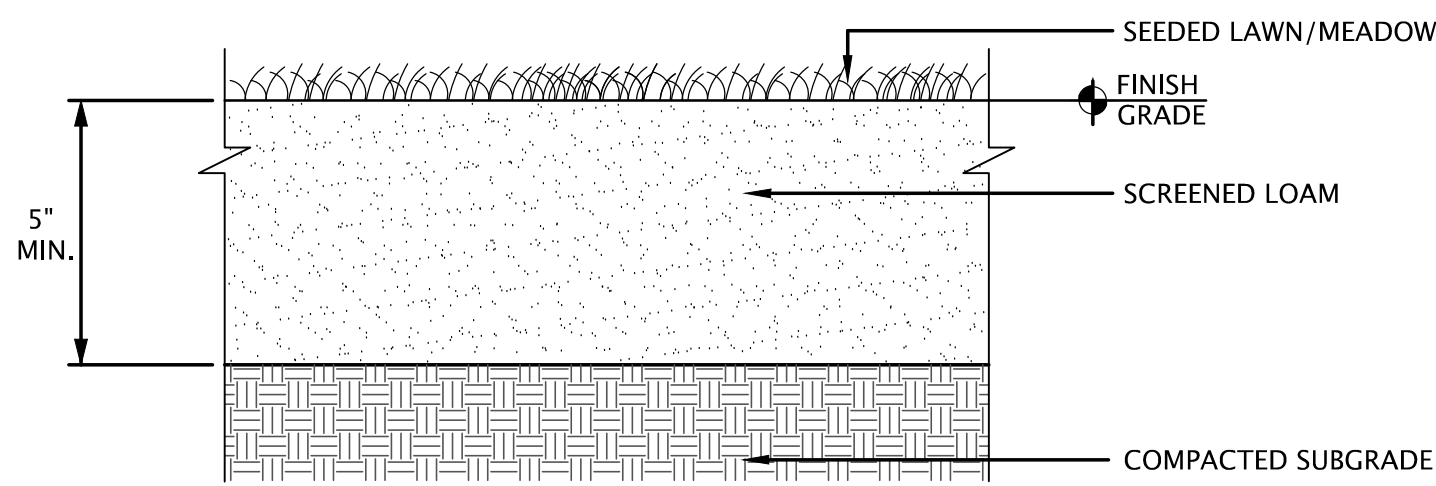
DATE: JUNE 22, 2021
SCALE: 1"=10'
DRAWN: mw
CHECKED:

REVISIONS

PERMIT SET

LANDSCAPE PLAN

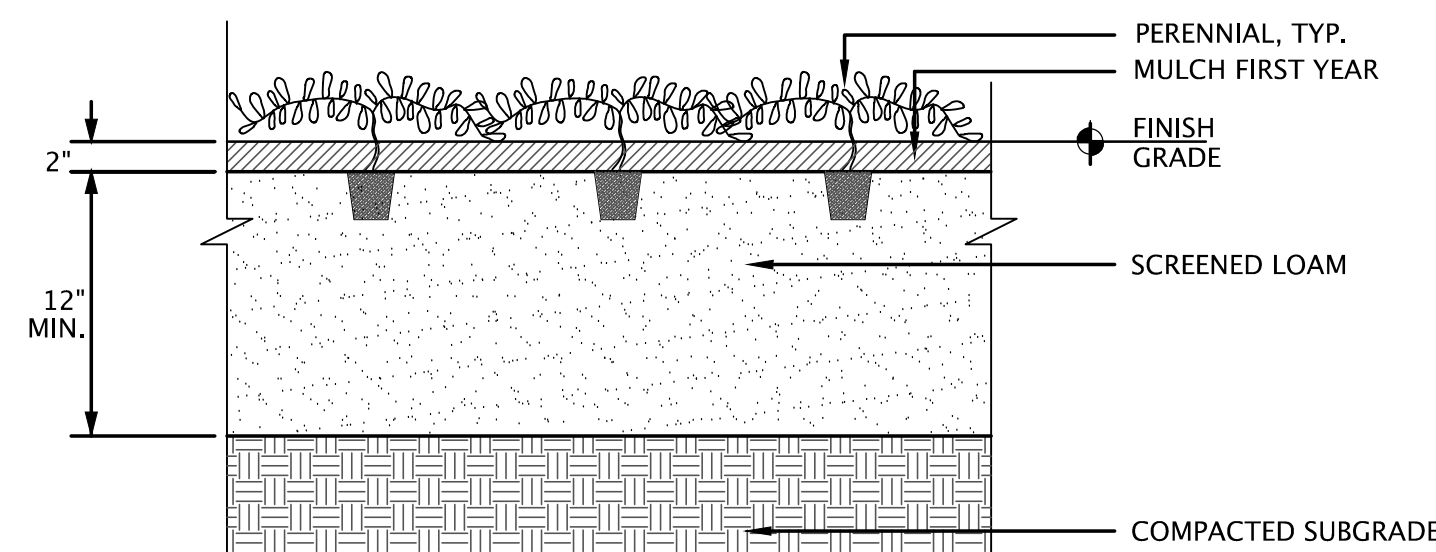
L-1.0



NOTES:
1. Lawn Seed Mix to be "Horsford Seed Mix" as supplied by Oliver Seed Co..

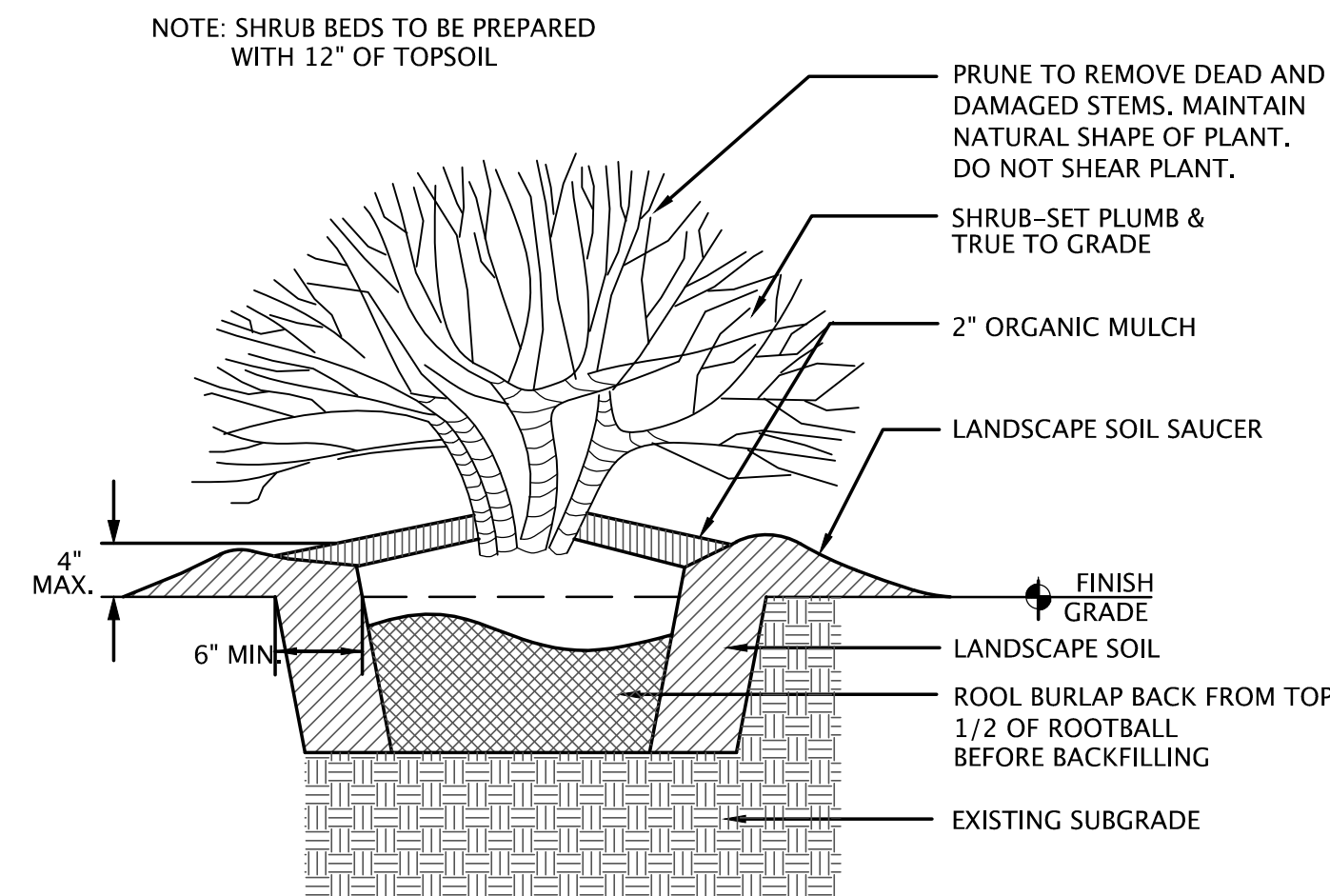
1 SEED LAWN DETAIL

NTS



2 PERENNIAL DETAIL

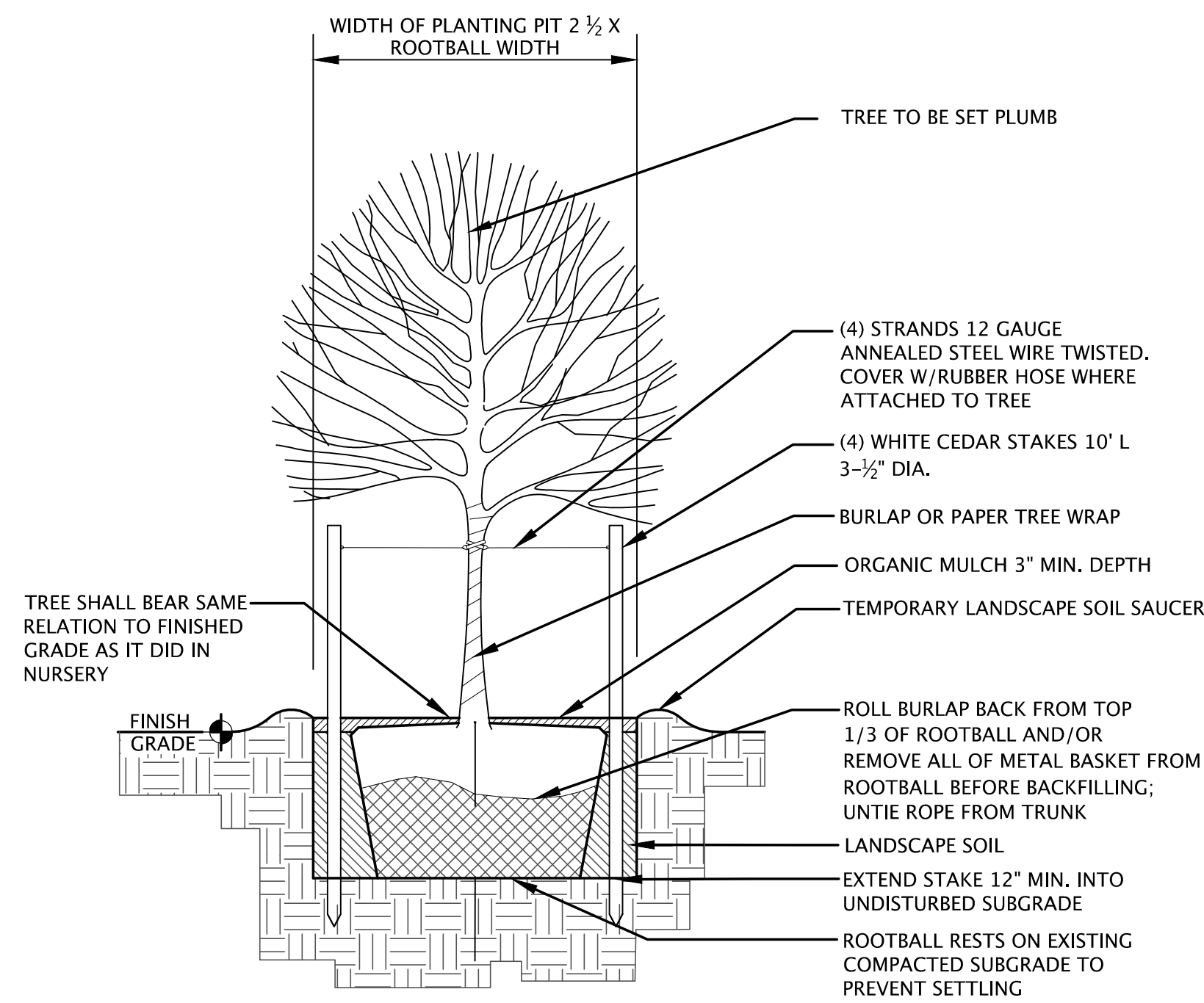
NTS



NOTE: CREATE CONTINUOUS PLANT PIT FOR ALL SHRUB PLANTINGS

3 SHRUB PLANTING DETAIL

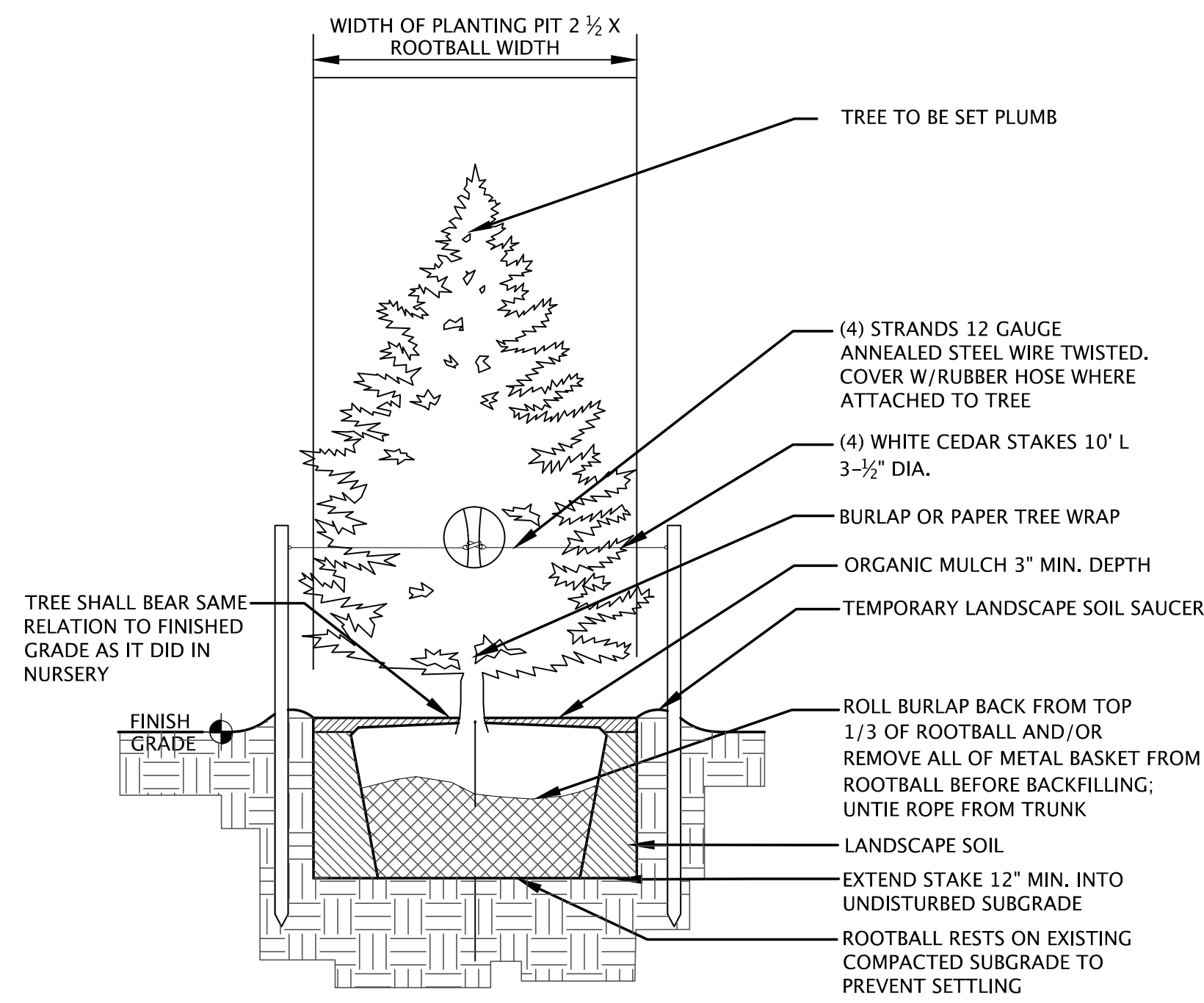
NTS



NOTE: 1. REMOVE ALL NON-BIODEGRADABLE MATERIAL FROM PLANT PIT

4 DECIDUOUS TREE PLANTING DETAIL

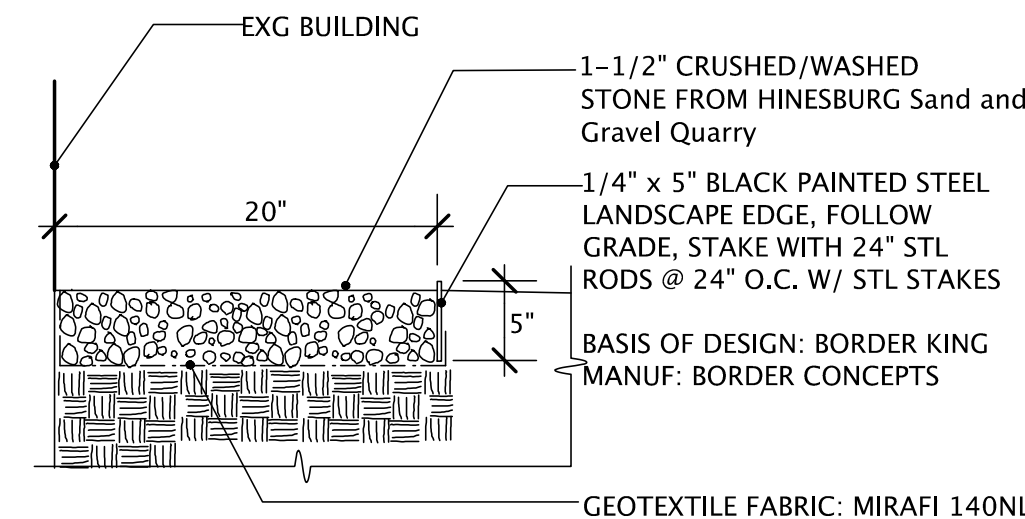
NTS



NOTE: 1. REMOVE ALL NON-BIODEGRADABLE MATERIAL FROM PLANT PIT

5 EVERGREEN TREE PLANTING DETAIL

NTS



6 DRIP EDGE DETAIL

NTS

SMITH

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SAS PROJECT NO. 0935

PROJECT

UVM
•
POMEROY
BARN
&
172 S. PROSPECT
DEMOLITION /
IMPROVEMENT
•
S. PROSPECT ST.
BURLINGTON, VT
05405

DATE: JUNE 22, 2021
SCALE: 1"=10'
DRAWN: mw
CHECKED:

REVISIONS

PERMIT SET

LANDSCAPE DETAIL

L-1.1

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

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



TO: Development Review Board
FROM: Ryan Morrison, Associate Planner
DATE: August 17, 2021
RE: ZP-21-559; 64 East Avenue

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

Zone: RL Ward: 1E

Owner/Representative: MBVT, Inc. / Matt Brouillard

Request: Combined preliminary & final plat review of a 2-lot subdivision. No development proposed.

Applicable Regulations:

Article 4 (Zoning Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards), Article 10 (Subdivision Review)

Background Information:

The applicant is seeking combined preliminary and final plat approval to subdivide an existing lot into two lots. The 12,748 sq ft property contains a single family residence and an accessory structure (garage/storage shed). A recent zoning permit was approved that included removal of the shed portion of the accessory structure, and a portion of the driveway. The proposed subdivision will place the existing home and garage on Lot 1, and leave Lot 2 as vacant for future development.

The proposal has been forwarded to the City Engineer's office, to the Burlington Fire Marshal, to the Director of the Parks & Recreation Department, to Burlington Electric, and to the Burlington School District as required. As of the time of this report, no comments have been received. Should comments be received prior to DRB action, they will be considered as necessary.

Previous zoning actions for this property are noted below.

- **Zoning Permit 21-0652CA;** replacement windows and doors; remove portion of driveway and shed. Approved February 21, 2021.

Recommendation: Preliminary and Final Subdivision Approval as per, and subject to, the findings and conditions below:

I. Findings

Article 4: Zoning Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(1) Residential Low Density (RL)

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

The property is located in the RL zone. The subdivision will result in the existing single family residence situating on Lot 1, and Lot 2 will be vacant. Both lots will exceed 6,000 sf in size (Lot 1: 6,036 sf and Lot 2: 6,406 sf), thus meeting the minimum lot size requirement for single family development. **Affirmative finding**

(b) Dimensional Standards & Density

The minimum lot size in the RL zone is 6,000 sf for a single family use, and 10,000 sf for a duplex use. Based on the proposed lot sizes, single family development will be the maximum allowable use.

Minimum lot frontage is 60 ft. The property is on the corner of East Avenue and University Road. Lot 1 will have 50.15 ft along East Avenue and 107.64 ft along University Road; Lot 2 will have 72 ft along University Road.

Building setbacks of the RL zone require: a front yard setback to be the average of 2 adjacent lots on both sides, +/- 5 feet; a side yard setback of 10% of lot width; and a rear yard setback of 25% of lot depth. With Lot 1 being a corner lot, it will have two front yard and two side yard property lines, and no rear yard property line setback. The proposal will not affect the front yard setbacks for the existing home and accessory structure. However, the new lot line requires that the accessory structure comply with the east side yard property line. ZP21-0652CA permitted the removal of the shed structure and a portion of the existing driveway, which will see setback compliance for the remaining garage and concrete slab. A condition of this subdivision will require that the shed and driveway portion be removed and restored to lawn space prior to recording the mylar.

After the subdivision, lot coverage on Lot 1 will be 40.7%, below the maximum coverage allowance of 35%, plus the 10% bonus for accessory residential structures as allowed per Sec. 4.4.5(d) 2. Lot 2 will be vacant.

Building height is not applicable to this proposal; however, future development on Lot 2 will be limited to a height of 35 ft.

The resultant lots (Lot 1: 6,036 sf; Lot 2: 6,406 sf) are sufficiently large enough for single family density (7.0 units/acre) in RL zone. **Affirmative finding as conditioned**

(c) Permitted & Conditional Uses

No new construction is included in this proposal. Single family dwellings are permitted uses in the RL zone, while duplexes are conditional uses. Neither lot will be large enough ($\geq 10,000$ sf) to allow for a duplex. **Affirmative finding**

(d) District Specific Regulations

1. Setbacks

A. Encroachment for Residential Driveways

Not applicable.

B. Encroachment into the Waterfront Setback

Not applicable.

2. Lot Coverage

A. Exceptions for Accessory Residential Features

In the RL... district, an additional ten (10) per cent of lot coverage above the otherwise applicable limit (35%) may be permitted for the following amenity features accessory to residential uses provided that such features shall at no time be enclosed or be used for parking... decks, patios, porches, terraces, walkways...

Lot coverage on the new Lot 1 will total 40.7% after the subdivision is recorded. All enclosed structures and the driveway total 32.4%, less than the 35% max allowance; amenity features on the property total 8.3% - for a combined total of 40.7%. **Affirmative finding**

3. Accessory Residential Structures, Buildings, and Uses

An accessory structure and/or use as provided under Sec. 5.1.1 and 5.1.2 customarily incidental and subordinate to a principal residential use, including but not limited to private garages, carriage houses, barns, storage sheds...

Lot 1 will see the retention of the existing garage. **Affirmative finding**

4. Residential Density

Not applicable.

5. Uses

Not applicable.

6. Residential Development Bonuses

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.2, Required Frontage or Access

The existing lot has 50.15 ft of frontage along East Ave and 179.64 ft of frontage along University Road. After the subdivision, both lots will continue to have frontage on University Road (Lot 1: 107.64 ft; Lot 2: 72 ft). Lot 1 will also maintain 50.15 ft of frontage along East Ave. **Affirmative finding**

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above. **Affirmative finding**

Sec. 5.2.4, Buildable Area Calculation

Not applicable. The existing lot is 12,748 sf. (less than 2 acres).

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above. **Affirmative finding**

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above. **Affirmative finding**

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) above. **Affirmative finding**

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

Not applicable.

Sec. 5.5.3, Stormwater and Erosion Control

Not applicable.

Sec. 5.5.4 Tree Removal

Not applicable.

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

(a) Protection of important natural features

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

(b) Block size and arrangement

Not applicable.

(c) Arrangement of Lots

Both lots will front on University Road, with Lot 1 also having frontage on East Avenue. Lot sizes in this neighborhood vary generally between 4,000 and 18,000 sf.

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

The new property line dividing Lot 1 from Lot 2 is perpendicular to University Road. **Affirmative finding**

(d) Connectivity of streets within the city street grid

Not applicable.

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

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2 (i), Vehicular Access

Curb cuts shall be arranged and limited in number to reduce congestion and improve traffic safety.

Lot 1 will continue to be served by an existing driveway off University Road. A new curb cut for Lot 2 will require Dept. of Public Works approval. **Affirmative finding**

Article 10: Subdivision Review

Sec. 10.1.7, Combined Preliminary and Final Plat

For subdivisions that will create fewer than five (5) lots or dwelling units, and are not otherwise subject to consideration under Major Impact Review pursuant to the provisions of Article 3, Part 5 or Planned Unit Development pursuant to the provisions of Article 11, the applicant may request, and the DRB may authorize the hearings on preliminary and final subdivision plats to be combined into a single public hearing.

In such cases, the submission requirements for final subdivision plats pursuant to Sec. 10.1.9 shall be met at the time of application, and decisions by the DRB shall be based on the project's conformance with the review criteria for both preliminary (Sec. 10.1.8(d)) and final plats (Sec. 10.1.9(d)).

The proposed subdivision is for two lots and thus qualifies to be considered in a combined hearing.

Affirmative finding

Sec. 10.1.9, Final Plat Review

(a) Final Plat and Construction Detail Submission Requirements

6. Final Plat Specifications

This criterion requires that the final plat plan be on sheets sized 24" x 36" with one inch margins on three sides and a two inch margin on the side to be bound. The final plat plan will need to meet these requirements. **Affirmative finding as conditioned**

(d) Review Criteria

1. The requirements of the underlying zoning district(s) and all applicable overlay district(s) as set forth in Article 4

See Article 4 of these findings.

3. The requirements of Article 5 with regard to Special Uses and Performance Standards as applicable

See Article 5 of these findings.

4. The land division and site development principles and design standards in Article 6.

See Article 6 of these findings.

Sec. 10.1.11, Recording of Final Plats

(a) Certifications and Endorsement

Prior to recording the mylar plat plan, all of the required endorsement blocks must be depicted on the plan itself and signed by the appropriate individuals. **Affirmative finding as conditioned**

II. Conditions of Approval

1. **Within 180 days of the date of final approval**, the subdivision plat mylar, with all applicable endorsement signatures, shall be filed with the City Clerk per Sec. 10.1.11 of the Comprehensive Development Ordinance. Failure to do so shall render void the final plat approval.
2. **Prior to filing the mylar** in the city land records, the subdivision plat shall be revised to reflect the following:
 - a. Sheet size of 24" x 36" with one-inch margins on three sides and a two-inch margin on the side to be bound.

- b. Obtain signatures for all certifications and endorsements required under Sec. 10.1.11 (a) of the Comprehensive Development Ordinance. These signature blocks shall be included on the final plat plan.
 - c. The relocated shed on Lot 1.
- 3. **Prior to filing the mylar** in the city land records, the site work approved under ZP21-0652CA and identified on the subdivision plan that specifically includes the removal of portions of the driveway and shed shall be completed, and their footprints restored to lawn space.
- 4. No new construction is included in this subdivision approval.
- 5. Standard permit conditions 1-15.

THE CONTRACTOR SHALL NOTIFY
"DIGSAFE" AT 1-888-DIG-SAFE
PRIOR TO ANY EXCAVATION.



LOCATION MAP
NTS

LEGEND

- PROJECT PROPERTY LINE
- PROPOSED LOT LINE
- ABUTTER PROPERTY LINE
- EXISTING EASEMENT
- UTILITIES DUCTBANK IN CONCRETE
- PROPOSED BUILDING SETBACK
- EXISTING CONTOUR
- EXISTING STOCKADE FENCE
- EXISTING CHAINLINK FENCE
- EXISTING SEWER MAIN
- EXISTING WATER MAIN
- EXISTING STORM PIPE
- EXISTING OVERHEAD WIRE
- EXISTING GAS MAIN
- EXISTING FIBER OPTIC LINE
- PROPOSED WATER MAIN
- PROPOSED SEWER MAIN
- TEMPORARY SILT FENCE

ZONING DATA:
TAX MAP PARCEL NUMBER: 045-2-054-000
PROJECT PARCEL AREA: 0.29 AC
ZONING DISTRICT: RL

PROPOSED LOT #1 DIMENSIONAL STANDARDS

	REQ'D	PROPOSED
MINIMUM LOT SIZE	6,000 sq.ft	6,036 sq.ft
LOT FRONTAGE	60 ft	50' (Existing along East Avenue) 107' (Proposed along Univ. Road)
FRONT SETBACK	11.1 ft existing 23.4 ft existing	No change proposed along East Avenue No change proposed along Univ. Road
SIDE SETBACK	1.3 ft existing	No change proposed along north prop. line
REAR SETBACK	10% of lot width n/a corner lot	10% of 107.8' = 11' (along Univ. Road) 11' proposed (two front yards and two side yards)

PROPOSED LOT #2 DIMENSIONAL STANDARDS

	REQ'D	PROPOSED
MINIMUM LOT SIZE	6,000 sq.ft	6,406 sq.ft
LOT FRONTAGE	60 ft	72 ft (Proposed along Univ. Road)
FRONT SETBACK	-	20 ft
GARAGE FRONT SETBACK	25 ft	>25 ft
SIDE SETBACK	10% of lot width	8 ft (10% of 72' = 7.2' use 8')
REAR SETBACK	25% of lot depth	21 ft (25% of 82.7' = 20.7' round to 21')

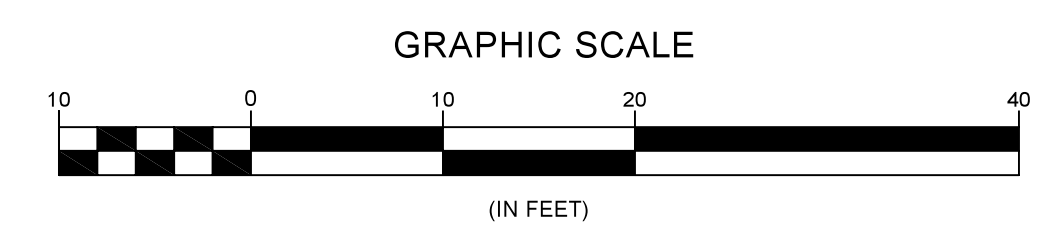
* The average of Lot #2's adjacent lot front setback is 23.4' based on the existing Lot #1 house setback of 23.4' off University Road, rounded ($\pm 5'$ per the Regulations) down to 20'.

LANDOWNER/APPLICANT:

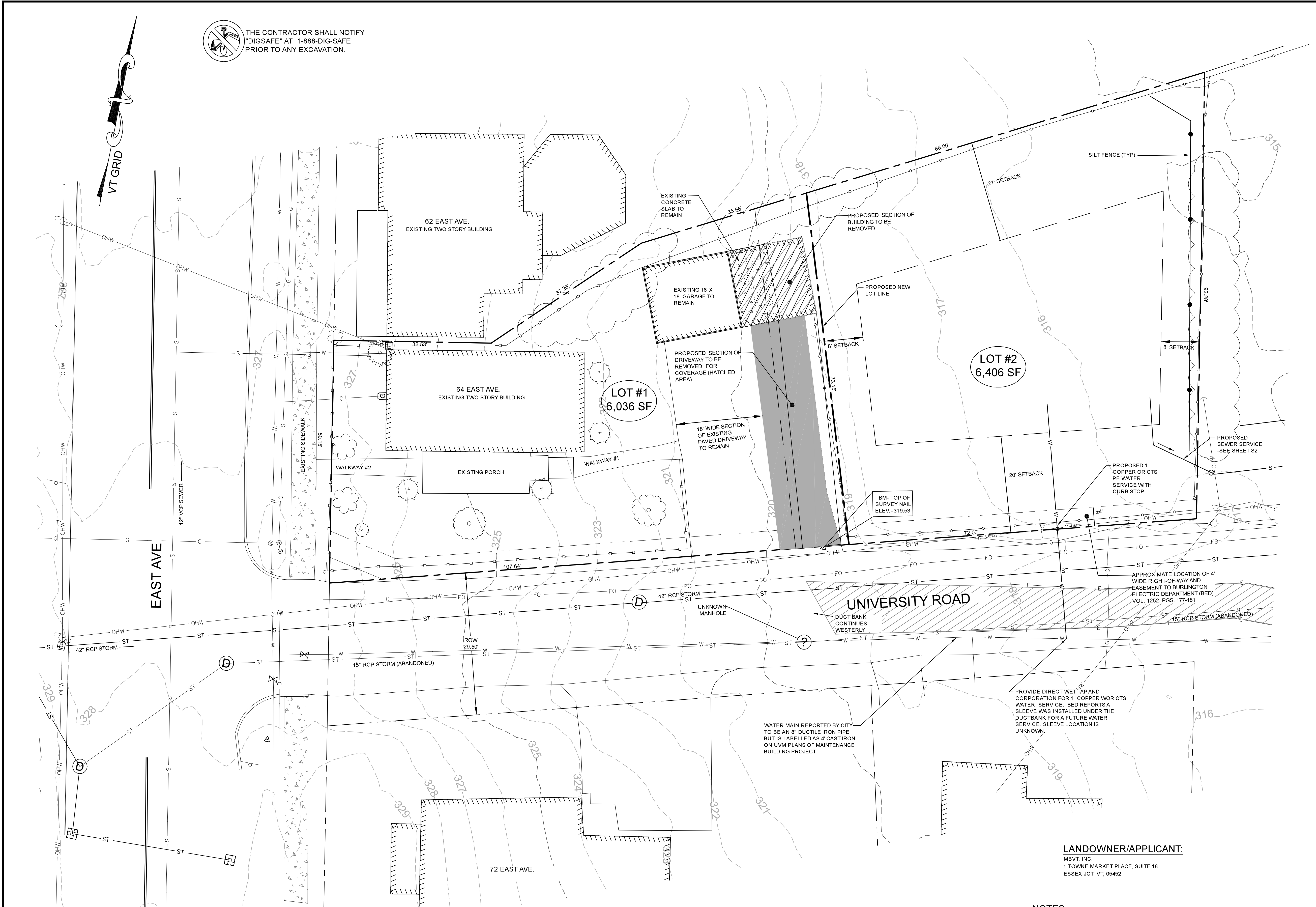
MBVT, INC.
1 TOWNE MARKET PLACE, SUITE 18
ESSEX JCT. VT. 05452

NOTES:

- THE PURPOSE OF THIS PLAN IS TO PRESENT THE EXISTING SITE CONDITIONS AND PROPOSED IMPROVEMENTS.
- THIS IS NOT A BOUNDARY SURVEY.
- BASE MAPPING WAS DEVELOPED FROM A TOPOGRAPHIC SURVEY PERFORMED IN FEBRUARY 2021
- GAS, ELECTRIC AND TELECOM SERVICES SHALL BE DESIGNED BY THE RESPECTIVE SERVICE PROVIDERS FOR LOT #2.



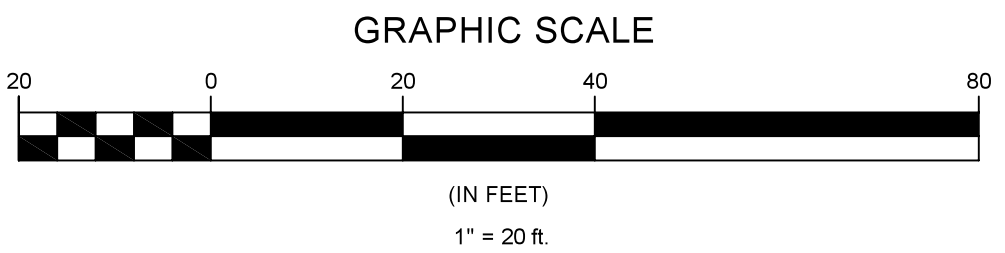
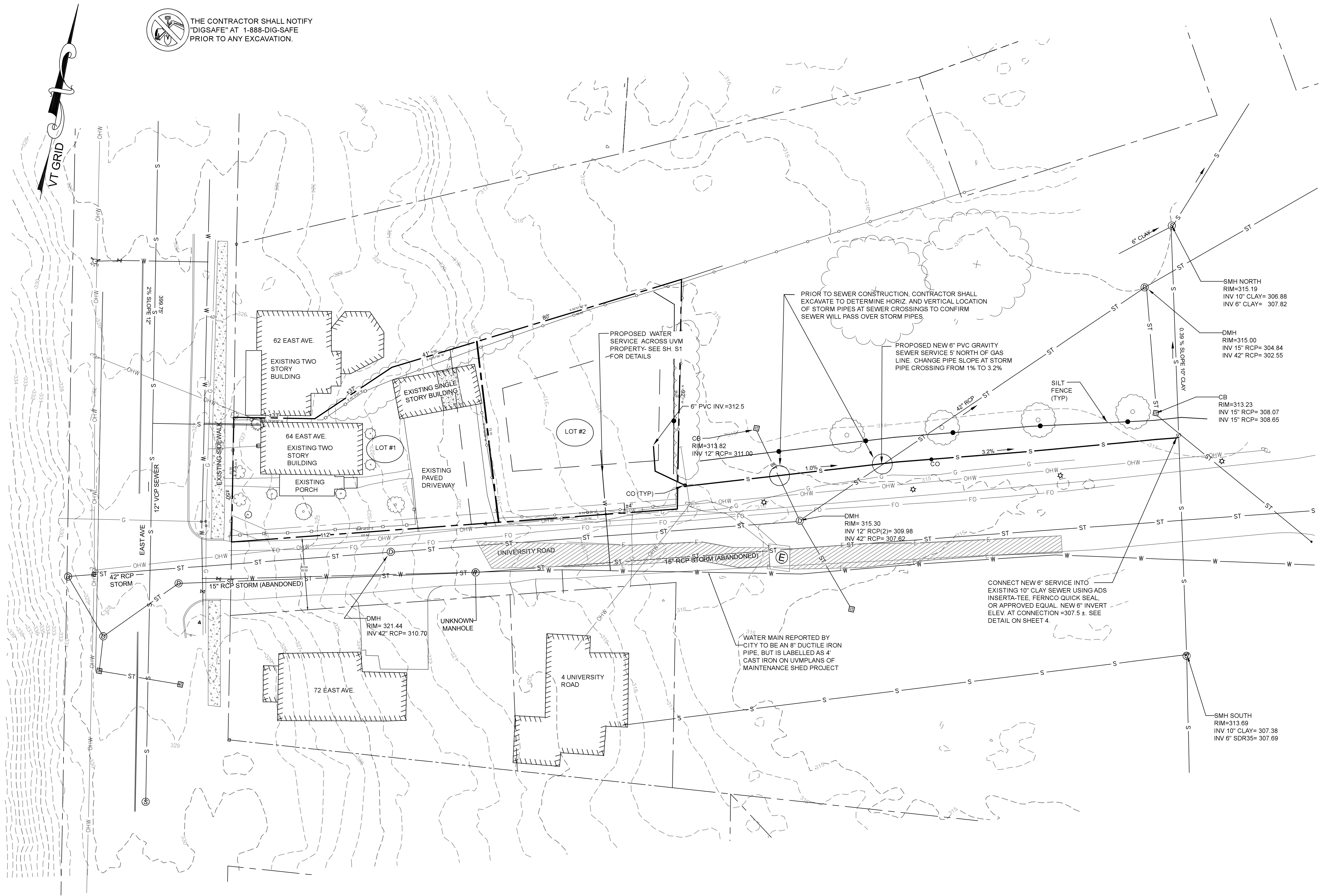
PROPOSED LOT 1 COVERAGE	
HOUSE	851 SQ FT
GARAGE AND CONCRETE PAD	416 SQ FT
DRIVEWAY MODIFIED	818 SQ FT
TOTAL	2,085 SQ FT
PERCENT COVERAGE	
2,085 SF/6,036 SF	= 34.5%
MAXIMUM ALLOWED	= 35.0%
ACCESSORY RESIDENTIAL FEATURES COVERAGE	
WALKWAYS AND PORCH	370 SQ FT
PERCENT COVERAGE	
370 SF/6,036 SF	= 6%
MAXIMUM ALLOWED	= 10%



THE CONTRACTOR SHALL NOTIFY
"DIGSAFE" AT 1-888-DIG-SAFE
PRIOR TO ANY EXCAVATION.

LEGEND

- PROJECT PROPERTY LINE
- PROPOSED LOT LINE
- ABUTTER PROPERTY LINE
- EXISTING EASEMENT
- UTILITIES DUCTBANK IN CONCRETE
- PROPOSED BUILDING SETBACK
- EXISTING CONTOUR
- EXISTING STOCKADE FENCE
- EXISTING CHAINLINK FENCE
- EXISTING SEWER MAIN
- EXISTING WATER MAIN
- EXISTING STORM PIPE
- EXISTING OVERHEAD WIRE
- EXISTING GAS MAIN
- PROPOSED WATER MAIN
- PROPOSED SEWER MAIN
- TEMPORARY SILT FENCE



Date	Revision	By
These plans shall only be used for the purpose shown below:		
☐ Sketch/Concept	☐ Act 250 Review	Project No. 21003
☐ Preliminary	☐ Construction	
☐ Final Local Review	☐ Record Drawing	
LANDS OF MBVT, INC.		
64 EAST AVE		BURLINGTON VT, 05401
Off-Site Sewer Plan		
Date 05/07/21		
Scale AS SHOWN		
Sheet number S2		

NOTES:

1. All water mains, fittings, appurtenances and other materials, and construction shall conform to all applicable AWWA, State and City codes, standards and regulations. In the case of conflict between these construction details and specifications and a code or regulation, the decision of the Vermont Department of Health or VTDEC Water Supply shall be binding.

2. All water mains, fittings, appurtenances shall be installed in a workmanlike manner. Installation shall be under the general inspection of the Public Works Department. Before any water line work is commenced by the Contractor, they shall notify the Public Works Department at least five (5) work days in advance of his intention to proceed.

3. Connection to an existing water main shall be done under the supervision of, and with the approval of the Public Works Department. It is the Contractor's responsibility to secure ALL necessary permits and permission to make the connection and to coordinate all parties involved in the process. The Public Works Department shall be notified AT LEAST five (5) work days in advance of the intended connection time.

4. An Inspector employed by the Public Works Department shall be notified at least two (2) days in advance of all water line installations. Said inspector shall be on the premises for all water line installations.

5. As-Builts prepared by the Contractor are required by the Public Works Department at the time of the completion of the water system. The contractor shall provide accurate tie sheets for all new valves, fittings and curb stops. The contractor shall allow the city to access the construction site to obtain additional infrastructure information throughout the project.

6. All water mains shall have horizontal and vertical distances as detailed on this drawing.

7. All public and private water mains 1/4" or greater shall be C-900 pipe (per note 21 below); 2" less than 4" in diameter shall be ULTRA-HIGH WEIGHT, CTS POLYETHYLENE TUBING DESIGNED FOR A WORKING PRESSURE OF 200 PSI (AWWA C-901, ASTM-D-1248 AND ASTM-D-2737). All water line fittings shall be ductile iron, (AWWA C-110), cement-lined. For water lines less than 4 inches in diameter, fittings (other than valves) shall MEET MANUFACTURER'S RECOMMENDATIONS AND MEET VERMONT ACT 193 REQUIREMENTS FOR LEAD CONTENT.

8. All buried valves shall conform to AWWA C-504 or C-509, and be resilient wedge gate valves up to 12 inch in size, and either resilient wedge or butterfly valves for larger sizes. All gate valves shall open right (clockwise) and shall have adjustable iron valve boxes extending to the finished grade (See Typical Details).

9. Hydrant's shall be in accord with AWWA C-502, 3-way post type breakaway Kennedy K81-A, with two (2) 1-1/2" hose nozzles and one (1) 4-1/2" steaming nozzle. Nozzle threads shall ~~Roxyory double~~ ~~act~~ ~~act~~. Hydrant shall be provided with _____ in all cases. _____ the contractor responsible to check with the Public Works Department to secure approval of the selected hydrant(s) and assure compatibility. All Hydrant drains shall be _____ plastic pipe _____ the hydrant. _____ the hydrant shall be set back a minimum of three (3) feet from paved surfaces. _____ addition, wherever a traffic hazard appears to exist (in the opinion of the Public Works Department), the hydrant shall be protected by curbing and/or post-stanchions.

11. All water lines and appurtenances shall be pressure and leak-tested.

before being placed into service, according to AWWA Standard C-600. The test pressure shall be 200 psi (+/- 5psi), measured at or near the high point in the portion of the system being tested, and the test shall be run for two (2) hours. The Public Works Department shall be notified by letter (24 hours notice before the test is to be conducted, and DPW personnel shall witness the test. Allowable leakage shall be computed by the following formula, $L = S \times D \times \sqrt[3]{133200}$, where L=number of gallons allowed leakage per unit length of pipe tested in feet, D=inches of nominal pipe diameter, and S=average test leakage in gpm/gal. The test(s) conducting test(s) shall, IN WRITING, certify the results to the Public Works Department.

15. All water lines, before being put into service, shall be disinfected in accordance with the latest edition of AWWA C-651, or as directed by the Public Works Department. Contractor shall install 1" diameter tap in water main for chlorine injection. Tap shall be located as approved by the Public Works Department.

The person(s) responsible for disinfection shall certify, IN WRITING, to the Public Works Department and Vermont Department of Health that this disinfection procedure was followed and the required minimum results were obtained. Contractor shall be responsible for all sampling and analysis costs.

TAP USED FOR CHORINATION SHALL BE CLOSED AND PLUGGED PRIOR TO BACKFILL. THE CONTRACTOR SHALL PERFORM ALL CONSTRUCTION ACTIVITIES IN CONFORMANCE WITH THE LATEST EDITION OF AWWA C-651. THE CONTRACTOR SHALL RECEIVE THE LATEST EDITION OF BURLINGTON'S WATER REPAIR FLOW CHART TO ENSURE CONFORMANCE WITH AWWA C-651. THE CITY REQUIRES BAC-T SAMPLES BE COLLECTED AND TESTED ANY TIME THE EXISTING WATER SYSTEM IS CUT INTO.

16. Water main valves and curb stops shall be inside city right-of-way.
17. No valves, hydrants, curb stops, etc. shall be operated without prior approval by the Public Works Department.

18. All taps larger than 1" require the use of bronze saddles. SADDLES ARE REQUIRED FOR ALL TAPS ON PVC PIPE.

20. All corporations and curb stops shall be Cambridge with nitrile gaskets.

of 305 psi (DR14) Mains 2" or less shall conform to AWWA C901 and be HDPE CTS pipe with a pressure class of 200 psi (SDR 9). All plastic pipe (INCLUDING SERVICES) will require a 12 AWG high strength copper clad steel tracer wire with blue insulation fastened directly to the top of pipe with nylon tie wraps or electrical tape. This tracer wire shall be a continuous run (no splices) between valves with ends for attaching a locating signal at every valve box, end of pipe run or every 500' of pipe, whichever is less. If no valve boxes are located within 500' of each other, a magnetized tracer box is required.

Waterproof splices shall be allowed in valve boxes as per the detail on this sheet. Tracer wire, tracer boxes and wire nuts shall be manufactured by Copperhead Industries or approved equal. In addition, detectable metallic underground tape labeled "Caution Buried Water Line Below" shall be manufactured by Trumbull Industries or approved equal and buried approx. 2' below finished grade.

22. Nitrile Butadiene Rubber (NBR) gaskets shall be used in lieu of the standard Styrene Butadiene Rubber (SBR) gaskets for C900 water pipe and fittings.

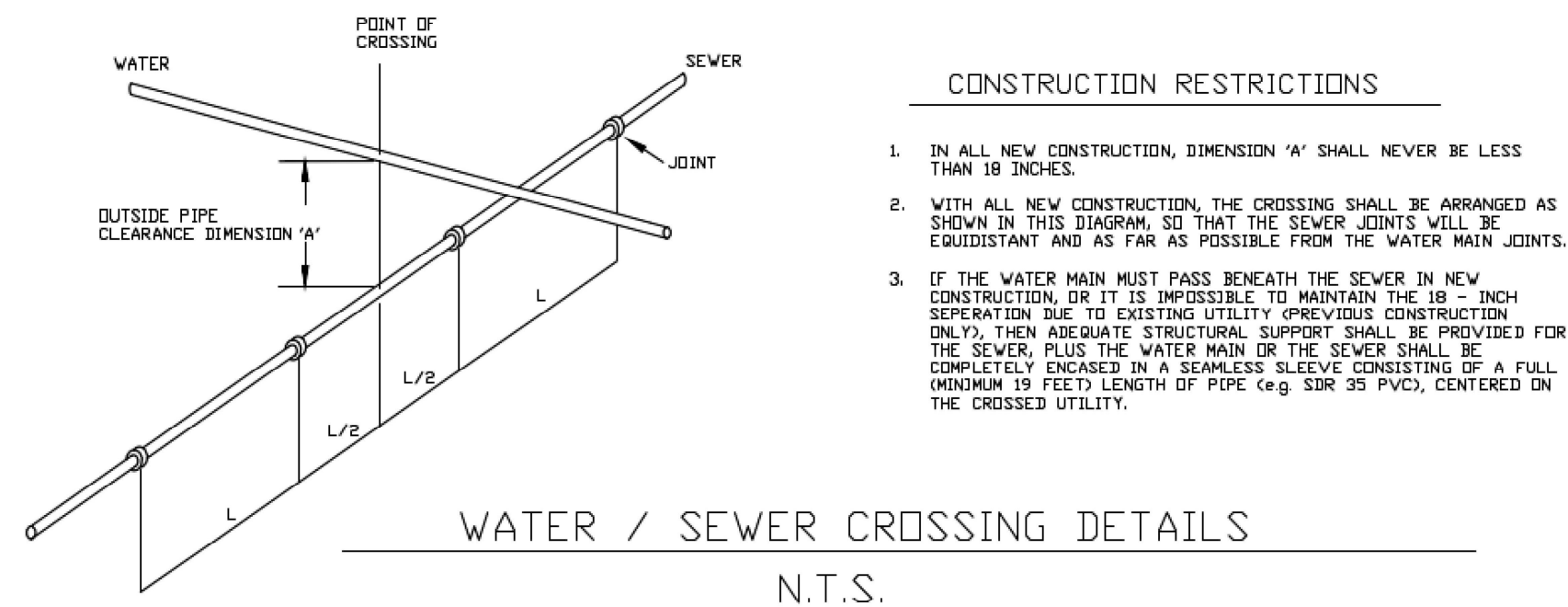


* SUITABLE MATERIAL SHALL CONTAIN NO STONES GREATER THAN 4" IN DIAMETER, NO FROZEN LUMPS, AND ONLY MINOR AMOUNTS OF CLAY OR ORGANIC MATERIAL. ALL MATERIAL TO BE PLACED IN MAXIMUM OF 12" LIFTS AND COMPACTED BEFORE PLACING NEXT LIFT.

TYPE I MATERIAL SHALL BE EITHER GRAVEL OR EXCAVATED MATERIAL CONTAINING NO STONES GREATER THAN 1 1/2" IN DIAMETER, NO FROZEN MATERIAL, NO CLAY, AND NO ORGANIC MATERIAL.

TYPE II MATERIAL SHALL BE CLEAN, HARD, CRUSHED OR NATURAL STONE WITH A GRADATION BY WEIGHT OF 100% PASSING A 1 1/2" SQUARE OPENING, NOT MORE THAN 25% PASSING A 3/4" SQUARE OPENING, AND NOT MORE THAN 5% PASSING A 1/2" SQUARE OPENING.

*** TYPE III MATERIAL SHALL BE CLEAN, HARD, CRUSHED STONE FREE FROM COATINGS AND THOROUGHLY WASHED WITH A GRADATION BY WEIGHT OF 100% PASSING A 1" SQUARE OPENING AND 0 TO 5% PASSING A 1/4" SQUARE OPENING.

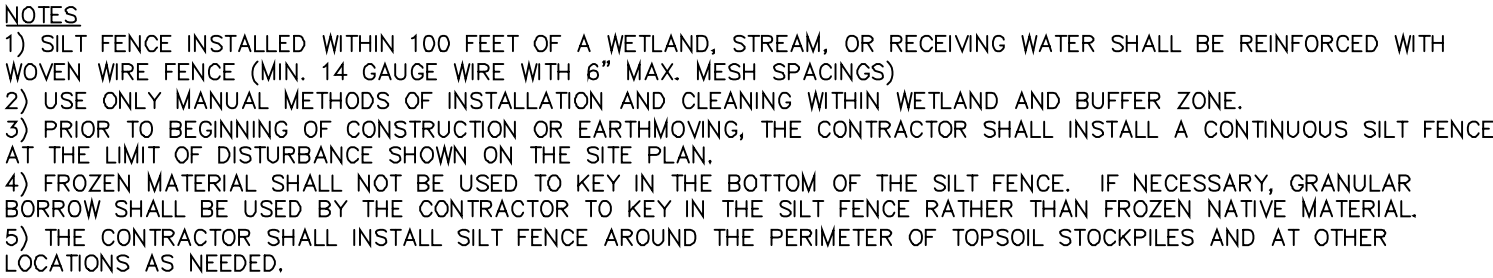


Date	Revision	By
These plans shall only be used for the purpose shown below:		
☐ Sketch/Concept	☐ Act 250 Review	
☐ Preliminary	☐ Construction	
☒ Final Local Review	☐ Record Drawing	
LANDS OF MBVT, INC. 64 EAST AVE. BURLINGTON, VT		Project No. 21003 Survey L&D Design DJG
WATER DETAILS & SPECIFICATIONS		Drawn DJG Checked ABR Date 07/08/2021
 Lamoureux & Dickinson Consulting Engineers, Inc. 14 Morse Drive, Essex, VT 05452 802-878-4450 www.LDengineering.com		Scale AS SHOWN Sheet number 3

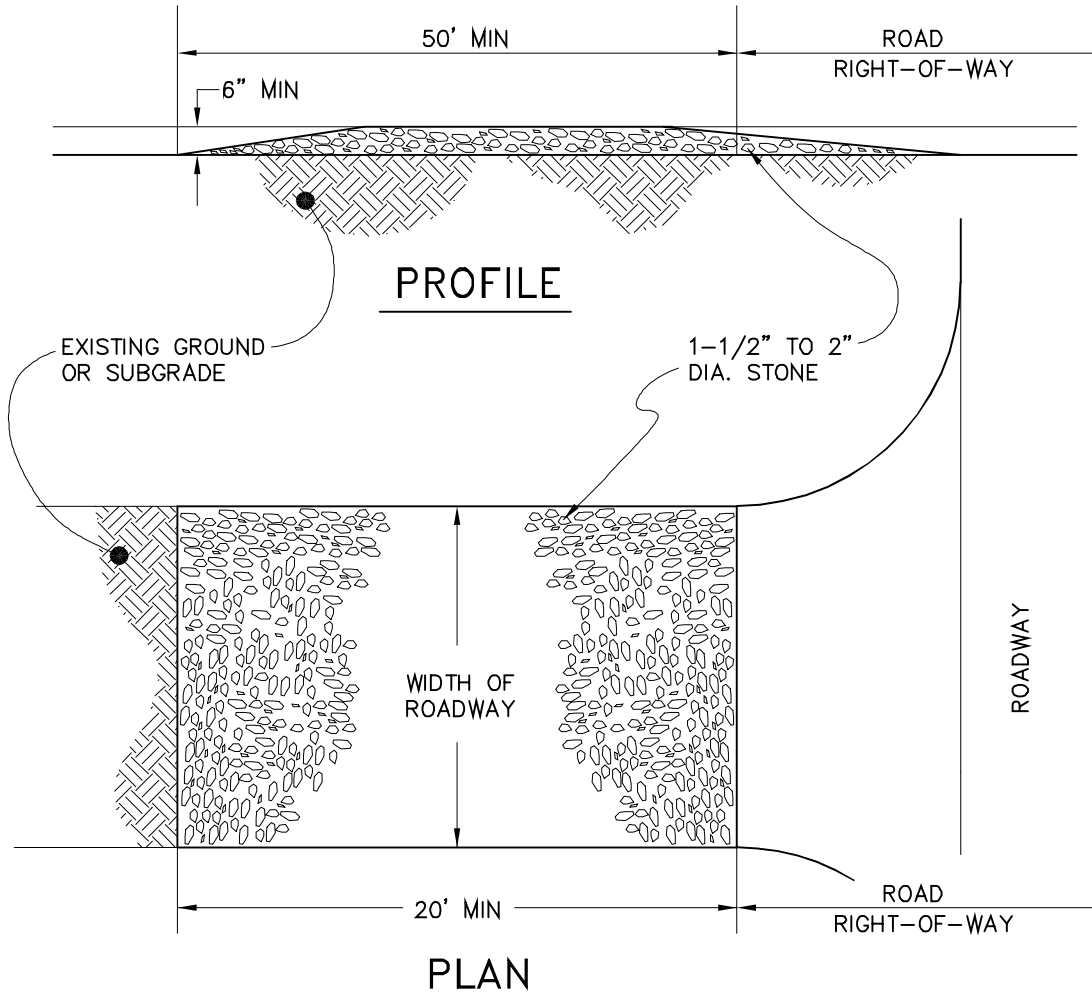
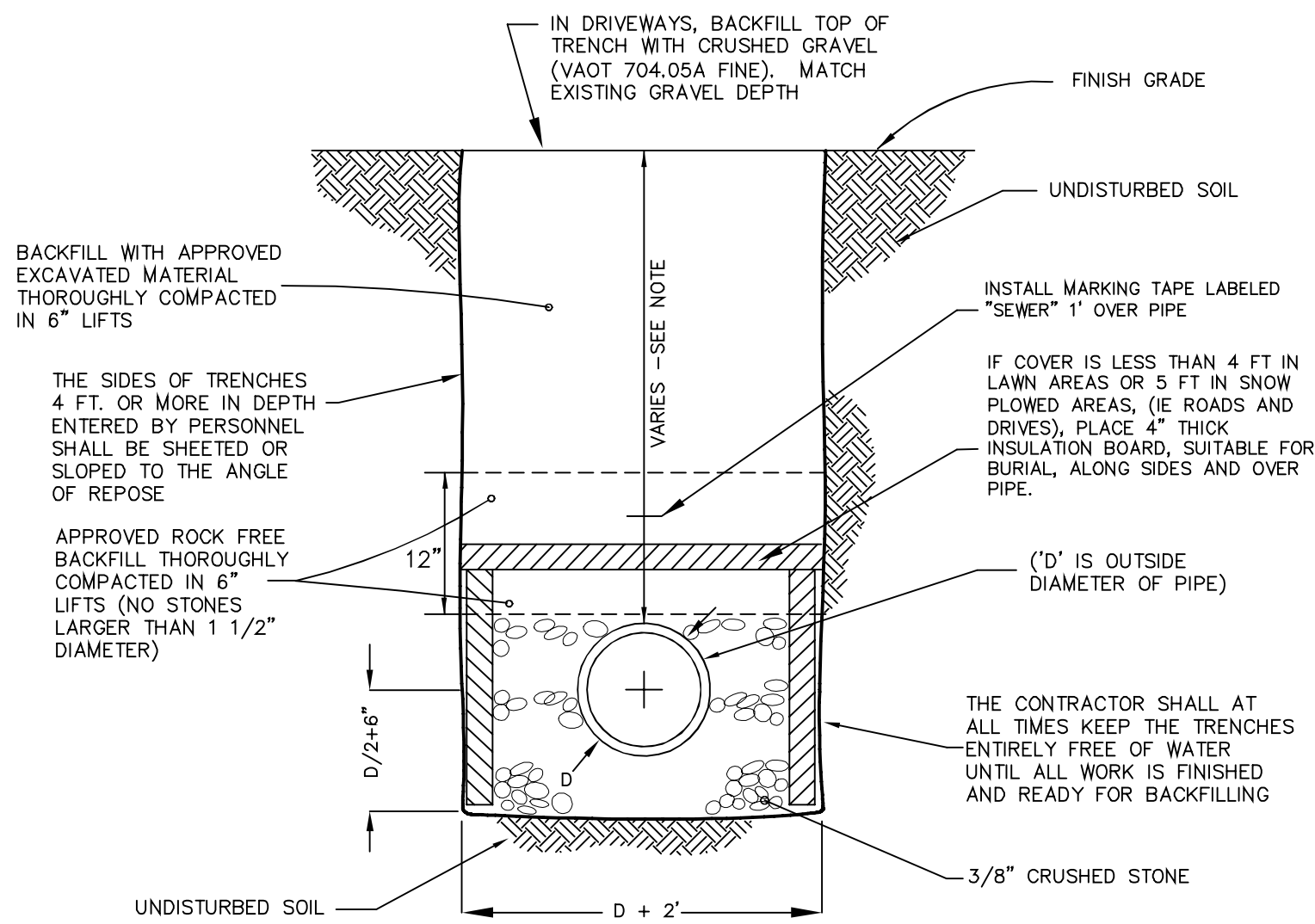
- 1) ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 VERMONT AGENCY OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION, THE CITY OF BURLINGTON PUBLIC WORKS SPECIFICATIONS, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, AND THESE PLANS.
- 2) UTILITY INFORMATION SHOWN ON THESE PLANS WAS OBTAINED FROM BEST AVAILABLE SOURCES AND MAY OR MAY NOT BE EITHER ACCURATE OR COMPLETE. CONTRACTOR SHALL VERIFY EXACT LOCATION OF EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO ANY UTILITY, PUBLIC OR PRIVATE, SHOWN OR NOT SHOWN HEREON. CONTRACTOR SHALL VERIFY NEW PLOT LOCATIONS AND SHALL CONNECT ALL UTILITIES TO NEAREST SOURCE THROUGH COORDINATION WITH UTILITY OWNER.
- 3) THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEMOLITION AND REMOVAL OF ALL EXISTING VEGETATION, PAVEMENT, AND STRUCTURES NECESSARY TO COMPLETE THE WORK UNLESS NOTED ON THESE PLANS. CONTRACTOR SHALL REMOVE ALL TRASH FROM THE SITE UPON COMPLETION OF CONSTRUCTION.
- 4) ANY SURFACES, LINES OR STRUCTURES WHICH HAVE BEEN DAMAGED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO A CONDITION AT LEAST EQUAL TO THAT IN WHICH THEY WERE FOUND IMMEDIATELY PRIOR TO BEGINNING OF CONSTRUCTION. SEE OTHER DETAILS ON THESE PLANS FOR ADDITIONAL DETAILS, REQUIREMENTS AND SPECIFICATIONS.
- 5) TEMPORARY CONSTRUCTION SIGNS AND TRAFFIC CONTROL SIGNS SHALL BE ERECTED BY THE CONTRACTOR IN ACCORDANCE WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, VTRANS STANDARDS DRAWINGS AND TOWN REQUIREMENTS.
- 6) THE CONTRACTOR SHALL COORDINATE WITH THE OWNER TO INSURE SITE ACCESS FOR EXISTING USERS, INCLUDING EMPLOYEES AND DELIVERIES, THROUGHOUT THE DURATION OF CONSTRUCTION.
- 7) THE CONTRACTOR SHALL BE RESPONSIBLE AT HIS OR HER OWN EXPENSE FOR ENSURING THAT THE DUST CREATED AS A RESULT OF CONSTRUCTION DOES NOT CREATE A NUISANCE OR SAFETY HAZARD. WHERE AND WHEN DEEMED NECESSARY, THE CONTRACTOR WILL BE REQUIRED TO WET SECTIONS OF THE CONSTRUCTION AREA WITH WATER, APPLY CALCIUM CHLORIDE, OR SWEEP THE ROADWAY WITH A POWER BROOM FOR DUST CONTROL.
- 8) THE CONTRACTOR SHALL NOTIFY THE ENGINEER 24 HOURS IN ADVANCE OF STARTING ANY WORK, BEGINNING THE INSTALLATION OF ANY UTILITIES, BRINGING IN GRAVEL FOR THE NEW DRIVEWAY, INSTALLATION OF NEW UTILITY SERVICES, ALL TESTING, AND FINAL INSPECTION. IN ORDER TO ASSURE COMPLIANCE WITH THE PLANS.
- 9) PRIOR TO BEGINNING CONSTRUCTION, ALL MATERIALS SHALL BE APPROVED BY THE ENGINEER AND THE CITY.
- 10) ALL FILL SHALL BE PLACED IN 8 INCH LIFTS AND THOROUGHLY COMPACTED TO 95% OF MAXIMUM DENSITY OF OPTIMUM MOISTURE CONTENT AS DETERMINED BY AASHTO T-99 STANDARD PROCTOR, AND SHALL BE TESTED AT 200 INTERVALS, UNLESS OTHERWISE SPECIFIED.
- 11) CONSTRUCTION OBSERVATION AND CERTIFICATION IS OFTEN REQUIRED AS A CONDITION OF STATE AND LOCAL PERMITS. IT IS RECOMMENDED THAT CONSTRUCTION OF THE IMPROVEMENTS DETAILED ON THESE PLANS BE OBSERVED BY LAMOREAUX & DICKINSON CONSULTING ENGINEERS INC. (L&D) TO DETERMINE IF THE WORK IS BEING PERFORMED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS. L&D WAIVES ANY AND ALL RESPONSIBILITY AND LIABILITY FOR PROBLEMS THAT MAY ARISE FROM FAILURE TO FOLLOW THESE PLANS AND SPECIFICATIONS AND THE DESIGN INTENT THAT THEY CONVEY ANY CHANGES MADE IN THE PLANS AND SPECIFICATIONS OR IN THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS WITHOUT L&D'S PRIOR KNOWLEDGE AND CONSENT, AND/OR FAILURE TO SCHEDULE OBSERVATION OF THE WORK AND TESTING IN PROGRESS.

1. DISTURBED AREAS THAT DO NOT HAVE AN IMPERVIOUS SURFACE (PAVEMENT, SIDEWALKS, ROOFS) OR ARE NOT LANDSCAPED WITH BARE MULCH, SHALL BE STABILIZED NEW GRASS COVER. ALL SEEDING AND MULCHING FOR ESTABLISHING NEW GRASS COVER SHALL BE COMPLETE PRIOR TO SEPTEMBER 15th PLACEMENT OF TOPSOIL, AND THE APPLICATION OF SEED, FERTILIZER, LIME (WHERE APPLICABLE), AND MULCH SHALL BE IN ACCORDANCE WITH THE FOLLOWING:
2. A MINIMUM OF 4" OF APPROVED TOPSOIL SHALL BE PLACED IN ALL AREAS. PLACEMENT OF TOPSOIL SHALL NOT BE DONE WHEN THE GROUND OR TOPSOIL IS FROZEN, EXCESSIVELY WET, OR OTHERWISE IN A CONDITION DETRIMENTAL TO THE WORK. FOLLOWING PLACEMENT OF TOPSOIL, THE SURFACE SHALL BE RAKED. ALL STONES, LUMPS, ROOTS, OR OTHER OBJECTIONAL MATERIAL SHALL BE REMOVED.
3. URBAN SEED MIXTURE SHALL BE SPREAD UNIFORMLY IN ALL AREAS AT THE SPECIFIED RATE.
4. FERTILIZER SHALL BE APPLIED ONLY AFTER PERFORMING A SOIL TEST ON THE IN-PLACE OR STOCKPILED TOPSOIL, AND BE APPLIED ONLY BASED UPON SOIL DEFICIENCIES. LIME SHALL ONLY BE APPLIED AS NEEDED BASED UPON A SOIL pH TEST.
5. MULCHING SHALL FOLLOW THE SEEDING OPERATION BY NOT MORE THAN 24 HOURS. MULCH SHALL BE SPREAD UNIFORMLY OVER THE AREA AT A MINIMUM RATE OF 2 TONS PER ACRE. SITE CONDITIONS MAY WARRANT THE APPLICATION OF A TACKIFIER TO HOLD THE MULCH IN PLACE IF NECESSARY TO RETAIN THE MULCH, THE CONTRACTOR SHALL APPLY AN APPROVED TACKIFIER WITHOUT ADDITIONAL COST TO THE OWNER.
6. ALL SLOPES STEEPER THAN 3H:1V SHALL HAVE EROSION MATTING APPLIED OVER THE SEED. ALL DITCH CENTERLINE GRADES GREATER THAN 5% OR AS SHOWN ON THE PLANS SHALL HAVE EROSION MATTING APPLIED OVER THE SEED. EROSION MATTING SHALL CONSIST OF EROSION CONTROL BLANKET WITH 100% AGRICULTURAL POLYPROPYLENE SPINNING AND 50% BIODEGRADABLE THREAD BETWEEN TWO BIODEGRADABLE JUTE FIBER NETTINGS. NORTH AMERICAN GREEN S150BN OR EQUAL.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR A FULL GROWTH OF GRASS IN ALL DISTURBED AREAS TO BE RE-VEGETATED. VEGETATION GROWTH SHALL BE PERMANENT AND SUFFICIENT TO PREVENT EROSION OF THE UNDERLYING SOIL UNDER ALL CONDITIONS OF PRECIPITATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING AND MONITORING THE VEGETATION, AND AREAS OF ESTABLISHED VEGETATION UNTIL FINAL ACCEPTANCE OF THE WORK BY THE OWNER.

URBAN MIX GRASS SEED		
% BY WEIGHT	LBS. LIVE SEED PER ACRE	TYPE OF SEED
37.5	45	CREEPING RED FESCUE
37.25	37.5	KENTUCKY BLUEGRASS
25.25	37.5	WINTER HARDY, PERENNIAL RYE
100	120 # LIVE SEED PER ACRE	



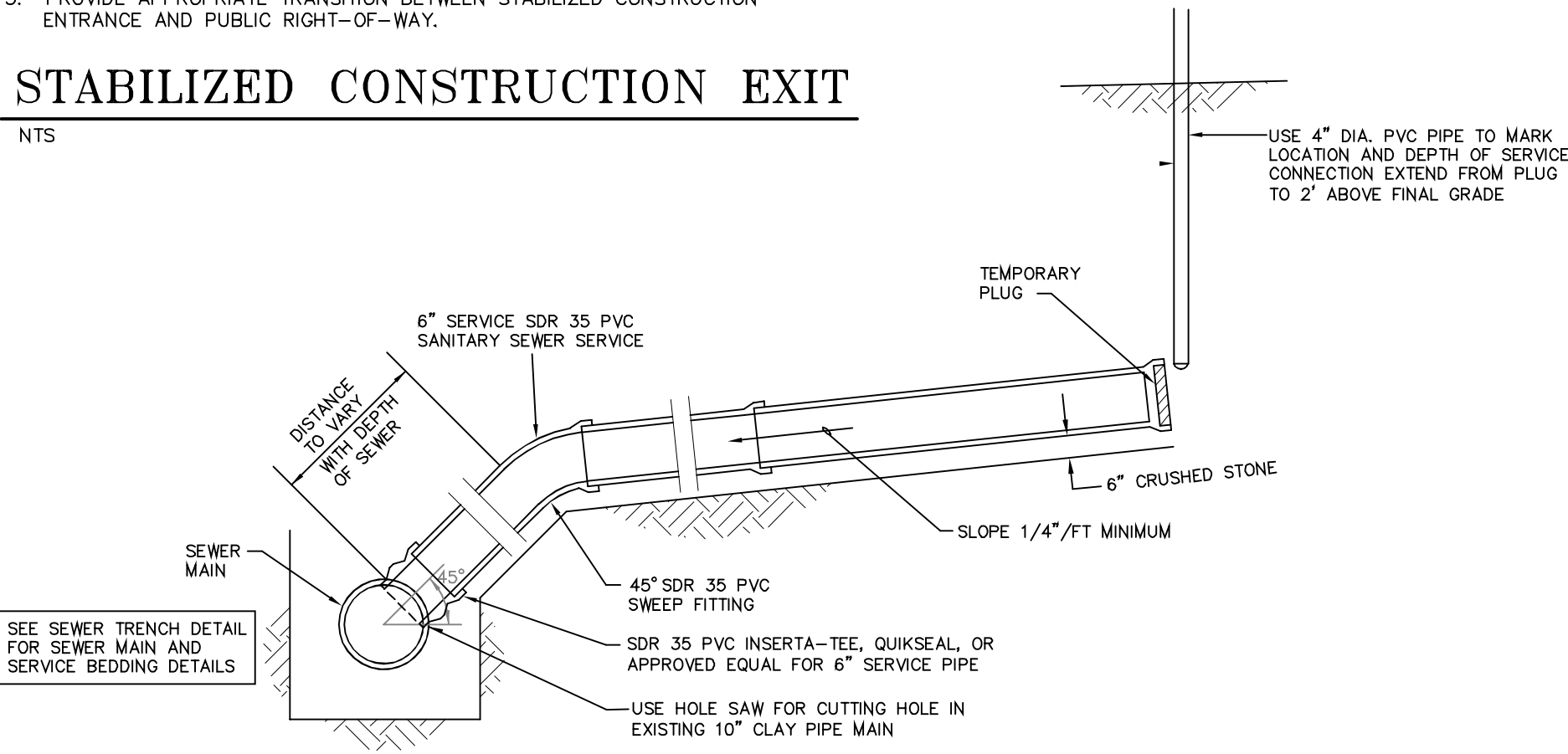
1. THE HORIZONTAL AND VERTICAL SEPARATION FOR SEWER AND WATER LINES SHALL BE PROVIDED IN ACCORDANCE WITH THE LATEST VERMONT ENVIRONMENTAL PROTECTION RULES, CHAPTER 1 (WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES) AND CHAPTER 21 (WATER SUPPLY RULE).
2. SANITARY AND STORM SEWER PIPES SHALL BE OF THE SIZE AND TYPE INDICATED ON THE PLANS. PVC PIPE SHALL BE SDR35 CONFORMING TO ASTM D-3034, ASTM D-3212, AND ASTM F-477. CORRUGATED POLYETHYLENE PIPE SHALL CONFORM TO M284-90. 12" (SMALL WALL). PERFORATED UNDERDRAIN PIPE SHALL BE PVC SDR35 CONFORMING TO ASTM D278-87 OR CORRUGATED POLYETHYLENE PIPE WITH SMOOTH INTERIOR WALL CONFORMING TO AASHTO M252-90.
3. ALL GRAVITY SANITARY SEWER PIPE SHALL BE PVC SDR 35 CONFORMING TO ASTM D-3034, ASTM D-3212, AND ASTM F-477.
4. ALL NEW SANITARY SEWER AND WATER SERVICES SHALL BE TESTED IN ACCORDANCE WITH CITY STANDARDS AND THE STATE WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES.
5. ANY SURFACES, LINES, OR STRUCTURES WHICH HAVE BEEN DAMAGED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO A CONDITION AT LEAST EQUAL TO THAT IN WHICH THEY WERE FOUND IMMEDIATELY PRIOR TO THE BEGINNING OF CONSTRUCTION.
6. THE CONTRACTOR SHALL COORDINATE THE LOCATION AND INSTALLATION OF THE INDIVIDUAL SERVICES WITH THE OWNER AT THE TIME OF CONSTRUCTION.



- NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT TRACKED, SPILLED, OR WASHED ONTO PUBLIC RIGHTS-OF-WAY SHALL BE REMOVED IMMEDIATELY BY THE CONTRACTOR.
 2. THE USE OF CALCIUM CHLORIDE OR WATER MAY BE NECESSARY TO CONTROL DUST DURING THE SUMMER. CONTACT VTEC PRIOR TO THE USE OF CALCIUM CHLORIDE.
 3. PROVIDE APPROPRIATE TRANSITION BETWEEN STABILIZED CONSTRUCTION ENTRANCE AND PUBLIC RIGHT-OF-WAY.

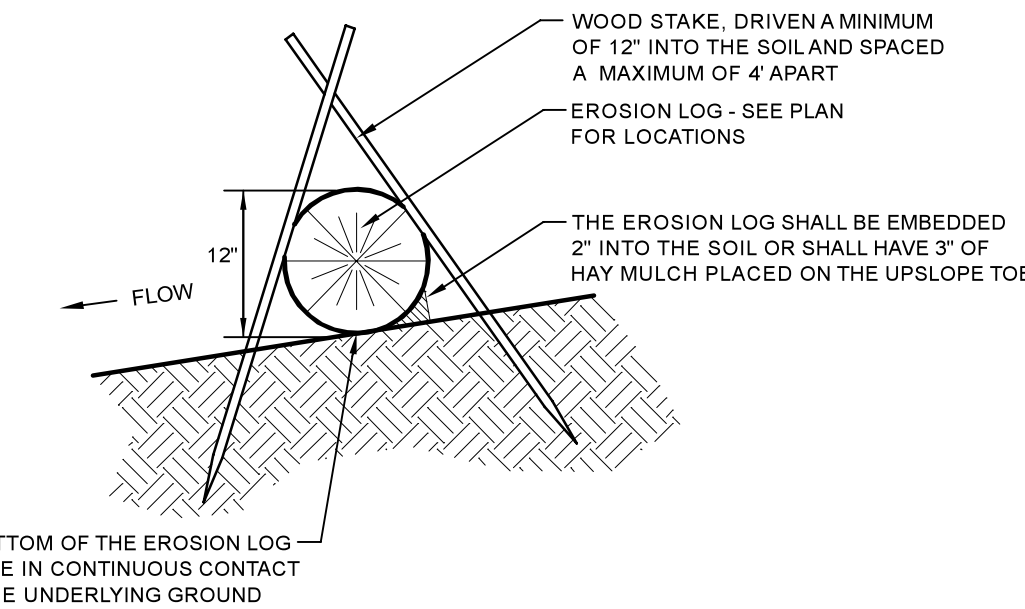
NTS

USE 4" DIA. PVC PIPE TO MARK LOCATION AND DEPTH OF SERVICE CONNECTION EXTEND FROM PLUG TO 2' ABOVE FINAL GRADE



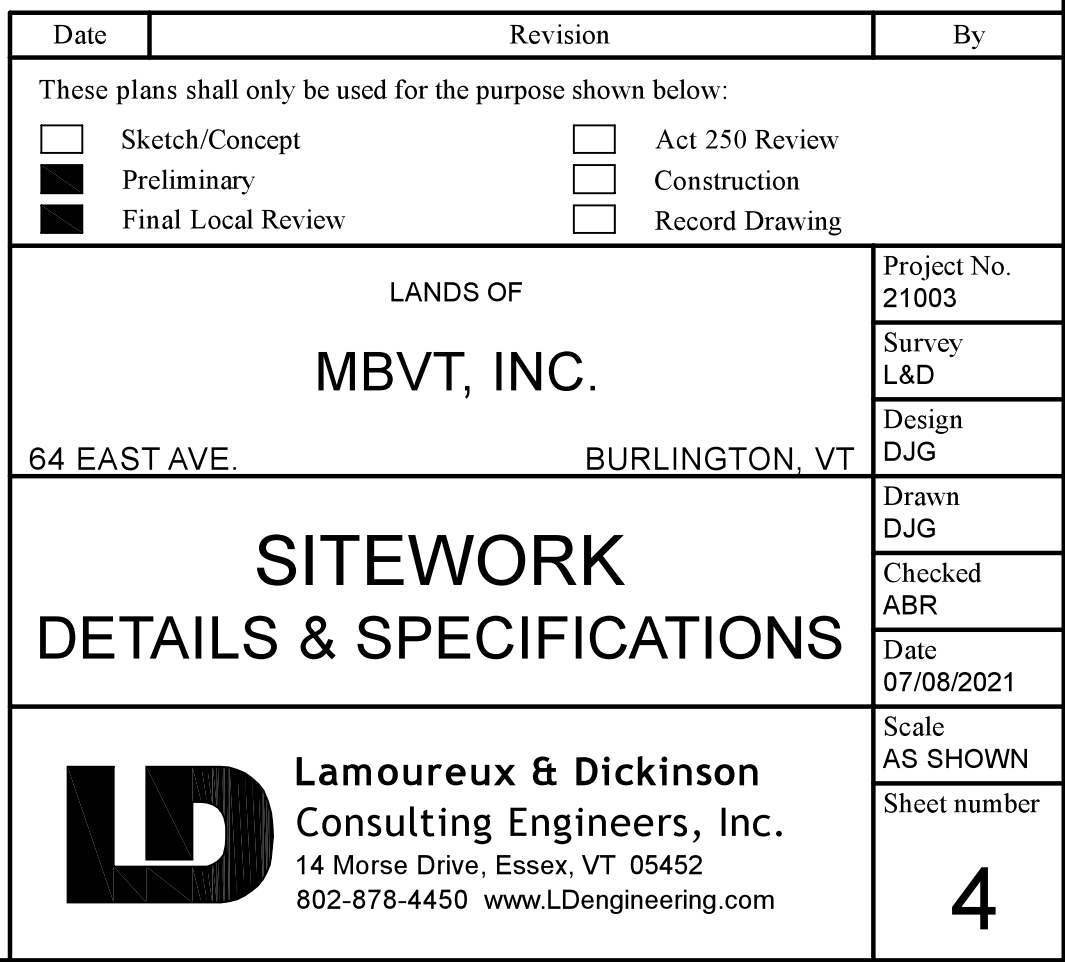
1. THE EXISTING SEWER COLLECTION SYSTEM SHALL REMAIN IN SERVICE THROUGHOUT EXECUTION OF THE WORK. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL COORDINATE WITH THE OWNER AND HARDWARE PUBLIC WORKS DEPARTMENT ON THE TIMING AND EXECUTION OF THE WORK.
2. THROUGHOUT EXECUTION OF THE WORK FOR THE NEW CONNECTION, THE CONTRACTOR SHALL PREVENT GROUNDWATER, SEDIMENT, OR DEBRIS FROM ENTERING THE SEWER PIPING.
3. SEE TYPE SEWER TRENCH DETAIL, FOR PIPE AND FITTING BEDDING REQUIREMENTS. THE NEW AND EXISTING PIPE AND FITTINGS SHALL BE ADEQUATELY SUPPORTED ALONG THEIR ENTIRE LENGTH BY 38" CRUSHED STONE PRIOR TO BACKFILL.

NTS



- NOTES:**
1. TIGHTLY ABOUT THE ENDS OF THE EROSION LOGS - NO GAPS.
 2. INSTALL EROSION LOGS PARALLEL TO CONTOURS AS SHOWN ON THE PLANS.

NTS





THIS PLAN WAS COMPILED FROM FIELD SURVEYS AND RECORD RESEARCH, INCLUDING THE USE OF THE FOLLOWING PLANS;

- A. "PLAN OF PLOT OF LAND SOLD TO M. R. GADUE BY THE UNIVERSITY OF VERMONT" DATED, JULY 1923. BY C.W. HORTON ENGINEER AS FILED IN DRAWER 15 DRAWING 67 OF THE UNIVERSITY OF VERMONT LAND RECORDS
- B. "PLAN OF LANDS SOLD BY H.A. COLTON E. GADUE & G. ARMSTRONG TRUSTS TO HICKOCK PURCHASE EAST AVE" DATED MARCH, 1932, BY A.D. BUTTERFIELD & G.A. LYNDE, AS FILED IN DRAWER 15 DRAWING 25 OF THE UNIVERSITY OF VERMONT LAND RECORDS.
- C. "PLAN OF PORTION OF PROPERTY ESTATE OF H.L. HICKOK IN THE CITY OF BURLINGTON AND SOUTH BURLINGTON" DATED FEB. 1897. AS RECORDED IN BOOK 37 PAGE 478 OF THE CITY OF BURLINGTON LAND RECORDS
- D. "UNIVERSITY OF VERMONT CENTENNIAL WOODS NATURAL AREA CITIES OF BURLINGTON AND SOUTH BURLINGTON" DATED SEPT. 14, 1993, BY HARRIS & ABBOTT L.S. AS RECORDED IN SLIDE 396 OF THE CITY OF BURLINGTON LAND RECORDS.
- E. "PLAN OF SURVEY SHARON FOLEY BUSHOR PROPERTY, 20.40 AC NO 52 EAST AVE" DATED MAY 31, 2017 BY WARREN ROBERTSON L.S. AS RECORDED IN SLIDE 533D IN THE CITY OF BURLINGTON LAND RECORDS
- F. "MEDICAL CENTER HOSPITAL OF VERMONT, MAY FLETCHER UNIT" DATED MAY 15, 1975, BY DONALD L. HAMLIN CONSULTING ENGINEERS INC. AS RECORDED IN SLIDE 292C OF THE CITY OF BURLINGTON LAND RECORDS

2. BEARINGS ARE BASED ON SURVEY GRADE GPS OBSERVATIONS TAKEN AT THE TIME OF THIS SURVEY, MAY, 2021.

3. THIS PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS AND/OR RIGHTS-OF-WAY.

4. THE RIGHT OF WAY WIDTH FOR EAST AVE IS 66' IS BASED UPON THE DEED FOUND IN BOOK 1 PAGE 10, AND THE PLANS REFERENCED IN NOTES 1A, 1E & 1F.

5. THE RIGHT OF WAY WIDTH FOR UNIVERSITY ROAD IS 29.5' BASED ON THE PLANS REFERENCED IN NOTE 1A AND 1B

6. ALL IRON PIPES SET ARE 1" INSIDE DIAMETER AND ALL MONUMENTATION FOUND IS AS NOTED.

	PROJECT PROPERTY LINE
	ABUTTER PROPERTY LINE
	PROPOSED NEW PROPERTY LINE
	SIDELINE OF EXISTING EASEMENT
	EXISTING STOCKADE FENCE
	EXISTING CHAINLINK FENCE/IRON
	PIPE/ REBAR TO BE SET
	MMF MARBLE MONUMENT FOUND
AG	ABOVE GRADE
BG	BELOW GRADE
FL	FLUSH

CITY OF BURLINGTON, VT.
 RECEIVED FOR RECORD AT _____ O'CLOCK ____ M.,
 _____, 2021 AND RECORDED IN SLIDE# _____
 _____ ATTEST:
 CITY CLERK

UNIVERSITY OF VERMONT
MEDICAL CENTER
N/F
VOL. 979, PGS. 403-05
VOL. 939, PGS. 749-52
VOL. 694, PGS. 174-77
VOL. 282, PGS. 500-504
VOL. 282, PGS. 512,517,520
VOL. 184, PGS. 551-53
VOL. 181, PGS. 344

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

APPROVED BY RESOLUTION OF THE DEVELOPMENT REVIEW BOARD OF THE CITY OF BURLINGTON.

VERMONT ON THE _____ DAY OF _____, 2021, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. SIGNED THIS _____ DAY OF _____ 2021 BY _____

CHAIR

TO THE BEST OF MY KNOWLEDGE, THIS PLAT IS BASED ON
INFORMATION ABSTRACTED FROM PERTINENT DEEDS
AND/OR OTHER OFFICIAL RECORDS, AND MARKERS EVIDENT
ON THE PROPERTY, AND CONFORMS WITH THE
REQUIREMENTS OF 27 VSA SECTION 1403. DATED

THIS _____ DAY OF _____, 2021

MBVT INC.
1 TOWNE MARKET PLACE, SUITE 18
ESSEX JCT. VT. 05452

VOL. 1572, PGS. 245-47

Date	Revision
These plans shall only be used for the purpose shown below:	
☐ Sketch/Concept	☐ Act 250 Review
☐ Preliminary	☐ Construction
☐ Final Local Review	☐ Record Drawing

LANDS OF IBVT INC. Burlington VT, 05401	Project No. 21003
	Survey MJB
	Design MJB/DJG

2-LOT SUBDIVISION PLAT



Project No.	21003
Survey	MJB
Design	MJB/DJG
Drawn	MJB
Checked	DLH/DJG
Date	07-14-21
Scale	1" = 20'
Sheet number	PL

Department of Permitting & Inspections

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

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



TO: Development Review Board
FROM: Scott Gustin
DATE: August 17, 2021
RE: ZP-21-514; 489 Main Street
ZP-21-515; 184-194 South Prospect 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: I Ward: 6S

Owner/Applicant: University of Vermont

Request: Landscaping, hardscaping, and stormwater modifications; parking reconfiguration; and demolition of two buildings.

Applicable Regulations:

Article 2 (Administrative Mechanisms), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking), Article 9 (Inclusionary and Replacement Housing)

Background Information:

The applicant is seeking approval for a variety of landscaping and hardscaping improvements associated with reconfigured parking and pedestrian circulation. Associated building demolition – a barn behind Pomeroy Hall and a detached, vacant residence behind Wadhams House – is also proposed along with associated stormwater enhancements.

The walkway arch that is presently on university property may be relocated onto the adjacent city property. If that occurs, separate zoning approval will be required for that property. Alternatively, the arch would remain on university property. Some walkways that extend onto the adjacent city property will be resurfaced but do not require zoning approval.

The proposed work spans two properties and, therefore, includes two applications. It is reviewed collectively as one project. Located on the property of an educational institution, the project is subject only to limited zoning review per VSA 24, Sec. 4413, *Limitations on Municipal Bylaws*, (a). Review may address 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 or use.

Previous zoning permit activity:
489 Main Street

- 2/14/20, Approval to demolish small building and pave two new parking spaces

- 10/24/96, Approval for restoration of Pomeroy Hall
184-194 South Prospect Street
- 7/21/21, Approval of 3-lot merger into one lot
- 6/12/14, Approval of parking lot and site improvements
- 7/18/03, Approval of renovations to carriage house

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

I. Findings

Article 2: Administrative Mechanisms

Sec. 2.7.8, Withhold Permit:

This criterion requires, in part, that all prior zoning permits lacking their required certificates of occupancy be closed out prior to issuance of a certificate of occupancy for a new zoning permit. In this case, 489 Main Street has an open zoning permit (97-190) from October 24, 1996 for renovations to Pomeroy Hall. 184-194 South Prospect Street has an open zoning permit (04-041) from July 18, 2003 for renovations to a carriage house. Both of these zoning permits must be closed out prior to closing out this new permit. **(Affirmative finding as conditioned)**

Sec. 4.4.4, Institutional District:

(a) Purpose

The Institutional zone is intended primarily to support the city's major educational and health care institutions. In addition, the district is intended to support a broad range of related uses reflecting the resident institutions' roles as regional educational, health care, cultural, and research centers. The proposed work is related to admissions improvements at the university and is consistent with the intent of the district. **(Affirmative finding)**

(b) Dimensional Standards & Density

The only dimensional standards affected by the proposed work pertain to lot coverage and setbacks. Lot coverage at 489 Main Street will decrease to 64.64% from an existing 75.75%. This lot coverage is nonconforming (i.e. too much), but the degree of nonconformity will be lessened. Lot coverage at 184-194 South Prospect Street will increase slightly to 33.71% from an existing 32.41%. This lot coverage remains below the 40% permissible limit.

Setbacks are generally compliant or not applicable. Walkways are allowed to encroach into setbacks and do so in this proposal. Reconfigured parking areas adhere to 5' minimum side and rear yard setbacks. The only problematic setback encroachment that is evident is new hardscaping where the Pomeroy barn will be demolished. The barn sits in the side yard setback, and that nonconforming footprint may be retained. It appears; however, that the new hardscaping will expand the degree of nonconformity within the required 5' side yard setback. Except for walkways, any new hardscaping that expands beyond the footprint of the barn must observe a minimum 5' side yard setback. **(Affirmative finding as conditioned)**

(c) Permitted & Conditional Uses

No change to the existing institutional use is proposed. **(Affirmative finding)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.4.

Sec. 5.2.4, Buildable Area Calculation

Not applicable.

Sec. 5.2.5, Setbacks

See Sec. 4.4.4.

Sec. 5.2.6, Building Height Limits

Not applicable.

Sec. 5.2.7, Density and Intensity of Development Calculations

Not applicable.

Sec. 5.4.8, Historic Buildings and Sites

489 Main Street (Pomeroy Hall) is included in the National Register of Historic Places. By association, the barn appears to be historically significant as well. 172 South Prospect Street is included in the Vermont Historic Sites & Structures Survey. Both buildings are to be demolished. The applicant is working with the Vermont Division for Historic Preservation as to meeting state standards for demolition. As an educational institution, Sec. 5.4.8 does not fit within the limited zoning jurisdiction applicable to this application. **(Not applicable)**

Sec. 5.5.1, Nuisance Regulations

Nothing in this proposal appears to have any bearing on the city's nuisance regulations.

(Affirmative finding)

Sec. 5.5.2, Outdoor Lighting

New outdoor lighting will consist of pole lamps to illuminate the walkways and the reconfigured parking. Walkway lighting levels are slightly too high along the pavilion south walkway (0.55 footcandles) and along the connecting walkway (0.59 footcandles). The average illumination level must be at or below 0.5 footcandle. Other walkway lighting levels are acceptable. No walkway fixture specification is evident in the project plans and must be provided. The parking lot illumination levels are acceptable, as is the proposed light fixture. **(Affirmative finding as conditioned)**

Sec. 5.5.3, Stormwater and Erosion Control

The proposed work requires an erosion prevention and sediment control (EPSC) plan for implementation during construction. Such plan has been provided and approved by the city's stormwater program staff. The post-construction stormwater management system also requires review and approval by the stormwater program staff. System details have been provided and are under review. **(Affirmative finding as conditioned)**

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 project area contains no important natural features as identified in the Open Space Protection Plan. Some trees will be removed, although substantial new green space and additional trees are proposed. **(Affirmative finding)**

(b) Topographical alterations

Not applicable per 24 VSA, Sec. 4413.

(c) Protection of important public views

Not applicable per 24 VSA, Sec. 4413.

(d) Protection of important cultural resources

Not applicable per 24 VSA, Sec. 4413.

(e) Supporting the use of alternative energy

Not applicable per 24 VSA, Sec. 4413.

(f) Brownfield sites

Not applicable per 24 VSA, Sec. 4413.

(g) Provide for nature's events

See Sec. 5.5.3.

(h) Building location and orientation

Not applicable per 24 VSA, Sec. 4413.

(i) Vehicular access

Not applicable per 24 VSA, Sec. 4413.

(j) Pedestrian access

Not applicable per 24 VSA, Sec. 4413.

(k) Accessibility for the handicapped

Not applicable per 24 VSA, Sec. 4413. Applicable accessibility requirements under the City's building code continue to apply.

(l) Parking and circulation

Reconfigured parking spaces and circulation aisles appear to be dimensionally compliant. New parking where the residence is removed contains 2 ADA spaces with close access to nearby buildings. Several pedestrian walkways access the parking areas for circulation throughout the site. **(Affirmative finding)**

(m) Landscaping, fences, and retaining walls

Amongst the reconfigured parking areas and new walkways, there is additional new green space as reflected in the proposed lot coverage reduction. Extensive new plantings in the form of trees (shade and flowering), shrubs, and perennials are proposed. Plantings will be used to accentuate building entries, enhance the pedestrian walkways, and shade the reconfigured parking.

(Affirmative finding)

(n) *Public plazas and open space*

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

(o) *Outdoor lighting*

See Sec. 5.5.2.

(p) *Integrate infrastructure into the design*

(Not applicable)

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(Not applicable)

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

As an institutional property, parking is handled via the Joint Institutional Parking Management Plan. The most recently approved JIPMP includes this project; however, it anticipates a net increase of 15 parking spaces. The removal of the residence and barn results in a lessened parking requirement, so there is no immediate need for additional spaces. The project includes a net reduction of 3 parking spaces. This reduction must be accounted for in the annual update to the current JIPMP. **(Affirmative finding as conditioned)**

Article 9: Inclusionary and Replacement Housing

Sec. 9.2.2, Applicability

But for ownership by an educational institution, demolition of the residence at 172 South Prospect Street would trigger housing replacement. Significantly, however, VSA 24, Sec. 4413, *Limitations on Municipal Bylaws*, (a) precludes applicability of this standard. **(Not applicable)**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, the following items must be provided, subject to staff review and approval:
 - a. Revised site plan depicting compliant setbacks for all hardscape items; and,
 - b. Revised walkway lighting levels compliant with 0.5 footcandle average and fixture specification sheet;
2. **Prior to release of the zoning permit**, the post-construction stormwater management plan shall be reviewed and approved by city stormwater program staff.
3. Per **Section 2.7.8, Withhold Permit**, all zoning permits issued after July 13, 1989 must be closed out (issued a Certificate of Occupancy) prior to issuance of a Final Certificate of Occupancy for this permit. Upon expiration of this new zoning permit, no additional zoning permits may be issued until it, and all prior zoning permits, have been closed out with final certificate(s) of occupancy. It is recommended that certificates of occupancy for the old zoning permits be sought prior to seeking a certificate of occupancy for the new zoning permit.
4. The net reduction of 3 parking spaces shall be incorporated into the annual update of the current Joint Institutional Parking Management Plan.

5. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required.
6. Standard permit conditions 1-15.

TO: City of Burlington

Jan 9 2021

From: Raymond K Ingram Jr
92 Farrington Parkway

Subject: Parking beside driveway

To whom it may concern

I started parking my van on the east side of the driveway during the summer of 2005 when I moved in with my father (Raymond K Ingram Sr) to help with his end-of-life care.

I was unable to find Photos for 2005, it looks like google didn't take any photos between 2004-2006 of Farrington Parkway

Below are names and address from my neighbors of 15 ½ yrs.

Name

Street Address

CATHERINE FOLEY

135 HEINEBERG RD
FORMERLY 79 FARRINGTON PKWY

Jennie L. Barnier
Arthur C Barnier

87 Farrington PKwy Burl VT

Sandra Sargent

84 Farrington PKwy, Burlington VT

Art Hb

78 Farrington PKwy Burl

Ralph Lewis

78 Farrington PKwy Burl

Sincerely,

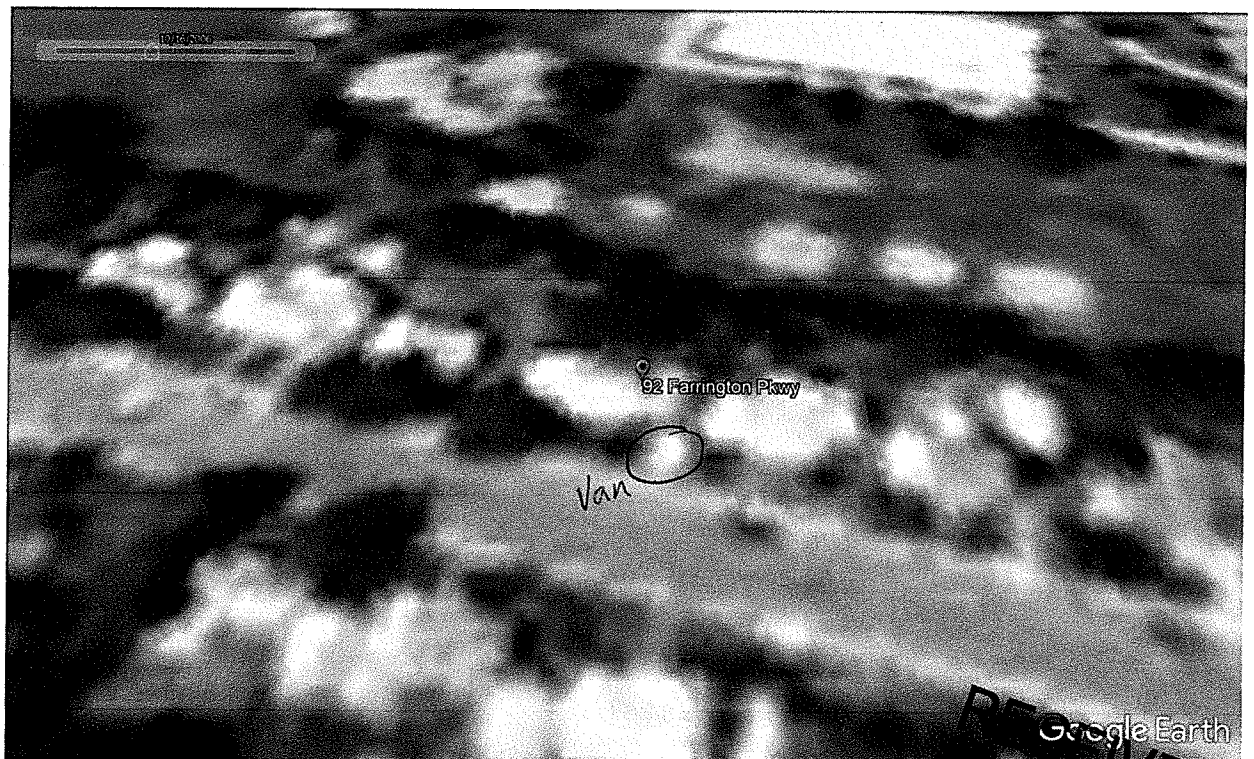
Ray Ingram Jr.

RECEIVED
JAN 13 2021
BURLINGTON
PERMITTING & INSPECTIONS

Below is view from 5/30/2004, my blue truck & fathers' green car are on the street. I was spending so much time with my father, I decided to move in 2005. Google Earth has no photo available for 2005.



Below is a bad Google Earth photo from 10/16/2006, but you can see my van (big white square) next to driveway. Google Earth has better photos up to today showing the van's been park beside the driveway.



RECEIVED
JAN 13 2021
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PERMITTING & INSPECTIONS



ZONING DETERMINATION

ADVERSE

City of Burlington, Vermont
Department of Permitting and Inspections

Application Date: 01/13/2021

Appeal Expiration Date: 03/09/2021

Project Location: 92 FARRINGTON PARKWAY

District:

Owner: Raymond K. Ingram Sr.

Ward: 7N

Address: 92 FARRINGTON PW
BURLINGTON VT 05408

Tax ID: 029-1-114-000

Determination Type: Residential - Parking

Determination Description:

15-Year determination as to parking on the yard next to the driveway.

Zoning Review #21-0629DT

Decision Type: Administrative

Decision: Adverse

See Determination Findings

Decision Date: February 22, 2021

A handwritten signature in blue ink, likely of the Zoning Administrative Officer.

Zoning Administrative Officer

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on March 9, 2021.

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$140.00	No	Date Paid: _____ Check # _____

Building Permit Required: **No**

Permit Received By: _____ Date: _____



City of
Burlington, Vermont
645 Pine Street

Zoning Determination – Findings

ZP #: 21-0629DT

Tax ID: 029-1-114-000

Issue Date: February 22, 2021

Decision: Adverse

Property Address: 92 FARRINGTON PARKWAY

Description: 15-Year determination as to parking on the yard next to the driveway.

This determination is in regard to the above-referenced property, specifically your request that the City of Burlington recognize that the yard parking next to the east side of the driveway has been in place continuously for over 15 years. The City reviewed the following documents and evidence to form its determination:

- The City's zoning permit records
- 2008 Comprehensive Development Ordinance and as amended
- Photographs and related document provided with the determination request
- Orthophotos of 2000, 2004, 2016, 2018, & 2019

Following review of these items, it is the determination of the Administrative Officer that insufficient evidence has been provided to demonstrate the continuous presence of this yard parking for at least 15 years. The yard parking is not evident in the 2000 or 2004 orthophotos. There is no zoning permit on file permitting this yard parking. As such, it is in violation of the Comprehensive Development Ordinance.

To: City of Burlington
Development Review Board
645 Pine Street
Burlington, Vermont

From: Raymond K Ingram Jr
92 Farrington Parkway
Burlington, Vermont 05408

February 19 2021
BURLINGTON
PERMITTING & INSPECTIONS
MAR 08 2021
RECEIVED

Subject: "APPEAL" to Zoning Administrator Determination of 15 years variances to parking on the yard next to driveway. Project Location: 92 Farrington Parkway, Owner is Raymond K. Ingram Jr. Tax ID 029-1-114-000 (Raymond K Ingram Sr is deceased) Information is recorded in town clerks' records.

How do I proceed? I've enclosed Zoning Administrative Officers Decision

It appears no photos are available for the year 2005, it doesn't mean a vehicle wasn't parked there. I've provided statements signed by six residence, citizen of Burlington who have lived next to 92 Farrington Parkway for over 15 years. Six witnesses, I struggle to understand why the Zoning Administrative Officer didn't take these residence testimonies as a single most proof that a vehicle has been parked next to the driveway on the lawn continuously for more than 15 years.

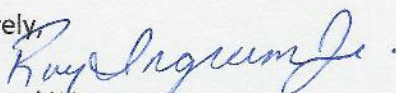
I've enclosed the list of residents and this time included their phone numbers to confirm, in case you need more verification from them.

I've enclosed more photos from google earth, some photos have poor quality seen in years 2006 thru 2011, but shades of a vehicle can be seen. Photos also establish a pattern of continuous parking next to driveway for 14 years. If a photo could be found for 2005 it would also show a vehicle being park next to the driveway.

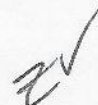
In closing, I believe I've provided enough documentation for approval of 15 year park regulation and I'm asking Development Review Board to approve the 15 year determination.

Thanks for considering my request.

Sincerely,



Raymond K Ingram Jr
Home Owner & Resident
92 Farrington Parkway
Burlington, Vermont 05408



TO: City of Burlington

From: Raymond K Ingram Jr
92 Farrington Parkway

Subject: Parking beside driveway

Jan 9 2021

RECEIVED
BURLINGTON
PERMITTING & INSPECTIONS
MAR 08 2021

To whom it may concern

I started parking my van on the east side of the driveway during the summer of 2005 when I moved in with my father (Raymond K Ingram Sr) to help with his end-of-life care.

I was unable to find Photos for 2005, it looks like google didn't take any photos between 2004-2006 of Farrington Parkway

Below are names and address from my neighbors of 15 1/2 yrs.

Name *All Phone #s are 802 prefix*

Street Address

CATHERINE FOLEY 495-1970

135 HEINERDURF RD

Home 862-0908 Jennie L. Barnier 324-7396

FORMERLY 79 FARRINGTON PKWY

Arthur C Boerner 318-2932

87 Farrington PKWY Burl VT

Sandra Sargent 989-5248

84 Farrington PKWY, Burlington VT

Art H/2 310-0109

98 Farrington PKWY Burl VT

Ralph Lewis 343-9236

78 Farrington PKWY Burl VT

Sincerely,

Ray Ingram Jr.

2006

Bad photo, but you can see a vehicle is parked next to driveway

Legend

- 92 Farrington Pkwy
- C P Smith Elementary School

92 Farrington Pkwy

Van

RECEIVED
MAR 08 2021
BURLINGTON
PERMITTING & INSPECTIONS



50 ft

Google Earth

Image USDA Farm Service Agency

2008

Legend

- 92 Farrington Pkwy
- C P Smith Elementary School

Google Earth

Image USDA Farm Service Agency

92 Farrington Pkwy

RECEIVED
MAR 08 2021
BURLINGTON
PERMITTING & INSPECTIONS



90 ft

2009

Legend

- 92 Farrington Pkwy
- C P Smith Elementary School

92 Farrington Pkwy



RECEIVED
MAR 08 2021
BURLINGTON
PERMITTING & INSPECTIONS



50 ft

Google Earth

Image USDA Farm Service Agency

Legend

- 92 Farrington Pkwy
- C P Smith Elementary School

92 Farrington Pkwy



RECEIVED
MAR 08 2021
BURLINGTON
PERMITTING & INSPECTIONS



50 ft

Legend

- 92 Farrington Pkwy
- C P Smith Elementary School

RECEIVED
MAR 08 2021
GURLINGTON
PERMITTING & INSPECTIONS



92 Farrington Pkwy

Valley

Legend

- 92 Farrington Pkwy
- C P Smith Elementary School

92 Farrington Pkwy

RECEIVED
BURLINGTON
MAR 08 2021
PERMITTING & INSPECTIONS



Legend

- 92 Farrington Pkwy
- C P Smith Elementary School

92 Farrington Pkwy

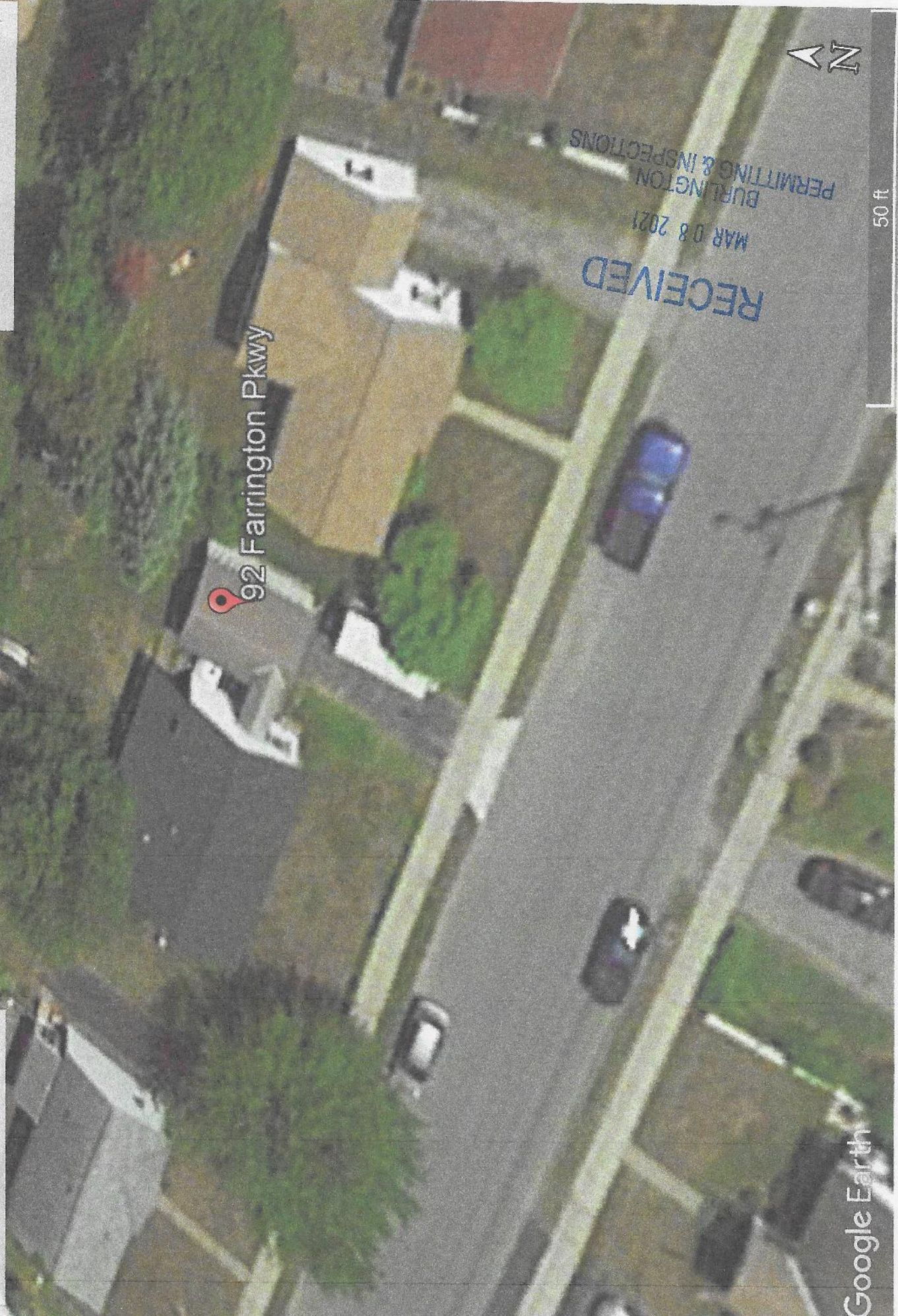
RECEIVED
MAR 08 2021
BURLINGTON
PLANNING & INSPECTIONS



50 ft

Legend

- 92 Farrington Pkwy
- C P Smith Elementary School



Date 2/19/2021

RECEIVED
MAR 08 2021
BURLINGTON
PERMITTING & INSPECTIONS



July 5 2022

From: Raymond K Ingram Jr (Resident)
92 Farrington Parkway
Burlington, Vermont 05408

To: Burlington Development Review Board
Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401

RE: 21-0629DT, 92 Farrington Parkway 15 yr Determination

Thank you for hearing my appeal on April 6 for my 15 year determination to park beside driveway. I appreciate your decision to keep the appeal open for a comfortable amount of time I needed to gather the documents you've requested.

Enclosed are Affidavits from witnesses who've observed the continuous parking for more 15 yrs.

Again, I want to thank Burlington Development Review Board for hearing my appeal and the Department of Zoning & Permitting for coordinating the meetings and guidelines to follow.

Sincerely

Raymond K Ingram Jr. (Resident)

March 22, 2021

Permitting & Inspections
645A Pine Street
PO Box 849
Burlington, VT 05402-0849

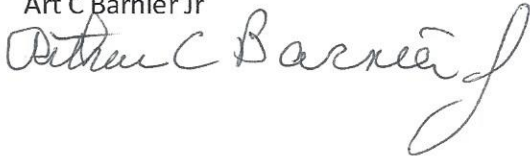
Office of Planning and Zoning

RE: Application Number 21-0629DT: 92 Farrington Pkwy. Appeal 15-year determination for parking.

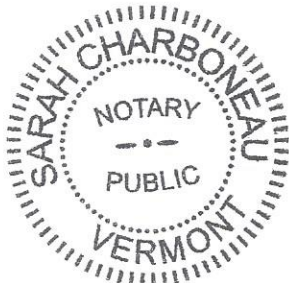
My name is Arthur C. Barnier Jr. I have lived at 87 Farrington PKWY with my family for 30 plus years. I am writing to support Ray Ingram, at 92 Farrington PKWY in his appeal to the decision made requiring he move the cargo van from his yard. Ray should be allowed to continue to park his cargo van in his yard. The van has been parked there for more than 15 years.

Thank you for your time,

Art C Barnier Jr



c.c. Ray Ingram



Sarah Charboneau 5/7/21
Sarah Charboneau
1/21/23
157.0007663

Affidavit

State of Vermont

County of Chittenden

To Whom it may Concern

The Resident Ray Ingram at 92 Farrington Parkway, Burlington, Vermont has been parking the van on the lawn, eastern side of driveway continuously since June of 2005 until March 2021.

I, Ray Ingram 92 Farrington Parkway, Burlington Vermont knowledge the above statement to be true.

Date

Signature

Ray Ingram

6/14/2021

Sworn to before me this day

6/14/21

Sarah Charbonneau

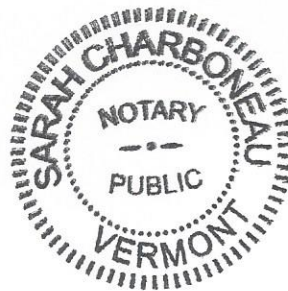
Notary Public

Commission Expires:

1/31/23

Commission Number:

157.0007663



Affidavit

State of Vermont

County of Chittenden

To Whom it may Concern

The Resident Ray Ingram at 92 Farrington Parkway, Burlington, Vermont has been parking the van on the lawn, eastern side of driveway continuously since June of 2005 until March 2021.

I, Art Hawkes 98 Farrington Parkway Burlington Vermont knowledge the above statement to be true.

Signature Art Hawkes Date 6/15/21

Sworn to before me this day June 15, 2021

Kristina H. Jenkins

Notary Public

Commission Expires: 1/31/24

Commission Number: 0003403



Affidavit

State of Vermont

County of Chittenden

To Whom it may Concern,

The Resident Ray Ingram at 92 Farrington Parkway, Burlington, Vermont has been parking the van on the lawn, eastern side of driveway continuously since June of 2005 until March 2021.

I, Catherine Foley of 135 Heineberg Rd, Burlington Vermont acknowledges the above statement to be true.

Signature Catherine Foley Date 6/15/21

Sworn to before me this day June 15 2021

[Signature]
Notary Public

Commission Expires: 1-31-23 Commission Number: 157.0005224

State of Vermont

County of Chittenden

To Whom it may Concern

The Resident Ray Ingram at 92 Farrington Parkway, Burlington, Vermont has been parking the van on the lawn, eastern side of driveway continuously since June of 2005 until March 2021.

I, Ralph Lewis 78 Farrington Parkway, Burlington Vermont knowledge the above statement to be true.

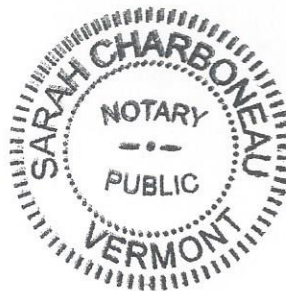
Signature Ralph H. Lewis Jr. Date 6/14/2021

Sworn to before me this day 6/14/21

Sarah Charbonneau

Notary Public

Commission Expires: 1/31/23 Commission Number: 157.0007663

















PERMITTING & INSPECTIONS

645 Pine Street, Ste. A | PO Box 849
Burlington, VT 05402-0849

Housing: (802) 863-0442
Trades: (802) 863-9094
Zoning: (802) 865-7188

October 9, 2020

Raymond K. Ingram Sr.
92 FARRINGTON PW
BURLINGTON VT 05408

RE: 92 Farrington Parkway Burlington, Vermont

Dear Owners,

According to our records, you are the owner of record of the above-referenced property. This letter is to inform you that the Permitting and Inspections Office has received the following complaint(s) regarding this property:

- **Expanded parking- Vehicle parked to right of driveway**

Our office has initiated an investigation regarding the complaint(s), however, as of this date; a final determination has not been made. Should you have any information or explanation that you believe will be useful to us during our investigation, please submit it to the Permitting and Inspections Office, **in written form, within the next ten (10) business days. Any changes to the property or use requires a zoning permit.**

Please note, while any information from you as the property owner is useful, the investigation will occur with or without the information. This letter is intended to give you notice of the alleged complaint(s) against your property and to provide you an opportunity to explain the condition and/or refute the allegation prior to a formal determination being issued.

Should you have questions, please do not hesitate to call me at 863-0442.

Sincerely,

A handwritten signature in blue ink, appearing to read "William Ward", is written over a light blue horizontal line.

William Ward
Zoning Administrative Officer
Code Compliance and Enforcement

Vehicle has been removed from lawn and seed has been planted to restore the area back to grass.

Check Spelling

Group

Reminder Date Mar 24, 2021 0:00:00

Remind Ted Miles

Include? Yes

Made On Mar 24, 2021 14:15:35

Made By Ted Miles

Comment Date Mar 24, 2021 14:15:35



08/09/2021 16:13

Burlington Development Review Board

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

Brad Rabinowitz
AJ LaRosa
Springer Harris
Geoff Hand
Brooks McArthur
Kienan Christianson
Caitlin Halpert
Sean McKenzie, (Alternate)
Ravi Venkataraman, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, April 6, 2021, 5:00 PM

REMOTE MEETING

Zoom: <https://us02web.zoom.us/j/84866592744?pwd=MkpMOUx2OEU2bTZ3T3Q4a3AvaVh6QT09>

Webinar ID: 848 6659 2744

Password: 502671

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

Video recording link: <https://www.cctv.org/watch-tv/programs/burlington-development-review-board-355>

Draft Minutes

Board Members Present: Brad Rabinowitz, Springer Harris, Kienan Christianson, Caitlin Halpert, Geoff Hand, Ravi Venkataraman (Alt)

Board Members Not Present: AJ LaRosa, Brooks McArthur, Sean McKenzie (Alt)

Staff Present: Scott Gustin, Mary O'Neil, Ryan Morrison, Alison Davis

I. Agenda

B. Rabinowitz: No changes to the agenda

II. Communications

B. Rabinowitz: No additional communications

III. Minutes

IV. B. Rabinowitz: Minutes from last meeting are posted under that meeting's online packet.

V. Public Hearing

1. 21-0358CA/CU; 40 Kingsland Terrace (RL, Ward 6S) Kellen Brumsted

Demolish existing garage (listed on the National Register); construct new 660 sf. garage with Accessory Dwelling Unit (ADU). (Project Manager: Mary O'Neil)

Kellen Brumsted, Emily Morse, Jesse Beck, and Liam Murphy appeared on behalf of item Mark Stevenson, Linda Jones, and Daniel Richardson provided public testimony

B. Rabinowitz: Explains the item is recommended for approval, invites applicant to explain item.

K. Brumsted: Explains that they are proposing this project because they want to build living space for wife's parents. Have explored options with Lew Creek Builders, and have landed on this design and are enthusiastic about it.

B. Rabinowitz: Invites Emily Morse from Lewis Creek Builders to speak about project.

E. Morse: Gives brief explanation. Explains that the existing garage is too small and too crooked to fit a modern day vehicle in. A structural engineer evaluated that some could be salvaged, but the real problem lies with the slab foundation that is beyond repair. Looking at it from a cost-benefit analysis, the structure is not habitable or re-habitable. We have these goals, and are trying to achieve them in the smallest footprint possible. Proposed

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

Printed on 100% Recycled Paper

K. Christianson: Has question about parking. Asks that if there are two cars visiting, does that create parking issues? Is there a way to juggle traffic on the property?

D. Lyons: Yes, there are few times that more than one car needed to be on the property, but it can be a problem. If there are issues, explains that she has an office about a block and a half away, so can use that if needed.

B. Rabinowitz: Asks if there are other questions from the Board. Asks if there is public to comment on project.

None

B. Rabinowitz: Closes public hearing.

3. 21-0629DT; 92 Farrington Parkway (RL, Ward 7N) Raymond K. Ingram Jr.

Appeal of 15-year determination decision as to parking on the yard next to the driveway.
(Project Manager: Scott Gustin)

Raymond Ingram appeared on behalf of appeal

B. Rabinowitz: Explains that this item is for a 15-year determination.

R. Ingram: Yes, explains that he applied for an application and was denied, so he appealed the decision.

A. LaRosa: Remind Chair that this is an Appeal of a City Notice of Violation, so the City needs to present first.

B. Rabinowitz: Invites City to present.

S. Gustin: Not an appeal of an NOV, but is an appeal of a 15-year determination, so there is no enforcement action. Explains that how this started was an informal warning letter enforcement in response to a complaint. The response to the complaint is what led the property owner to submit the application. Explains that in October 2020, our office received a complaint about the front-yard parking. We sent the warning letter and the owner responded with an application to determine that as parking space using the 15-year statute of limitations for Zoning, instead of removing the parking or widening the driveway. The default position is that the parking is currently a zoning violation, so it is up to the owner to demonstrate that parking has occurred continuously for 15-years without any discontinuance. In the packet, there are some photos and neighbor names. Explains that seems like it is not enough evidence for the 15-years. An adverse determination was issued, the owner appealed that, and provided some additional photos, but is still in sufficient evidence.

B. Rabinowitz: Asks about testimony submitted by neighbors saying that he had parking for more than 15-years.

S. Gustin: If it was a sworn affidavit, which would be different but that is not what was submitted.

A. LaRosa: Asks if the neighbors are present at the meeting to testify.

S. Gustin: No public is appearing for this item. Explains that it would have to be a sworn notarized statement.

G. Hand: Explains that he does not view this letter as a statement by the neighbors, but is a list of neighbors.

B. Rabinowitz: Agrees. Not a completely legal way to provide evidence.

G. Hand: Explains that it is unclear whether those people signed that letter swearing that yes, this has been in place a minimum of 15-years. This just looks like a list of names for neighbors.

B. Rabinowitz: Asks property owner to comment.

R. Ingram: Explains that they are names of people who have lived here for at least 15-years.

B. Rabinowitz: Explains that the format that the letter was in was not very clear to comprehend and is not necessarily a legal document.

A. LaRosa: Asks why the appellant started using the yard for parking.

R. Ingram: Back in 2003, eventually moved here, and was used for work, so was using the yard for parking. Hardly worked and then the van broke down, so he couldn't move it for a while. Eventually he got the van fixed, but that is how parking in that spot began.

A. LaRosa: Asks when he moved here.

R. Ingram: Moved here in the spring of 2005.

A. LaRosa: Asks if the van runs and can drive.

R. Ingram: Yes, the van is currently in the driveway. There is nothing parked on the yard.

A. LaRosa: Asks why he chose to appeal the determination for this to not be used as parking.

R. Ingram: Taking advantage of the 15-year policy because that space has been used for parking for at least 15 years, so he would like that determined as parking.

A. LaRosa: Asking if the applicant is seeking to designate a spot next to the driveway to be used for parking any vehicle.

R. Ingram: Correct. Not sure if the 15-years means any vehicle or just cars.

S. Gustin: Confirms that it doesn't matter what type of vehicle, just matters where it is being parked on the property.

G. Hand: Asks if there is sufficient lot coverage to expand the parking and comply with the Ordinance.

S. Gustin: Yes, could be possible. Extending it towards that side yard would be pretty tight.

G. Hand: Mentions submitted photos and asks if the van still operates.

R. Ingram: It is not registered or inspected, but it does drive.

G. Hand: Looks like in some of the photos that were provided, the van is parked in the driveway, and in some photos it is parked in the yard. Asks for clarification about consistency of using that space for parking.

R. Ingram: Explains the timing and the photos.

B. Rabinowitz: Asks if there are any other questions from the Board.

None

R. Ingram: Thanks Board for reviewing his appeal of the determination decision.

B. Rabinowitz: Closes public hearing.

VI. Certificate of Appropriateness

1. 21-0667CA; 90 Ethan Allen Parkway (NAC, Ward 7N) Rolf Danielson

Request for four unit hotel/bed and breakfast; install fencing, pergola, landscaping, expand driveway and resurface with gravel, move garage. (Project Manager: Ryan Morrison)

Rolf Danielson appeared on behalf of item

B. Rabinowitz: Explains that this is recommended for approval. Asks if applicant has any comments or anything they would like to start out with.

R. Danielson: No, just hoping that the application answers most questions. Looking to incorporate the architectural details of the main house.

Department of Permitting & Inspections

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

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



TO: Development Review Board
FROM: Scott Gustin
DATE: August 17, 2021
RE: 21-0629DT; 92 Farrington Pkwy

=====

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

Zone: RL Ward: 7N

Owner/Appellant: Raymond K. Ingram, Jr.

Request: Appeal of adverse determination regarding yard parking and the 15-year statute of limitations for zoning violations.

Applicable Regulations:
Article 12 (Variances and Appeals)

Background Information:

The applicant has sought a determination that the yard parking occurring next to the driveway has been ongoing continuously for at least 15 years and is, therefore, an unenforceable zoning violation per the 15-year statute of limitations. The yard parking is located just to the east of the driveway, immediately adjacent to the shared side property line with the adjacent residence. There is no zoning permit on file recognizing or permitting this yard parking space. An adverse administrative determination was issued, and the appellant is appealing that decision to the Development Review Board.

The DRB first heard this appeal April 6, 2021. The Board closed the hearing and, following deliberation, decided to re-open the public hearing to provide the appellant the opportunity to provide signed and sworn affidavits from neighbors as to continuous and uninterrupted use of the yard parking space for at least 15 years. Such documentation was submitted July 11, 2021.

Changes to these findings are **noted in red** below.

There are no previous zoning actions for this property.

Recommendation: **Uphold adverse determination** as per, and subject to, the following findings.

I. Findings

A complaint about expanded parking off the driveway was received by zoning enforcement October 9, 2020. A warning letter was sent to the property owner (the appellant) that same day.

Expansion of parking area requires site plan review and zoning approval in the residential – low density zone wherein the property is located. No zoning permit has been sought or obtained. Note that the location of the expanded parking within the side yard setback would preclude issuance of a zoning permit.

Rather than remedy the violation, the property owner sought recognition of the expanded parking as an unenforceable zoning violation per the 15-year statute of limitations. The owner sought that recognition with an administrative determination request that was filed January 13, 2021. Minimal evidence was provided with the determination request and consisted of two photos (one from 2004 and another from 2006) and a list of neighbors for the past 15 ½ years. The 2004 photo clearly shows absence of the yard parking. The 2006 photo is very blurry, but an area is circled by the property owner indicating the yard parking.

In addition to items provided by the property owner, staff reviewed orthophotos from 2000, 2004, 2016, 2018, and 2019. 2000 and 2004 clearly show absence of the yard parking. The 2016 orthophoto is blurry but may show it. 2018 and 2019 orthophotos clearly show the yard parking. The zoning permit record was reviewed and revealed no zoning permits for the property.

Sec. 5.3.2, *Bianchi controlled uses, structures, and lots*, of the Comprehensive Development Ordinance pertains to unenforceable zoning violations per the 15-year statute of limitations. In order to qualify as an unenforceable violation, the yard parking must have been in place and in continuous and uninterrupted use for at least 15 consecutive years. The burden of proof to demonstrate this continuous and uninterrupted use is on the property owner. The evidence provided did not conclusively meet this burden of proof. Note again that this yard parking is a violation of the zoning ordinance and cannot be permitted due to its encroachment into the required side yard setback.

Lacking solid evidence of continuous, uninterrupted use of the yard parking for at least 15 years, an adverse administrative determination was issued February 22, 2021.

This determination is in regard to the above-referenced property, specifically your request that the City of Burlington recognize that the yard parking next to the east side of the driveway has been in place continuously for over 15 years. The City reviewed the following documents and evidence to form its determination:

- The City's zoning permit records
- 2008 Comprehensive Development Ordinance and as amended
- Photographs and related document provided with the determination request
- Orthophotos of 2000, 2004, 2016, 2018, & 2019

Following review of these items, it is the determination of the Administrative Officer that insufficient evidence has been provided to demonstrate the continuous presence of this yard parking for at least 15 years. The yard parking is not evident in the 2000 or 2004 orthophotos. There is no zoning permit on file permitting this yard parking. As such, it is in violation of the Comprehensive Development Ordinance.

The property owner appealed this adverse determination March 8, 2021 – within the 15-day appeal period. The appeal contains additional photos (several are blurry) and another list of neighboring property owners seemingly in support of the request. The photos from 2006, 2008, 2009, and 2011 are blurry and difficult to interpret. Photos from 2012, 2015, 2016, and 2018 clearly show the yard parking. An additional street-level photo from February 2021 clearly shows the yard parking.

Supplemental documentation has been provided in the form of sworn affidavits from several neighbors and the appellant testifying as to the continuous presence of the yard parking. Four of the affidavits specify a time span between June 2005 and March 2021, whereas the fifth more generally refers to more than 15 years.

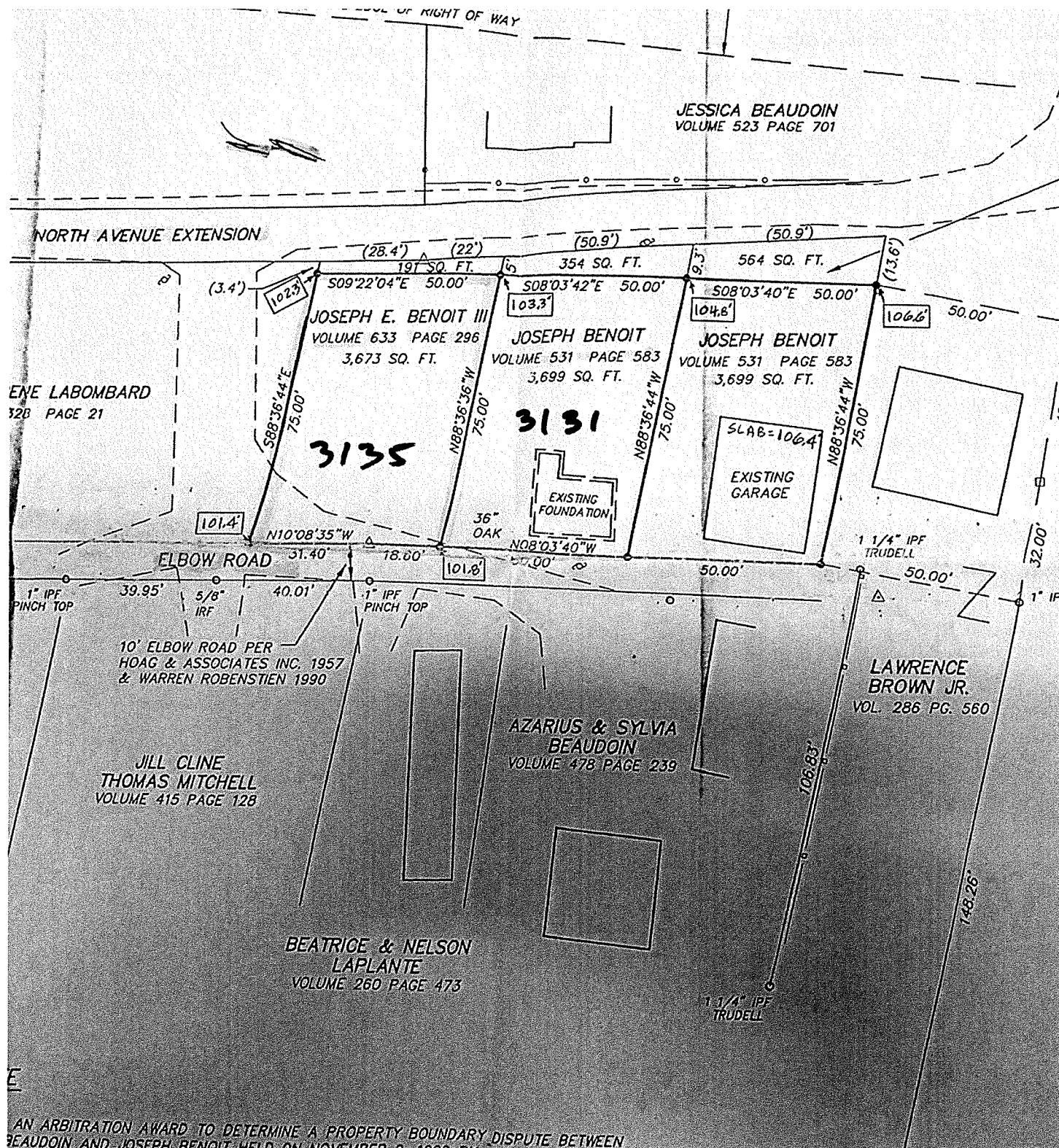
At the April 6, 2021 public hearing, the appellant testified that the van had been moved off the lawn and into the driveway. Comment in the code enforcement file dated March 24, 2021 is consistent with this attestation noting that the vehicle had been removed and seed planted for reconversion to lawn. More recently, a photo taken by code enforcement staff dated August 9, 2021 shows the van parked in the driveway with lawn where the yard parking had previously occurred.

The additional documentation provided strengthens the assertion that the front yard parking continued for 15+ years. More recent discontinuance of that parking; however, limits its significance. Sec. 5.3.2, *Bianchi controlled uses, structures, and lots*, of the Comprehensive Development Ordinance prohibits reestablishment after discontinuance for more than 60 days. It clearly appears that the appellant discontinued the yard parking in March 2021 after receiving the warning letter from code enforcement in October 2020. Five months later, yard parking is still not evident.

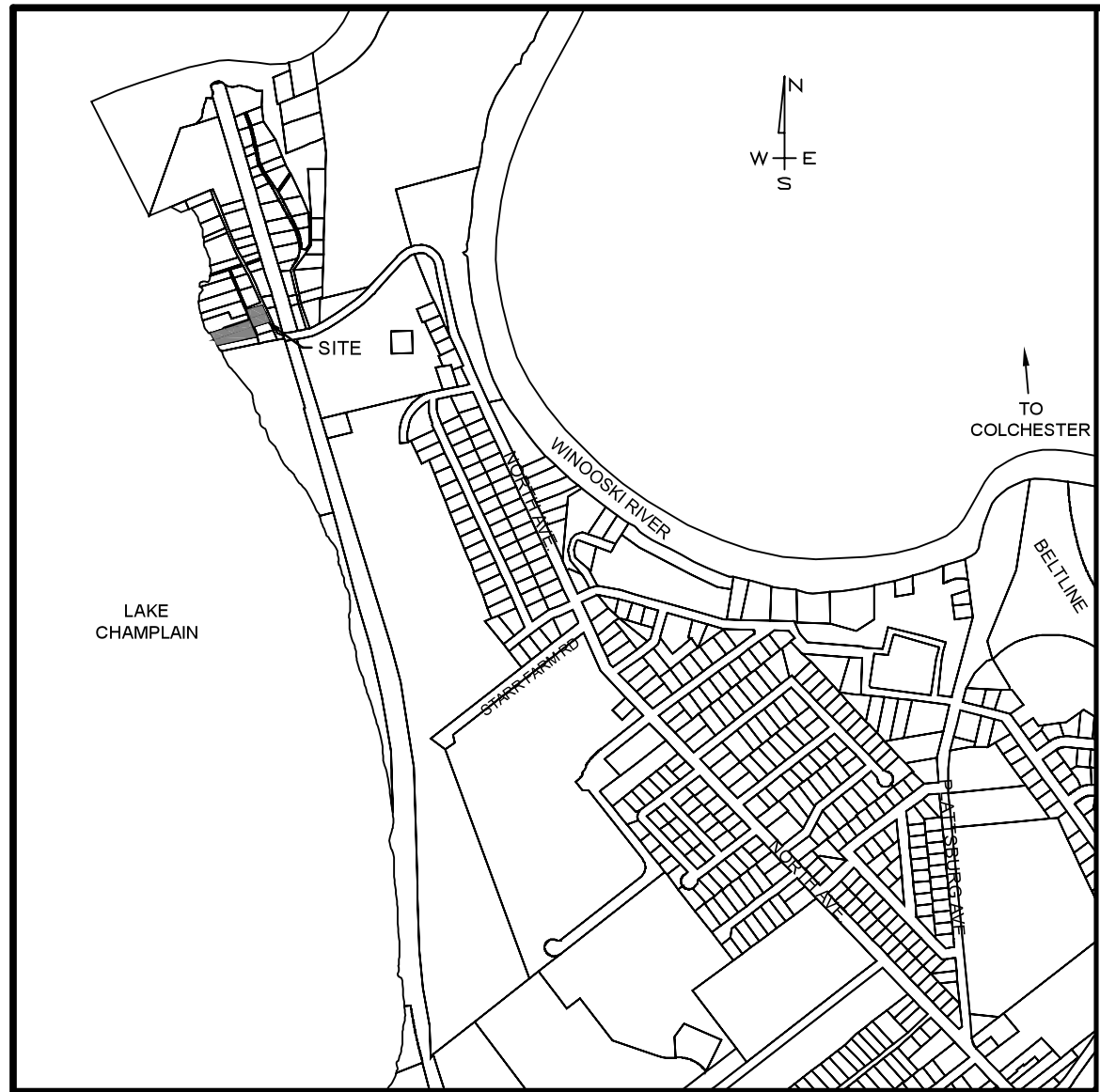
While the appellant chose to appeal the adverse determination as to yard parking as an unenforceable zoning violation, he also chose to remedy the violation in March 2021. The provisions of Sec. 5.3.2 are geared towards achieving compliance with strict limitations as to discontinuance. In this case the violation has been discontinued and remedy implemented.

II. Recommended Motion:

Uphold the adverse determination 21-0629DT.



AN ARBITRATION AWARD TO DETERMINE A PROPERTY BOUNDARY DISPUTE BETWEEN
BEAUDOIN AND JOSEPH BENOIT HELD ON NOVEMBER 9, 1900 BY



LOCATION MAP
NOT TO SCALE

NOTES:

1. THE EXISTING PHYSICAL FEATURES DEPICTED ON THIS PLAN ARE BASED ON FIELD SURVEYS CONDUCTED BY THIS OFFICE ON MAY 8, SEPTEMBER 22, 2005 AND JANUARY 11, 2021.
2. THE BOUNDARIES BETWEEN LAPLANTE AND 2751 NORTH MIAMI AVENUE, LLC AND BETWEEN 2751 NORTH MIAMI AVENUE, LLC AND BROWN AND SIMARD AS SHOWN HEREON WERE FORMALIZED BY THE EXCHANGE OF QUIT CLAIM DEEDS BETWEEN THE RESPECTIVE PARTIES RESULTING FROM THE QUIET TITLE ACTION DECISION FOR CHITTENDEN SUPERIOR COURT DOCKET NO. S0905-09 ChC. THE BOUNDARIES OF THE BROWN, BENOIT AND 2751 NORTH MIAMI AVE LLC PARCELS WEST OF NORTH AVENUE EXTENSION WERE FORMALIZED UNDER THE SAME DECISION AND QUIT CLAIM DEEDS BETWEEN THE RESPECTIVE PARTIES.
3. PORTIONS OF THE EXISTING GRAVEL DRIVE ON LOT 1, THE EXISTING GRAVEL DRIVE AND CONCRETE SLAB ON LOT 2, AS WELL AS THE EXISTING GRAVEL DRIVE AND STRUCTURES ON LOT 3 ARE PROPOSED TO BE REMOVED.

LEGEND:

- PROJECT PROPERTY LINE
- ABUTTING PROPERTY LINE
- EDGE OF ROAD OR DRIVE
- WOODEN FENCE
- AREA WITHIN ZONE AE
- EXISTING GRAVEL ROAD / DRIVE
- PROPOSED NEW PAVED DRIVE
- PROPOSED NEW SINGLE FAMILY DWELLING
- PROPOSED NEW DUPLEX
- BUILDING SETBACK

PROJECT STATISTICS

ZONING DISTRICT - LOW DENSITY - WATERFRONT (RL-W)

PARCEL AREA - LOT 1 - 4,103 SF

PARCEL ID - 021-2-066-000 3135 NORTH AVENUE

DIMENSIONAL REQUIREMENTS:	REQUIRED	PROPOSED
LOT AREA	6,000 S.F.	4,103 S.F. (PRE-EXISTING)
FRONT SETBACK	AVG. OF 2 ADJACENT LOTS ON BOTH SIDES +/- 5'	18 FT ±
SIDE SETBACK	10% OF LOT WIDTH, OR AVG OF SIDE YARD SETBACK OF 2 ADJACENT LOTS ON BOTH SIDES	5 FT ±
REAR SETBACK	25% OF LOT DEPTH 20' MAX	41FT +/-
LOT COVERAGE	45% MAX.	38.6%

PARCEL AREA - LOT 2 - 4,302 SF

PARCEL ID - 021-2-068-000 3131 NORTH AVENUE

DIMENSIONAL REQUIREMENTS:	REQUIRED	PROPOSED
LOT AREA	6,000 S.F.	4,302 S.F. (PRE-EXISTING)
FRONT SETBACK	AVG. OF 2 ADJACENT LOTS ON BOTH SIDES +/- 5'	12 FT ±
SIDE SETBACK	10% OF LOT WIDTH, OR AVG OF SIDE YARD SETBACK OF 2 ADJACENT LOTS ON BOTH SIDES	7 FT ±
REAR SETBACK	25% OF LOT DEPTH 20' MAX	42FT +/-
LOT COVERAGE	45% MAX.	36.1%

PARCEL AREA - LOT 3 - 10,090 SF

PARCEL ID - 020-4-003-000 105 ELBOW STREET

DIMENSIONAL REQUIREMENTS:	REQUIRED	PROPOSED
LOT AREA	10,000 S.F. (DUPLEX)	10,090 S.F.
FRONT SETBACK	AVG. OF 2 ADJACENT LOTS ON BOTH SIDES +/- 5'	72 FT ±
SIDE SETBACK	10% OF LOT WIDTH, OR AVG OF SIDE YARD SETBACK OF 2 ADJACENT LOTS ON BOTH SIDES	5 FT ±
REAR SETBACK	75' FROM ORDINARY HIGH WATER OF LAKE CHAMPLAIN	143 FT +/-
LOT COVERAGE	45% MAX.	34.8%

PARCEL AREA - LOT 4 - 10,654 SF

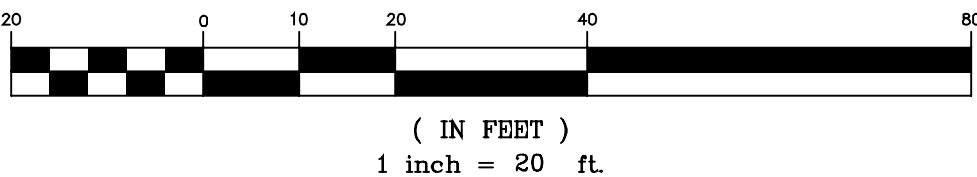
PARCEL ID - 020-4-002-000 95 ELBOW STREET

DIMENSIONAL REQUIREMENTS:	REQUIRED	PROPOSED
LOT AREA	10,000 S.F. (DUPLEX)	10,654 S.F.
FRONT SETBACK	AVG. OF 2 ADJACENT LOTS ON BOTH SIDES +/- 5'	62 FT ±
SIDE SETBACK	10% OF LOT WIDTH, OR AVG OF SIDE YARD SETBACK OF 2 ADJACENT LOTS ON BOTH SIDES	5 FT ±
REAR SETBACK	75' FROM ORDINARY HIGH WATER OF LAKE CHAMPLAIN	159 FT +/-
LOT COVERAGE	45% MAX.	31.2%

Date	Revision		By
These plans shall only be used for the purpose shown below:			
☒ Sketch/Concept	☐ Act 250 Review	Project No. 05087 Survey MJG Design DLH Drawn DLH Checked DJG Date 3-23-21 Scale AS NOTED Sheet number S-1	
☐ Preliminary	☐ Construction		
☐ Final	☐ Record Drawing		
PROPERTIES OF 2751 North Miami Avenue North Avenue Extension, Burlington, VT			
CONCEPTUAL SITE PLAN			
Lamoureux & Dickinson Consulting Engineers, Inc. 14 Morse Drive, Essex, VT 05452 802-878-4450 www.LDengineering.com			

7-19-2021 DRAFT

GRAPHIC SCALE



Department of Permitting & Inspections

Zoning Division
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Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
vacant, Permit Technician
Alison Davis, Planning & Zoning Clerk
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



MEMORANDUM

TO: Development Review Board
FROM: Ryan Morrison, Associate Planner
DATE: August 17, 2021
RE: ZSP-21-3; 3131 North Avenue, 3135 North Avenue, 93 Elbow Street, 95 Elbow Street

=====

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

Zone: RL-W Ward: 7N

Applicant/Owner: Doug Henson / 2751 North Miami Avenue LLC

Request: Sketch plan review for the demolition of two single family residences and replacement with two new duplexes on 93 & 95 Elbow Street, and new single family residences on 3131 & 3135 North Avenue. Project includes adjusting a lot line between 93 & 95 Elbow Street.

Applicable Regulations:

Article 2 (Administrative Mechanisms), 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), Article 10 (Subdivision Review)

Background Information:

The applicant has requested sketch plan review for development involving 4 adjacent parcels. Single family residences are proposed on 3131 & 3135 North Avenue, and duplexes are proposed on 93 & 95 Elbow Street, replacing single family homes on each lot. Additionally, a lot line adjustment will be sought for the shared property line of 93 & 95 Elbow Street.

Previous zoning actions for this property are noted below.

3131 North Avenue

No previous zoning permit actions.

3135 North Avenue

-  **Zoning Permit 91-434;** place fill onsite to even onsite grade, place 2 storage sheds. June 1991.
-  **Zoning Permit 94-491;** amend ZP91-434 to enlarge the size of one of the approved sheds. June 1994.
-  **Zoning Permit 96-337;** add a greenhouse on the side of existing storage/workshop building; relocate driveway. February 1996.
-  **Zoning Permit 98-014;** renew ZP94-491 and consolidate with ZP96-337 to construct an accessory structure. July 1997.

🚧 **Zoning Permit 04-279**; interpretation of existing small lot. November 2003.

93 Elbow Street

🚧 **Zoning Permit 99-159**; rear addition to single family residence. September 1998.

🚧 **Zoning Permit 05-426CA**; lot line adjustment between 93 Elbow St, 3201 North Ave and 3205 North Ave. March 2005.

95 Elbow Street

🚧 **Zoning Permit 05-431CA**; lot line adjustment between 93 Elbow St, 3201 North Ave and 3205 North Ave. March 2005.

Recommendation: Not applicable for Sketch Plan review.

I. Findings

Article 2: Administrative Mechanisms

Part 7: Enforcement

Section 2.7.8 Withhold Permit

There are several permits associated with the properties that have never been closed out, and remain ‘permit indeterminate’. The applicant will be tasked with closing these permits before being able to obtain any future certificates of occupancy for each associated property.

Article 3: Applications and 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 will be calculated based on the total gross square footage of each new principal use / additional gross square footage per replacement building. Based on the plans submitted, initial impact fee estimates cannot be made. When zoning permits are submitted, and full plans presented, staff will be able to calculate impact fees.

Part 5, Conditional Use & Major Impact Review:

Section 3.5.2 Applicability

(a) Conditional Use Review

Conditional Use Review shall be required for the approval of all development subject to the following provisions of this ordinance:

- 1. any use identified under Article 4 and Appendix A – Use Table as a “Conditional Use” or “CU;”*
- 2. any Special Use specifically identified as being subject to conditional use review under Article 5, Part 3.*

A duplex use in the RL-W zone is a conditional. Single family residences are permitted.

Section 3.5.6 Review Criteria

(a) Conditional Use Review Standards

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

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

Replacing two single family residences with duplexes, and constructing two new single family residences on vacant properties will have no appreciable impacts on existing or planned public utilities, services, or facilities. It is understood that development in this area of North Ave (including Elbow St) is on individual or shared septic systems, not City sewer. The area does appear to have city water service. The proposed development of each lot will be required to obtain a state wastewater permit.

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

The property is located within the Waterfront Residential Low Density zone. This is a residentially developed area consisting of single and two-family dwelling unit structures. Single and two-family development is consistent with the intent of the zoning district.

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

Similar to other residential development in this area, the overall proposal(s) is not expected to generate nuisance impacts from noise, odor, dust, and the like.

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

The subject area is somewhat isolated from the rest of the City. North Ave turns into a dirt road here, and there are no public transit options. The bike path travels through the area and can provide another travel option for those who wish to not use personal vehicles all the time. With the loss of 2 single family homes, and a total of 6 new units, the net increase in dwelling units is 4 – which is not substantial considering the size of the area, and the potential for more development.

5. The utilization of renewable energy resources;

No part of this application would prevent the use of wind, water, solar, or other renewable energy resources. The applicant is encouraged to consider renewable energy options in the proposal.

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

As per usual, the proposal will be subject to city and state ordinances, and required to obtain the necessary permits prior to construction.

(b) Major Impact Review Standards

Not applicable.

(c) Conditions of Approval:

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

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

None of the proposed residential structures are anticipated to create a level of noise, glare, etc. that will exceed that of similar, nearby uses.

2. *Time limits for construction.*

No construction timeline or phasing is included in this proposal.

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

Future construction will be limited to the following hours: Monday-Friday 7:30 am to 5:30 pm; Saturday construction hours are limited to interior work unless specific allowances are granted by the DRB. Construction is not permitted on Sundays.

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

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

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

Not applicable.

Article 4: Maps & Districts

Section 4.4.5 Residential Districts

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

Single family and duplex development is proposed.

Table 4.4.5-1: Minimum Lot Size and Frontage: RL, RL-W, RM and RM-W²

	Lot Frontage¹		Lot Size	
Use	<i>(linear feet)</i>		<i>(square feet)</i>	
	RL,WRL	RM,WRM	RL, WRL³	RM, WRM
Single detached dwelling	Min: 60'	Min: 30'	Min: 6,000	NA
Duplex and above			Min: 10,000	

1. The DRB may adjust the frontage requirements for lots fronting on cul-de-sacs, multiple streets, or corner lots reflecting the existing neighborhood pattern on each respective street.
2. There are no minimum lot size or frontage requirements in the RH District.
3. Exception: Larger minimum lot size in RL and WRL larger lot overlay district; refer to Section 4.5.5 & Table 5.5-1.

While the frontages of 93 & 95 Elbow Street (private street) are less than 60 ft, both lots may exceed the 10,000 sf in size, meeting the minimum lot size required for duplex uses. Verification of these lot sizes need to be provided since city records suggest that after the lot line adjustment, both lots may actually be less than 10,000 sf. 3131 & 3135 North Ave both have 50 ft of frontage, and less than 6,000 sf of lot area. 3135 North Ave obtained approval for an ‘Interpretation of Existing Small Lot’ in 2003, which allowed for development of the lot at that time. No such interpretation was ever made for 3131 North Ave. As noted below in Sec. 5.2.1, there are conflicting lot size accounts. If it is found that 3131 & 3135 North Ave are less than 4,000 sf in size, they may not be buildable as individual lots.

Table 4.4.5-2 Base Residential Density

The RL-W has a base residential density requirement of 7 units/acre, which is essentially 6,222 sf of lot area required per dwelling unit. However, Table 4.4.5-1 above sets the base lot area at 6,000 sf for single family and 10,000 sf for duplex uses. Both 93 & 95 Elbow Street must have at least 10,000 sf of lot area in order to support duplexes. While the submitted plan notes at least 10,000 sf of lot area for both, City records indicate that these lots will be under 10,000 sf in size after the proposed lot line adjustment. 93 Elbow St is listed at 8,724 sf, and 95 Elbow is listed at 10,017 sf. It appears that the lot line adjustment will result in both lots being less than 10,000 sf.

3131 & 3135 North Ave are both under 6,000 sf in size. As noted above, 3135 North Ave obtained an ‘interpretation of existing small lot’ in 2003. However, this was issued under the prior zoning ordinance and a different zoning district that had no minimum lot size requirement. The CDO was adopted in 2008 and the zone changed to residential with a minimum lot size. Based on that, the lot needs to be at least 4,000 sf to be buildable today. No such interpretation has been made for 3131 North Ave. Per Sec. 5.2.1 below, 4,000 sf is the absolute minimum lot size for a buildable lot in this zone. Lots less than 4,000 sf in size simply cannot be developed. While the plan submitted indicates both of these lots as exceeding 4,000 sf, the 2002 survey that accompanied the 2003 ‘interpretation’ for 3135 North Ave shows both lots as being less than 4,000 sf feet. The applicant will need to provide documentation verifying lot sizes of all lots involved.

Table 4.4.5-3: Residential District Dimensional Standards

Zoning District	Max. Lot Coverage¹	Setbacks^{1, 3, 4, 5, 6}				Max. Height¹
		Front²	Side³	Rear	Waterfront	
RL; WRL	35%	Min/Max: Ave. of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width Or ave. of side yard setback of 2 adjacent	Min: 25% of lot depth but in no event less than 20’	Min: 75’ feet from the ordinary high water mark of Lake Champlain and the	35-feet

Table 4.4.5-3: Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}				Max. Height ¹
		Front ²	Side ³	Rear	Waterfront	
			lots on both sides Max required: 20-feet	Max required: 75-feet	Winooski River	
93 Elbow Street	34.8%	Insufficient information provided to determination setbacks	Lot width – 40 ft – side yard setback req'd – 4 ft	n/a	>75	No height info available
95 Elbow Street	31.2%	Insufficient information provided to determination setbacks	Lot width – 46 ft – side yard setback req'd – 4.6 ft	n/a	>75	No height info available
3131 North Ave	36.1%	Insufficient information provided to determination setbacks	Lot width – 50 ft – side yard setback req'd – 5 ft	n/a	n/a	No height info available
3135 North Ave	38.6%	Insufficient information provided to determination setbacks	Lot width – 50 ft – side yard setback req'd – 5 ft	n/a	n/a	No height info available

1. An additional ten per cent (10%) lot coverage may be permitted for accessory residential features per (d)3A below. Measurement of and exceptions to coverage, setback, and height standards are found in Art 5.
2. Average front yard setback of the principal structures on the 2 adjacent lots on both sides within the same block having the same street frontage. See Sec. 5.2.4.
3. In no event shall the side yard setback be required to exceed 20-feet, or the rear-yard setback be required to exceed 75-feet.
4. Additional setbacks from the lakeshore and other water features may be applicable per the requirements of the Sec 4.5.4 Riparian and Littoral Conservation Overlay Zone.
5. The side yard setback shall be calculated based on the 4 adjacent properties (2 on each side of the subject property). The right side yard setback is the average of the right side yard setback of the principal structures on these 4 properties. The left yard setback is the average of the left side yard setback of the principal structures on these 4 properties. The adjacent properties shall be within the same block having the same street frontage as the subject property. See Sec. 5.2.5.

Table 4.4.5-3: Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}				Max. Height ¹
		Front ²	Side ³	Rear	Waterfront	
6. Where there are fewer than 2 adjacent lots on both sides within the same block having the same street frontage, the average side yard setback shall be calculated from the fewer number of lots. Where there are no adjacent lots, the setback shall be 10% of the lot width. 7. For properties in the WRL and WRM zones with frontage along Lake Champlain or the Winooski River, the front yard setback shall not be required to exceed 50 feet in any event.						

The applicant will have to include with future zoning permit applications specific lot coverage calculations. Enclosed structures and driveways/parking areas are limited to 35%, and open features such as decks, walkways, terraces, patios, etc. can add up to 10% of additional coverage per lot.

3131 North Ave has two front yards – North Ave and Elbow Street. Based on the adjacent two properties to the south, a new home on this lot will have to push back closer to Elbow Street to comply with the average setbacks of the neighboring homes to the south (3127 & 3123 North Ave).

3135 North Ave has three front yards (North Ave, and Elbow Street along the north and west sides). The applicant has the ability to determine the setback off the north street frontage, but will have to base its other front yard setbacks on the average setbacks of the neighboring two lots to the south (3131 & 3127 North Ave). 3131 North Ave is currently vacant. The home on 3127 North Ave is situated closer to Elbow Street, rather than to North Ave – meaning the proposed home on 3135 North Ave will need to be pushed back closer to Elbow Street in order to comply with the average front yard setback of the neighboring home(s).

93 & 95 Elbow Street need to base their front yard setbacks off the average of the adjacent 4 properties (2 on either side). In this case, there are no adjacent properties to the south of 93 Elbow Street that share the same street frontage, so this setback will be determined by properties to the north. 93 Elbow Street must base its front yard setback off 95 & 97 Elbow Street. 95 Elbow Street must base its front yard setback off 97 & 99 Elbow Street. There is insufficient information to confirm front yard setbacks at this time. 93 & 95 Elbow Street both exceed the 75 ft waterfront setback requirement.

Based on conflicting lot dimension information between the submitted plan, a 2002 survey, and city records, the applicant will have to provide documentation that resolves such conflicts in order to determine setbacks, lot coverage, etc.

(c) Permitted and Conditional Uses

Single family detached dwellings are permitted uses in the RL-W zoning district, and duplexes are conditional.

(d) District Specific Regulations

1. Setbacks

There appear to be no setback encroachments proposed or sought.

2. *Lot Coverage*

Insufficient information provided. The RL-W limits lot coverage to 35% (enclosed structures and driveways/parking) plus 10% for open amenities. The submitted plan shows lot coverage to exceed 35% on two of the lots. While this is possible given the 10% bonus, the applicant will have to provide specific lot coverage calculations in order to make this determination.

3. *Accessory Residential Structures and Uses*

The plan does not appear to include accessory structures or uses.

4. *Residential Density*

The occupancy of dwelling units 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.

5. *Uses*

Not applicable.

6. *Residential Development Bonuses*

No development bonuses are included or sought. Not applicable.

Section 4.5.4 Natural Resource Protection Overlay (NR) District

(b) Areas Affected

This overlay district consists of all areas delineated on Map 4.5.4-1-Natural Resources Protection Overlay (NR) District and is divided into four (4) subparts.

*1. A **Riparian and Littoral Conservation Zone** which consists of all surface water and a corresponding upland buffer area, and specifically includes the following areas:*

- A. Uplands within 250 feet of the Lake Champlain lakeshore (measured at 95.5 feet above mean sea level per National Geodetic Vertical Datum 1929) with the exception of that portion of the shoreline between the northern extent of the Interim Development Area north of the former Moran Generating Station and the most westerly extent of Roundhouse Point described as the “Urban Waterfront” in the 2000 Open Space Protection Plan;*

93 & 95 Elbow Street are entirely within the Riparian and Littoral Conservation Zone, whereas only a small portion of 3131 & 3135 North Ave are in it.

(c) District Specific Regulations: Riparian and Littoral Conservation Zone

3. Regulated Uses

Except where otherwise noted herein, all uses permitted or conditionally permitted in the respective underlying zoning district, including any construction of buildings or other structures, and roads, parking areas or any other impervious surface, may be approved only within the Riparian and Littoral Conservation Zone and its associated buffer after review and approval pursuant to the requirements and limitations below under Subpart 4.

Single family uses are permitted in the RL-W zone, and duplexes are conditional. All development within the boundary of the Riparian and Littoral Conservation Zone is subject to the requirements and limitations of Subpart 4 below. Note that due to the boundary of this

conservation zone, development on 3131 & 3135 North Ave may actually be outside of the Riparian and Littoral Conservation Zone.

4. Requirements

1. *Any land disturbing activities (i.e., vegetation has been removed, or the landscape has been graded or filled resulting in bare soil surfaces) shall include a stormwater management, erosion prevention and sediment control plan pursuant to the requirements of Sec 5.5.3 to be reviewed by the conservation board and approved by the city engineer.*

In making determinations and decisions required herein, the city engineer shall consider the requirements of the most recent State of Vermont Stormwater Management Rules and Guidance document. The city engineer shall require the best practicable means be used to manage stormwater, prevent erosion, and control sedimentation. The city engineer is hereby authorized to develop performance standards to ensure conformance with these state stormwater management rules.

For properties with frontage along Lake Champlain or the Winooski River, development that includes 400 square feet or more of new or redeveloped lot coverage shall establish a low-mow zone along the shoreline. A low-mow zone is a new or existing vegetated area that is not mowed more than once per year and allows vegetation to grow and mature. (Refer to Shoreland Best Management Practices established by Vermont Department of Environmental Conservation.). A low-mow zone shall be at least 15 ft. wide as measured inland from the 100 ft. elevation and shall be of a size equivalent to, or greater than, the new or redeveloped lot coverage, except that in no event shall a low-mow zone be required to extend more than 50 ft. wide as measured inland from the 100 ft. elevation or extend along more than 80% of a property's shoreline frontage.

For properties with frontage along Lake Champlain or the Winooski River, development shall be located no closer to the shoreline than existing development wherever reasonably possible; Development on each lot cannot commence until EPSC and stormwater plans have been approved by the Stormwater Program Manager. 93 & 95 Elbow Street will be required to provide a low-mow zone in accordance with the requirements of this section.

Additionally, development can be no closer to the shoreline than existing development wherever reasonably possible. Based on existing development on 93 & 95 Elbow Street, the new duplex structures will locate closer to the shoreline than the existing but-to-be removed, structures. However, when looking at development on the adjacent properties to the north and south, the proposed duplex structures appear to maintain, more or less, an even setback to the shoreline. Further, the minimum 75 ft waterfront setback requirement will be met. Due to the location of the properties within the Littoral and Riparian Conservation Zone, the Conservation Board will review future applications and provide a recommendation to the DRB as to the development impacts on the shoreline and Lake Champlain.

2. *Agricultural and silvicultural activities shall follow Best Management Practices for the Protection of Water Quality;*
Not applicable.

3. *Installation of any seawalls, rip-rap or other shoreland retention structures shall be submitted for review by the conservation board who shall consult with the city engineer prior to issuance of a recommendation to the DRB; and,*
No such development is proposed. Not applicable.

4. *No new stormwater outfall shall directly discharge into any surface water without approval and implementation of a stormwater management plan approved by the city engineer.* Erosion Prevention and Sediment Control (EPSC) plans will be required for development on each lot. These plans will need to be submitted to the Stormwater Engineering team for review and approval. Construction will not be able to commence without approved EPSCs.

Article 5: Citywide General Regulations

Sec. 5.2.1 Existing Small Lots

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

A permit for any such development shall require a certificate of appropriateness pursuant to the design review provisions of Article 3 and the development standards of Article 6.

93 & 95 Elbow St both comply with the minimum 6,000 sf lot size requirement of the RL-W zone. As noted above, however, whether or not they comply with the 10,000 sf requirement for duplex use remains undetermined. 3131 and 3135 North Ave do not comply with the minimum lot size requirements. An ‘interpretation of existing small lot’ was approved in November, 2003 for 3135 North Ave, but as noted above, according to the 2002 survey it still doesn’t satisfy the minimum 4,000 sf lot size requirement to qualify as a developable lot per this Section. That survey shows 3135 North Ave as being 3,673 sf in size – the sketch plan review plan identifies this lot at 4,103 sf, whereas the Assessor’s Property Database identifies it as 3,864 sf. Clarification of the actual lot size needs to be provided as part of a future zoning permit application.

3131 North Ave is noted on the aforementioned survey as being 3,699 sf in size. The Assessor’s Property Database notes it at 4,053 sf, and the applicant’s plan notes it at 4,302 sf. If the property is actually less than 4,000 sf in size, then there is no possible way it can be developed as proposed per this Section. The lots (3131 & 3135 North Ave) could be combined into one lot that would meet the standard 6,000 sf minimum lot size of the zone and be developed with one single family residence. If the lot(s) prove to be 4,000 sf or more, then it could be developed as proposed, pending an affirmative determination of existing small lot. Prior to any zoning permit application submission, the applicant will need to provide the necessary documentation verifying the lot size.

Sec. 5.2.3, Lot Coverage Requirements

See Table 4.4.5-3 above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable. No properties involved exceed 2 acres in size.

Sec. 5.2.5, Setbacks

See Table 4.4.5-3 above.

Sec. 5.2.6, Building Height Limits

See Table 4.4.5-3 above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Table 4.4.5-2 above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

No outdoor lighting information has been provided. Details as to fixture types, placement, and illumination levels (photometric plan) on each future building will be required upon submittal of zoning permit applications.

Sec. 5.5.3, Stormwater and Erosion Control

No stormwater or erosion control details have been provided. Comprehensive stormwater management and erosion prevention and sediment control plans will be required upon submittal of zoning permit applications.

Sec. 5.5.4, Tree Removal

Any trees that need to be removed to accommodate future development will need to be identified on plans submitted with future zoning permits.

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

(a) Protection of important natural features

Adjusting the shared lot line of 93 & 95 Elbow Street will have no impact to any natural features.

(b) Block size and arrangement

Not applicable.

(c) Arrangement of Lots

Both lots front on Elbow Street (private) and on the shoreline of Lake Champlain.

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

The adjusted lot line will be perpendicular to Elbow Street for its entire length.

(d) Connectivity of streets within the city street grid

Not applicable.

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

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of Important Natural Features:

The properties involved are relatively flat. As noted above, they all lie within the Riparian & Littoral Conservation Zone. More specifically, 93 & 95 Elbow Street front on the Lake Champlain shoreline, where additional protection measures are required. See Article 4 above.

(b) Topographical Alterations:

No major topographical alterations appear to be needed for the proposal.

(c) Protection of Important Public Views:

There are no protected views from or through this site.

(d) Protection of Important Cultural Resources:

Not applicable.

(e) Supporting the Use of Renewable Energy Resources:

No part of the application will preclude future utilization of wind, geothermal, water or other renewable sources of energy. The plans do not include any reference to renewable energy resources to be used. The applicant should take this into consideration and provide additional information if it is to be included.

(f) Brownfield Sites:

This site is not listed on the Vermont DEC list of identified Brownfields.

(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.

Erosion Prevention and Sediment Control plans, as well as a stormwater plans, will be required on a property-by-property basis to satisfy the requirements of Chapter 26 of Burlington Code of Ordinances. Written approval from the City Stormwater program will be a requirement of the zoning permit.

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.

According to the site plan submitted, there appears to be ample room for snow storage on each property. There is insufficient detail provided pertaining to building entrances. Entrances should be covered to protect from the elements.

(h) Building Location and Orientation:

More information is needed. It appears that the single family residences on 3131 & 3135 North Ave are situated closer to the North Ave than the 2 neighboring structures to the south. Front yard setback requirements may require that the homes be pushed back further (see Table 4.4.5-3 above). The single family residences appear to have ground level garages (2 doors). In accordance with this section, the driveways in front of the garage must be at least 25 ft deep (measured from the front property line). As depicted, they do not appear to meet this requirement. Also, the plan does not indicate whether or not the proposed homes have their primary entrances facing North Ave, which is also a requirement of this section.

The Elbow Street duplexes do not appear to have street facing entrances. However, this requirement does not apply since Elbow Street is private. Based on the layout of the two duplexes, ground level parking access is off the shared driveway and does not face the street.

(i) Vehicular Access:

3131 & 3135 North Ave will have direct access off North Ave. 93 & 95 Elbow Street will share a driveway off Elbow Street, which spans the shared property line. Driveway widths are limited to 18 ft. The driveways serving 3131 & 3135 North Ave cannot exceed 18 ft in width, as well as the portion of shared driveway within the front yard setback of 93 & 95 Elbow Street.

(j) Pedestrian Access:

Direct, internal pedestrian access to from parking spaces appear to be clear per the plan submitted. This neighborhood has no sidewalks, which renders new walkways between the future buildings and sidewalk moot.

(k) Accessibility for the Handicapped:

Single and two-family residences do not trigger ADA requirements. However, the building inspector has jurisdiction over ADA requirements and will make that call as part of building permit review.

(l) Parking and Circulation:

3131 & 3135 North Ave will have direct access onto North Ave, with 2 parking spaces at the ground level of the future homes. The duplexes proposed on 93 & 95 Elbow Street will utilize a shared driveway off Elbow Street, with 4 parking spaces shown on the ground level of each duplex. The shared driveway between the duplexes on must be at least 23 ft wide.

(m) Landscaping and Fences:

The plans do not indicate any new landscaping and must at the time of zoning permit application submittal. Fencing should also be included if proposed.

(n) Public Plazas and Open Space:

Not applicable.

(o) Outdoor Lighting:

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

Insufficient detail provided. Future zoning permits must include fixture locations on elevation drawings, and manufacturer spec sheets for all fixtures. Compliance with the lighting standards of Sec. 5.5.4 CDO will be required.

(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 place 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.

Insufficient detail to provide a response. All zoning permit application plans must include mechanical equipment details, trash/recycling details, utility details, etc. There appears to be ample room for snow storage.

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

Insufficient detail provided. The applicant shall include with all future zoning permit applications site and building plans, building elevations, a material list, and manufacturer's spec sheets for all materials/light fixtures.

Article 8: Parking

Table. 8.1.8-1, Minimum Off-Street Parking Requirements

The properties are in the Neighborhood Parking District, where 2 spaces per dwelling unit are required for both single and two-family residences. The site plan indicates ground level parking, 2 for each single family residence and 4 for each duplex.

Sec. 8.2.4, Bicycle Parking Requirements

Not applicable. Bicycle parking requirements for residential uses apply to 'multi unit' developments. 3 units or more are categorized as multi family. Duplexes and single family residences are not.

Article 10: Subdivision Review

Sec. 10.1.5, Lot Line Adjustments

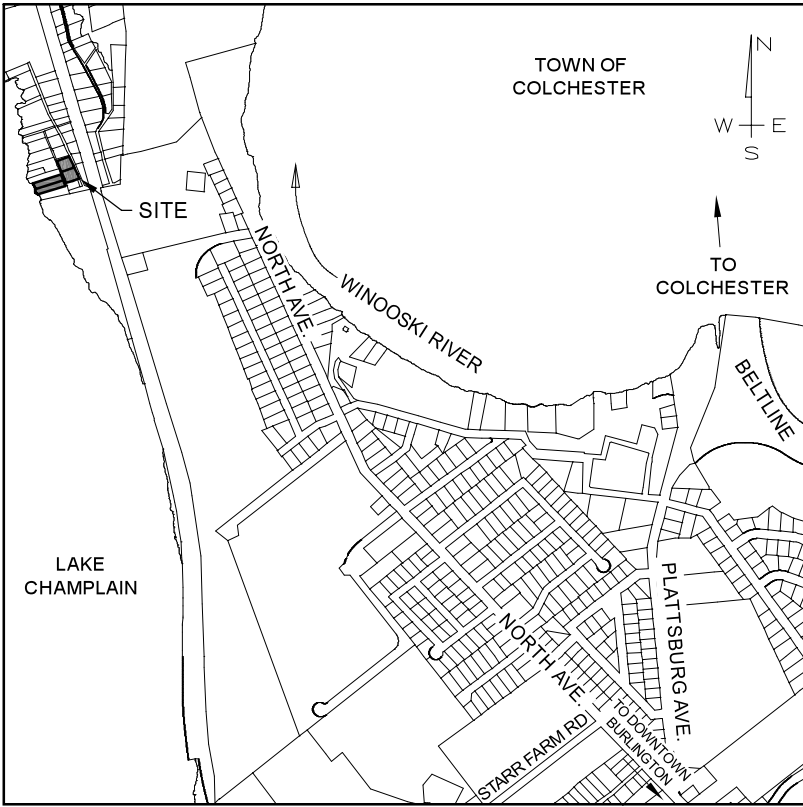
The proposal includes adjusting the shared property line between 93 & 95 Elbow Street. The applicant will have to include a lot line adjustment plan, subject to the subdivision recording requirements of Article 10. One such requirement is that the lot line adjustment be recorded with the City within 180 days of approval.

II. Conditions of Approval

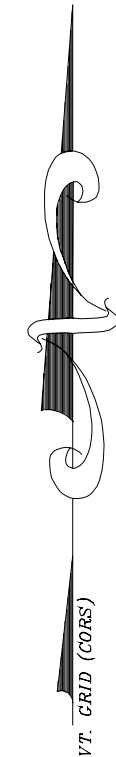
Not applicable for sketch plan.

NOTES:

1. THIS PLAT WAS COMPILED FROM FIELD SURVEYS AND RECORD RESEARCH INCLUDING THE USE OF THE FOLLOWING PLATS:
- "PROPERTY PLAN AZARIUS & SYLVIA BEAUDOIN P.R.O.W. OF NO. AVE EXTENSION BURLINGTON, VERMONT", PREPARED BY WILLIAM A. ROBINSTEIN, P.L.S., DATED 9-23-98 AND RECORDED IN SLIDE #327A OF THE CITY OF BURLINGTON'S LAND RECORDS.
- "BOUNDARY SURVEY JOSEPH E. BENOIT III NORTH AVENUE EXTENSION & ELBOW ROAD BURLINGTON, VERMONT", PREPARED BY VERMONT LAND SURVEYORS, DATED AUG. 19, 1998 & AUG. 14, 2002 AND RECORDED IN SLIDE #365C.
- "PLAT OF SURVEY JILL C. CLINE & THOMAS P. MITCHELL, PROP. NORTH AVE. EXT. AREA (ELBOW ST.) BURLINGTON, VERMONT", PREPARED BY WARREN A. ROBINSTIEN, REG. L.S., DATED JULY 1990 AND RECORDED IN SLIDE # 228B OF THE CITY OF BURLINGTON'S LAND RECORDS.
- "PLAN OF CAMP LOTS AT MOUTH OF RIVER BURLINGTON, VERMONT NOW OR FORMERLY OWNED BY CHARLES CROCHER & ROSE POIRIER AND OTHERS NAMED", PREPARED BY HOAG & ASSOCIATES, INC. DATED AUG. 1957 AND FOUND IN THE UVM SPECIAL COLLECTIONS ARCHIVE UNDER THE NAME OF POIRIER.
- "THE VILLAGE AT NORTHSORE" PREPARED BY TRUDELL CONSULTING ENGINEERS, INC. DATED 1-30-86 AND RECORDED IN SLIDE #159 OF THE CITY OF BURLINGTON'S LAND RECORDS.
- "PROPERTY SURVEY FOR: LAWRENCE & MICHELENE BROWN BURLINGTON, VERMONT", PREPARED BY HENRY J. SWIDER, L.S., DATED DECEMBER 1983 AND RECORDED IN SLIDE #139 OF THE CITY OF BURLINGTON'S LAND RECORDS.
2. ALL IRON PIPES SET ARE 1" INSIDE DIAMETER. MONUMENTATION FOUND IS AS NOTED ON PLAN.
3. A CLOSED TRAVERSE SURVEY WAS COMPLETED ON 8/03/05. THE METHODS AND THE RESULTING ERROR MEET OR EXCEED THE MINIMUM PRECISION REQUIREMENTS FOR SUBURBAN SURVEYS.
4. BEARINGS ARE BASED ON SURVEY GRADE GPS OBSERVATIONS AT THE TIME OF THIS SURVEY, AUGUST, 2005.
5. THIS PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS AND/OR RIGHTS-OF-WAY.
6. THE PURPOSE OF THIS PLAN IS TO DEPICT THE REVISED PROPERTY LINES OF THE LOTS OWNED BY 2751 NORTH MIAMI AVE. LLC AS DECREED BY CHITTENDEN COUNTY SUPERIOR COURT DOCKET S0905-06 CnC DATED 4-25-08, AS RECORDED IN VOL. 1032, PGS 688-698 OF THE CITY OF BURLINGTON LAND RECORDS.
7. THE LIMITS OF ZONE AE AS SHOWN HEREON ARE BASED ON THE ELEVATION 102 CONTOUR AS ESTABLISHED BY FIELD SURVEY. THE 102 ELEVATION IS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR CHITTENDEN COUNTY, PANEL 0119D, MAP NUMBER 50007C0119D, WITH AN EFFECTIVE DATE OF JULY 18, 2011.

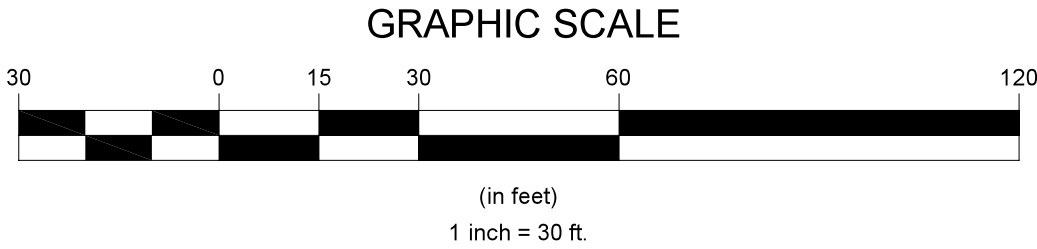
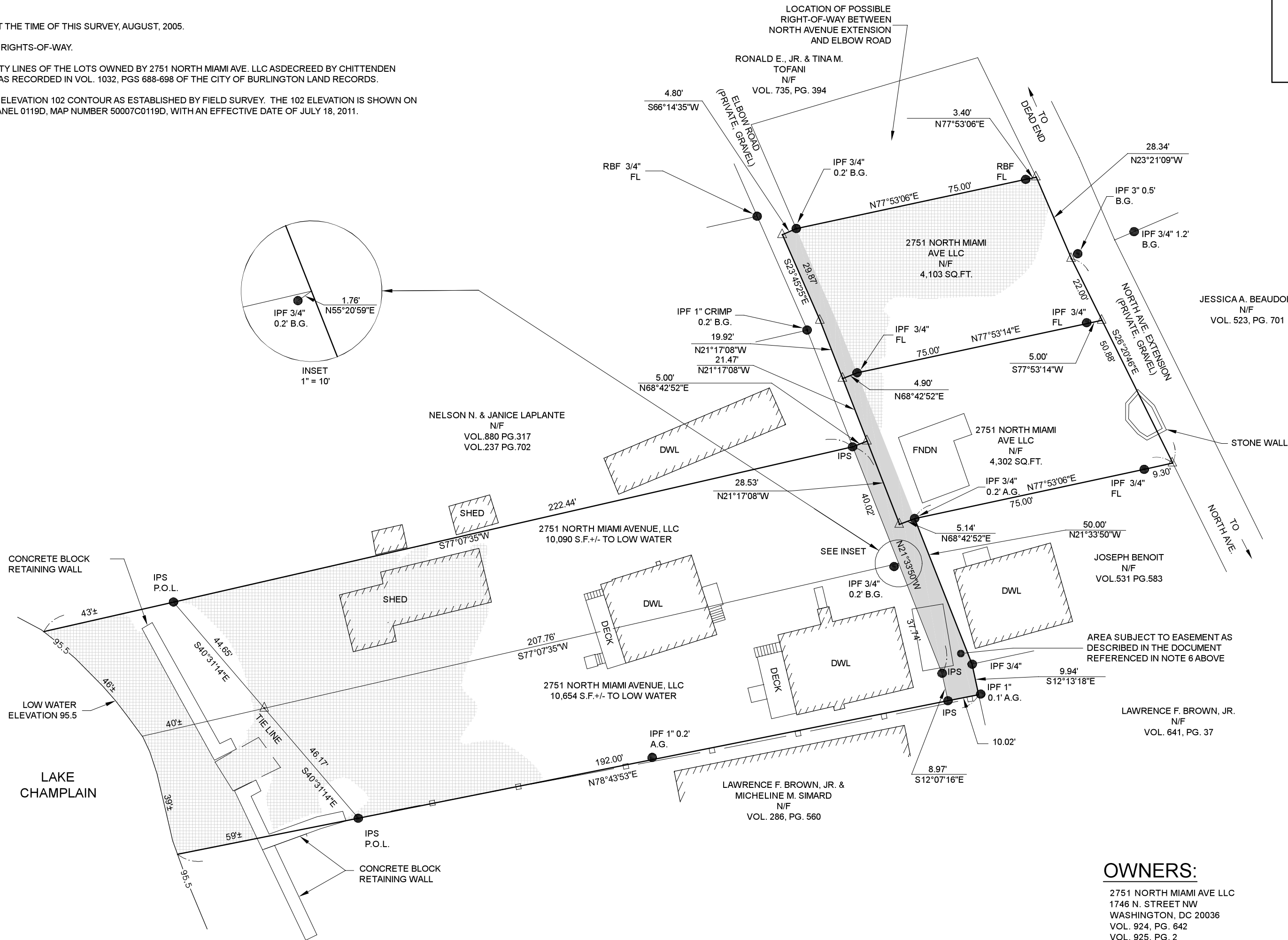


LOCATION MAP
NOT TO SCALE



LEGEND:

	PROJECT PROPERTY LINE
	ABUTTING PROPERTY LINE
	SURVEY TIE LINE
	EDGE OF ROAD OR DRIVE
	WOODEN FENCE
N/F	NOW OR FORMERLY
	IRON REBAR FOUND
	IRON PIPE FOUND
	IRON PIPE SET
	CONCRETE MONUMENT FOUND
	SURVEY POINT, NO MARKER FOUND OR SET
P.O.L.	POINT ON LINE
A.G.	ABOVE GRADE
B.G.	BELOW GRADE
FL	FLUSH
	AREA WITHIN ZONE AE (SEE NOTE 7)
	AREA SUBJECT TO EASEMENT AS DESCRIBED IN THE DOCUMENT REFERENCED IN NOTE 6 ABOVE



TO THE BEST OF MY KNOWLEDGE, THIS PLAT IS BASED ON INFORMATION ABSTRACTED FROM PERTINENT DEEDS AND/OR OTHER OFFICIAL RECORDS, AND MARKERS EVIDENT ON THE PROPERTY, AND CONFORMS WITH THE REQUIREMENTS OF 27 VSA & 1403.

DATED THIS ____ DAY OF ____, 2017
____ L.S.

OWNERS:

2751 NORTH MIAMI AVE LLC
1746 N. STREET NW
WASHINGTON, DC 20036
VOL. 924, PG. 642
VOL. 925, PG. 2
VOL. 1032, PG. 688

CITY CLERK'S OFFICE

CITY OF BURLINGTON, VT. ____, 2017
RECEIVED FOR RECORD AT ____ O'CLOCK
__ M., AND RECORDED IN SLIDE # ____
ATTEST: _____ TOWN CLERK

11-07-16	REVISED PER ATTORNEY'S REVIEW	DLH
date	description	by
THESE PLANS WITH LATEST REVISIONS SHOULD ONLY BE USED FOR THE PURPOSE SHOWN BELOW:		# OF SHEETS
☐ SKETCH/CONCEPT		1
☒ PRELIMINARY		
☐ FINAL		
☐ RECORD DRAWING		
PLAN OF LANDS OF		proj. no.
2751 NORTH MIAMI AVENUE LLC		05087
ELBOW ROAD BURLINGTON, VERMONT		survey
		MG/DK
		design
		-
		drawn
		JMD/MG
		checked
		DJG/DLH
		date
		10-14-16
		scale
		1" = 30'
		sht. no.
		1



LAMOUREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05452
Tel: 802-878-4450



MURPHY
SULLIVAN
KRONK

Via Email

8/16/2021

2751 North Miami Ave., LLC
C/o Mark Brodsky, Esq.
1746 N Street N.W.
Washington, DC 20036
cjwales1@gmail.com

**Re: Development of Four Parcels on Elbow St. and North Ave Ext. in Burlington, VT
95 Elbow Street, 105 Elbow Street, 3131 North Ave, 3135 North Ave**

Dear Mark:

We are writing to summarize our review of the development potential of the four parcels of land owned by 2751 North Miami Ave., LLC (the “LLC”) in Burlington, Vermont. There are two developed lots with addresses of 95 and 105 Elbow Streets (the “Developed Lots”) and two vacant lots with addresses of 3131 and 3135 North Avenue Extension (the “Vacant Lots”; together the Developed Lots and Vacant Lots being jointly referred to as the “Lots”).

We believe each of the Lots are legally developable for a single unit of housing, and each may potentially have an accessory unit as well.

However, each of the Lots have challenges to address the myriad of overlapping zoning and land use requirements of Burlington and the State of Vermont. To determine whether such Lots are developable from a practical viewpoint, we suggest that you will need an architect or land planner to lay out a development plan for each of the Lots in order to determine whether a structure, parking and access fit onto such Lot given the specific development regulations. We are encouraged by the fact that the adjacent Furland/Benoit property was able to obtain a permit from the City of Burlington to develop for a single family home with an accessory unit (the Furland/Benoit Permit).

DISCUSSION

In aid of this discussion, we refer to the attached Boundary Plat and Site Plan: “Plan of Lands of 2751 North Miami Avenue LLC, Boundary Plat” prepared by Lamoureux & Dickinson Consulting Engineers, Inc., dated October 14, 2016 and revised November 7, 2016 and “2751 North Miami Avenue Site Plan,” prepared by Lamoureux & Dickinson Consulting Engineers, Inc. and dated October 21, 2016. We also attach excerpts of the Burlington Comprehensive Development Ordinance (“CDO”) and “The Vermont Shoreland Protection Act: A Handbook for Shoreland Development.”

While all of the lots are owned by the LLC, we believe that such lots should be considered legally separate lots. The four Lots are:

Vacant Lots

- **Lot 1: 3135 North Ave** (Lot # 066 on tax map #045-1 & #044-1)
4,103 square feet/0.094-acre; vacant
- **Lot 2: 3131 North Ave** (Lot # 068 on tax map #045-1 & #044-1)
4,302 square feet/0.099-acre; existing garage foundation and gravel driveway

Developed Lots

- **Lot 3: 105 Elbow Street** (Lot # 003 on tax map #045-1)
10,090 square feet/0.232-acre; existing gravel parking area, shed, and part of dwelling overlapping boundary with Lot 4
- **Lot 4: 95 Elbow Street** (Lot # 002 on tax map #045-1)
10,654 square feet/0.245-acre; existing dwelling and part of dwelling overlapping boundary with Lot 3

Lots in Separate and Individual Ownership:

Each of the Lots are shown on the City's tax map as separate lots and each Lot is taxed separately.

Under the Burlington Comprehensive Development Ordinance ("CDO"), the Lots are located in the City of Burlington's Waterfront Residential – Low Density ("RL-W") Zoning District. Within the WR-L district, the minimum lot size is 6,000 square feet for a single family residence and 10,000 square feet for a two-family residence or above. While the Developed Lots meet the minimum lot size, the Vacant Lots do not. However, under CDO § 5.2.1, the Vacant Lots should qualify as "Existing Small Lots" which, though undersized, may be developed for the purposes permitted in this district, because they were of record as of April 26, 1973 and are no less than 4,000 square feet in area, with a minimum width and depth dimension of forty (40) feet. We would note that the Furland/Benoit Permit involved a 4,263-square foot lot which was also less than required minimum lot size of 6,000 square feet.

Principal Development Restrictions Under the CDO (Burlington Zoning).

Each Lot Limited to One Dwelling Unit:

The maximum density is 7 units/per acre (or 1 unit per 0.285-acre). Therefore, none of the Lots on its own can support a duplex. Each Lot may, however, be developed with a single family residence, subject to the terms discussed below. In addition, an accessory dwelling unit would may be allowed on each Lot, if adequate parking can be fit on the lot. The principal requirements for an accessory unit are: must be accessory to an owner occupied single family limited to efficiency or one bedroom, wastewater capacity; the unit does not consist of more than 30 percent of the total habitable floor area of the building; applicable setback and coverage requirements are met; and one additional parking space. CDO § 5.4.5(a).

Fire Access to the Developed Lots:

We believe that it is critical to determine whether Lots 3 and 4 will be approved for re-development based on access off of the existing Elbow Street, due to the narrowness of this private gravel drive. Unfortunately, the Fire Department has pretty unlimited powers in regard to determining whether there is adequate fire access. The Fire Department may be more willing to allow the redevelopment of the lots without a widened access because these lots are already developed, especially if steps are taken to improve emergency accessibility and/or by agreeing to install sprinklers. One other option for greatly improving accessibility would be to incorporate a right of way across Lot 1 and/or Lot 2, similar to the gravel drive that currently exists on Lot 2. This would allow vehicles to cross directly from North Avenue Extension to Lots 3 and 4. The challenge this presents is that it detracts from the available lot coverage for building and may make setback compliance more complicated on the small Lots 1 and 2.

Again, we suggest that you will need an architect or land planner to lay out a development plan for each of the Lots in order to determine whether access can be developed to satisfy the Fire Department.

Setbacks, Lot Coverage, Height. The applicable dimensional requirements are

Table 4.4.5-3: Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5, 6}				Max. Height ¹
		Front ²	Side ³	Rear	Waterfront	
RL; WRL	35%	Min/Max: Ave. of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width Or ave. of side yard setback of 2 adjacent lots on both sides Max required: 20-feet	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	Min: 75' feet from the ordinary high water mark of Lake Champlain and the Winooski River	35-feet

The analysis of the setbacks will be different for the Developed and Vacant lots because the Developed Lots already contain pre-existing non-complying structures and such structures can maintain their non-conformity but cannot increase the degree of nonconformance. By contrast, the Vacant Lots are less than the normal minimum lot size of 6,000 square feet but there may be flexibility with the setbacks given such small size.

Because compliance with setback requirements will require careful design, our recommendation is to engage an architect to evaluate what can fit onto each Lot. We note that there is some uncertainty as to how the front yard setback would be measured for Lots 1 and 2, given they each have frontage on both North Avenue and Elbow Street. Elbow Street is certainly a private road. North Avenue also appears to be a private road, however, it was treated as a public road in the Furland/Benoit project, which is likely be a helpful reference in evaluating Lots 1 and 2.

Lot coverage is limited to 35% in the W-RL, though an additional 10% coverage is available for certain accessory features listed in CDO § 4.4.5-3(d)(3)(A) (including pervious pavement, which could be used for driveways or the emergency access contemplated in the Access section above).

Lot Frontage

Although the Lots do not satisfy the required lot frontage of 60 feet, all 4 Lots are nonetheless developable as nonconforming lots.

Natural Resource Overlays

The development of each Lot will need to include consideration of the Natural Resource Overlay of CDO § 4.5.4. All four Lots are within the **Wetland Buffer Zone**, and Lots 3 and 4 are within the **Riparian and Littoral Conservation Zone**. Within both of these zones, construction is subject to Conditional Use review under Article 3, Part 5, by which the Development Review Board considers whether the proposed development will have an undue adverse effect on six general criteria, relating to public facilities, character of the area, traffic, nuisance impacts of the

use (noise, odor, dust hear, etc.), renewable energy resources, and any other standards in the City ordinances. Given the nature of surrounding residential development and the success of the Benoit/Furland project, we would expect proposed residential development to be reviewed favorably under the Conditional Use criteria.

In addition to the Conditional Use review, for each Lot, the Wetland Buffer review will require a wetland determination, a report addressing any wetland impacts, and a stormwater management, erosion prevention and sediment control plan. For the Developed Lots, the Riparian and Littoral Conservation Zone will likewise require a stormwater management, erosion prevention and sediment control plan.

Shoreland Permitting.

The Developed Lots are subject to Shoreland Permitting, a program administered by the Vermont Department of Environmental Conservation (“DEC”), which regulates development within 250 feet of Lake Champlain. While Shoreland Permitting places particularly strict limitations on development within 100 feet of the Lake (the “Lakeside Zone”) and other limitations on development in the area between the Lakeside Zone and up to 250 feet from the Lake (the “Upland Zone”), planning development with the Shoreland Permitting criteria in mind should allow for standard development of the Developed Lots.

Within the Lakeside Zone, impervious surfaces are limited to 100 square feet (and must be at least 25 feet from the Lake). Because these lots are already developed and contain sufficient area within the Upland Zone, any additional impervious surface beyond 100 square feet will be required to be placed within the Upland Zone. For either Lot, total impervious surfaces cannot account for more than 20% of the parcel area, unless the owner demonstrates use of Best Management Practices (“BMPs”) for erosion control.¹

We would note that Shoreland Permitting does allow for the reconstruction of existing impervious areas without increasing or changing the current footprint. Therefore, the existing building footprints of the two dwellings and the shed on the Developed Lots may be utilized under this provision.

Shoreland Permitting also looks at clearing of vegetation and the percentage slope of the parcel to be developed. In this case, it appears that both of the Developed Lots were nearly entirely cleared well before the effective date of Shoreland Permitting (July 2014). In addition, the slope of the Developed Lots is very gentle and therefore unlikely to be affected by the slope limitations of Shoreland Permitting.

¹ We are unable to predict whether the DEC will allow for additional impervious surface in exchange for BMPs.

8/16/2021
Page 6 of 6

Conclusion

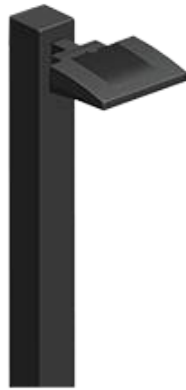
While there are a number of aspects to consider in permitting the Lots, we believe that by engaging an architect or site planner, an applicant should be able to prepare plans that will satisfy the requirements of the CDO and, in the case of the Developed Lots, the requirements of Shoreland Permitting. Please let me know if you need a recommendation for an architect or land planner.

Very truly yours,

Liam L. Murphy
lmurphy@mskvt.com

Enclosures





Color: Bronze

Weight: 6.3 lbs

Project:

Type:

Prepared By:

Date:

Driver Info

Type	Constant Current
120V	0.22A
208V	0.13A
240V	0.11A
277V	0.10A
Input Watts	28.7W

LED Info

Watts	26W
Color Temp	5000K (Cool)
Color Accuracy	70 CRI
L70 Lifespan	100,000 Hours
Lumens	3,851
Efficacy	134.2 lm/W

Technical Specifications

Electrical

Driver:

Constant Current, Class 2, 120-277V, 50/60Hz, 120V: 0.22A, 208V: 0.13A, 240V: 0.11A, 277V 0.10A

Dimming Driver:

Driver includes dimming control wiring for 0-10V dimming systems. Requires separate 0-10V DC dimming circuit. Dims down to 10%.

THD:

10.68% at 120V, 10.68% at 277V

Power Factor:

95.4% at 120V, 95.4% at 277V

ALED26 with Photocell:

120V Photocell Included. Photocell is only compatible with 120V.

Compliance

UL Listed:

Suitable for wet locations

IESNA LM-79 & IESNA LM-80 Testing:

RAB LED luminaires and LED components have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80.

Dark Sky Conformance:

Conforms to (allows for conformance to) the IDA's fully shielding requirement, emitting no light above 90 degrees (with the exclusion of incidental light reflecting from fixture housing, mounts, and pole).

DLC Listed:

This product is listed by Design Lights Consortium (DLC) as an ultra-efficient premium product that qualifies for the highest tier of rebates from DLC Member Utilities. Designed to meet DLC 5.1 requirements.
DLC Product Code: P00001700

Performance

Lifespan:

100,000-Hour LED lifespan based on IES LM-80 results and TM-21 calculations

Construction

IP Rating:

Ingress protection rating of IP66 for dust and water

IES Classification:

The Type IV distribution (also known as a Forward Throw) is especially suited for mounting on the sides of buildings and walls, and for illuminating the perimeter of parking areas. It produces a semicircular distribution with essentially the same candlepower at lateral angles from 90° to 270°.

Housing:

Precision die-cast aluminum housing, lens frame

Gaskets:

High-temperature silicone

Technical Specifications (continued)

Construction

Effective Projected Area:

EPA = 0.27.

Finish:

Formulated for high durability and long-lasting color

Green Technology:

Mercury and UV free. RoHS-compliant components.

Ambient Temperature:

Suitable for use in up to 40°C (104°F)

Cold Weather Starting:

Minimum starting temperature is -40°C (-40°F)

Other

Warranty:

RAB warrants that our LED products will be free from defects in materials and workmanship for a period of five (5) years from the date of delivery to the end user, including coverage of light output, color stability, driver performance and fixture finish. RAB's warranty is subject to all terms and conditions found at rablighting.com/warranty.

Patents:

The ALED design is protected by U.S. PATENT D608,040 and patents pending in the U.S., Canada, China, Taiwan and Mexico.

Equivalency:

Equivalent to 125W Pulse Start Metal Halide

Buy American Act Compliance:

RAB values USA manufacturing! Upon request, RAB may be able to manufacture this product to be compliant with the Buy American Act (BAA). Please contact customer service to request a quote for the product to be made BAA compliant.

LED Characteristics

Lumen Maintenance:

The LED will deliver 70% of its initial lumens at 100,000 hours of operation

Color Consistency:

7-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color

Color Stability:

LED color temperature is warranted to shift no more than 200K in color temperature over a 5-year period

Color Uniformity:

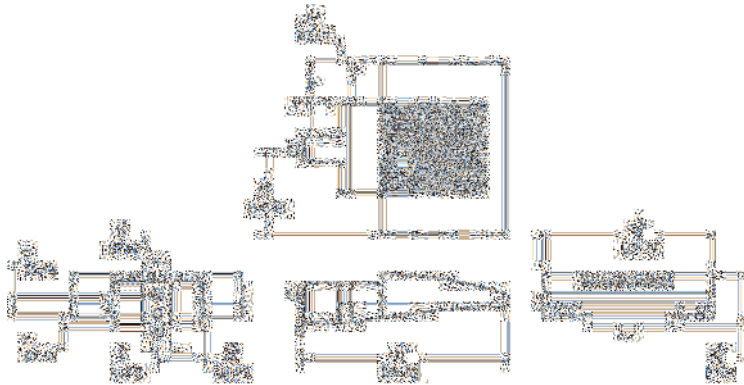
RAB's range of Correlated Color Temperature follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2017.

Optical

BUG Rating:

B1 U0 G0

Dimensions



Features

High output LED light engine

Maintains 70% of initial lumens at 100,000-hours

Weatherproof high temperature silicone gaskets

Superior heat sinking with die cast aluminum housing and external fins



Square steel poles drilled for 2 Area Lights at 180°. Designed for ground mounting. Poles are stocked nationwide for quick shipment. Protective packaging ensures poles arrive at the job site good as new.

Color: Bronze

Weight: 105.8 lbs

Project:

Type:

Prepared By:

Date:

Technical Specifications

Compliance

CSA Listed:

Suitable for wet locations

Construction

Shaft:

46,000 p.s.i. minimum yield.

Hand Holes:

Reinforced with grounding lug and removable cover

Base Plates:

Slotted base plates 36,000 p.s.i.

Shipping Protection:

All poles are shipped in individual corrugated cartons to prevent finish damage

Color:

Bronze powder coating

Height:

15 FT

Weight:

106 lbs

Gauge:

11

Wall Thickness:

1/8"

Shaft Size:

4"

Hand Hole Dimensions:

3" x 5"

Bolt Circle:

8 1/2"

Base Dimension:

8"

Technical Specifications (continued)

Construction

Anchor Bolt:

Galvanized anchor bolts and galvanized hardware and anchor bolt template. All bolts have a 3" hook.

Anchor Bolt Templates:

WARNING Template must be printed on 11" x 17" sheet for actual size. CHECK SCALE BEFORE USING. Templates shipped with anchor bolts and available [online](#).

Pre-Shipped Anchor Bolts:

Bolts can be pre-shipped upon request for additional freight charge

Max EPA's/Max Weights:

70MPH 17.4 ft./450 lb.
80MPH 12.5 ft./440 lb.
90MPH 9.0 ft./440 lb.
100MPH 6.6 ft./440 lb.
110MPH 4.8 ft./435 lb.
120MPH 3.4 ft./435 lb.
130MPH 2.3 ft./435 lb.
140MPH 1.4 ft./430 lb.
150MPH 0.8 ft./420 lb

Other

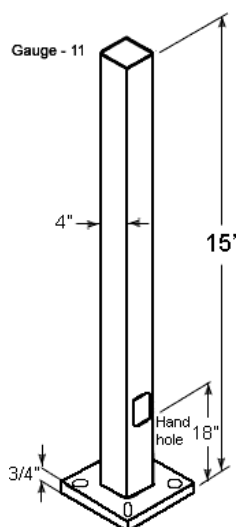
Terms of Sale:

Pole Terms of Sale is available [online](#).

Buy American Act Compliance:

RAB values USA manufacturing! Upon request, RAB may be able to manufacture this product to be compliant with the Buy American Act (BAA). Please contact customer service to request a quote for the product to be made BAA compliant.

Dimensions



Features

- Designed for ground mounting
- Heavy duty TGIC polyester coating
- Reinforced hand holes with grounding lug and removable cover for easy wiring access
- Pole caps, base covers & bolts are sold separately
- Custom manufactured for each application



OCTOGONAL LANTERN

SERIES

Product Overview and Technical information >>



>>
LUMINAIRE > L72-RR3D-CPTC
BRACKET > CRA-1A
POLE > R80A



L70-RR-SF70

L73-SE-SF73-HK16-CPTC

L72-RR-SF72-GT-CPTC

L71-RACE-SF73-CRA

OCTOGONAL LANTERN SERIES

Making light a work of art / The Octagonal Lantern Series transforms light into a work of art... These luminaires create a much sought-after ambience without neglecting high-quality photometric performance. The eye-catching and distinctive Octagonal Lantern Series offers a radiant connection between space and time. >>





>>
LUMINAIRE > L72-RR3D-CPTC
BRACKET > CRA-1A
POLE > R80A

DISTINCTIVENESS THAT GETS NOTICED

The Octagonal Lantern Series luminaires will turn heads! With refined and bold styling, these luminaires will add charm to pedestrian walkways, urban parks or roadways. Its refined appearance gently blends into its daytime environment while providing an attractive ambiance at night. The Octagonal Lantern Series draws attention to its design by adding style and distinction to any project.

TECHNOLOGY THAT SPEAKS VOLUMES

Philips Lumec's Octagonal Lantern Series offers the sophistication of an elegant historical luminaire, while maintaining modern state-of-the-art photometric performance. Various customizable optic options allow you to incorporate Octagonal Lantern into any project, no matter how demanding the lighting applications might be. The high quality materials of this luminaire assure a long life, ease of maintenance, and its range of complements, materials, and finishes, adapt it perfectly to any surrounding.

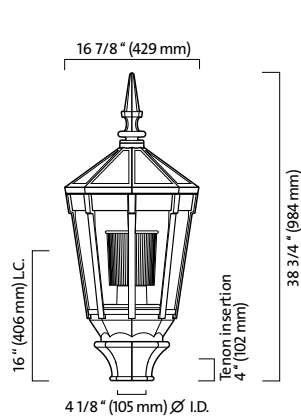


BENEFITS

- Constructed from top-quality materials, the Octagonal Lantern Series maintains excellent performance in even the most demanding environment.
- Creates a unique atmosphere and ambiance.
- Prismatic RR optics, SE cut-off reflectors, and the RACE optical system, are available to meet a range of lighting applications.
- The luminaire is sealed with a gasketed closure to maintain optical performance.
- A complete selection of materials and finishes are available to complement any project.

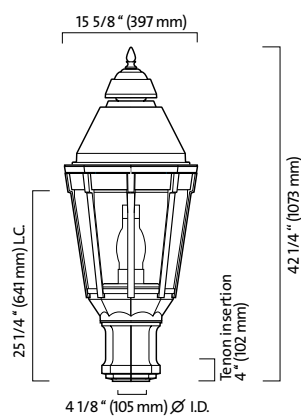
LUMINAIRES

Conform to the **UL 1598** and **CSA C22.2 No. 250.0-08** standards



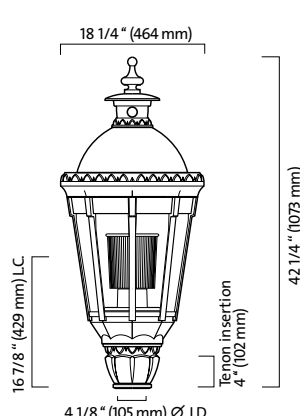
L70-RR-SF70

EPA: 2.71 sq. ft.
Weight: 48 lbs (21.8 kg)



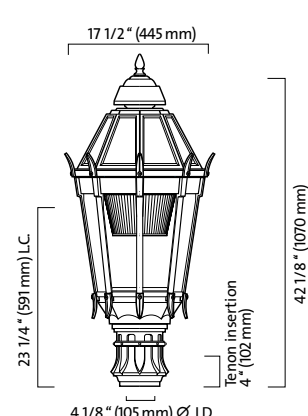
L71-SE-SF71

EPA: 2.76 sq. ft.
Weight: 36 lbs (16.3 kg)



L72-RR-SF72-PH8

EPA: 2.91 sq. ft.
Weight: 48 lbs (21.8 kg)



L73-RACE-SF73-HK16

EPA: 3.18 sq. ft.
Weight: 48 lbs (21.8 kg)

> Les luminaires s'accompagnent de l'une de ces lentilles, au choix

PC-C	Polycarbonate clair
PC-O	Polycarbonate opalin
PC-BR	Polycarbonate Bronze
PC-FC	Polycarbonate givré clair
GL-C	Verre trempé clair
GL-BR	Verre trempé bronze
GLBG-C	Verre trempé biseauté clair
GLBG-BR	Verre trempé biseauté bronze
GL-FC	Verre trempé givré clair

LAMPS / HID

OPTICAL SYSTEMS / HID

(Lamps not included)

WATTAGE	RACE	RR	SE
50 MH, medium	✓	✓	✓
70 MH, medium	✓	✓	✓
100 MH, medium	✓	✓	✓
150 MH, medium	✓	✓	✓
¹ 250 PSMH, mogul	✓	✓	✓
¹ 250 MH, mogul	✓	✓	✓
35 HPS, mogul	✓	✓	✓
50 HPS, mogul	✓	✓	✓
70 HPS, mogul	✓	✓	✓
100 HPS, mogul	✓	✓	✓
150 HPS, mogul	✓	✓	✓

✓ : Available 1: N/A with a PC Globe



RR Optics

Round borosilicate refractor

RR5: Symmetrical
RR3: Asymmetrical
RR3MD: Asymmetrical with medium deflector



SE Optics

Hydro-formed cut-off reflector system set in faceted arc-image duplicating patterns.

SE5: Symmetrical
SE3: Asymmetrical

> House shield available in option (HS)



RACE Optics

Round acrylic (max. 100w) or borosilicate (150w and more) refractor with segmented upright recovery dome.

RACE5: Symmetrical
RACE3: Asymmetrical
RACE3D: Asymmetrical with deflector

* Photometry available on Philips Lumec web site www.lumec.com

VOLTAGE

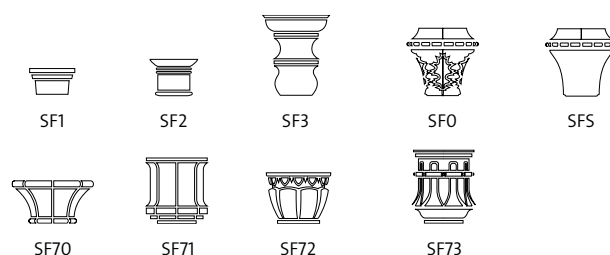
120 / 208 / 240 / 277 / 347 / 480

> Multi-top ballast also available.

LUMINAIRE OPTIONS

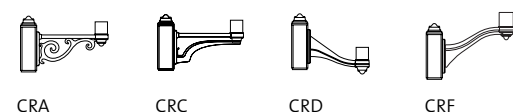
GT	Glow top (RR optical, max. 175w with L70 and L72 only)
HS	House shield (for SE only)
CPT	Copper finial (L71, L72 and L73 only)
CPTC	Varnished copper cupola (L71, L72 and L73 only)
HK8	Decorative hooks / top only (L70, L71 and L73 only)
HK16	Decorative hooks / top and bottom (L70, L71 and L73 only)
PH8	Quarter-turn photoelectric cell (not available with GT option)
PH9	Quarter-turn shorting cap (not available with GT option)

ADAPTORS



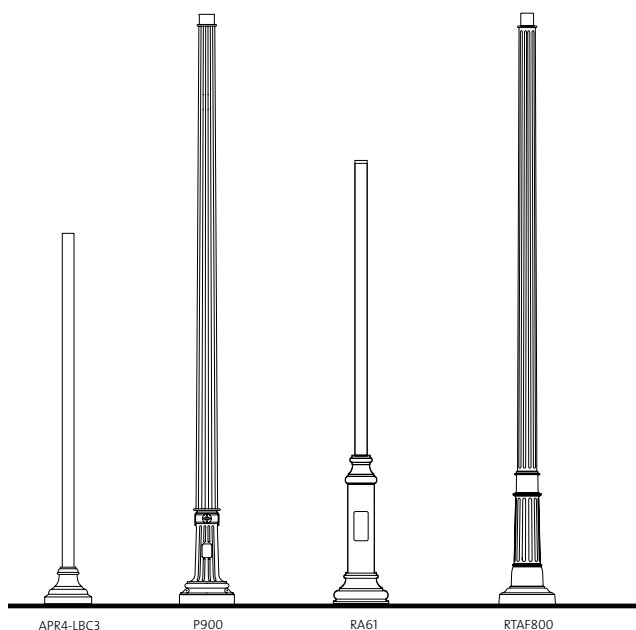
MOUNTINGS

(Consult the Pole Guide for details and the complete line of mountings)



POLES AND POLE OPTIONS

(Consult the Pole Guide for details and the complete line of poles)



FINISHES

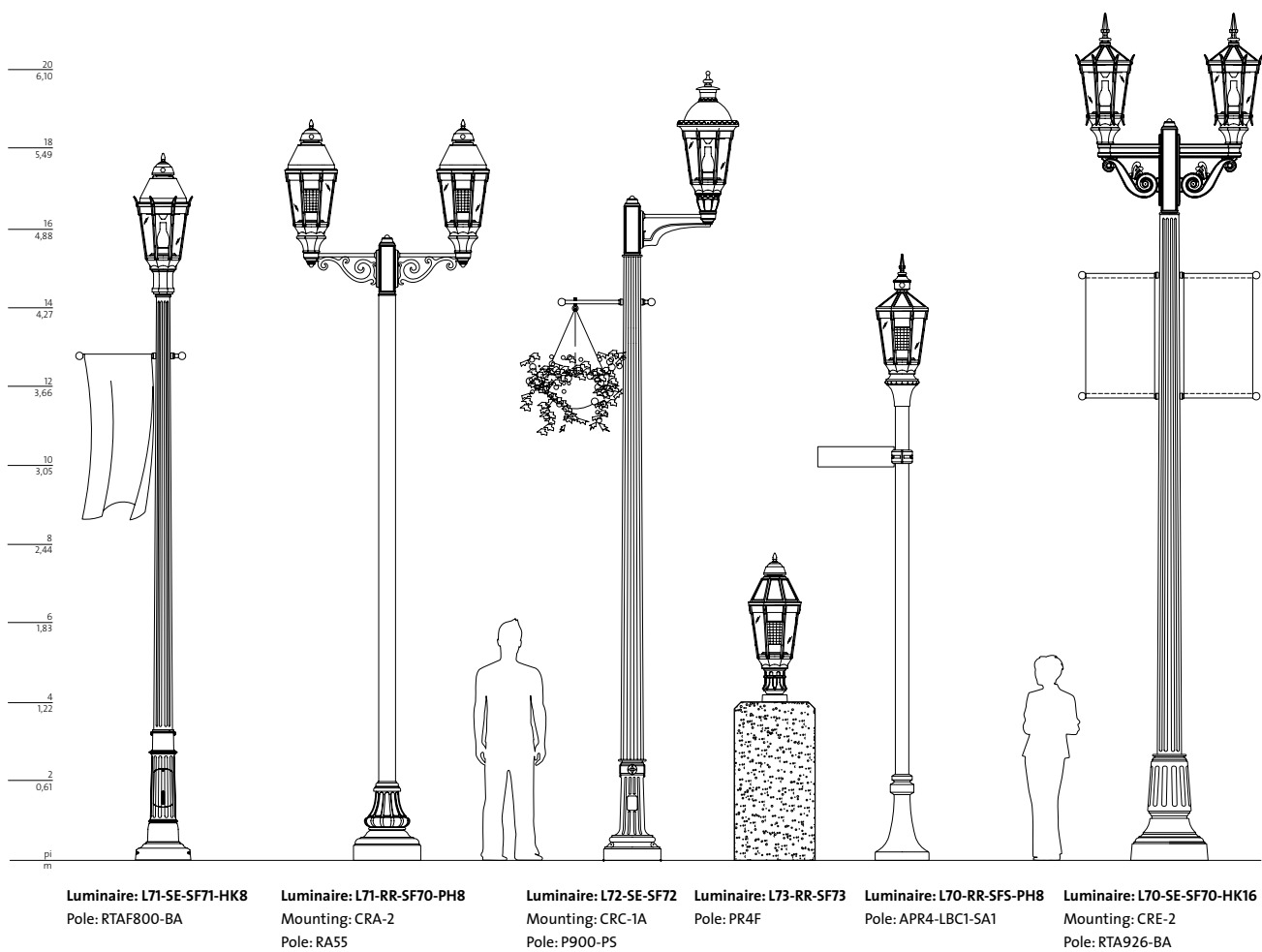
(Consult Philips Lumec's Color Chart for complete specifications)

The specially formulated **Lumital** powder coat finish is available in a range of many standard colors.

ORDERING SAMPLE

LUMINAIRE	LAMP	OPTICAL SYSTEM	VOLTAGE	ADAPTOR	OPTIONS	MOUNTING & CONFIGURATION	POLE	FINISH
L70-PCC	100 HPS	RR	120	SF72	HK16	SF70-CRA-16	R80A-16	RD2-TX

ASSEMBLY EXAMPLES





>>
LUMINAIRE > L72-RR3D-GT-CPTC
BRACKET > CRA-1A
POLE > R80A



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For the details of our different agents and representatives, please consult the **Contact us** section of our Website.

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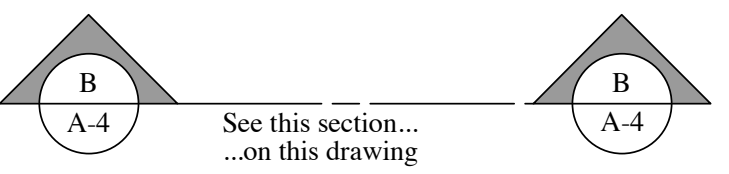


/ Some luminaires use fluorescent or high intensity discharge (HID) lamps that contain small amounts of mercury. Such lamps are labeled "Contains Mercury" and/or with the symbol "Hg." Lamps that contain mercury must be disposed of in accordance with local requirements. Information regarding lamp recycling and disposal can be found at www.lamprecycle.org

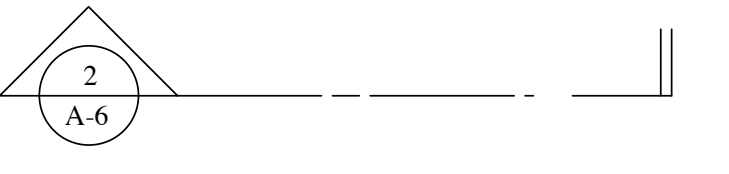


The choice to not print paper brochures anymore but to make them available on-line is an example of the positive environmental actions that Philips Lumec has decided to undertake. This not only considerably reduces our paper consumption but also guarantees the exactitude of the information our clients receive.

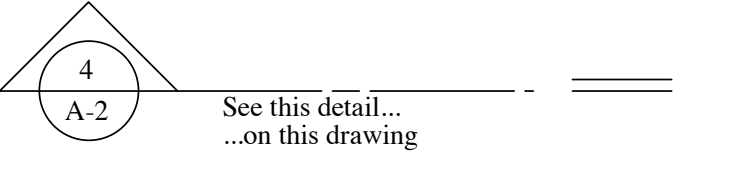
DRAWING SYMBOLS



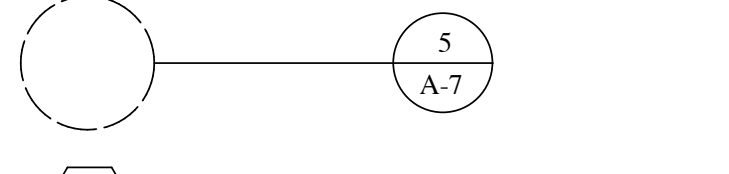
BUILDING SECTION



WALL SECTION



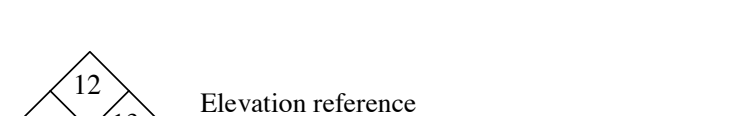
DETAIL



ENLARGED DETAIL



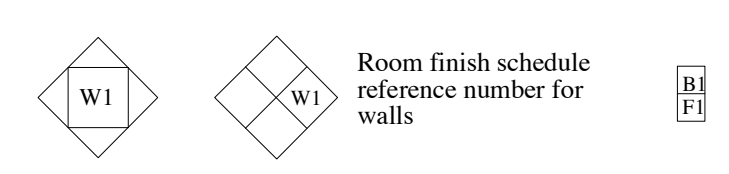
WINDOW TYPE



DOOR NUMBER



INTERIOR ELEVATION

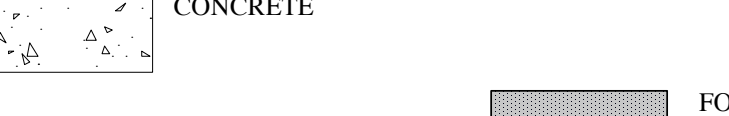
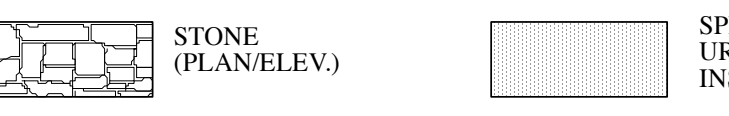


VERTICAL ELEVATION



ROOM FINISH SCHEDULE

MATERIALS



ABBREVIATIONS

ABI	additive bid item	DF	drinking fountain	JAN	janitor	SPEC	specification(s)
ACT	acoustic ceiling tile	ELEC	electric(al)	JT	joint	SQ	square
ADJ	adjustable	EL	elevation	LAV	lavatory	SS	stainless steel
AFF	above finish floor	ELEV	elevator	MAX	maximum	STD	standard
ALUM	aluminum	EQ	equal	MECH	mechanical	SD	storm drain
ANC	anchor, anchorage	EXG	existing	MR	manufacturer	STRUC	structural
ARCH	architect(ural)	EXT	exterior	MH	manhole	SYS	system
BSMT	basement	FG	fiberglass	MO	masonry opening	TBP	tile backing panel
BIT	bituminous	FIN	finish	MTL	metal	TDO	thermoset decorative overlay
BLKG	blocking	FF	finish floor	NTS	not to scale	TEL	telephone
BD	board	FE	fire extinguisher	NIC	not in contract	TG	tempered glass
BOT	bottom	FLG	flashing	OC	on center	THK	thick(ness)
BRK	brick	FD	floor drain	OD	outside diameter	TH	threshold
BLDG	building	FRT	fire retardant	OPNG	opening	T&G	tongue & groove
BTWN	between	FTG	footing	OP-CL	owner provided- contractor installed	TOC	top of concrete
CB	catch basin	FND	foundation	OP-CL	owner provided- owner installed	TOM	top of masonry
CJ	control joint	GA	gage, gauge	OP-CL	owner provided- owner installed	TOS	top of steel
CLG	ceiling	GALV	galvanized	OP-CL	owner provided- owner installed	TOW	top of wall
CT	ceramic tile	GC	general contract(or)	OP-CL	owner provided- owner installed	T	tread
CO	clean out	GFE	government furnished equipment	OP-CL	owner provided- owner installed	TYP	typical
CL	closet	GFCI	government furnished and government installed equipment	OP-CL	owner provided- owner installed	UNO	unless noted otherwise
CLR	clear(ance)	GWB	gypsum wall board	OP-CL	owner provided- owner installed	VERT	vertical
COL	column	HPDL	high pressure decorative laminate	OP-CL	owner provided- owner installed	VCT	vinyl composition tile
CONC	concrete	HWD	hardwood	OP-CL	owner provided- owner installed	VR	vapor retarder
CMU	concrete masonry unit	HVAC	heating, ventilating & air conditioning	OP-CL	owner provided- owner installed	VT	vinyl tile
CONT	continuous or continue	HT	height	OP-CL	owner provided- owner installed	WG	wire glass
DP	dampproofing	HOR	horizontal	OP-CL	owner provided- owner installed	W/O	with out
DEM	demolish, demolition	ID	inside diameter	OP-CL	owner provided- owner installed	WD	wood
DET	detail	INS	insulation	OP-CL	owner provided- owner installed		
DIA	diameter			OP-CL	owner provided- owner installed		
DWG	drawing			OP-CL	owner provided- owner installed		

UNIVERSITY OF VERMONT

POMEROY BARN & 172 S. PROSPECT
DEMOLITION / IMPROVEMENTS

SOUTH PROSPECT ST

BURLINGTON, VERMONT 05401

PERMIT SET

JUNE 22, 2021 (REVISED AUGUST 13, 2021)



LIST OF DRAWINGS

CIVIL DRAWINGS

C-1.0	OVERALL SITE PLAN (REVISED 8-13-21)
C-1.1	SITE PLAN (REVISED 8-13-21)
C-1.2	SITE PLAN
C-2.0	EXISTING CONDITIONS PLAN
C-2.1	DEMOLITION PLAN
C-3.0	EROSION PREVENTION & SEDIMENT CONTROL PLAN PRECONSTRUCTION
C-3.1	EROSION PREVENTION & SEDIMENT CONTROL PLAN CONSTRUCTION & STABILIZATION
C-4.0	CIVIL DETAILS
C-4.1	CIVIL DETAILS
C-4.2	CIVIL DETAILS

ARCHITECTURAL DRAWINGS

SP-1.0	OVERALL LANDSCAPE PLAN • PERSPECTIVE VIEWS 1 & 2 (REVISED 8-13-21)
SP-1.1	ENLARGED LANDSCAPE PLAN WEST • PERSPECTIVE VIEWS 3, 4, & 5
SP-1.2	ENLARGED LANDSCAPE PLAN EAST • POMEROY PLAZA • PERSPECTIVE VIEWS 6, 7, & 8 (REVISED 8-13-21)
SP-1.3	POMEROY PLAZA ENLARGED LANDSCAPE PLAN (REVISED 8-13-21)

ELECTRICAL DRAWINGS

E-1.0	ELECTRICAL SITE PLAN (REVISED 8-13-21)
E-2.0	TRENCH & POLE BASE DETAILS
E-3.0	SITE PLAN PHOTOMETRIC ANALYSIS (REVISED 8-13-21)

LANDSCAPE DRAWINGS

L-1.0	LANDSCAPE PLAN
L-1.1	LANDSCAPE DETAILS

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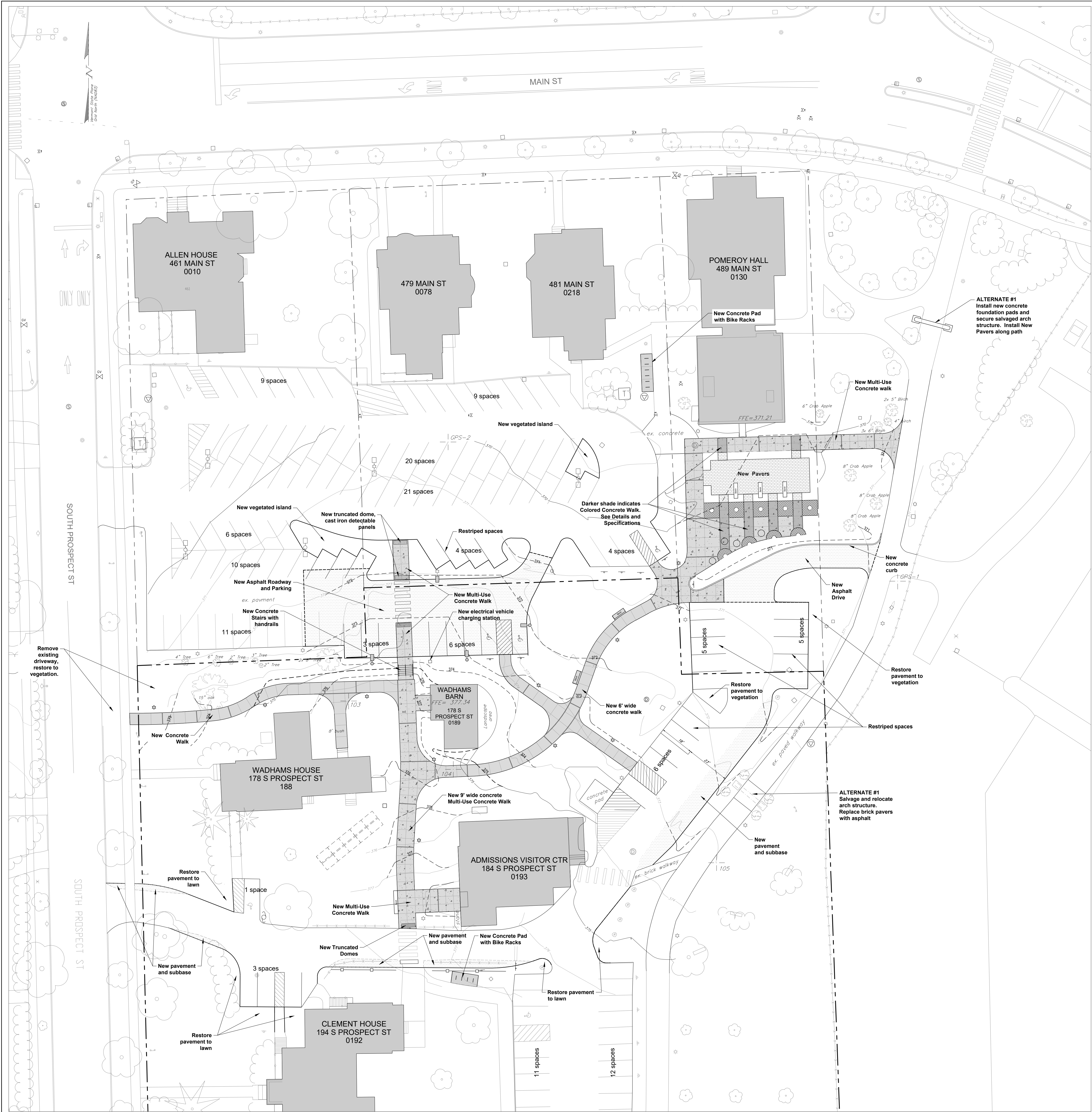
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DEMOLITION /
IMPROVEMENTS

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SOUTH PROSPECT ST.
BURLINGTON, VT 05401

SAS PROJECT NO. 0935



LEGEND

- Survey Control Point
- Existing Sign
- Existing Light Pole
- Proposed Light Pole
- Existing Deciduous Tree
- Existing Evergreen Tree
- Existing Spot Grade Elevation
- Existing pipe bollard
- Existing cleanouts
- Existing Boulder
- Blue Light Emergency Phone
- Existing Contour
- New Finish Grade Contour
- Existing Gas Line/Valve
- Existing Sewer Line/Manhole
- Existing Storm Line/Manhole/Basin
- Existing Overhead Electric Line/Power Pole
- Existing Overhead Utility
- Existing Communications Line
- Existing PBX Line
- Existing Underground Electric & Telephone Line
- Existing Site Lite Line
- Existing Tree Line
- Existing Underground Power
- Existing Water Line/Hydrant/Valve/Shutoff
- Approximate Property Line
- New Asphalt parking
- New Multi-Use Concrete Walk
- New Concrete Walk
- Restore Impervious to Vegetation
- New Pavers (See Architectural Plans)
- Pavement Repair - Remove existing, regrade and repave (3" min.)

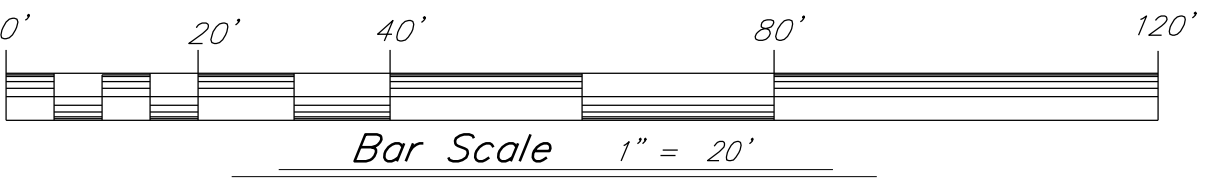
NOTES

- The Contractor shall be responsible for repairing all disturbed areas back to original or better condition, including but not limited to curbing, sidewalks, road, parking areas, landscaping, site lighting, electrical, and etc. All asphalt shall be sawcut prior to paving.
- All stumps, rock, and other non-approved trench backfill material discovered during construction is the exclusive property of the Contractor and shall be removed from UVM property and disposed of in a State approved disposal location.
- All passing concrete and soil (sieve, proctor, and compaction) testing expenses shall be paid by Owner. Testing coordination, all other required testing, and expenses for failed tests shall be the Contractor's responsibility.
- This project requires coverage under the City of Burlington Standard Erosion Prevention & Sediment Control Permit. The Contractor shall be the On-site Coordinator for the project and shall be responsible for all required inspections, maintenance, and reporting.
- The Contractor shall be responsible for installing, maintaining and removing all erosion and sediment control devices shown on the plans or details and, to the maximum extent practical, to minimize potential contamination of stormwater runoff from the construction activities.
- The Contractor shall be responsible for all signage and fencing necessary to providing safe vehicular and pedestrian access through or around the site during construction. Signs shall meet sign requirements on detail sheets.
- Contractor shall be responsible for importing topsoil as required to complete the project. See Post Construction Soil Depth & Quality Notes on Sheet C-3.1 and the Soil & Seeding Notes on the Civil Details. Lawn areas shall have 4" topsoil, minimum. Planting areas as identified on the Landscape Plans shall have 12" screened topsoil, minimum.
- Temporary groundwater and stormwater by-pass pumping and/or diversion is the responsibility of the Contractor. The Contractor is responsible for providing all necessary pumps and equipment to perform the work. Overnight pumping is not allowed.
- All sidewalks shall have 2% maximum cross slope.
- Contractor shall maintain full occupancy and fire department access to all surrounding buildings.
- Removal of all erosion control matting and inlet protection is the responsibility of the Contractor.
- Access to and through the parking lot adjacent to the north side of the site shall be maintained at all times during construction.
- Where plans indicate "RESTORE" to vegetation, Contractor shall remove and dispose of impervious surface and subbase to a depth of 12". For lawn areas, fill to within 4" of finish grade, place 4" topsoil, and hydroseed or stabilize with rolled erosion matting as required. Refer to Post Construction Soil Depth and Quality Notes. For planting areas, after removal of impervious surface and subbase, install 12" of screened topsoil prior to installing new landscape plantings. Refer to Landscape Plan for planting areas and plants.
- Contractor is responsible for all costs and any effort necessary for obtaining an Excavation Permit from the City of Burlington for work within the City Right of Way.
- Contractor shall be responsible for all effort related to obtaining and closing out an Electrical Permit from the City of Burlington for the new light poles.

Vehicle Parking

EXISTING:
Total Parking Spaces: 149 spaces
Total ADA Parking Spaces: 5 spaces

PROPOSED:
Total Parking Spaces: 146 spaces
Total ADA Parking Spaces: 6 spaces



FOR PERMIT REVIEW

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K&L PROJECT NO. 18266

PROJECT

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172 S. PROSPECT
DEMOLITION /
IMPROVEMENTS

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BURLINGTON, VT
05405

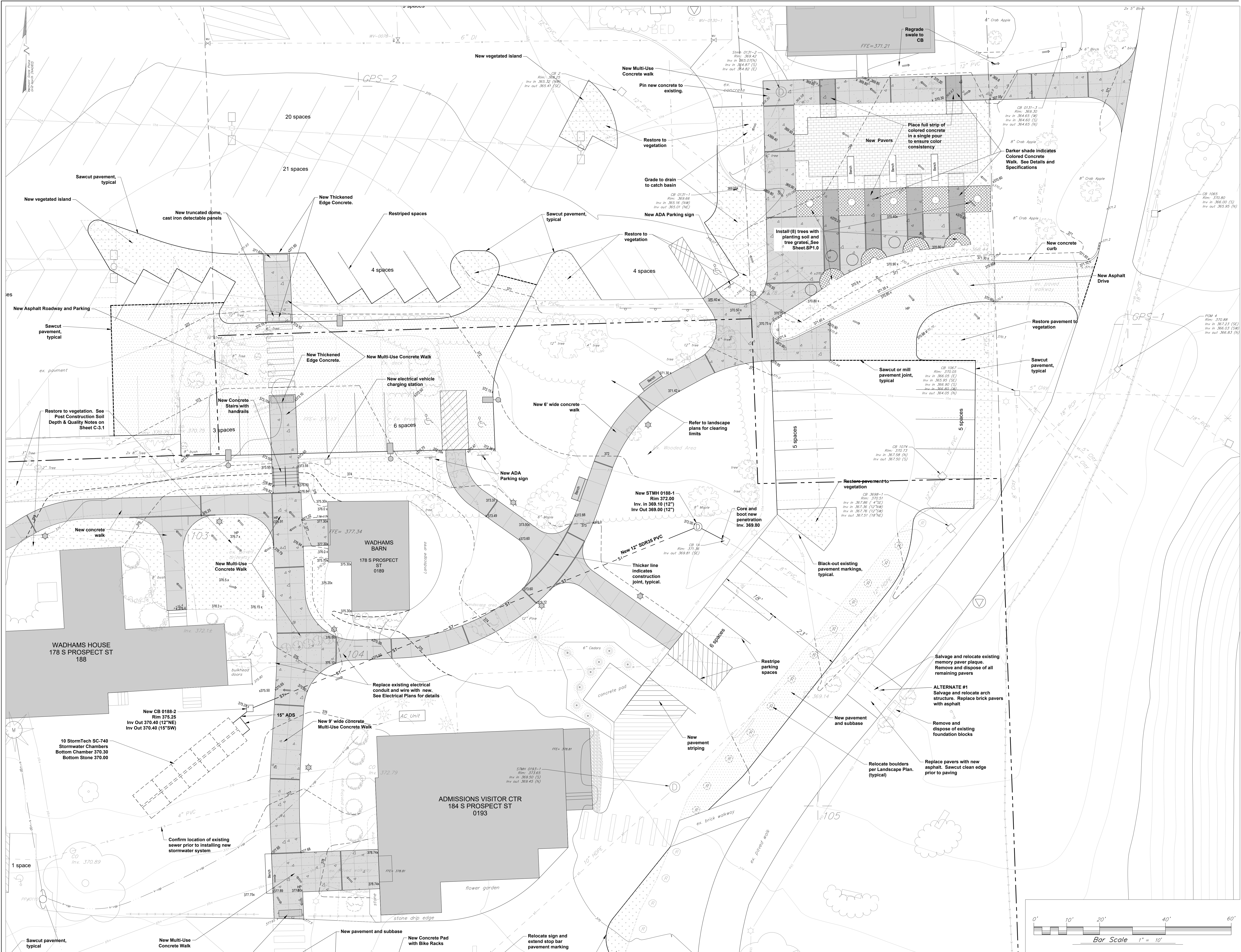
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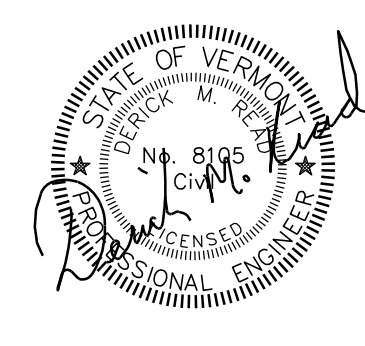
REVISIONS
1 8/13/2021 City Zoning Comment

PERMIT SET

OVERALL
SITE PLAN

C-1.0





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IMPROVEMENTS**

**S. PROSPECT ST.
BURLINGTON, VT
05405**

DATE: June 22, 2021
SCALE: 1" = 10'
DRAWN: RA, DMR
CHECKED:

REVISIONS

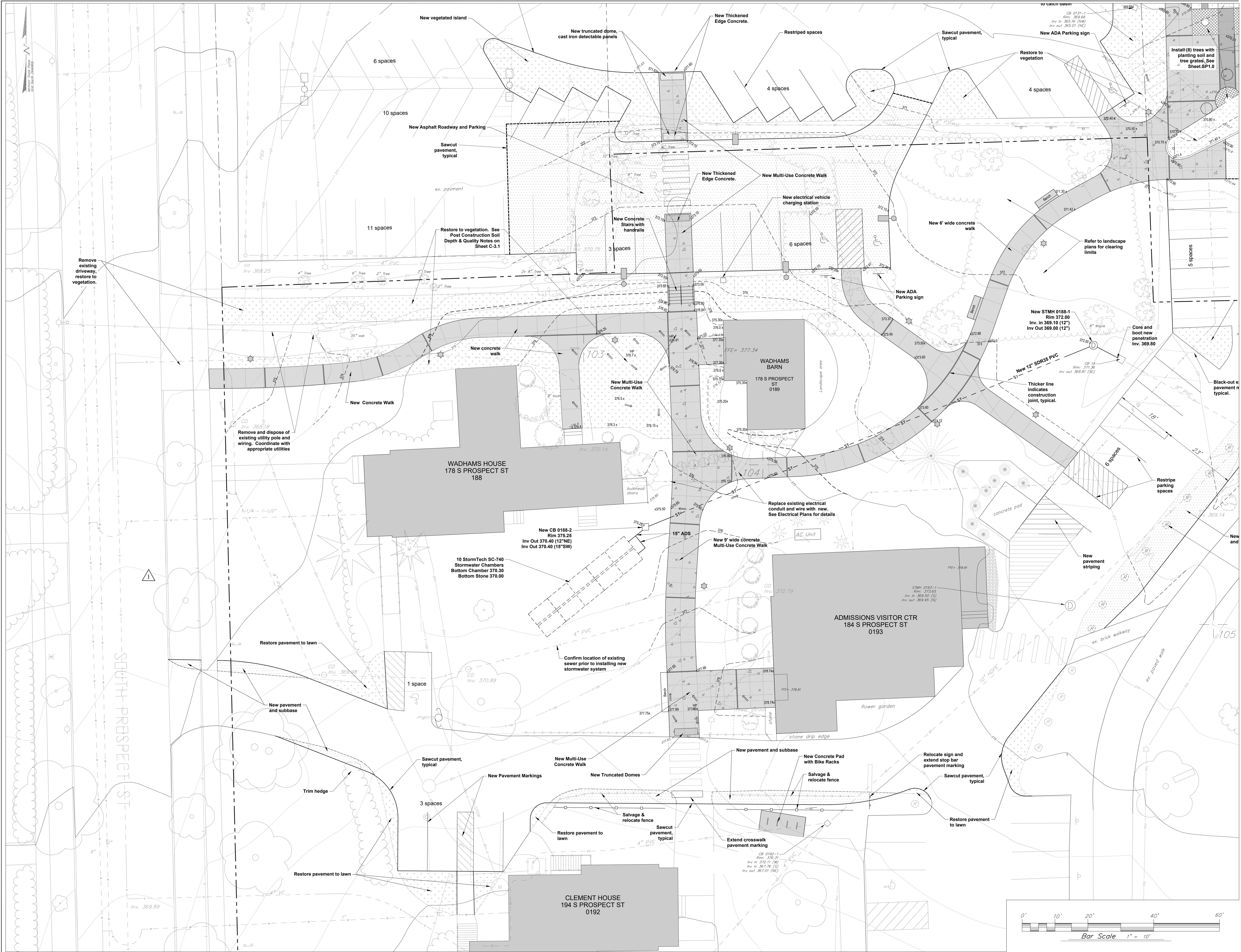
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1	8/13/2021	City Zoning Comment

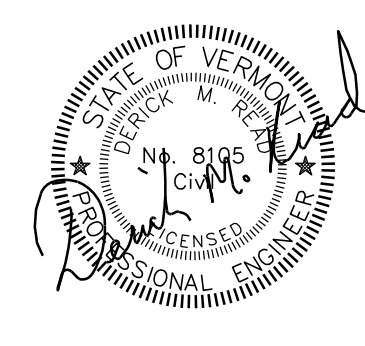
PERMIT SET

SITE PLAN

C-1.1

18266/Pomeroy Barn Site Current.dwg





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05405

DATE: June 22, 2021
SCALE: 1" = 10'
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SITE PLAN

C-1.2

18266/Pomeroy Barn Site Plan (current.dwg)

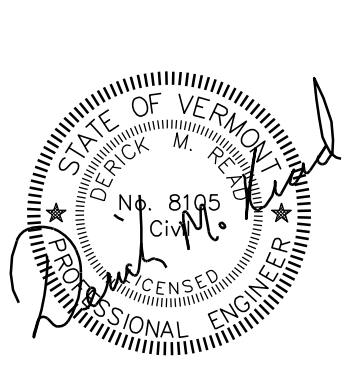
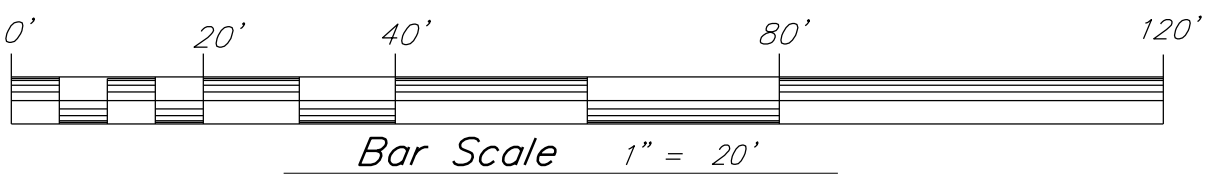


Notes:

- This plan is not a boundary survey. Property lines are based on mapping provided by UVM Campus Planning Services and is to be considered approximate.
- The underground utilities shown on this plan are based on visible utilities located during a topographic survey performed by Krebs & Lansing in May 2020 and from UVM Utility Master Plan mapping. Underground utilities are approximate and not warranted to be exact or complete. Dig Safe shall be contacted prior to any excavation.
- Elevations are based on GPS observations that reference the NAVD 88 vertical datum measured in U.S. Survey foot.
- Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch. Project vertical datum based on NAVD 88 (Geoid 12A).
- The location of underground electrical lines which service the site lights may not all be shown on this plan. Other electrical lines may also exist which are not shown on this plan.

LEGEND

12	Survey Control Point
Existing Sign	
Existing Light Pole	
Existing Deciduous Tree	
Existing Evergreen Tree	
314.7 x	Existing Spot Grade Elevation
Existing pipe bollard	
Existing cleanouts	
Existing Boulder	
Blue Light Emergency Phone	
Existing Contour	
Existing Gas Line/Valve	
Existing Sewer Line/Manhole	
Existing Storm Line/Manhole/Basin	
Existing Overhead Electric Line/Power Pole	
Existing Overhead Utility	
Existing Communications Line	
Existing PBX Line	
Existing Underground Electric & Telephone Line	
Existing Site Lite Line	
Existing Tree Line	
Existing Underground Power	
Existing Water Line/Hydrant/Valve/Shutoff	
Approximate Property Line	
Existing steam line	
Existing Low Pressure Steam & Condensate	
Limits of Topographic Survey	



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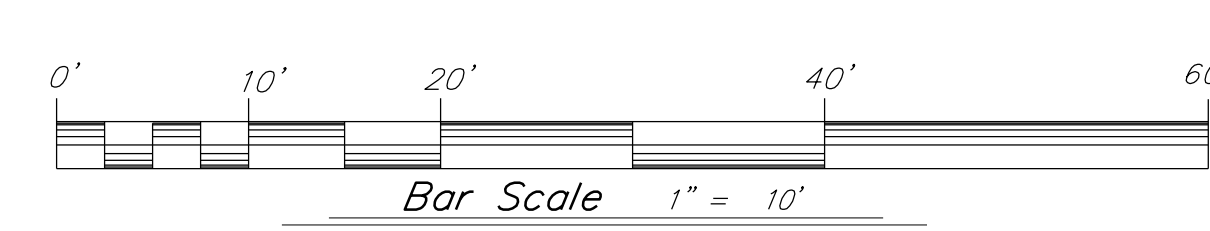
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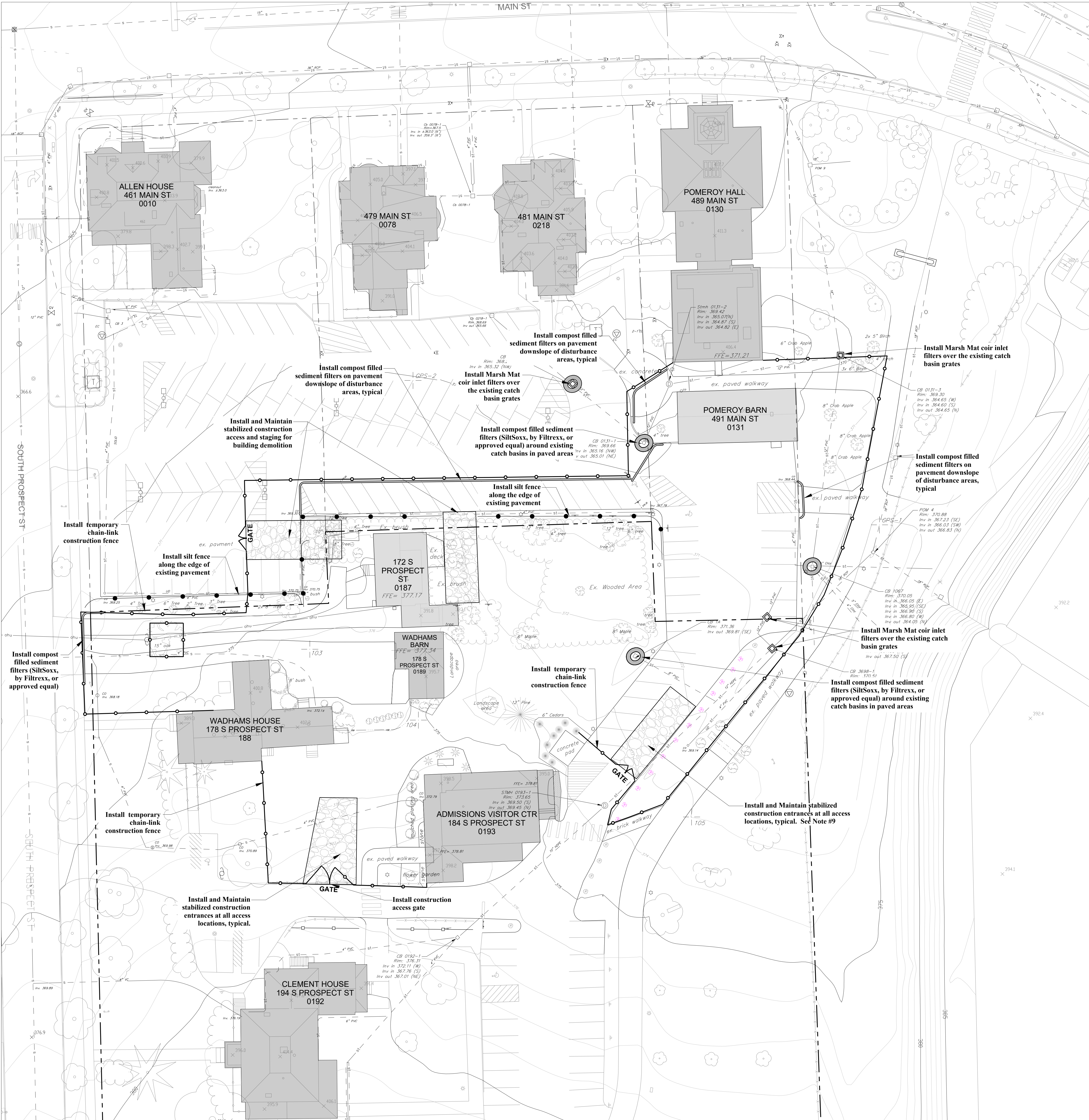
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EXISTING
CONDITIONS
PLAN

C-2.0





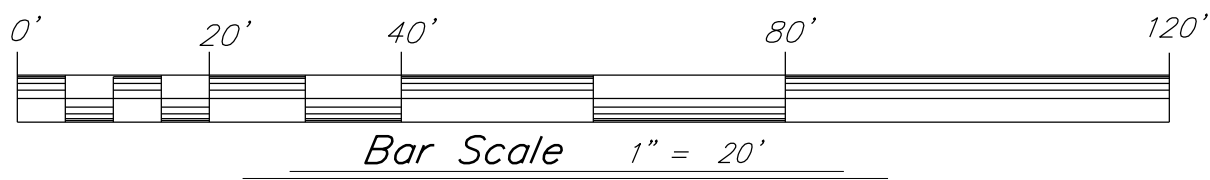
Erosion Prevention and Sediment Control Notes

- Contractor shall be responsible for complying with all City of Burlington erosion prevention and sediment control standards and permit requirements during construction. The City Erosion Prevention & Sediment Control Permit shall be posted near the construction entrance, or in a location visible to the public.
- The Contractor shall be the On-site Coordinator for the project and shall be responsible for all required inspections (minimum weekly and after any storm event that produces a discharge) maintenance, and reporting.
- The limit of disturbance shall be clearly defined by Contractor's surveyor prior to clearing. Clearing and grubbing shall not begin until disturbance limits and sediment controls are in place. All roots, stumps and deleterious materials shall be removed from the site. The Contractor shall minimize the amount of disturbed land at any given time.
- The erosion prevention and sediment control practices shown on these plans are the minimum required for the project. The Contractor shall employ and maintain as many best management practices as necessary to prevent soil from leaving the construction site. If evidence is found of sediment tracking or eroded soil leaving the construction site, the Engineer may direct Site Contractor to implement additional best management practices at no additional cost to Owner.
- All areas of disturbance shall be permanently or temporarily stabilized as soon as possible and within 48 hours of final grading. All areas of disturbance shall be at least temporarily stabilized 14 days after initial disturbance during the summer or daily during winter construction unless the following exceptions apply:
 - Stabilization is not required if earthwork is to continue in the area in the next 24 hours and there is no precipitation forecast in the next 24 hours.
 - Stabilization is not required if the work is occurring in a self-contained excavation (i.e. no outlet) with a depth of 2 ft. or greater (e.g. house foundation excavation, utility trenches). Stabilization measures shall include mulch and netting, erosion control matting, crushed stone, gravel, or pavement.
- Unless specifically indicated on the plans acceptable methods of stabilization shall include:
 - STRAW Mulching - 2 tons per acre. Only STRAW mulch is allowed. Approximately 2" uniform thickness. Only allowed on relatively flat areas with minimum upslope watershed. Mulch must be properly secured with netting to prevent material from being blown away by wind (windthrow).
 - Hydroseeding* - Preferred Method of Temporary Stabilization. Apply at the manufacturer's recommended application rate. Contractor shall provide evidence of proper application rate. Hydroseeding must be accompanied by erosion control matting in areas of concentrated flow. Hydroseeding on slopes 3:1 and steeper, as shaded on the plan, and all hydroseeding after October 1st must be done with a dense cover of hydromulch, Fiestera High Performance, Flexible Growth Media, or approved equal.
 - Erosion control matting - NAG S75BN may be applied to slopes less than 3:1 (H:V). NAG S150BN matting must be applied to all slopes 3:1 (H:V) or greater (unless otherwise indicated) and in areas of concentrated flow. All rolled erosion control matting must be removed prior to first mowing.
 - Crushed stone or crushed gravel - Typically used for temporary access roads and construction staging areas.
- The Contractor shall use water for dust control.
- The Contractor shall provide inlet protection around all catch basins (existing or new) that collect construction site stormwater runoff. At a minimum, MarshMat, or approved equal, coir inlet filters shall be installed over all catch basin grates. Additional inlet control shall be installed as identified on the plans or as warranted during construction. Inlet protection must be maintained until final stabilization has been reached.
- A stabilized construction entrance (See Detail) shall be installed and maintained at all construction access locations where construction vehicles travel off the existing hardscape. Contractor shall be responsible for installing crushed stone to provide stable areas for construction vehicle traffic, staging, and storage. The Contractor is responsible for providing and maintaining sufficient stone to prevent rutting and sediment tracking.
- Any paved roads used by construction vehicles shall be swept daily, or at a greater frequency, if dirt or gravel is tracked from the site. The swept debris shall be removed from face of curb, if applicable, before any forecasted rain event.
- All temporary erosion and sediment control measures shall be removed within 30 days after final stabilization or after the measures are no longer needed, unless otherwise authorized.
- All sediment removed from sediment control practices shall be placed in an approved soil disposal area.
- All areas that do not have established vegetation by October 15th must be stabilized in accordance with the Winter Stabilization requirements outlined in the Low Risk Site Handbook. See Details.
- After permanent seeding the Contractor shall be responsible for watering to ensure adequate vegetative growth. Weed growth is not considered acceptable vegetative growth.
- Water from dewatering activities that flows off site must be clear. Turbid, or visibly discolored water must not be pumped into storm sewers. Discolored water must be pumped to a sediment filter bag, DirtBag or approved equal, in the location indicated on the plans or other area approved by the Engineer that is located away from exposed or disturbed soil.
- Contractor shall call James Sherrard at 503-7027 or email (jsherrard@burlingtonvt.gov) at least 24 hours prior to initiating earth disturbance and submit name, cell phone number, and email contact information of the erosion control coordinator for the project.

The perimeter of the site and all BMPs will be inspected at the end of each workday to ensure that sediment will not leave the site. If sediment has traveled beyond the site boundary, it shall be swept up or otherwise removed and deposited on-site in an upgradient area at the end of each workday.

Legend

- Marsh Mat Coir Inlet Filter
- Inlet Protection - Stone sump or compost filled sediment filter
- New Storm Line/Manhole/Basin
- Existing Storm Line/Catch Basin/manhole
- Existing Contours
- Construction Limit Fencing
- Compost filled sediment filter (SiltSoxx, or approved equal)
- Straw wattles
- Crushed Stone Stabilization
- Roller Erosion Control Matting



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K&L PROJECT NO. 18266

PROJECT

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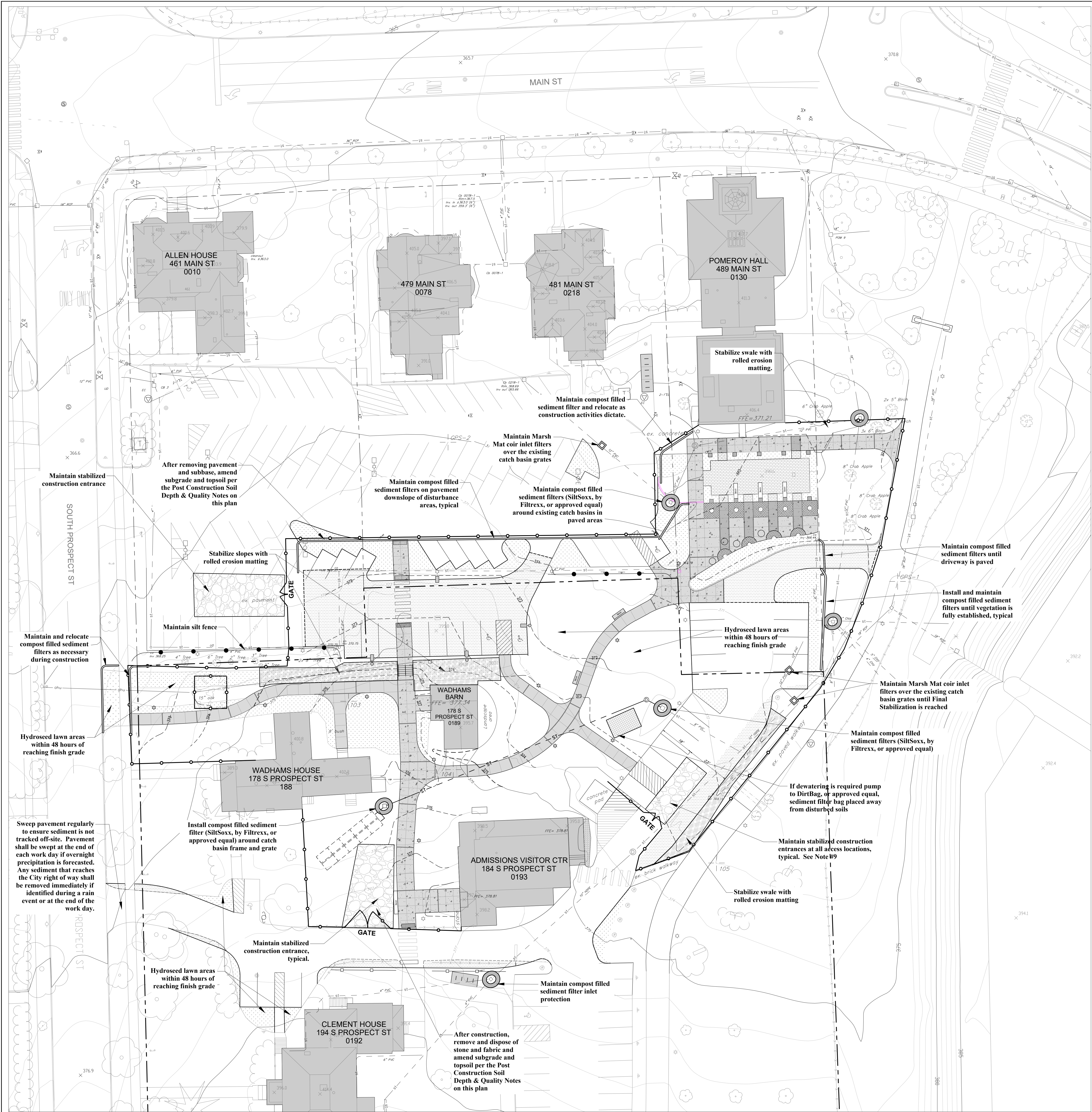
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REVISIONS

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EROSION PREVENTION
& SEDIMENT CONTROL
PLAN
PRECONSTRUCTION

C-3.0



Winter Construction Requirements (October 15th - April 15th)

- For areas to be stabilized with vegetative cover, seeding shall be completed no later than September 15th to ensure adequate growth and cover.
- If seeding is not completed by September 15th, additional non-vegetative protection must be used to stabilize the site for the winter period. This includes the use of Erosion Control Matting, or hydrosedding with a dense cover of hydromulch, Flexterra High Performance, Flexible Growth Media, or approved equal.
- Winter Stabilization – All disturbed areas not involved in Winter Construction shall be at least temporarily stabilized by October 15. After October 15th, all areas disturbed during Winter Construction shall be stabilized DAILY to prevent exposure from rain events and accumulation of snowfall (See Exceptions Below). Stabilization methods include:
 - Straw Mulching – 3-4 tons per acre. Approximately 2" uniform thickness (80-90% cover). Straw mulch must be tracked in or stabilized with netting to prevent windthrow.
 - Erosion control matting – North American Green S150, or approved equal, matting must be applied to all slopes 3:1 (or 4:1 or greater (unless otherwise indicated)).
 - Crushed stone or crushed gravel – Typically used for temporary access roads and construction staging areas.
 - Paved surfaces (concrete, asphalt, etc.)
 - Weighted impermeable barriers and other materials as approved by the Engineer.

Exceptions:

Hydrosedding after September 15th and before April 15th must be done using Flexterra High Performance-Flexible Growth Medium, or approved equal.

Snow and/or ice must be removed to, at most, one inch prior to applying mulch or erosion control stabilization matting.

Exceptions:

If no precipitation within 24 hours is forecasted and work will resume in the same disturbed area within 24 hours, daily stabilization is not necessary.

Maintenance – All disturbed areas shall be monitored by the Contractor and evaluated after a thaw or rainstorm. The Contractor shall notify the Engineer if any erosion control measures appear to be inadequate. The Contractor shall immediately (within the same business day) implement any further erosion or sediment control measures specified by the Engineer. The Contractor shall add mulch, as necessary, throughout the winter after thaws or rainstorms. The mulch depth shall be brought up to 2". The mulch and sediment control measures shall be maintained until a permanent ground cover is established in the spring. The site shall be reseeded and reseeded, in the spring, as required to establish a vigorous permanent grass cover.

- Stabilized Construction Entrances shall be enlarged to provide for snow stockpiling.
- Limits of disturbance shall be moved or replaced to reflect any revised boundaries of winter work.
- The site shall be managed to provide adequate snow storage and control of meltwater. Cleared snow shall be stored down slope of all areas of disturbance and out of stormwater treatment structures.
- Drainage structures must be kept open and free of snow and ice dams.
- Silt fence and other sediment control practices requiring earth disturbance must be installed ahead of frozen ground.
- Use stone to stabilize areas where construction vehicle traffic is anticipated. Stone paths should be 10-20 feet wide to accommodate vehicular traffic.

Post-Construction Soil Depth and Quality Notes

Required Elements:

Soil retention: Retain, in an undisturbed state, the duff layer and native topsoil to the maximum extent practicable.

Soil quality: All areas subject to the Standard shall demonstrate the following:

- A topsoil layer with a minimum organic matter content of 4% dry weight in planting beds and turf areas. The topsoil layer shall have a minimum depth of 4 inches, except where tree roots limit the depth of incorporation of amendments needed to meet the criteria.

Compost and other materials shall be used that meet the following requirements:

- The compost or other materials shall have a carbon to nitrogen ratio below 25:1.
- Compost shall meet the definition of "compost" in the Agency's Solid Waste Management Rules or shall meet the contaminant standards in the Vermont Solid Waste Management Rules §6-1104(g)(6-7), §6-1105(e)(8-9), and §6-1106(e)(7-9). Compost or other organic materials may be amended to meet the foregoing requirements.
- Exceptional Quality Incubated (EQI biosolids) may be used as a soil amendment, at a maximum proportion of 35% of the total soil volume, and shall be well mixed with existing soil before or during application.

The resulting soil shall be conducive to the type of vegetation to be established.

The soil quality requirements shall be met by using one or a combination of the following methods:

- Option 1: Leave undisturbed native vegetation and soil, and protect from compaction during construction. Failure to establish and maintain exclusionary controls around these areas during the construction phase may trigger the requirement to restore soils per one of the following options.
- Option 2: Amend existing site topsoil or subsoil in place.
 - Scarify or till subsoils to 4 inches of depth or to depth needed to achieve a total depth of 8 inches of uncompacted soil after calculated amount of amendment is added. Except for within the drip line of existing trees, the entire surface shall be disturbed by scarification.

Amend soil to meet organic content requirements:

- PRE-APPROVED RATE: Place 1 inch of composted material with an organic matter content between 40 and 65% and rototill into 3 inches of soil, or
- CALCULATED RATE: Place calculated amount of composted material or approved organic material and rototill into depth of soil needed to achieve 4 inches of settled soil at 4% organic content. "Contractor to provide calculation and site sketch indicating areas used for calculations."

Rake beds to smooth and remove surface rocks larger than 2 inches in diameter; and

Water or roll to compact soil in turf areas to 85% of maximum dry density.

Option 3: Remove and stockpile existing topsoil during grading.

Stockpile soil on site in a designated controlled area, at least 50 feet from surface waters, wetlands, floodplains, or other critical resource areas;

Scarify or till subgrade to a depth of 4 inches. Except for within the drip line of existing trees, the entire surface shall be disturbed by scarification;

Stockpiled topsoil shall also be amended, if needed, to meet the organic content requirements:

- PRE-APPROVED RATE: Compost shall be incorporated with an organic matter content between 40 and 65% into the topsoil at a ratio 1:3, or
- CALCULATED RATE: Incorporate composted material or approved organic material at a calculated rate to achieve 4 inches of settled soil at 4% organic content.

Replace stockpiled topsoil prior to planting, screen topsoil, and;

Rake to level, and remove surface rocks larger than 2 inches in diameter.

Option 4: Import topsoil mix, or other materials for mixing, including compost, of sufficient organic content and depth.

Scarify or till subgrade to a depth of 4 inches. Except for within the drip line of existing trees, the entire surface shall be disturbed by scarification;

Place 4 inches of imported topsoil mix on surface. The imported topsoil mix shall contain 4% organic matter. Soils used in the mix shall be sand or sandy loam as defined by the USDA. Shop drawing submittal is required. Find USDA sieve for sand and sandy loam.

Rake beds to smooth and remove surface rocks larger than 2 inches in diameter; and

Water or roll to compact soil in turf areas to 85% of maximum dry density.

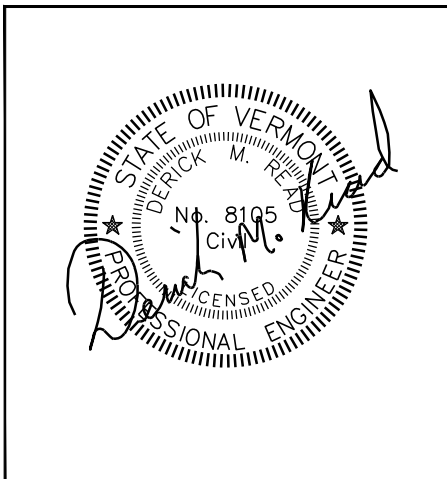
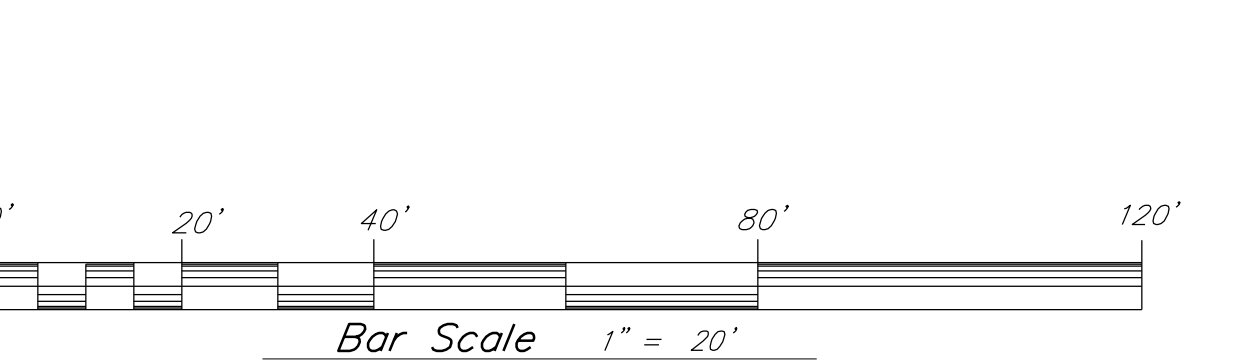
Soil Management:

- Identifies areas on the site subject to the Standard;
- Soil depth and quality shall be established toward the end of construction and once established, protected from compaction, such as from large machinery, vehicle traffic, and from erosion; and
- After soil amendments and placement is complete, and prior to seeding and mulching, Contractor shall perform verification sampling in locations indicated on sampling plan. Verification sampling shall include nine, 8 inch deep (min) test holes per acre of area subject to the standard. Test holes shall be excavated using only a shovel driven solely by inspector's weight and shall be at least 50 feet apart from each other.

A dense and vigorous vegetative cover shall be established over turf areas.

Legend

- Marsh Mat Coir Inlet Filter
- Inlet Protection – Stone sump or compost filled sediment filter
- ST – New Storm Line/Manhole/Basin
- Existing Storm Line/Catch Basin/manhole
- Existing Contours
- Construction Limit Fencing
- Compost filled sediment filter (SiltSoxx, or approved equal)
- Straw wattles
- Crushed Stone Stabilization
- Roller Erosion Control Matting



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K&L PROJECT NO. 18266

PROJECT

UVM
POMEROY
BARN
&
172 S. PROSPECT
DEMOLITION /
IMPROVEMENTS

S. PROSPECT ST.
BURLINGTON, VT
05405

DATE: June 22, 2021
SCALE: 1" = 20'
DRAWN: RA, DMR
CHECKED:

REVISIONS

PERMIT SET

EROSION PREVENTION
& SEDIMENT CONTROL
PLAN
CONSTRUCTION &
STABILIZATION

C-3.1
18266/Pomeroy Base Sets.dwg

18266/PomPavilion-1

ACAD Layer Naming Convention

X-XXXX-XXXX- XXXX
| | | Identifier
| | Minor Group
| Major Group
Discipline Code

Discipline Codes:
B – Background (x–ref) (by WM Group only)
C – Civil
E – Electrical
M – Mechanical
S – Site
T – Telecommunications
U – Controls
X – Other

Major Group Codes:
B – Background (x–ref) (by WM Group only)
BASE Roads, parking lots, walks, general

BLDG Building
NGAS Natural Gas
SSWR Sanitary Sewer

STRM Storm Sewer
WATR Domestic Water

E – Electrical
PPOW Primary Power Distribution
SPOW Secondary Power Distribution
EPOW Emergency Power
LITE Lighting

M – Mechanical
CHWR Chilled Water
FOIL Fuel Oil and Tanks
STEM Steam, Condensate
COGN Future Cogen Conduits

T – Telecommunications
PBX PBX
TELE Telephone

U – Controls
EMCM Emergency Communication
BC Building Controls
SECU Security/Fire

Identifier Codes:
PIPE Pipe (Actual pipe either active or abandoned)
CNDT Conduit (Actual conduit/bank either active or abandoned)
IDEN Identification (Manhole/pipe/conduit labels)
NOTE Notes (Notes as required – 1”=30’ scale)
HTCH Hatching (UVM & non–UVM building hatching) (Background ONLY)

Symbols (i.e. manholes, hydrants, handholes, valves, etc.) should appear on PIPE/CNDT layer.
(Others as needed)

2.) ACAD Standards

A) <u>TEXT STYLE:</u> FOR GENERAL TEXT USE: "UVM–GENTEXT" STYLE FONT: SIMPLEX FONT SIZE (IDENTIFIER LAYER): 3.50 (MODEL SPACE) FONT SIZE (NOTES LAYER ONLY): 2.50 (MODEL SPACE) JUSTIFY: BOTTOM OR TOP CENTER ORIENTATION: LEFT TO RIGHT OR BOTTOM TO TOP FORMAT: ENGINEERING	B) <u>LINE STYLE:</u> EXISTING – ACTIVE: LINETYPE: CONTINUOUS LINETYPE SCALE: 1:000 (examples) 8"=PS EXISTING – ABANDONED: LINETYPE: DASHED2 LINETYPE SCALE: 0.35 (examples) 4"=C–oban
---	--

AS–BUILT (RECORD) DRAWINGS

The Contractor shall be responsible for providing the Owner with an as–built (record) utility site drawing in both PDF and AutoCAD format that meets the specifications below

1. Drawing shall be in AutoCAD 2013 format. The civil design AutoCAD file drawing shall be used as the base for the as–built drawing. All information added to the base AutoCAD drawing shall be drafted in accordance with the Utility Record Drawing Drafting Standards shown on this plan.

2. The Contractor shall continue to update as–built drawing throughout the project. The as–built drawing shall be updated so that at any time in the project, infrastructure installed is located, plotted and drafted in the as–built drawing within 2 weeks of installation.

The Contractor shall copy the as–built drawing to the Engineer weekly during construction. The drawing shall include as–built survey shots including elevation and description of shot. The as–built survey shots shall be placed on a separate layer from the line work and shall be designated by date as AB–SHOT–XX–XX–XX (date). (For example, an as–built waterline tap shot shall be on a layer titled (AB–SHOT–01–08–08).

3. The Contractor shall utilize survey equipment able to locate infrastructure at the desired accuracy listed below. Footing drains and underdrains are exempt from the as–built requirements if they are constructed in accordance with the plans. Stormwater collection pipes for footing drains or underdrains must be survey located and included in the Record Drawing.

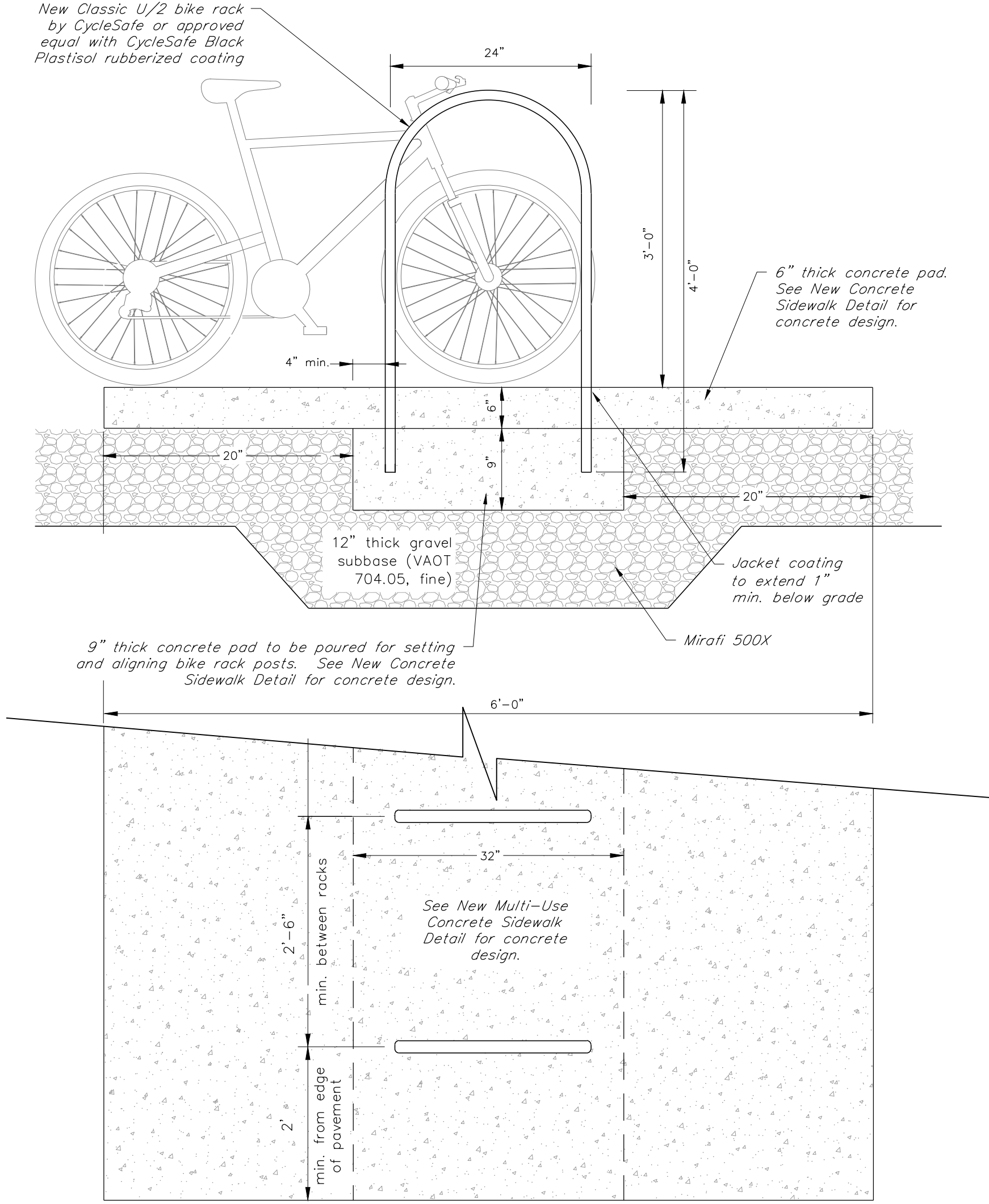
Utility	Horizontal Tolerance	Vertical Tolerance
Storm manhole/cb/chambers – rims/inverts/sumps Storm cleanout – invert Storm pipe – change slope/bend Storm pipe – building invert	1'	0.1'
Electric–Primary – change slope/bend Electric–Primary – tap concrete (every 36' max.) Electric–Primary – trench x–section (number and type conduit, encasement detail) Electric–Secondary – change slope/bend Electric–Secondary – tap concrete (every 36' max.) Electric–Secondary – trench x–section (number and type, encasement detail)	1'	0.1'
Other – EXISTING UTILITIES, ETC.	1'	0.1'

Contractor shall be responsible for locating and identifying all existing utilities that are exposed in the process of installing new utilities. Provide at least 2 shots on each utility found (every 36' max) as well as bends, fittings, and changes in slope.

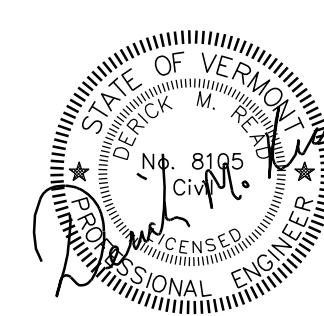
Site Lighting – Contractor shall be responsible for providing to the Owner a "mark–up" plan showing the layout of the site lighting conduit from light pole to light pole. If unforeseen site conditions require site lighting conduits to deviate from a predictable light pole to light pole path, the Contractor shall be responsible for providing "as–built" topographic shots in accordance with the standards for Electric–Secondary above.

Construction Notes

- The methods and materials of construction shall conform to the latest standards of the City of Burlington and the State of Vermont. All work shall be in conformance with all permits and approvals issued for the project. In case of conflict, the more stringent specification shall apply as directed by Engineer. All work shall be done in a workmanlike manner and completed in the time specified by Owner.
- The Contractor shall be responsible for all work and materials shown and required to make the job complete. These drawings do not show every fitting or appurtenance. Materials shall be as specified on the drawings. Manufacturer's product specifications shall be submitted for all materials to the Engineer for approval prior to installation.
- The location and size of existing underground utilities is not warranted to be exact or complete. The Contractor shall field locate all utilities and shall contact the affected utility company, the Engineer and the City of Burlington prior to making any hook ups. The Contractor shall be solely responsible for all existing utilities and their uninterrupted services. All off–site backfill, sheeting and shoring, dewatering, clearing and grubbing, erosion control, dust control, traffic control, grading, and all incidentals shall be included as part of the required work.
- Repair of all disturbed areas, grading, seeding, mulching, repair of roads and curbs, paving, and other incidentals are included as part of the required work. All disturbed areas shall be loamed and mulched until permanent ground cover is established.
- The Contractor shall verify all horizontal control and temporary bench marks before use.
- The workmen and public shall be protected by the Contractor from any and all hazards connected with the construction work. Open trenches, materials, or equipment within the working limits are to be guarded by the use of adequate barricades or flag men. All barricades left in position overnight are to be properly lighted. Kerosene pots are not acceptable. When work narrows the usable pavement, flag men shall be employed to aid the flow of traffic so that there will be no undue delays. The Contractor shall be held responsible for the safety of all workmen and the general public and all damages to property occurring from or upon the work occasioned by negligence or shall be held responsible for the safety of all workmen and the general public and all damages to property occurring from or upon the work occasioned by negligence or day or night within the working area. All work shall be in conformance to OSHA regulations, Title 19, Parts 1926.651 and 1926.652, and applicable to VOSHA regulations.
- Contractor shall contact Dig Safe and non–member utilities prior to any excavation.
- All new storm extending from catch basin structures shall be laid with a laser to elevation and slope as shown on the plans.
- The Contractor shall sawcut all existing pavement to be removed. The Contractor shall minimize the pavement area disturbance. Contractor shall be responsible for all pavement repair and restoration necessary to complete the work.
- The Contractor shall be responsible for all construction layout.
- Temporary sediment control measures shall be erected prior to any clearing or construction. Fencing may be erected in phases, but in no case shall construction of clearing proceed fencing. Special areas may be designated by the Owner for preservation of existing trees. These areas shall be the Contractor's responsibility to insure no damage is done to designated trees.
- Existing plantings are located in general areas as shown on the plans. Contractor shall protect plantings scheduled to remain so as not to damage these or their root systems.
- Contractor shall comply with all permits and approvals issued for this project.
- Slope stability upon unsaturated soil conditions. If during construction saturated soils are encountered, contact the Engineer immediately.



Bike Rack Detail
NTS



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S. PROSPECT ST.
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DATE: June 22, 2021
SCALE: N.T.S.
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CHECKED:

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CIVIL
DETAILS

C-4.2

18266/PrmFavilion-Details.dwg



PROJECT NORTH
LANDSCAPE PLAN
1" = 20'-0"



1 VIEW FROM N. PROSPECT ST.



2 BIRDSEYE VIEW NORTHEAST

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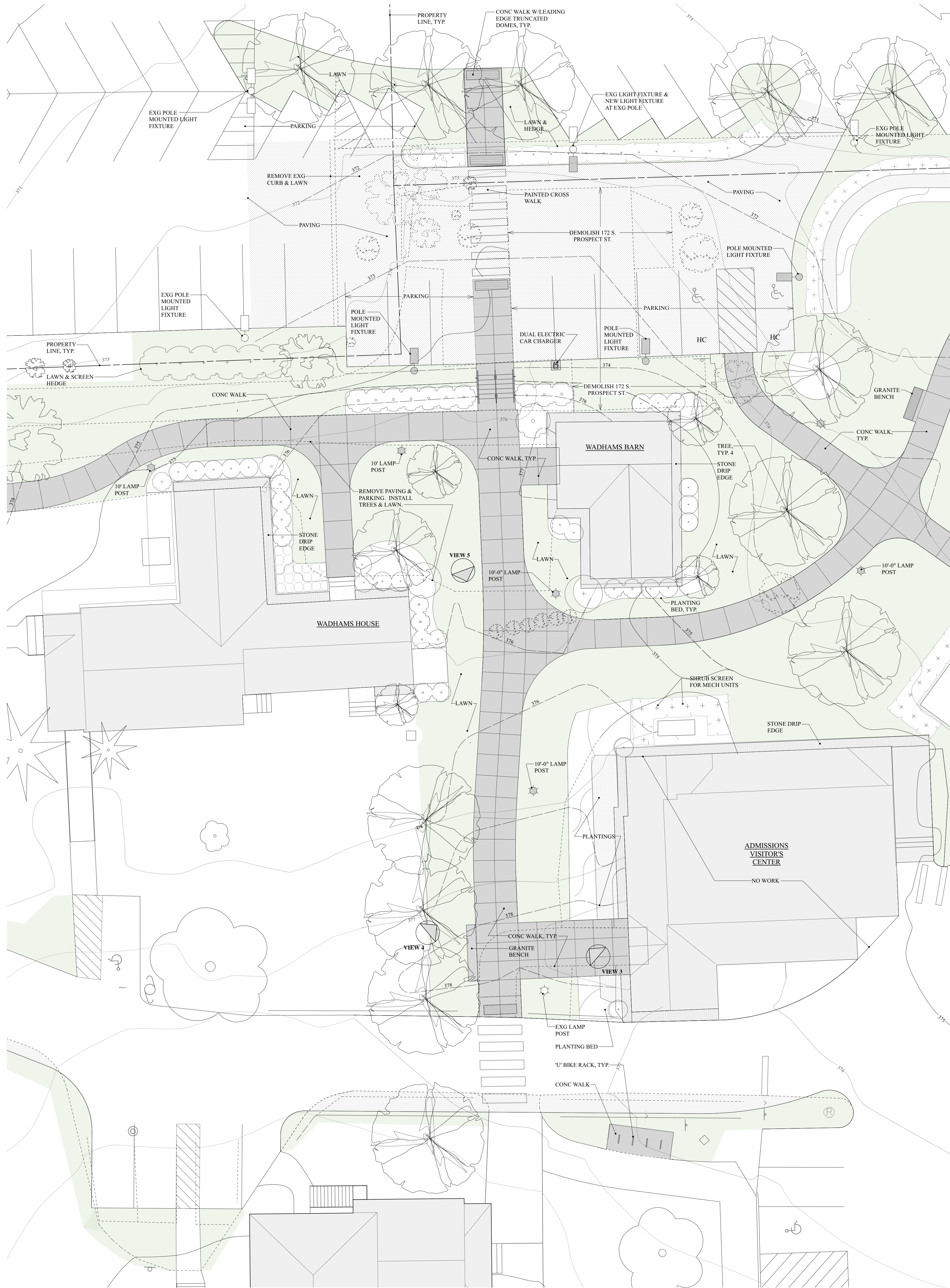
PROJECT
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BARN &
172 S. PROSPECT
DEMOLITION /
IMPROVEMENTS
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S. PROSPECT ST.
BURLINGTON, VT
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DATE: JUNE 22, 2021
SCALE: AS NOTED
DRAWN: CD
CHECKED:

REVISIONS
8/13/2021 CITY ZONING COMMENT

PERMIT SET
OVERALL
LANDSCAPE
PLAN
•
PERSPECTIVE VIEWS
1 & 2

SP-1.0



3 VIEW TO NORTHWEST



4 VIEW TO NORTHEAST



5 VIEW TO SOUTHEAST

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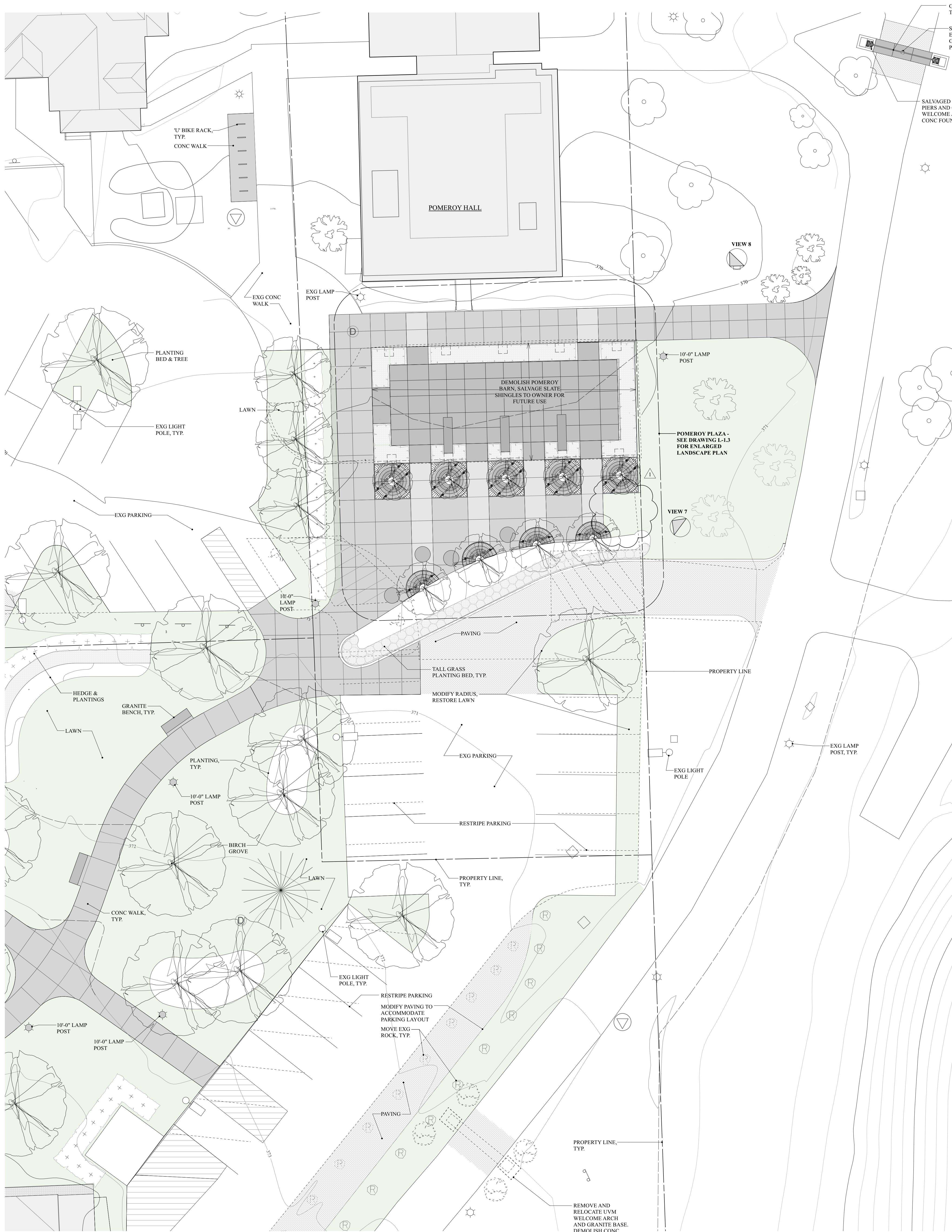
DATE: JUNE 22, 2021
SCALE: AS NOTED
DRAWN: CD
CHECKED:

REVISIONS

PERMIT SET

ENLARGED LANDSCAPE
PLAN WEST
•
PERSPECTIVE VIEWS
3, 4, & 5

SP-1.1



PROJECT NORTH
ENLARGED LANDSCAPE PLAN - EAST - POMEROY PLAZA
1" = 10'-0"

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6 VIEW TO NORTHEAST



7 VIEW TO SOUTHWEST



8 BIRDSEYE VIEW SOUTHWEST

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PROJECT

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REVISIONS

8/13/2021 CITY ZONING COMMENT

PERMIT SET

ENLARGED LANDSCAPE
PLAN EAST
•
POMEROY PLAZA
•
PERSPECTIVE VIEWS
6, 7, & 8

SP-1.2

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BURLINGTON, VT
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DATE: JUNE 22, 2021

SCALE: AS NOTED

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8/13/2021 CITY ZONING COMMENT

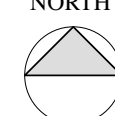
PERMIT SET

POMEROY PLAZA
ENLARGED LANDSCAPE
PLAN

SP-1.3

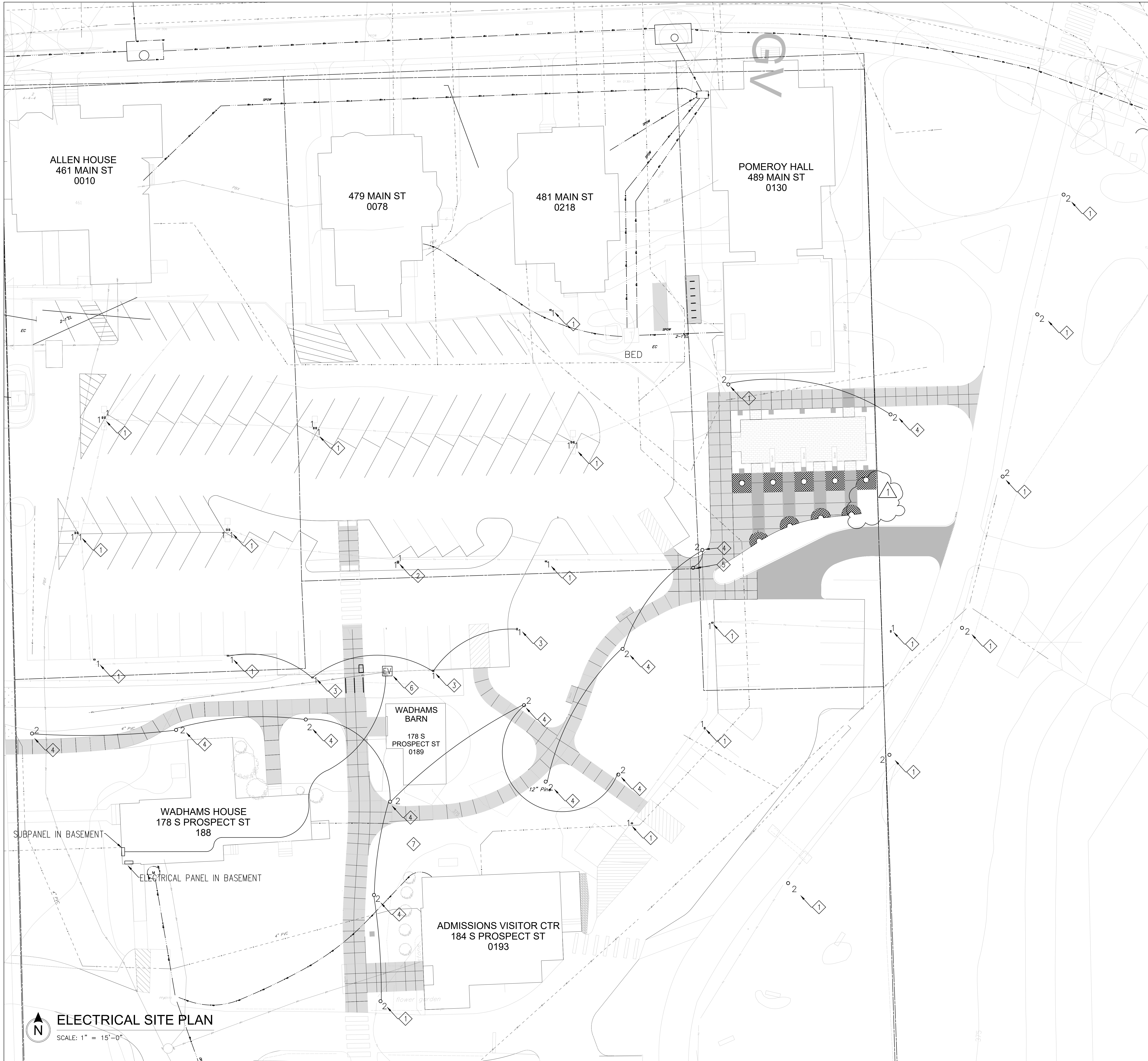


PROJECT
NORTH



ENLARGED LANDSCAPE PLAN • POMEROY PLAZA • PHASE 2

1/4" = 1'-0"



GENERAL NOTES THIS SHEET:

A. IN GENERAL, ALL EXISTING UNDERGROUND ELECTRICAL SERVICES, CONDUITS, AND WIRING SHOWN ON THESE PLANS ARE TO REMAIN AS IS UNLESS NOTED OTHERWISE AND SHALL BE PROTECTED AS REQUIRED DURING WALKWAY RECONSTRUCTION. PROVIDE DIG SAFE SERVICES FOR FINDING EXACT LOCATION OF CONDUITS.

KEYED NOTES THIS SHEET:

- EXISTING LIGHT & ASSOCIATED CIRCUIT TO REMAIN IN PLACE AS IS. SHOWN FOR COORDINATION PURPOSES ONLY WITH NEARBY CONSTRUCTION WORK PROPOSED UNDER THIS PROJECT.
- FURNISH & INSTALL NEW SHOEBOX STYLE POLE MOUNTED FIXTURE - UVM STANDARD - RAB WLED20/PIC ON EXISTING 14" POLE IN THIS LOCATION. ORIENT NEW HEAD FACING SOUTH AS SHOWN ON THIS PLAN AND EXTEND LIGHTING CIRCUIT TO NEWLY INSTALLED FIXTURE. USE (2)#8 AWG COPPER, (1)#80, 1" PVC-80. SEE TRENCH DETAILS, SHEET E2.0.
- FURNISH & INSTALL NEW 14" TALL SHOEBOX STYLE POLE MOUNTED FIXTURE - UVM STANDARD - RAB WLED20/PIC, WITH POLE RAB P54-11-1402. PROVIDE NEW CONCRETE POLE BASES AS SHOWN ON DETAILS, SHEET E2. EXTEND EXISTING NEARBY LIGHTING CIRCUIT TO NEW PROPOSED LIGHT FIXTURE LOCATIONS AS SHOWN ON THIS PLAN. USE (2)#8 AWG COPPER, (1)#80, 1" PVC-80. SEE TRENCH DETAILS, SHEET E2.0.
- FURNISH & INSTALL NEW 10' TALL LANTERN STYLE POLE MOUNTED FIXTURE - UVM STANDARD - LUMEC. PROVIDE MATCHING 10' POLE AS PER MANUFACTURER'S SPECIFICATION. PROVIDE NEW CONCRETE POLE BASES AS SHOWN ON DETAILS, SHEET E2. EXTEND EXISTING NEARBY LIGHTING CIRCUIT TO NEW PROPOSED LIGHT FIXTURE LOCATIONS AS SHOWN ON THIS PLAN. USE (2)#8 AWG COPPER, (1)#80, 1" PVC-80. SEE TRENCH DETAILS, SHEET E2.0.
- EXISTING 14" SHOEBOX STYLE POLE FIXTURE & POLE TO BE REMOVED. REMOVE AND DISPOSE OF CONCRETE POLE BASE. REUSE AND EXTEND EXISTING POWER CONDUCTORS FOR NEW FIXTURE AS ABLE. RETURN REMOVED POLE AND LIGHT TO UVM.
- FURNISH & INSTALL EV CHARGING STATION IN THIS LOCATION ALONG WITH POWER CIRCUIT. ROUTE UNDERGROUND POWER FEED IN APPROXIMATE PATHWAY SHOWN ON THIS PLAN BACK TO SOURCE PANEL IN WADHAMS HOUSE BASEMENT. CHARGER TO BE TYPE CHARGEPOINT CT4000 LEVEL 2. FURNISH & INSTALL A 2'X2' CONCRETE BASE FOR THIS CHARGING BOLLARD PER MANUFACTURER'S SPECIFICATIONS. FURNISH & INSTALL (2)#8, (1)#80, 1" C FOR 2 POLE 200V AC CIRCUIT. PROVIDE MATCHING CIRCUIT BREAKER FOR THIS EV CHARGING STATION. SEE TRENCH DETAILS, SHEET E2.0
- EXISTING CONDUIT IN THIS AREA IS CURRENTLY NOT COMPLETELY BURIED. CONDUIT IS TO BE REPLACED AND BURIED AS NOTED ON CIVIL DRAWINGS. CONTRACTOR IS TO RETIEF ALL ELECTRICAL CIRCUITS HOUSED IN THIS EXISTING CONDUIT AS PART OF THE SCOPE OF THIS PROJECT.

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SAS PROJECT NO. 0935

PROJECT

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BARN & 172 S.
PROSPECT
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S. PROSPECT ST
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05405

DATE: MARCH 23, 2021

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DRAWN: ZER

CHECKED: MPK

REVISIONS

△ ZONING COMMENT 8/13/21

PERMIT SET

Electrical Site
Plan

E1.0

SMITH
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DISTINCTIVE
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CHARLOTTE, VT 05445
802-425-2877

SAS PROJECT NO. 0935

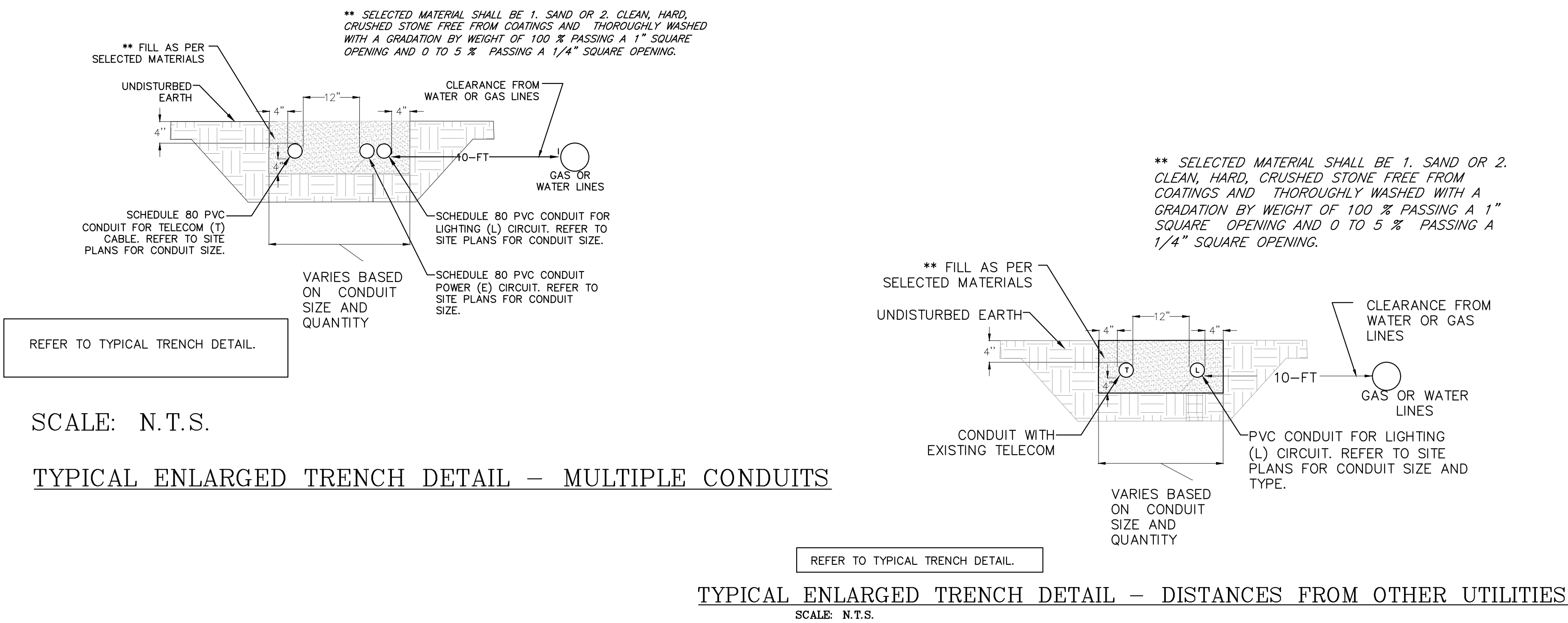
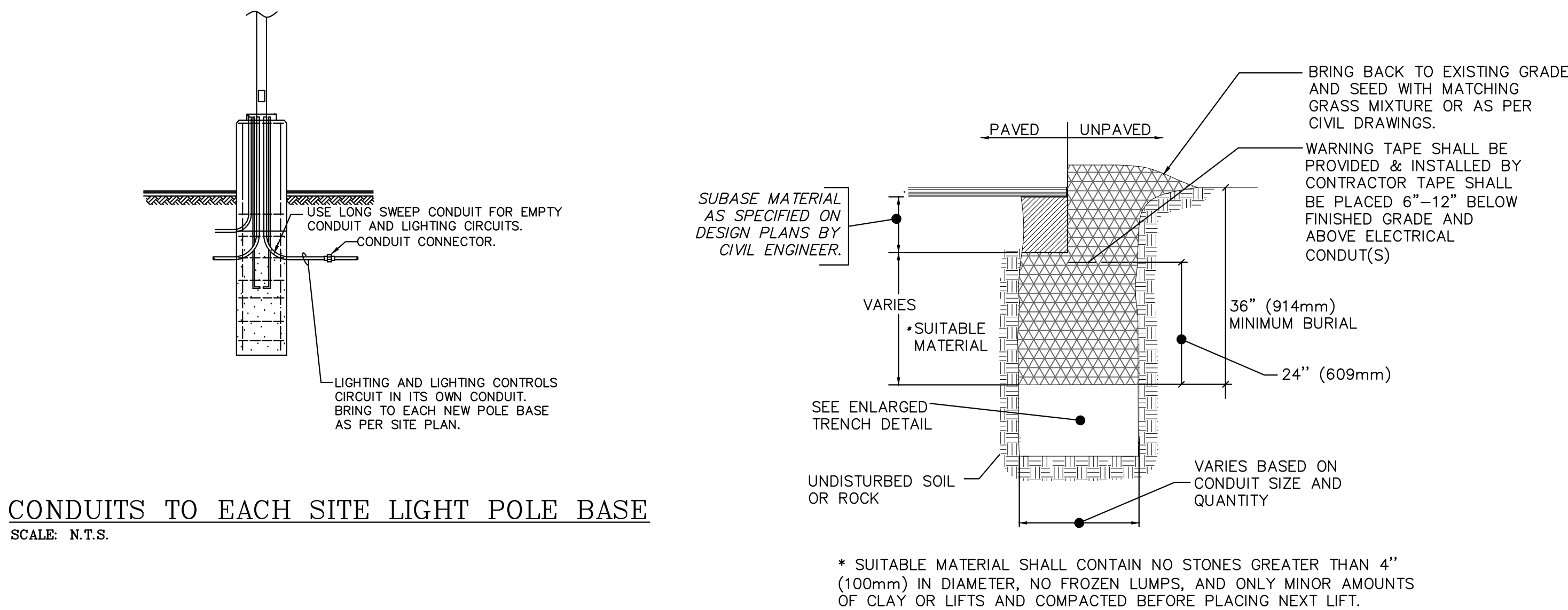
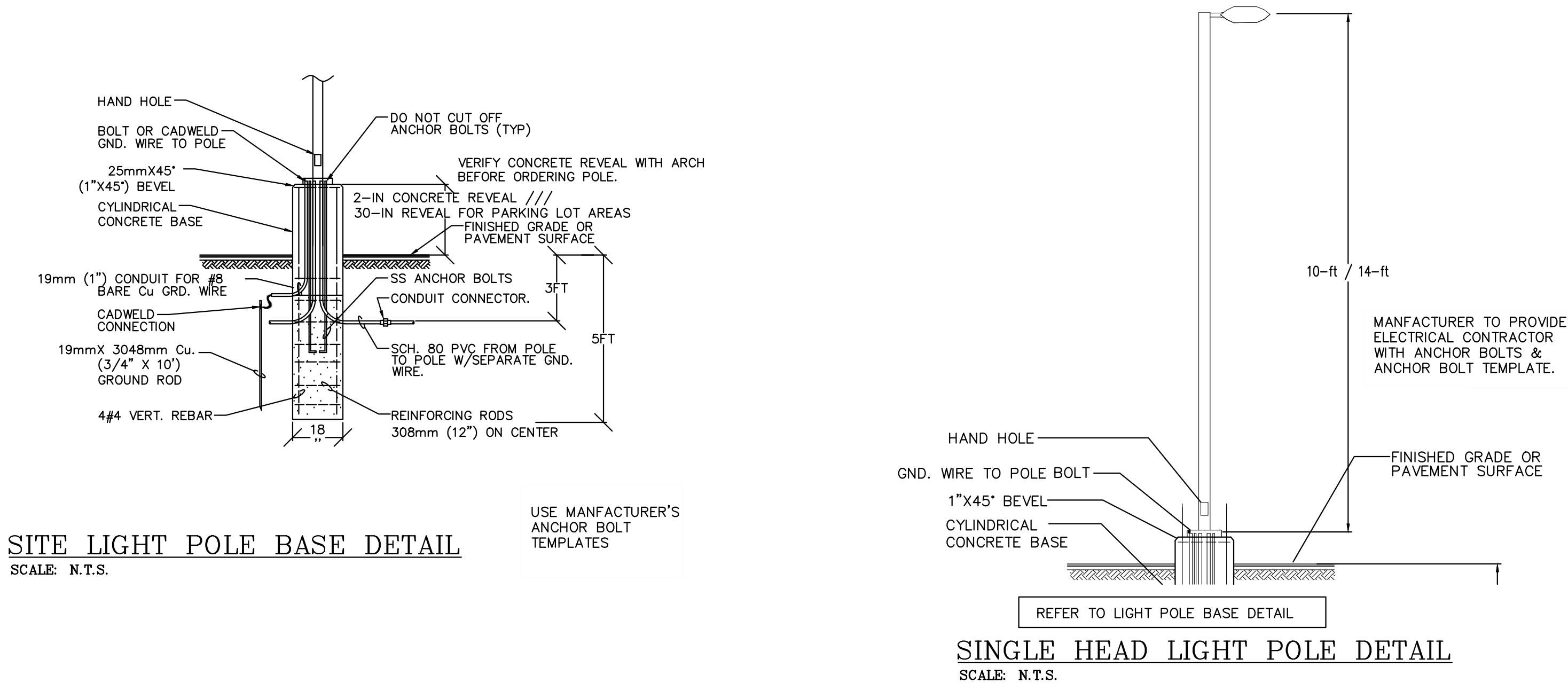
PROJECT
UVM
•
POMEROY
BARN & 172 S.
PROSPECT
DEMOLITION /
IMPROVEMENTS
•
S. PROSPECT ST
BURLINGTON, VT
05405

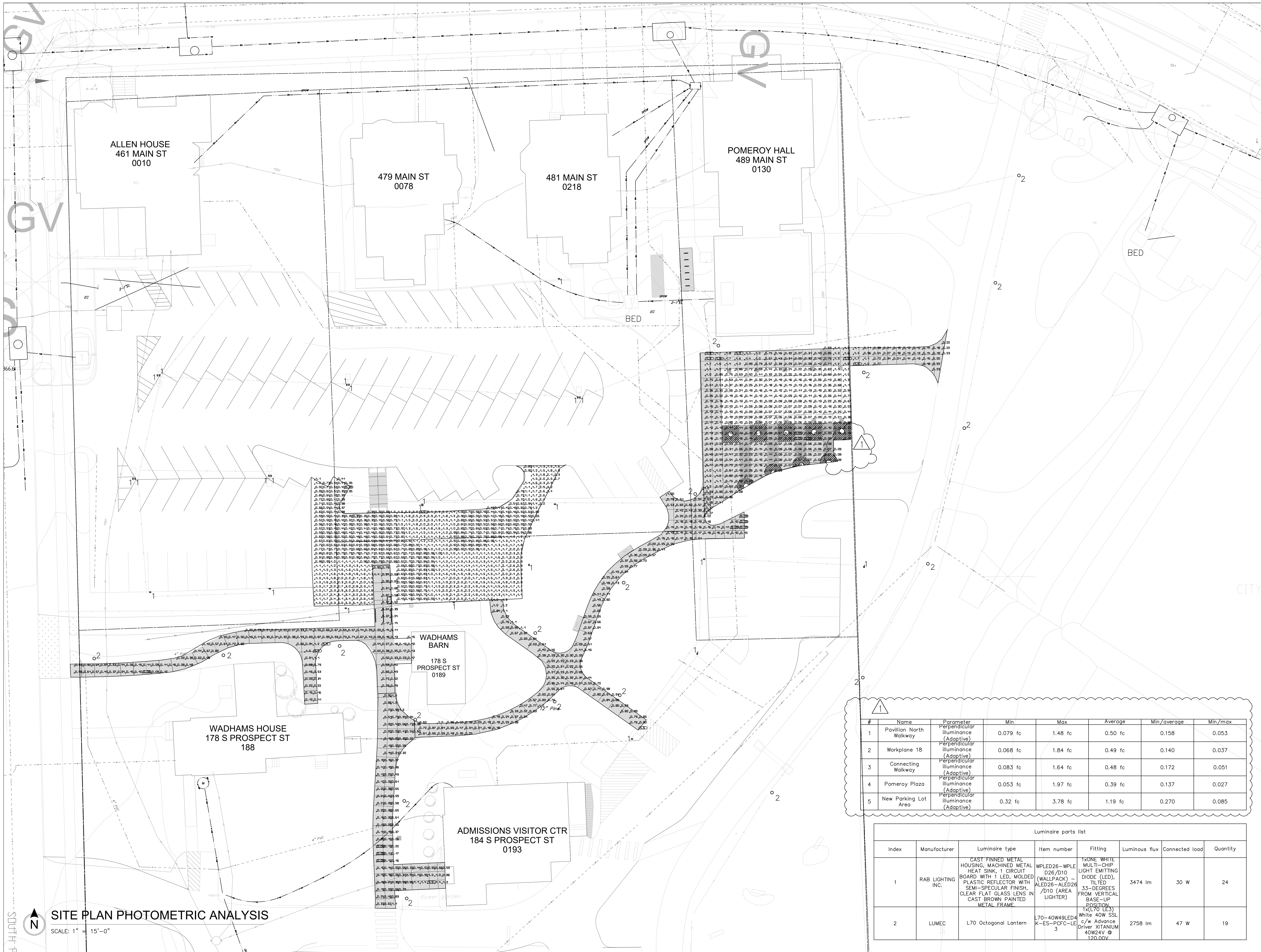
DATE: JUNE 22, 2021
SCALE: AS NOTED
DRAWN: ZER
CHECKED: MPK
REVISIONS

PERMIT SET

Trench and
Pole Base
Details

E2.0





#	Name	Parameter	Min	Max	Average	Min/average	Min/max
1	Pavillion North Walkway	Perpendicular Illuminance (Adaptive)	0.079 fc	1.48 fc	0.50 fc	0.158	0.053
2	Workplane 18	Perpendicular Illuminance (Adaptive)	0.068 fc	1.84 fc	0.49 fc	0.140	0.037
3	Connecting Walkway	Perpendicular Illuminance (Adaptive)	0.083 fc	1.64 fc	0.48 fc	0.172	0.051
4	Pomeroy Plaza	Perpendicular Illuminance (Adaptive)	0.053 fc	1.97 fc	0.39 fc	0.137	0.027
5	New Parking Lot Area	Perpendicular Illuminance (Adaptive)	0.32 fc	3.78 fc	1.19 fc	0.270	0.085

Luminaire parts list							
Index	Manufacturer	Luminaire type	Item number	Fitting	Luminous flux	Connected load	Quantity
1	RAB LIGHTING INC.	CAST FINNED METAL HOUSING, MACHINED METAL HEAT SINK, 1 CIRCUIT BOARD WITH 1 LED, MOLDED PLASTIC REFLECTOR WITH SEMI-SPECULAR FINISH, CLEAR FLAT GLASS LENS IN CAST BROWN PAINTED METAL FRAME	WPLED26-WPLED26/D10 (WALLPACK) - ALED28-ALED28/D10 (AREA LIGHTER)	1xONE WHITE MULTI-CHIP LIGHT EMITTING DIODE (LED), TILTED 33-DEGREES FROM VERTICAL BASE-UP POSITION	3474 lm	30 W	24
2	LUMEC	L70 Octogonal Lantern	L70-40W49LED4 K-ES-PCFC-LE3	1x(L70 LE3) White 40W SSL c/w Advance Driver, XITANIUM 40W24V 120.00V	2758 lm	47 W	19

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SAS PROJECT NO. 0935

PROJECT

UVM
•
POMEROY
BARN & 172 S.
PROSPECT
DEMOLITION /
IMPROVEMENTS
•
S. PROSPECT ST
BURLINGTON, VT
05405

DATE: MARCH 23, 2021
SCALE: AS NOTED
DRAWN: ZER
CHECKED: MPK

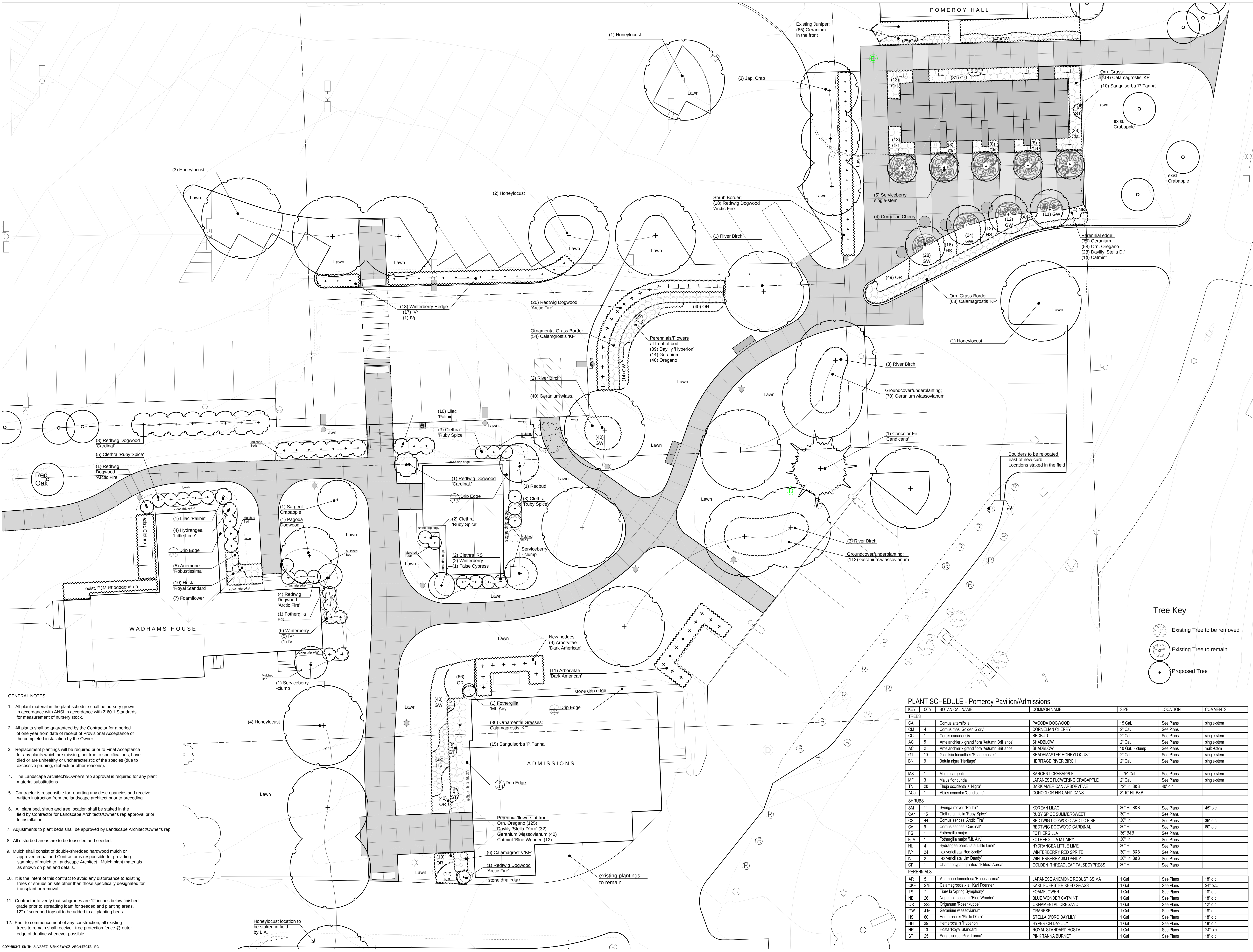
REVISIONS

ZONING COMMENT 8/13/21

PERMIT SET

Site Plan
Photometric
Analysis

E3.0



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SAS PROJECT NO. 0935

PROJECT

UVM
•
POMEROY
BARN
&
172 S. PROSPECT
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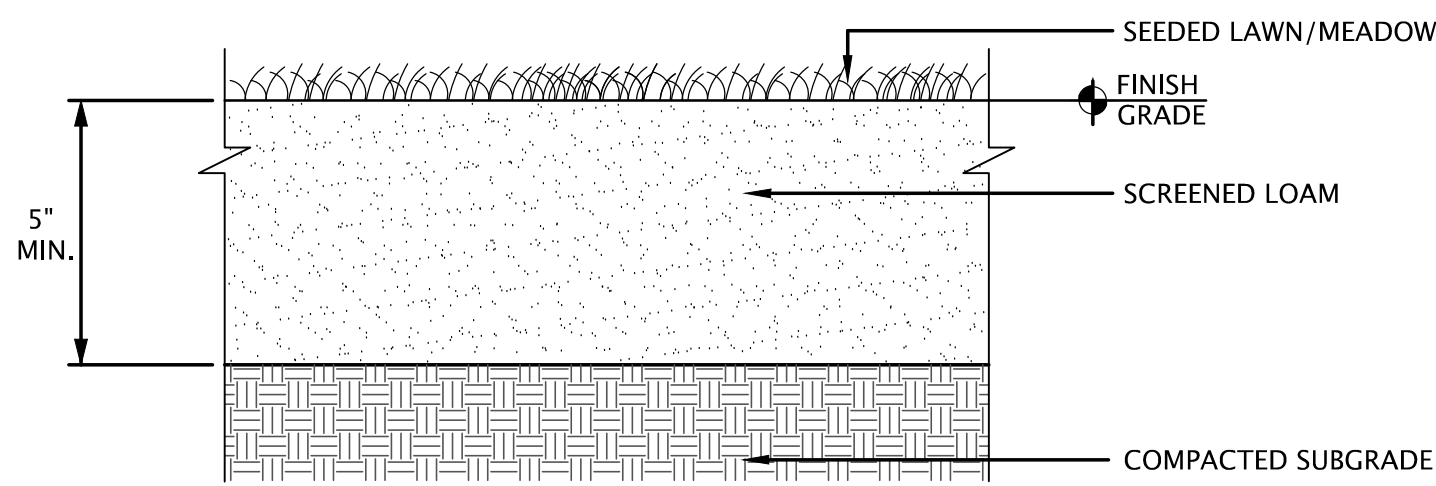
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SCALE: 1"=10'
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CHECKED:

REVISIONS

PERMIT SET

LANDSCAPE PLAN

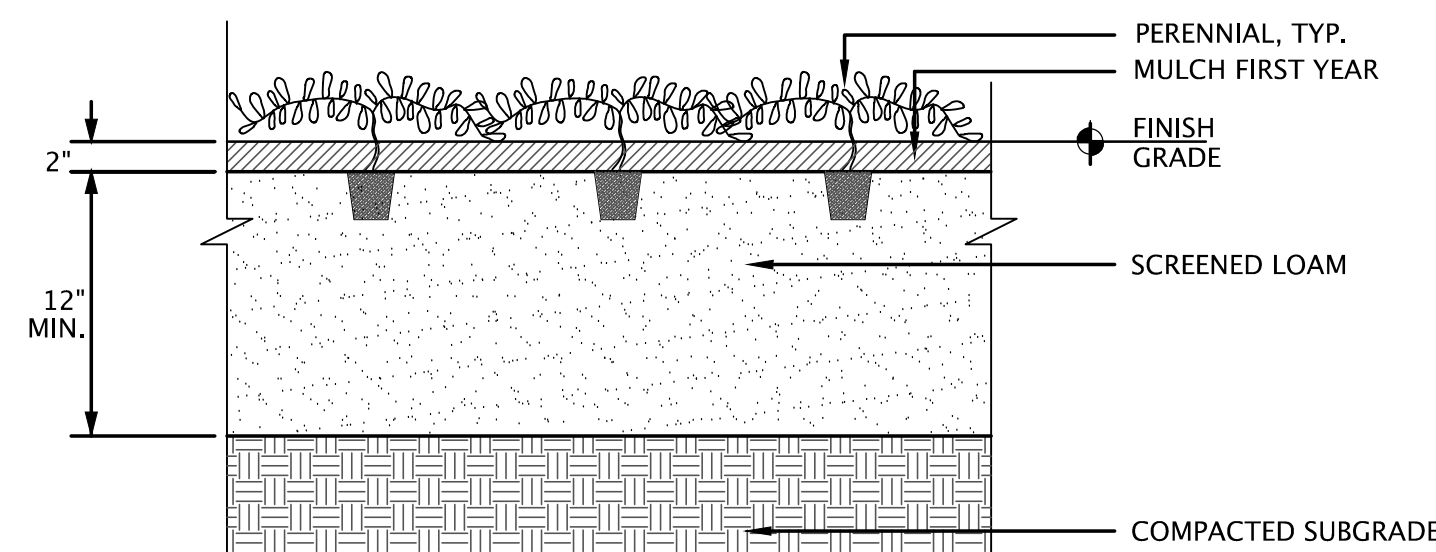
L-1.0



NOTES:
1. Lawn Seed Mix to be "Horsford Seed Mix" as supplied by Oliver Seed Co..

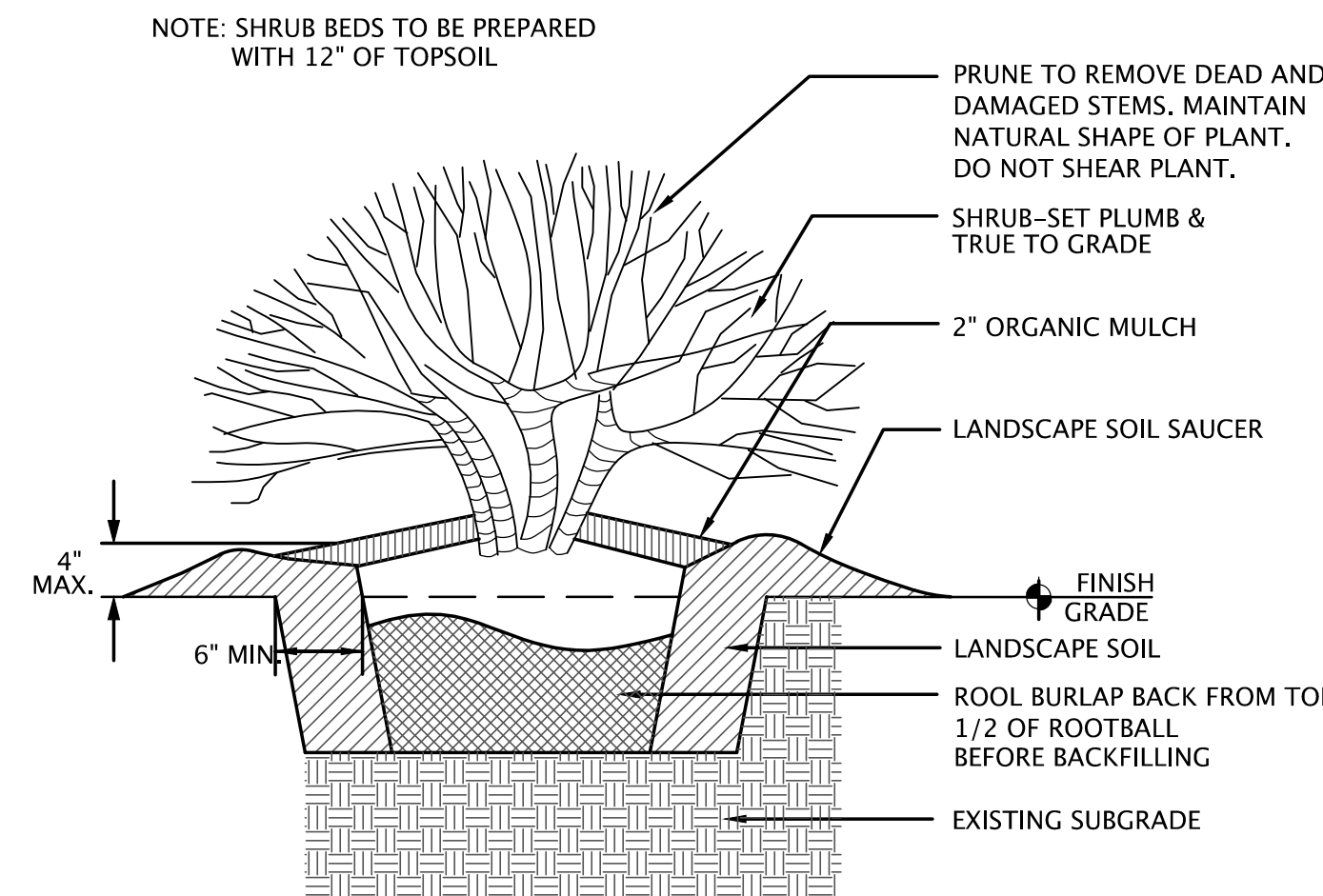
1 SEED LAWN DETAIL

NTS



2 PERENNIAL DETAIL

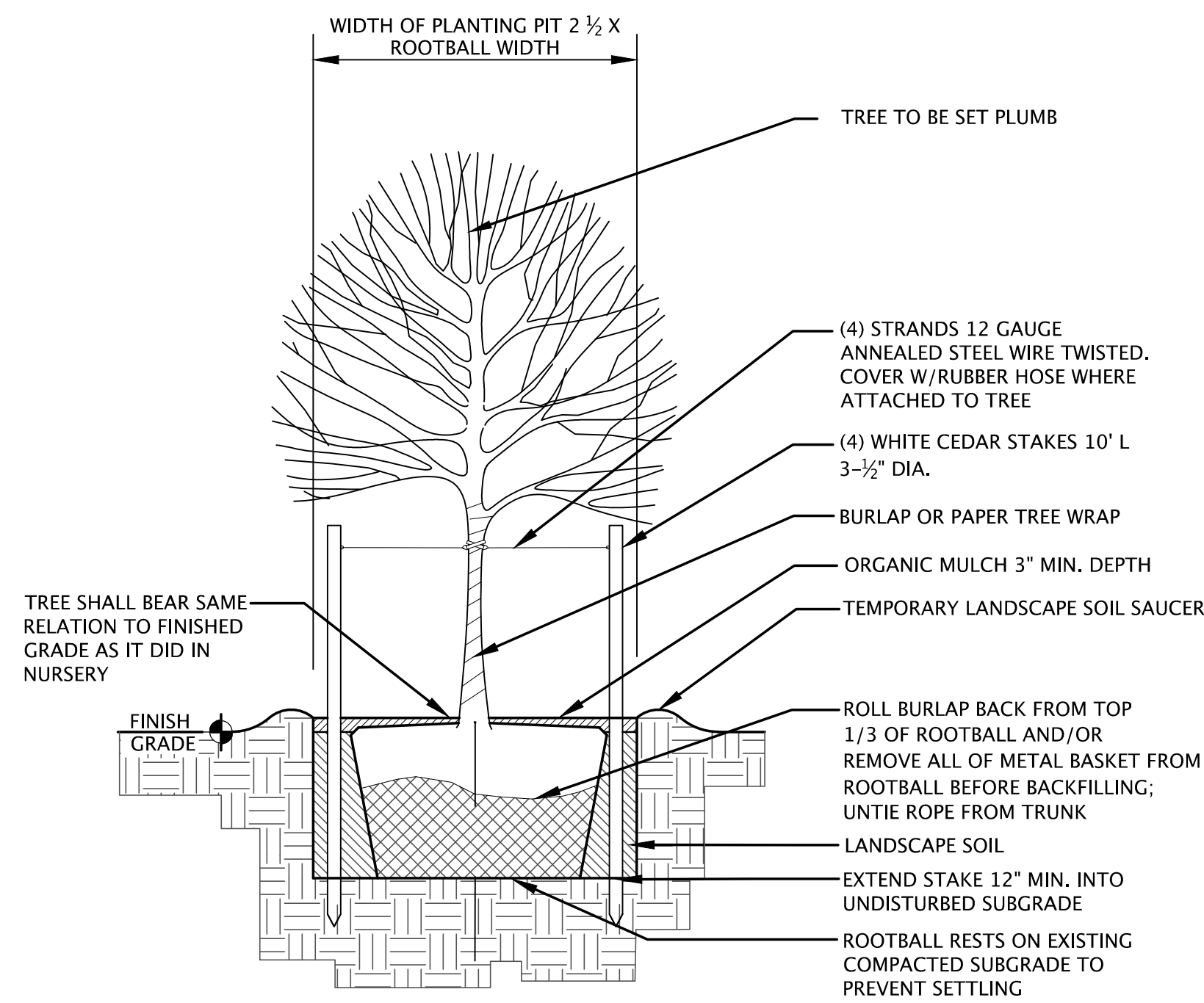
NTS



NOTE: CREATE CONTINUOUS PLANT PIT FOR ALL SHRUB PLANTINGS

3 SHRUB PLANTING DETAIL

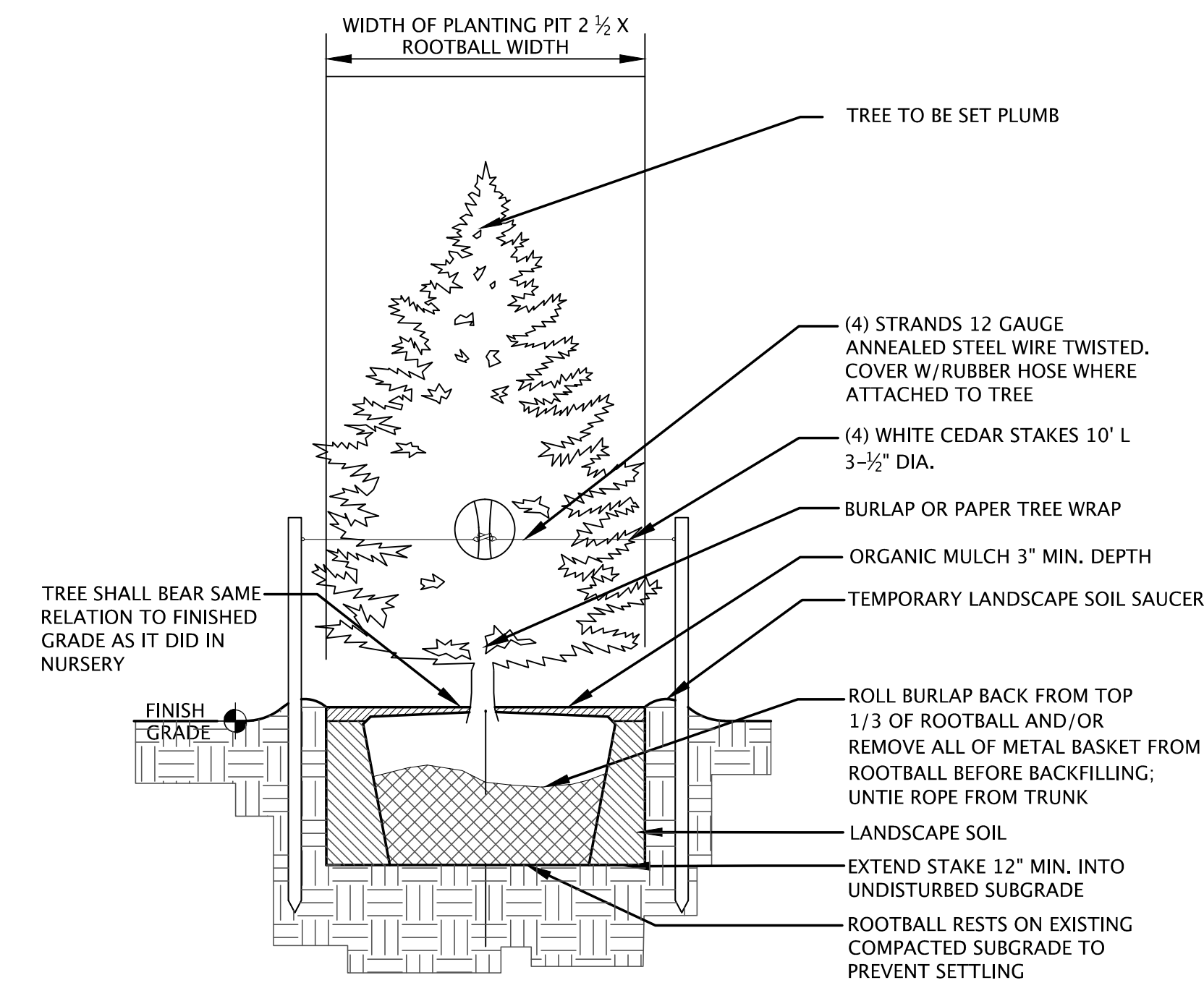
NTS



NOTE: 1. REMOVE ALL NON-BIODEGRADABLE MATERIAL FROM PLANT PIT

4 DECIDUOUS TREE PLANTING DETAIL

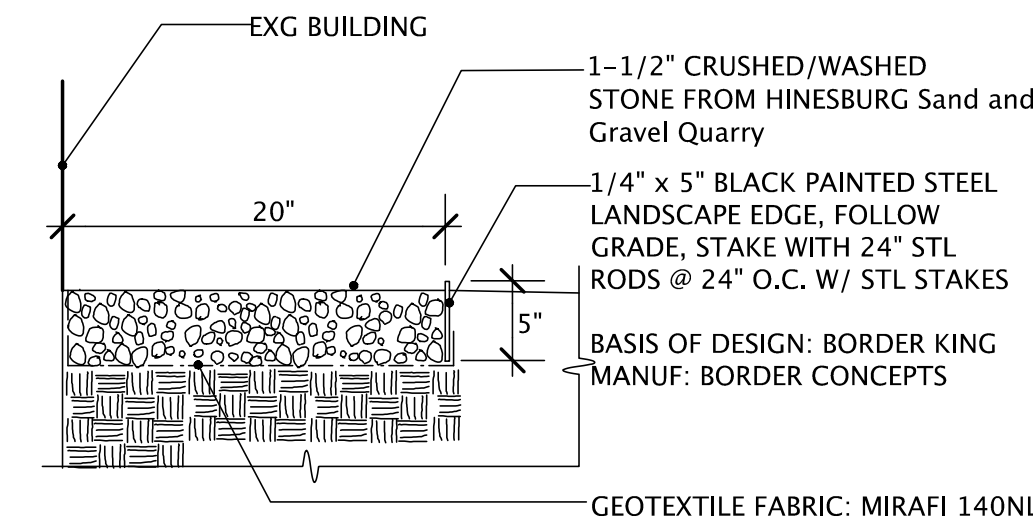
NTS



NOTE: 1. REMOVE ALL NON-BIODEGRADABLE MATERIAL FROM PLANT PIT

5 EVERGREEN TREE PLANTING DETAIL

NTS



6 DRIP EDGE DETAIL

NTS

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SAS PROJECT NO. 0935

PROJECT

UVM
•
POMEROY
BARN
&
172 S. PROSPECT
DEMOLITION /
IMPROVEMENT
•
S. PROSPECT ST.
BURLINGTON, VT
05405

DATE: JUNE 22, 2021
SCALE: 1"=10'
DRAWN: mw
CHECKED:

REVISIONS

PERMIT SET

LANDSCAPE DETAIL

L-1.1

Burlington Development Review Board

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

Brad Rabinowitz
AJ LaRosa
Springer Harris
Geoff Hand
Brooks McArthur
Kienan Christianson
Caitlin Halpert
Chase Taylor
Sean McKenzie, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, August 17, 2021, 5:00 PM

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

Zoom: <https://us02web.zoom.us/j/84106530127?pwd=Y2p5RG16OXFQN3lBWlJKdINBWmdSQT09>

Password: 302244

Webinar ID: 841 0653 0127

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

Minutes

Board Members Present: Brad Rabinowitz, AJ LaRosa, Geoff Hand, Caitlin Halpert, Brooks McArthur, Chase Taylor, Kienan Christianson

Board Members Not Present: Springer Harris, Sean McKenzie (Alt)

Staff Members: Scott Gustin, Mary O'Neil, Ryan Morrison, Ted Miles, and Alison Davis

I. Agenda

B. Rabinowitz: No changes to the agenda

II. Communications

B. Rabinowitz: Updated plans for the UVM and projects and for the sketch plan.

III. Minutes

B. Rabinowitz: Previous meeting minutes are posted online.

IV. Public Hearing

1. ZP-21-136; 92 Farrington Parkway (RL, Ward 7N) Raymond K. Ingram Jr.

Appeal of 15-year determination as to yard parking next to driveway. (Continued hearing) (Project Manager: Scott Gustin)

Ray Ingram appeared on behalf of appeal

No public provided testimony

B. Rabinowitz: Asks project manager, Scott Gustin, when the applicant was informed that he was in violation, if he moved the van to not be in violation at that point.

S. Gustin: Correct, the warning letter went out in October, and the vehicle was moved in March.

B. Rabinowitz: Mentions that there are affidavits now confirming the continuous 15-years. Asks to confirm that the Staff's position is that since he moved the vehicle at the point he was told he was in violation, he lost the 15-year continuous use.

S. Gustin: Correct. Believe that it was pointed out that it was corrected and seems to still be corrected.

B. Rabinowitz: Confirms with the applicant that the van was moved. Explains that the issue was that it was 15-years without continuous use, and then if you do not use it continuously for 60 days or more, it is deemed not continuous. If you moved it in April

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because of the violation, then it was not continuous, and you had a more than 60-day break.

G. Hand: Agrees that this one is odd. It came before us before in not the form that we thought it should be in, and we asked for the information. We got the information that we wanted in the form of affidavits saying that there is 15-years of continuous use, but Ray was trying to be responsive to the violation notice, and corrected the violation.

C. Halpert: Asks what the goal of the appellant is. Asks if the goal is to have parking in this location or if the goal is to have the violation go away and not be an issue. Or both.

R. Ingram: Goal would be to park there. Both would be ideal.

G. Hand: Asks if that space has still been used for parking since April.

R. Ingram: Yes. Off and on.

C. Halpert: Asks if there was a period of time of 60-days or more that there was no vehicle there.

R. Ingram: No. And there was not a span of more than 60 days of the van not being there.

B. Rabinowitz: Thinks there is enough information. Will need to discuss during deliberation. Asks if the Board or public has any questions or comments.

None

B. Rabinowitz: Closes hearing.

2. ZP-21-559; 64 East Ave (RL, Ward 1E) MBVT, Inc.

Two-lot subdivision to create one new single-family building lot. (Project Manager: Ryan Morrison)

Doug Goulette and Matt Broulliard appeared on behalf of item

No public provided testimony

B. Rabinowitz: Invites applicant to speak.

D. Goulette: Gives overview of project. Two-lot subdivision. The existing parcel has a house fronting on East Ave, and a driveway coming off University Rd. Proposal is to split parcel in half to create one new building lot. One lot would contain the existing single family home and the other lot will be a new single family home. Explains the easements that they have obtained for the driveways and sewer/water.

M. Broulliard: Should have copies of the easements.

D. Goulette: There are lot coverage calculations on page two that are slightly different from what are on sheet one. Thinks that staff was provided with an earlier version than what we are working with now.

R. Morrison: The correct lot coverage, it should be all set if it does not exceed the 35% coverage and the 10% bonus for the amenity structures on lot one.

B. Rabinowitz: Depends on how much of the slab is removed to address the coverage or setback issues if there are any.

D. Goulette: Correct. Half of the garage structure is being removed. The structure itself is going away. Some of the concrete slab underneath may be retained for storage and such. The grey area is the portion of the paved driveway that is going away. Wanted to bring it into compliance with the 18-foot width. That area also brings the coverage under that threshold.

B. Rabinowitz: Asks if there are any questions or comments from the Board.

None

B. Rabinowitz: Closes hearing.

V. Certificate of Appropriateness

1. ZP-21-514; 489 Main Street (I, Ward 6S) University of Vermont

Landscape improvements, removal of barn behind Pomeroy Hall and addition. Relocate arch. Pedestrian circulation improvements, underground storm water detention system, parking modifications. (Project Manager: Scott Gustin)

ZP-21-515; 184-194 South Prospect Street (I, Ward 6S) University of Vermont

Landscape improvements, removing of building and driveway. Pedestrian circulation improvements, underground storm water detention system, parking modifications. (Project Manager: Scott Gustin)

Lani Ravin (UVM), Cheryl Dowling, Scott Goodwin, Derick Read, and Luce Hillman appeared on behalf of item

Sharon Bushor provided public testimony

L. Ravin: Introduces project. Explains that the plan is to beautify the area and it is one of the first views on campus for students who are considering attending the University of Vermont. Making improvements to a sensitive and important area of campus, and fitting in with the University's preservation priorities. Recently there was some work in combining the lots so that there would be a comprehensive and unified project. We have reviewed Staff recommendations, and we support those recommendations.

C. Dowling: Goal is to provide an inviting and accessible pedestrian friendly and enjoyable experience from the moment a student arrives on campus. The current path that students have to take is lacking in terms of what is offered at UVM. Shows where the current path is that students take through campus during first visits. Explains that the current path is not universally accessible. Not an equitable situation. Proposing a link from the admissions building through campus. By doing that, it is a path which anyone can use. Explains that there is space that is separated from cars and separated two spots from the pedestrian area. Bringing total parking spaces from 149 to 146, minor reduction in parking spaces. Talks about how the lots are reconfigured. The barn is a historic structure, and had parking right up against it. We pulled the parking away, and are proposing greenspace. Shows where new parking would be. Explains new locations of driveways. Adding electric charging station. Explains landscaping plans. Explains idea of landscaping reasoning for visitors and campus tours. Explains lighting plans. Has been working closely with the Vermont Division of Historic Preservation. Very exciting project and creating this new space will be transformed into a place that the University community, prospective and current students can use and enjoy.

B. Rabinowitz: Asks where the boundary line of UVM vs the arch to the City.

C. Dowling: Shows on site plan where the property line is located. Shows where the proposed location of the arch will be.

B. Rabinowitz: Asks about a different line on the site plan and what that represents.

L. Ravin: Explains that the property line to the east has not been determined yet. They accept all conditions. Have already address most of the conditions. The property line negotiation with the City is on going and will probably not happen right away. Will be moving forward with this project before that negotiation is settled. When the negotiation is settled and we want to move the arch, another zoning permit will be needed for that.

B. Rabinowitz: Looks like a nice project. Asks if there are other questions from the Board.

None

B. Rabinowitz: Asks if they will maintain two driveways off South Prospect Street.

L. Ravin: Getting rid of two driveways. There are two that will remain.

B. Rabinowitz: Asks if there are any questions from the public.

S. Bushor: Introduces self. Speaks in support of project. Troubling thing is that is of great concern to have a residential structure torn down and to not have an entity responsible for the housing replacement. Since UVM creates so much stress for housing, it is ironic that they do not need to provide replacement housing or a fee. Asks that for the arch relocation, for a future application, if it is administrative or if it will need to go in front of the DRB.

S. Gustin: For a future arch relocation application, that would be an administrative permit.

B. Rabinowitz: Asks what the building is that is being torn down.

L. Ravin: Originally, was a residential structure, but was damaged and has been unusable. Very small unit, was being used for traveling professors, etc. was unrepairable and has deteriorated. Was not a residence for the past few years.

B. Rabinowitz: Closes public hearing.

VI. Sketch Plan

1. ZSP-21-6; 95 Elbow Street and ZSP-21-5; 105 Elbow Street (RL-W, Ward 7N) 2751 North Miami Ave LLC and Doug Henson

Construct a residential duplex. (Project Manager: Ryan Morrison)

ZSP-21-4; 3131 North Ave and ZSP-21-3; 3135 North Ave (RL-W, Ward 7N) 2751 North Miami Ave LLC and Doug Henson

Construct a single-family dwelling. (Project Manager: Ryan Morrison)

AJ LaRosa recused from item

James Dufour and Doug Henson appeared on behalf of item
Janice and Nelson Laplante provided public testimony

B. Rabinowitz: Some question about the lot sizes. Was clarified in a resubmitted survey. Asks if that is correct

R. Morrison: Yes, correct.

D. Henson: Introduces self. These are four lots. Explains locations of lots. Two lots are over 10,000 sq ft, and the other two are both over 4,000 sq ft. Explains that no one knows where those properties came from. Explains history of ownership of lots and property lines.

B. Rabinowitz: Asks if it is a Lidar plan or actual survey.

D. Henson: Actual survey. This plan was done before Lidar was considered.

B. Rabinowitz: Would like more information about existing conditions of the sites for the future application. Asks about age of survey plan they are viewing.

D. Henson: The property lines are based on our survey which we did in 2016.

B. Rabinowitz: Asks about the connection between Elbow Street and North Avenue.

D. Henson: You could generously call it a street. The last time I was down there, it was packed dirt.

B. Rabinowitz: Asks if that is how someone would access this property.

D. Henson: Yes. And the connection on the north side of lot 1, that was a vacant parcel who no one knew who owned. The Judge said that my client could use that as access.

B. Rabinowitz: Asks if there are any other questions or comments.

C. Halpert: Asks about Elbow St that is on the property of all lots. Asks if it currently exists within the setback.

D. Henson: Correct.

B. Rabinowitz: That access continues to access the property to the south of lot 4.

D. Henson: No, they do not use that. In addition to the building directly south of lot 4, they also own the building to the east of that. They use North Ave for that. My client has a letter from them that he can connect all four of those properties to his pump station.

B. Rabinowitz: Asks how power gets to these properties.

D. Henson: There are multiple poles down through there. It is tough to see on the plan. Shows lines on drawing. Discusses utility accesses.

B. Rabinowitz: Asks if there are any other questions from Board or public.

J. LaPlante: Asks if they are going to construct one duplex and tear down the two empty houses.

B. Rabinowitz: Explains that they can do duplexes on that lot. They are planning to do two sets of duplexes and two single-family houses. Two single-family against North Ave, and then duplexes on the other two.

J. LaPlante: Asks if they are going to fix up the lots or the walls because the walls are falling down.

R. Morrison: The applicant has not proposed to touch the lake walls.

J. LaPlante: Asks if they are removing some trees.

B. Rabinowitz: Explains that they haven't submitted plans and that this is just a sketch plan. Confirms that they are above lot 3 and the location of their property access right-of-way. Asks if there are any other questions. Asks applicant if the right-of-way for Elbow Rd is defined.

D. Henson: Explains that the location is for the Judge to find. There is no deeded right-of-way for Elbow Rd and Elbow St.

B. Rabinowitz: Asks if there are any other questions.

None

B. Rabinowitz: Closes sketch plan.

VII. Adjournment

Meeting adjourned at 6:05pm

Oct 6, 2021



Bradford L. Rabinowitz, Chair of Development Review Board

Date



9/10/21

Alison Davis, Zoning Clerk

Date

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

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