

## Burlington Development Review Board

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

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



### BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, July 19, 2022, 5:00 PM

#### PUBLIC HEARING NOTICE

*Remote Meeting*

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

**Webinar ID:** 832 2569 6227

**Passcode:** 969186

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

**1. ZP-22-184; 13 Lakeview Terrace (RM, Ward 3C) Jonathan Maguire**

Convert existing residence to establish short-term rental. *Reopened hearing to consider parking nonconformity rescheduled from June 7, 2022.*

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/drba/agendas](http://www.burlingtonvt.gov/dpi/drba/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.*

## Burlington Development Review Board

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

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



### BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, July 19, 2022, 5:00 PM

#### AMENDED AGENDA

*Remote Meeting*

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

**Webinar ID:** 832 2569 6227

**Passcode:** 969186

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

**I. Agenda**

**II. Communications**

**III. Minutes**

**IV. Consent**

**1. ZP-22-395; 97 Spear Street (I, Ward 8E) UVM State Agricultural College / Lani Ravin**

Amend the zoning permit for the Tarrant Multipurpose Events Center to include two phases and an extended construction timeframe. No changes to the approved construction. (Project Manager, Scott Gustin)

**V. Public Hearing**

**1. ZP-22-184; 13 Lakeview Terrace (RM, Ward 3C) Jonathan Maguire**

Convert existing residence to establish short-term rental. *Reopened hearing to consider parking nonconformity rescheduled from June 7, 2022.* (Project Manager, Ryan Morrison)

**VI. Other Business**

**1. ZAP-22-2; 203 South Cove Road (RL-W, Ward 5S) Stanley Weinberger / Christine Weinberger**

Request for reconsideration of the DRB's decision to grant an appeal for the administrative denial of ZP-22-148. (Project Manager, Ryan Morrison)

**2. Annual organizational meeting**

Nomination and election of Board chair, vice chair, ordinance committee members, and long range planning committee member

**VII. Adjournment**

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

*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,*

*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

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

## Department of Permitting & Inspections

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

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



### MEMORANDUM

**TO:** Development Review Board  
**FROM:** Ryan Morrison, Associate Planner  
**DATE:** July 19, 2022  
**RE:** Request reconsideration of ZAP-22-2; Appeal of administrative denial of ZP-22-148

---

On July 5, 2022, the Development Review Board approved an appeal request to overturn the administrative denial of ZP-22-148 (to reconstruct a garage structure with a larger 2-story garage).

This application involved demolition of an existing nonconforming garage and replacement with a new nonconforming garage. The existing nonconformities relate to the front yard setback and placement of the garage relative to the residence. The application results in increased nonconformities on both counts.

Given the applicable zoning standards that prohibit most increases in nonconformity, staff requests reconsideration of this decision. If the DRB elects to reconsider their decision, supplemental information will be provided as to nonconformity standards and their effect on the application.

## Department of Permitting & Inspections

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

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



**TO:** Development Review Board  
**FROM:** Scott Gustin  
**DATE:** July 19, 2022  
**RE:** ZP-22-395; 97 Spear 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: 8E

Owner/Applicant: University of Vermont & State Agricultural College

**Request:** Amend the zoning permit for the Tarrant Multipurpose Events Center to include two phases and an extended construction timeframe. No changes to the approved construction.

### **Applicable Regulations:**

Article 3 (Applications, Permits, & Project Reviews)

### **Background Information**

July 5, 2018, zoning permit 18-0929CA was approved for UVM's new 96,681 sf, ~ 3,000 seat multipurpose events center located between the existing Gutterson Field House and Patrick Gym facilities. That permit was amended later that year with respect to construction traffic.

The project is under construction. As approved, the project is a single phase. The applicants are now seeking approval to phase the project to enable occupancy of portions of the project while it remains under construction. The applicants are also seeking an extended timeline to complete construction. No changes to the construction itself are sought.

Previous zoning actions:

- 3/10/21, Approval to re-roof tennis facility
- 12/4/18, Approval to amend multipurpose event center permit as to construction traffic
- 7/5/18, Approval to construct multipurpose event center and related improvements
- 5/21/08, Approval to construct two canopies over westerly egress doors

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

### **I. Findings**

#### **Article 3: Applications and Reviews**

#### **Part 5, Conditional Use & Major Impact Review:**

*Section 3.5.6 (a) Conditional Use Review Standards*

**(Not applicable)**

*(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.*

**(Not applicable)**

*2. Time limits for construction.*

The applicants are seeking approval to split the project into two phases. Phase 1 would include a 1-story connector between the Gutterson Field House and the new multipurpose events center, two freestanding chillers, and temporary bathroom trailers. Phase 2 would include the remainder of the project.

The applicants are also seeking approval to extend the construction timeline to September 30, 2027. As presently approved, the zoning permit is valid through September 11, 2023 (due to Act 250 review and the suspension of zoning permit timelines during the COVID state of emergency). Given the prior suspension of construction due to the pandemic and the large scale and complexity of this project, the September 2027 end date for construction is acceptable. **(Affirmative finding)**

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

**(Not applicable)**

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

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

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

See the recommended conditions.

## **II. Conditions of Approval**

1. This zoning permit amends zoning permit 18-0929CA to include 2 phases as depicted on the “overall site plan” dated June 25, 2021 and extends the zoning permit expiration date to September 30, 2027. No other changes are included in this amendment.
2. Standard permit conditions 1-15.

The University of Vermont was in the midst of construction of the Tarrant multipurpose events center when the COVID-19 pandemic forced a pause to construction. As a result of the unknown economic impacts and the construction stop order, the University decided to suspend construction.

UVM was able to restart construction, but with continued uncertainties opted to phase the project. The University of Vermont would like to amend the existing zoning permit for the Tarrant Multipurpose Events Center to create a phased construction plan, with a time extension. No other changes to the final completed project, as per the existing zoning permits, are being requested at this time. A permit amendment will be sought to address any future project changes.

This permit application is for the following:  
Phase I:

- In June 2022, complete construction of a one story “spine” that is part of the connection between the Gutterson Field House and the future Tarrant Center (see plans and renderings); this is located on a section of existing building that was removed.
- Two small freestanding chillers (see site plan) which will be needed between phases and removed when the final phase of construction is completed.
- Two non-permanent, accessible bathroom trailers, accessed from the southeast corner of Gutterson. No change in lot coverage as the trailers will be located on existing asphalt. No change in overall square footage of the project as the trailers will be removed when the final phase of construction is completed.

Phase II:

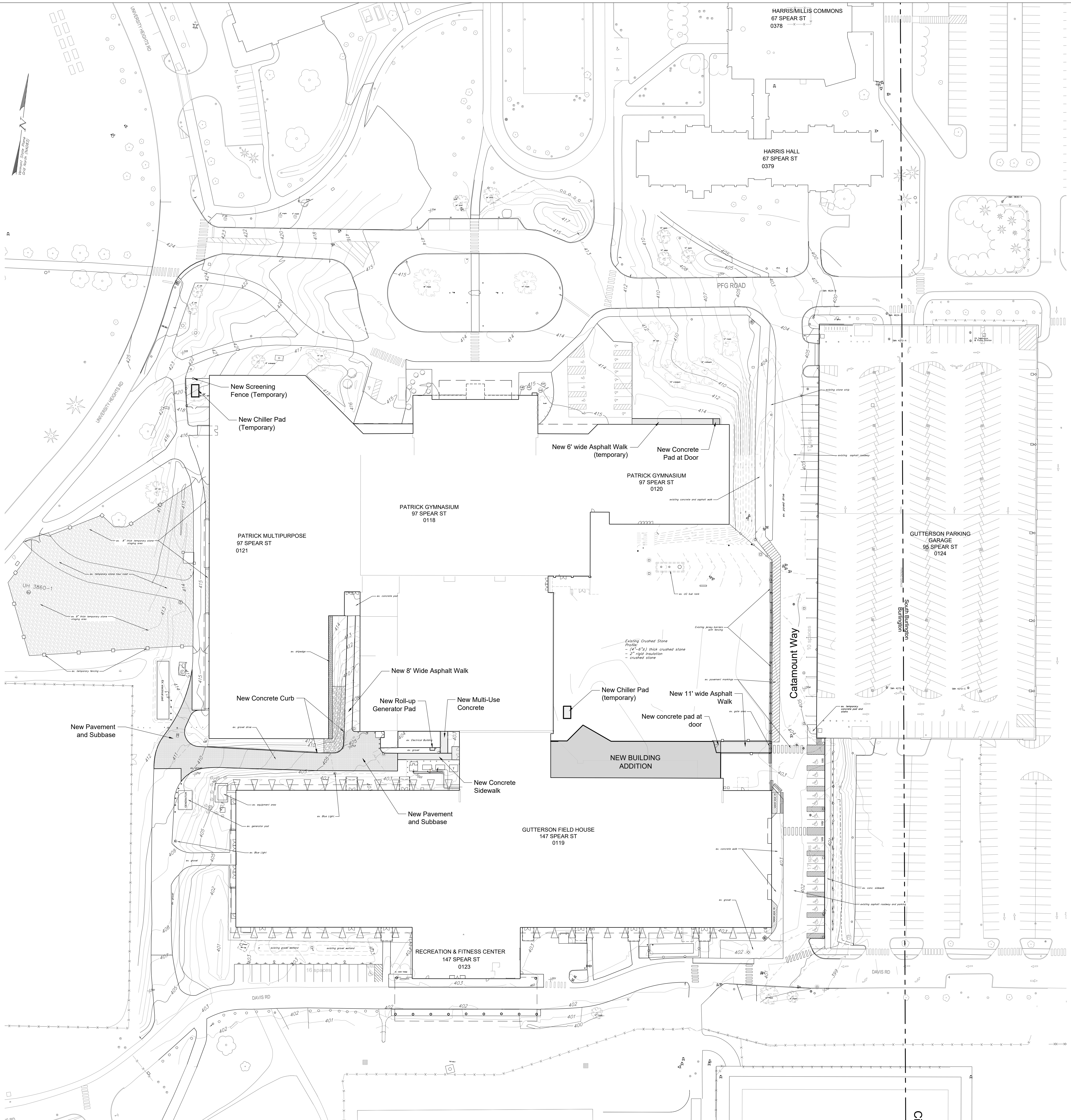
- Complete the Tarrant Center as permitted, or as pursuant to permit amendment in the future, by September 30, 2027.

This is a request for a phasing plan and a time extension for the existing, permitted project. All other conditions are to remain the same at this point in time.

The only new items will be the temporary bathroom trailers, as an estimated cost of \$50,000. All other construction costs will remain the same, compared to the existing zoning permit. We are submitting this application with application fee of \$265.00.

NOTES

- The Contractor shall be responsible for repairing all disturbed areas back to original condition, including but not limited to curbing, sidewalks, road, parking areas, landscaping, site lighting, electrical, and etc. All asphalt shall be sawcut prior to paving.
- 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 existing soils reused for fill shall conform to all applicable sections of VTRANS specifications Section 203-Excavation & Embankments. Contractor shall review soil investigation report and soils logs prior to bid. Any soil reused as fill under roads and applicable concrete sidewalks shall pass a subgrade proof roll with a loaded tandem. Fill soils that do not pass a subgrade proof roll shall be removed and replaced at the Contractor's expense.
- All passing sieve, proctor, and compaction testing expenses shall be paid by Owner. Testing coordination, all other required testing, and expenses for failed tests shall be the Contractor's responsibility.
- This project requires coverage under an Individual Construction Stormwater Discharge Permit and the City of Burlington Standard Erosion Prevention & Sediment Control Permit. The Contractor shall be the On-site Coordinator for the project and shall be responsible for all required inspections (minimum weekly and after any storm event that produces a discharge), turbidity readings, maintenance, and reporting. The On-Site Plan Coordinator shall be required to provide a turbidity meter for the project. The Contractor shall be responsible for installing, maintaining and removing all erosion and sediment control devices shown on the plans or details and, to the maximum extent practical, to minimize potential contamination of stormwater runoff from the construction activities.
- Contractor shall be responsible for all "As-built" measurement and drafting requirements as outlined on the Detail Sheets. All trench excavations shall remain open until all as-built survey shots have been taken. Progress Record Drawings shall be submitted to the Engineer as indicated in the Record Drawing specifications.
- See Erosion Control and Logistics Plans for locations of staging / storage areas.
- The Contractor shall be responsible for all signage and construction barrier/safety fencing necessary for providing safe vehicular and pedestrian access through or around the site during construction.
- Temporary groundwater, stormwater, and sewer 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. All ramps and stairs shall have a landing at the bottom with a maximum slope of 2% for 5 feet.
- Contractor shall maintain full occupancy and fire department access to all surrounding buildings. Coordinate all temporary access with the University representative.
- Removal of all erosion control matting and inlet protection is the responsibility of the Contractor.



The University of Vermont

University of Vermont  
Multipurpose Center

truexcullins

ARCHITECTURE • INTERIOR DESIGN  
209 BATTERY STREET, BURLINGTON,  
VERMONT 05401 USA  
Phone 802.658.2775 800.227.1076  
www.truexcullins.com

Walter P Moore  
Structural Engineering  
1301 McKinney, Suite 1100  
Houston, TX 77010  
(713) 630-7487

BVH Integrated Services  
MEP Engineering  
208 West Newberry Road  
Bloomfield, CT 06002  
(860) 286-9171

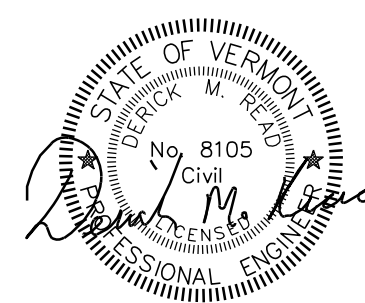
Krebs & Lansing Consulting Engineers  
Civil Engineering  
164 Main Street, Suite 201  
Colchester, VT 05446  
(802) 878-0375

Wagner Hodgson  
Landscape Architecture  
7 Marble Avenue  
Burlington, VT 05401  
(802) 864-0010

Howe Engineers  
Code Consultant  
101 Longwater Circle Suite 203  
Norwell, MA 02061  
(781) 878-3500

NVS  
Tel-Data Consultant  
700 Waterfront Drive #200  
Pittsburgh, PA 15222  
(412) 323-8880

Engineering Ventures Engineering PC  
Associate Structural Engineer  
208 Flynn Ave  
Burlington, VT 05401  
(802) 863-6225



OCMC - SEQUENC  
Issue for Construct

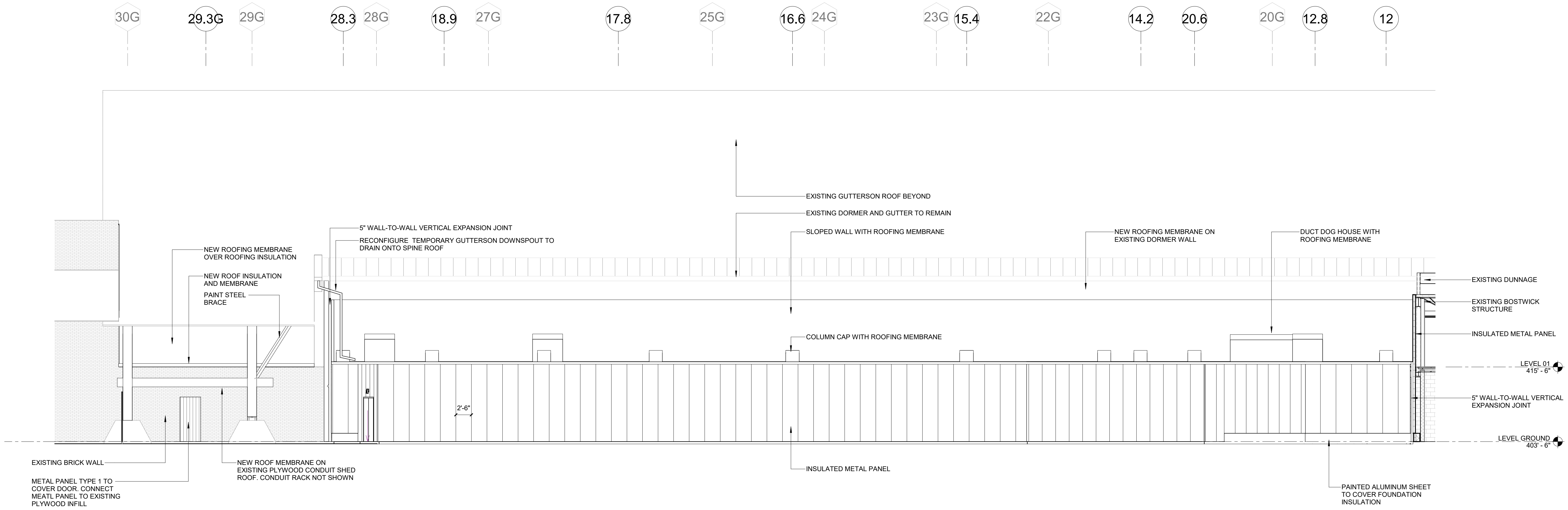
June 25, 2021

| 1 Issue for Construction 06/2 |             |
|-------------------------------|-------------|
| No.                           | Description |
|                               |             |
| KEY PLAN                      |             |
| Drawing Title:                |             |

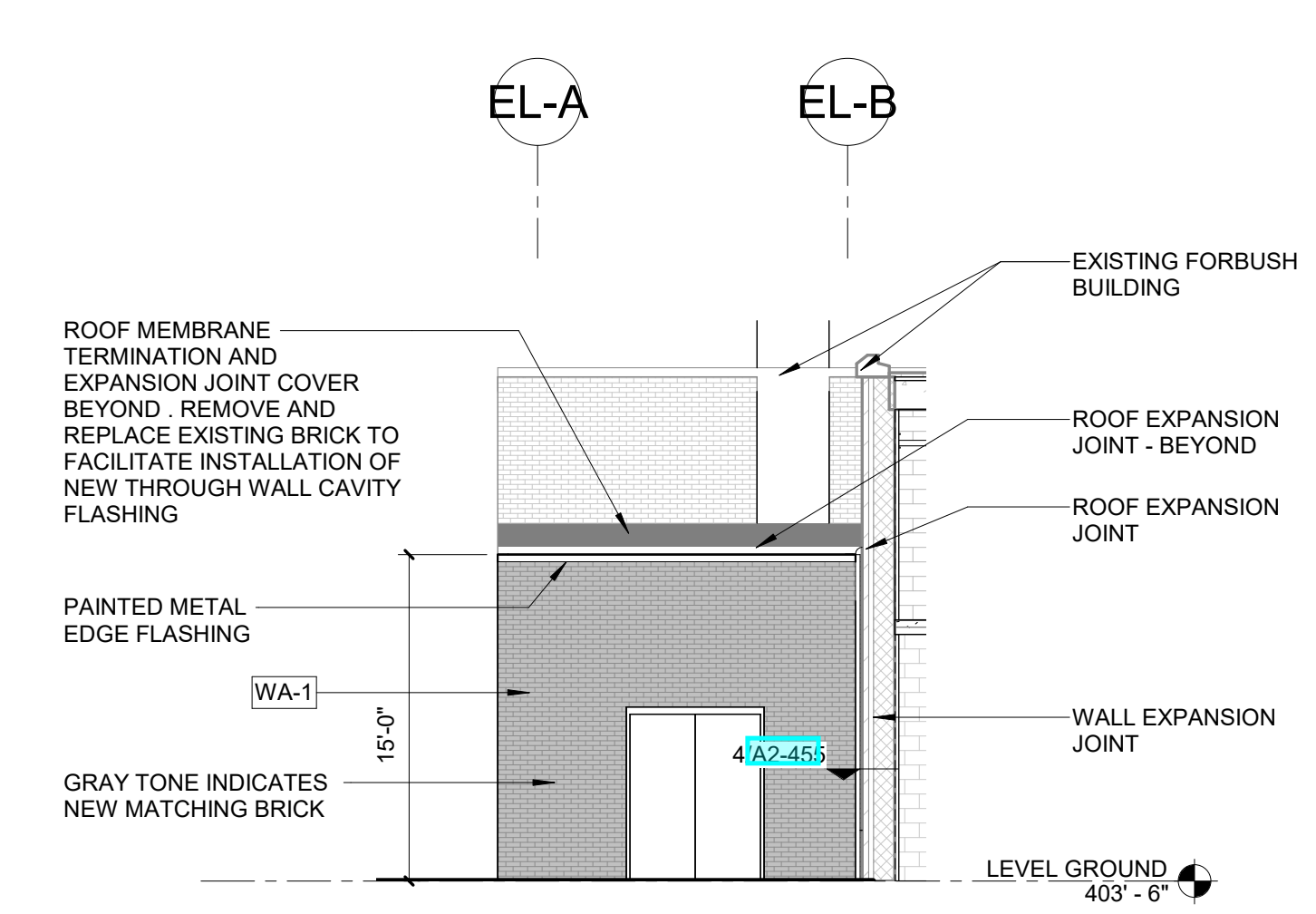
OVERALL  
SITE PLAN

Project No.: 17200 (KL) Checked by:

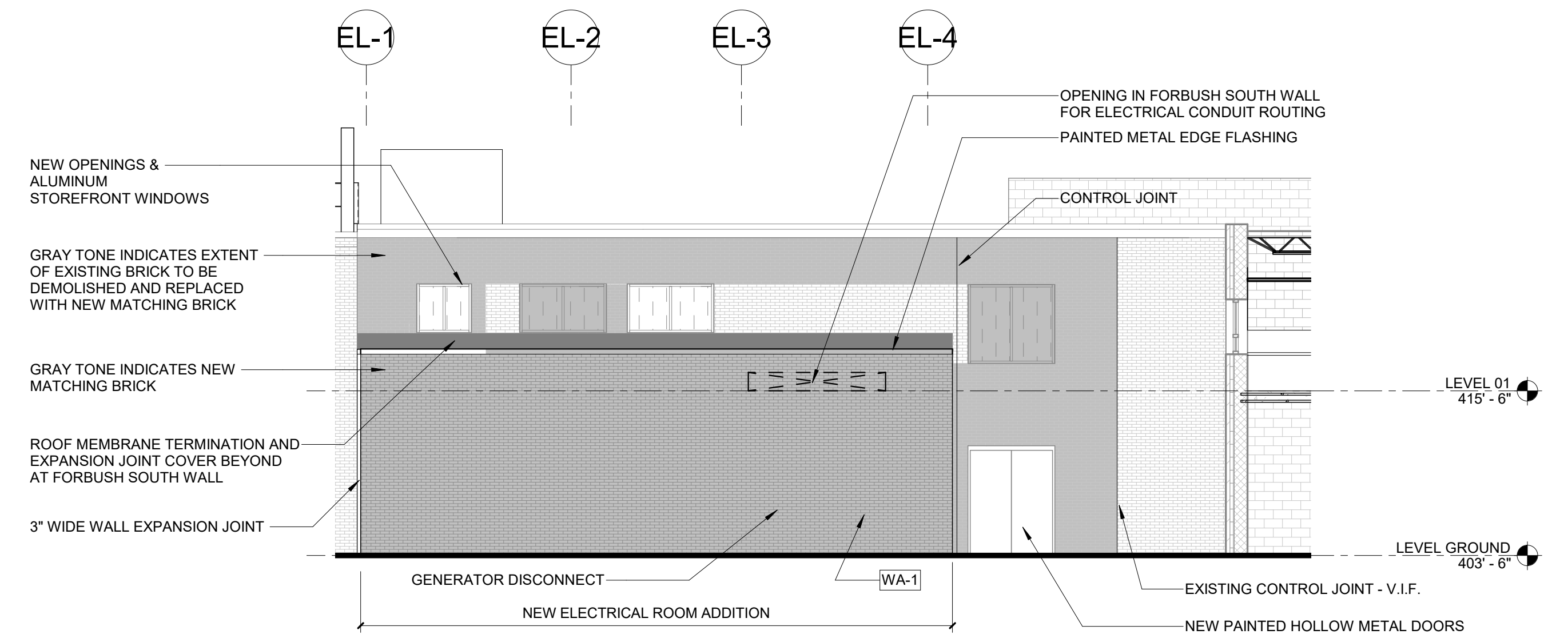
C2-100



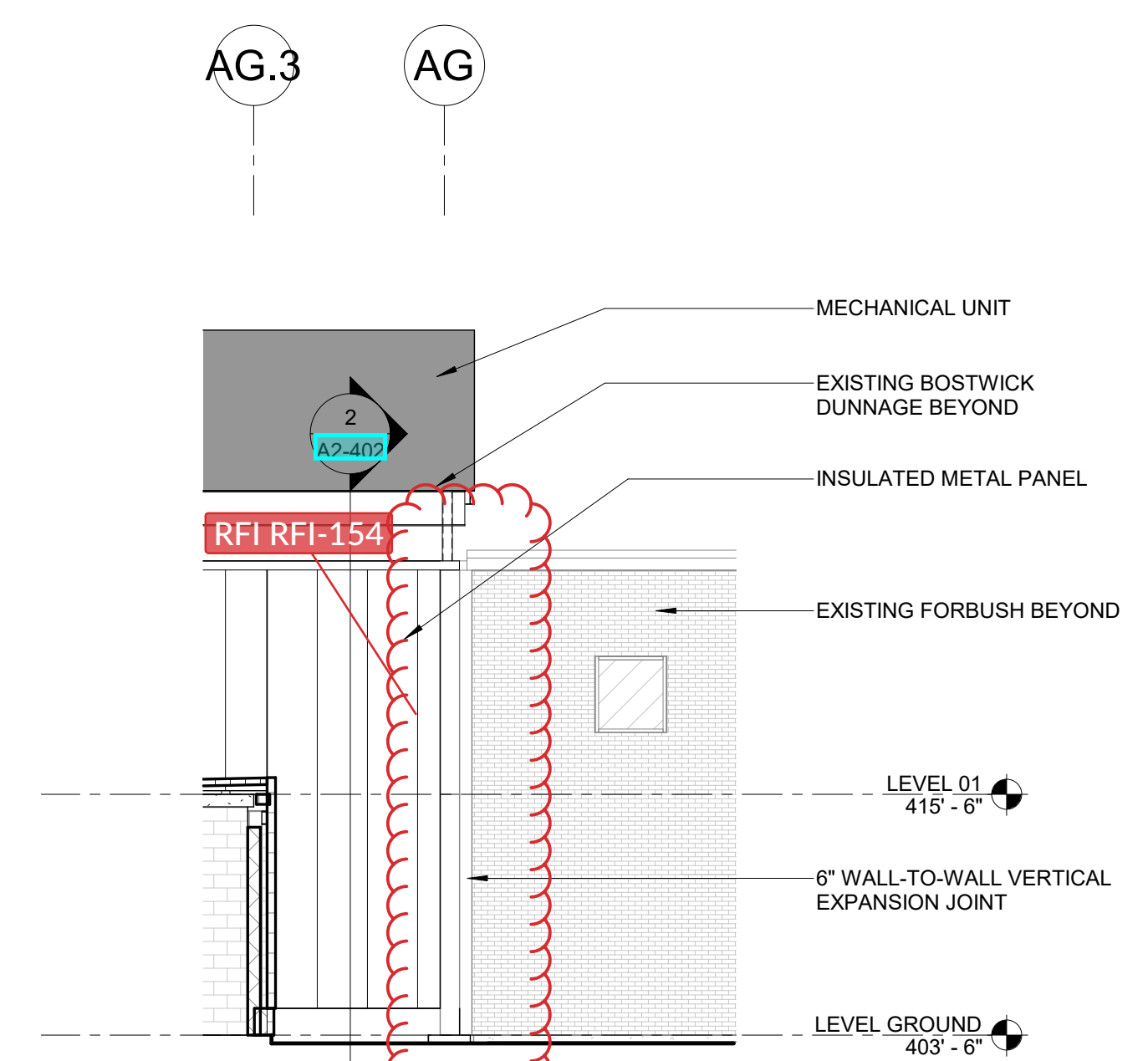
1 SPINE - NORTH ELEVATION  
1/8" = 1'-0"



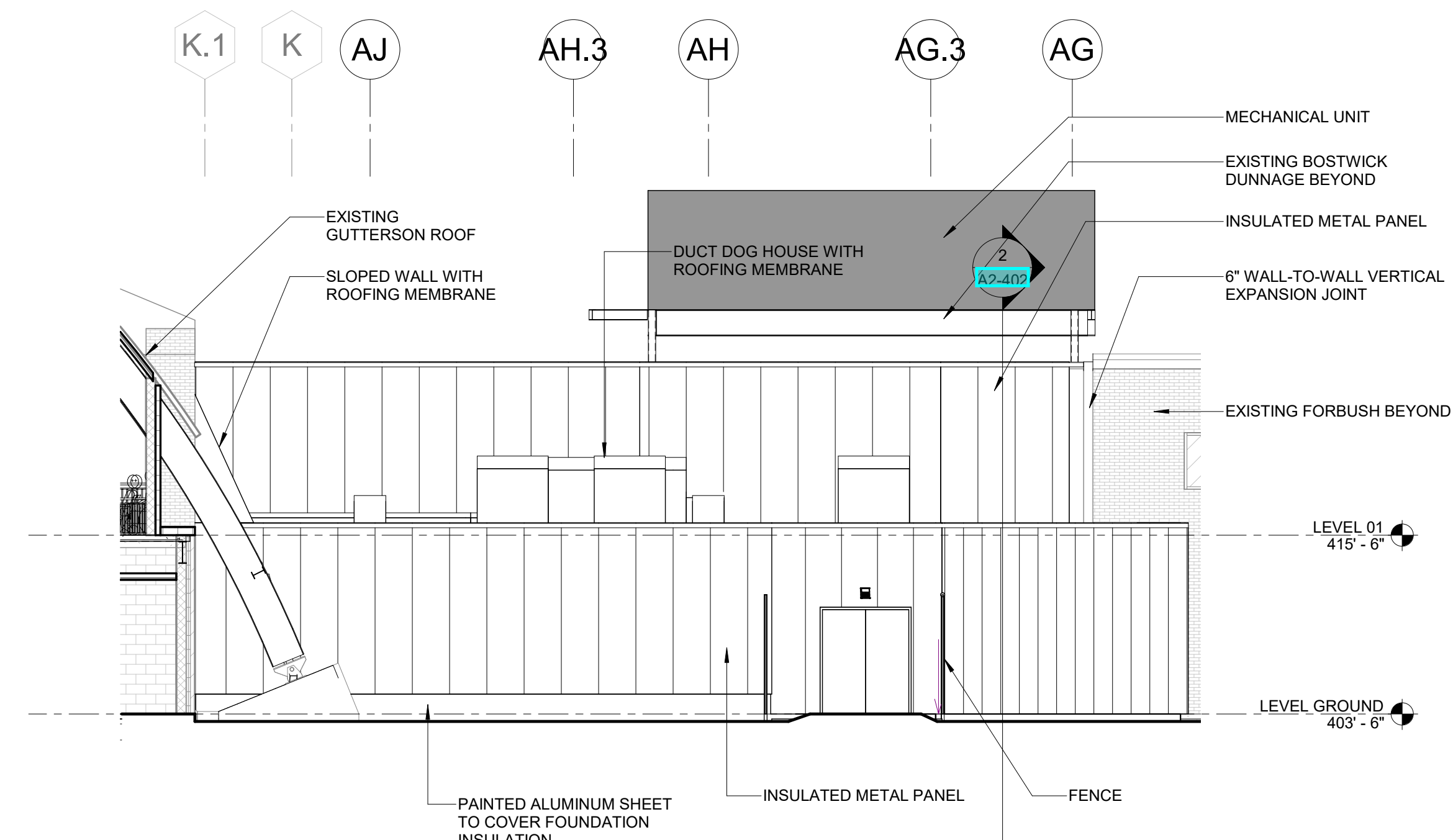
4 ELECTRIC ROOM - EAST ELEVATION  
1/8" = 1'-0"



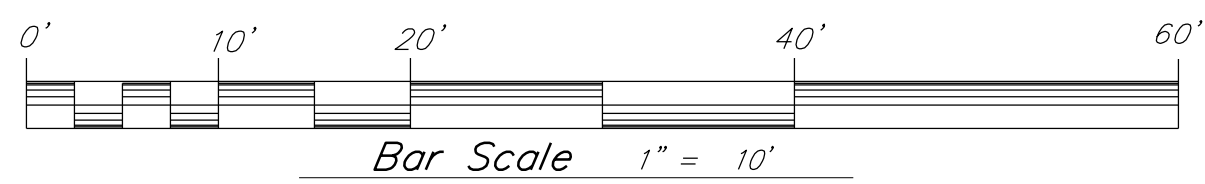
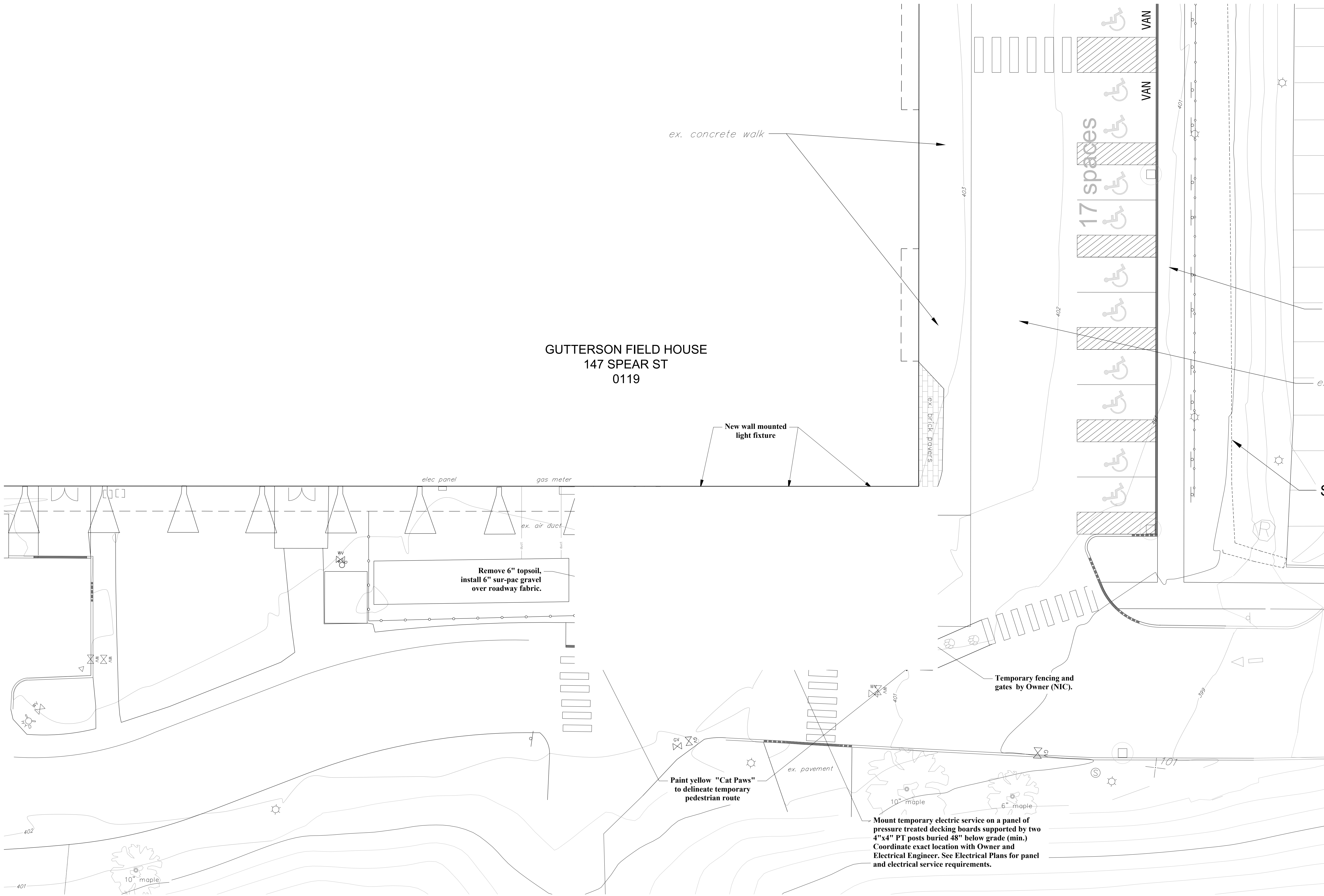
5 ELECTRIC ROOM - SOUTH ELEVATION  
1/8" = 1'-0"



3 SPINE - NW CORNER PARTIAL ELEVATION  
1/8" = 1'-0"



2 SPINE - EAST ELEVATION  
1/8" = 1'-0"



See **C2-100** for Notes and Legend



The University of Vermont

University of Vermont  
Multipurpose Center

**truexcullins**

ARCHITECTURE • INTERIOR DESIGN  
209 BATTERY STREET, BURLINGTON,  
VERMONT 05401 USA  
Phone 802.658.2775 800.227.1076  
www.truexcullins.com

**Walter P Moore**

Structural Engineering  
1301 McKinney, Suite 1100  
Houston, TX 77010  
(713) 630-7487

**BVH Integrated Services**

MEP Engineering  
208 West Newberry Road  
Bloomfield, CT 06002  
(860) 286-9171

**Krebs & Lansing Consulting Engineers**

Civil Engineering  
164 Main Street, Suite 201  
Colchester, VT 05446  
(802) 878-0375

**Wagner Hodgson**

Landscape Architecture  
7 Marble Avenue  
Burlington, VT 05401  
(802) 864-0010

**Howe Engineers**

Code Consultant  
101 Longwater Circle Suite 203  
Norwell, MA 02061  
(781) 878-3500

**NVS**

Tel-Data Consultant  
700 Waterfront Drive #200  
Pittsburgh, PA 15222  
(412) 323-8880

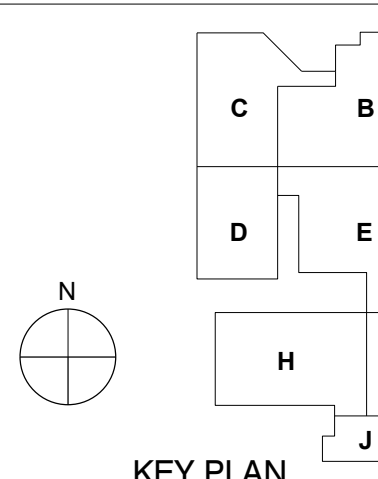
**Engineering Ventures Engineering PC**

Associate Structural Engineer  
208 Flynn Ave  
Burlington, VT 05401  
(802) 863-6225

OCMC - SEQUENCE  
Issue For Construction

June 25, 2021

|     |                             |    |
|-----|-----------------------------|----|
| 1   | Architectural Directive #32 | 05 |
| No. | Description                 | D. |



KEY PLAN

Drawing Title:

**NON-PERMANENT  
BATHROOM LAYOUT**

Project No.: A2017021-20 Checked by: C

**C2- 104**



# STONE INDUSTRIES, LLC

The Northeast's Premier Restroom Trailer Rentals

## Ten-Station Restroom Trailer



The Ten-Station is our largest restroom trailer. With five stations each for the men and the ladies it can handle the big events.



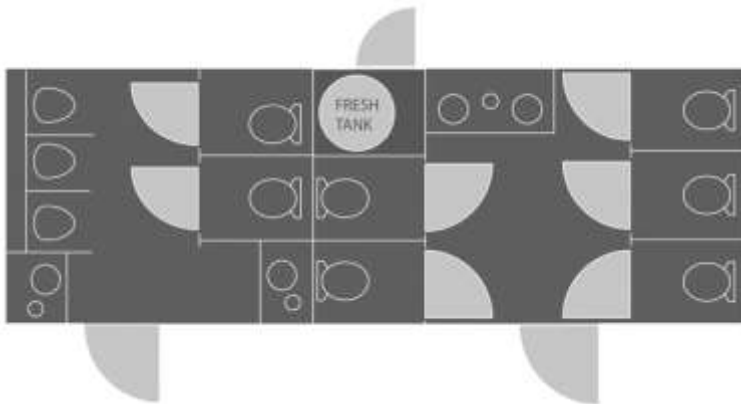
Imagine the delight of your guests at your outdoor special event when they find our Ten-Station Restroom Trailer. With five stations each for the men and ladies plus a double vanity on each side, there will be plenty of room for everyone. Your guests will particularly appreciate the fresh water flushing ceramic toilets, large mirrors, and sinks as they enjoy the central air conditioning and stereo surround sound. Pleasantly roomy on the inside, these restroom trailers take comfortable bathrooms at remote locations to a new level.



4305 ROUTE 50 SARATOGA SPRINGS  
NEW YORK 12866  
(800) 446-6331

[www.stoneindustries.com](http://www.stoneindustries.com)  
[toilets@stoneindustries.com](mailto:toilets@stoneindustries.com)

## Stone Industries Ten-Station Restroom Trailer



### 10-STATION SPECIFICATIONS

|                    |               |
|--------------------|---------------|
| Weight             | 9,880 lbs     |
| Weight (each axle) | 7,000 lbs x 2 |
| No. of Stations    | 10            |
| Length/with tongue | 25' / 30'     |
| Width (floor plan) | 8'2"          |
| Width (road)       | 8'6"          |
| Width (steps down) | 12'6"         |
| Ride Height w AC   | 11'7"         |
| Fresh Tank         | 200 gal.      |
| Waste Tank         | 1000 gal.     |

### REQUIREMENTS\*

- (2) 20 Amp 120 Volt/60 Hz electrical inputs
- (1) Water hookup (optional, unit has on-board water system)

\* Unit can be powered by a generator for completely autonomous operation.



[www.stoneindustries.com](http://www.stoneindustries.com)  
[toilets@stoneindustries.com](mailto:toilets@stoneindustries.com)



## Department of Permitting & Inspections

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

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



**TO:** Development Review Board  
**FROM:** Ryan Morrison, Associate Planner  
**DATE:** June 7, 2022  
**RE:** ZP-22-184; 13 Lakeview Terrace

=====

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

Zone: RM Ward: 3C

Owner/Applicant: Jonathan Maguire

**Request:** Convert an existing duplex into 2 bed & breakfast (short term rental) units.

### **Applicable Regulations:**

Article 2 (Administrative Mechanisms), Article 3 (Applications, Permits, & Project Reviews), Article 4 (Zoning Maps and Districts), Article 8 (Parking)

### **Background Information:**

The applicant is requesting approval to convert the existing duplex into two bed & breakfast (short term rental) units. The property owner resides in the second floor, one-bedroom unit and will short term rent when he is away. The first floor, two-bedroom unit will be utilized as a short term rental as well.

Previous zoning actions for this property:

- **Zoning Permit**; replacement front porch. Approved July 1975.
- **Zoning Permit 78-128**; new foundation. Approved October 1978.
- **Zoning Permit 03-216**; replacement shed. Approved October 2002.
- **Zoning Permit 06-406CA**; second story addition, replacement windows. Denied May 2006.
- **Zoning Permit 07-018CA**; second story addition, replacement windows. Denied August 2006.
- **Zoning Permit 07-469CA**; rear addition, replacement. Approved April 2007.
- **Zoning Permit 08-019CA**; new windows, modify deck railing. Approved July 2007.
- **Zoning Permit 10-0148CA**; replacement doors/windows. Approved August 2009.
- **Non-Applicability of Zoning Permit 10-0410NA**; rooftop solar panels. October 2009.

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

## **I. Findings**

### **Article 2: Administrative Mechanisms**

### **Section 2.7.8 Withhold Permit**

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

### **Article 3: Applications, Permits, and Project Reviews**

#### **Part 5, Conditional Use & Major Impact Review:**

#### **Section 3.5.6 (a) Conditional Use Review Standards**

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

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

The conversion of each unit within the duplex into bed and breakfast rental units (1<sup>st</sup> floor Unit 1, 2 bedrooms; 2<sup>nd</sup> floor Unit 2, owner occupied, 1 bedroom) has no appreciable impacts on existing or planned public utilities, services, or facilities. **(Affirmative finding)**

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

The property is located within the Residential Medium Density (RM) zone. The surrounding neighborhood consists of a mix of single-family and duplex residential properties. The subject bed and breakfast units within the existing duplex will serve as a place for people to stay, except that it will serve occupants on a short term basis rather than long term. When the owner is away, upstairs Unit 2 will be rented on a short term basis. **(Affirmative finding)**

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

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

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

Little change in traffic is expected. Occasional short term guest traffic visiting the units could be compared to that of long term renters of each unit. In addition, short term guests will arrive and depart within established timeframes. **(Affirmative finding)**

5. *The utilization of renewable energy resources;*

No part of this application would prevent the use of wind, water, solar, or other renewable energy resources. **(Affirmative finding)**

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

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

(b) Major Impact Review Standards  
Not applicable.

(c) Conditions of Approval:

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

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

The bed and breakfast units are not expected to produce adverse effects in need of mitigation. **(Affirmative finding)**

*2. Time limits for construction.*

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

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

The bed and breakfast units within the existing duplex will be offered year-round. It is recommended that guest check-ins be limited to 7:00 am – 10:00 pm to minimize noise, traffic, and neighborhood nuisances. **(Affirmative finding as conditioned)**

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

Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time. **(Affirmative finding as conditioned)**

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

Not applicable.

#### **Article 4: Maps & Districts**

##### **Sec. 4.4.5, Residential Districts:**

###### **(a) Purpose**

###### **(3) Residential Medium Density (RM)**

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

The existing duplex is consistent with this intent. Use of the units as bed and breakfast short term rentals remains consistent with the intent of the zone. **(Affirmative finding)**

###### **(b) Dimensional Standards and Density**

Not applicable.

###### **(c) Permitted and Conditional Uses**

The “bed and breakfast” (short term rental) use is conditional in the RM zone. Owner occupancy is required, and up to 5 rooms may be let. In this case, the owner lives in Unit 2 and proposes to rent up to 3 bedrooms overall in the duplex – 2 bedrooms in the 2-bedroom Unit 1, and 1 bedroom in the 1-bedroom, owner occupied Unit 2. In total, the property will see no more than 3 bed and breakfast rental rooms. **(Affirmative finding)**

***(d) District Specific Regulations***

Not applicable.

**Article 8: Parking**

***Sec. 8.1.8, Minimum Off-Street Parking Requirements***

The subject property is located within the neighborhood parking district. Within that district, duplexes require 4 onsite parking spaces (2 per dwelling unit). “Bed & Breakfast” uses require 1 parking space per rental room. For the purposes of this application, the proposed bed and breakfast can be viewed in two scenarios: when the owner is present, his 1-bedroom unit (Unit 2) will require 2 spaces, and the 2-bedroom unit (Unit 1) will require 2 spaces – thus a total of 4 spaces, which results in no increase to the existing parking demand. The other scenario, for when the owner is away and short term rents his unit, will result in 1 parking space for Unit 2 (one bedroom) and 2 spaces for Unit 1 (two bedrooms) – or 3 spaces total – less than the 4-space parking demand for the existing duplex.

The existing driveway is narrow, but long enough to accommodate two tandem parking spaces. There is an existing two-space parking nonconformity, as four spaces are required for a duplex in this parking district. However, in either short term rental scenario outlined above, the parking nonconformity will not be increased, which is acceptable. **(Affirmative finding)**

**II. Conditions of Approval**

1. Per this standard, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. The following permit remains open and requires a Certificate of Occupancy:
  - ZP10-0148CA
2. The subject property must be, and remain, owner occupied as long as the bed and breakfast (short term rental) rooms remain in operation.
3. It is recommended that guest check-ins be limited to 7:00 am – 10:00 pm to minimize noise, traffic, and neighborhood nuisance.
4. All guest parking shall be on-site and off-street.
5. Any additional B&B room, or physical alteration, will require a new zoning permit, subject to regulations in effect at the time of permit application submittal.
6. The applicant will have to ensure compliance with state regulations regarding short-term B&B type rentals, including but not limited to payment of required rooms and meals taxes and compliance with Division of Fire Safety standards and Health Department standards.
7. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state as required.
8. Standard permit conditions 1-15.



**-- NOTE --**

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

**FINAL APPROVAL**

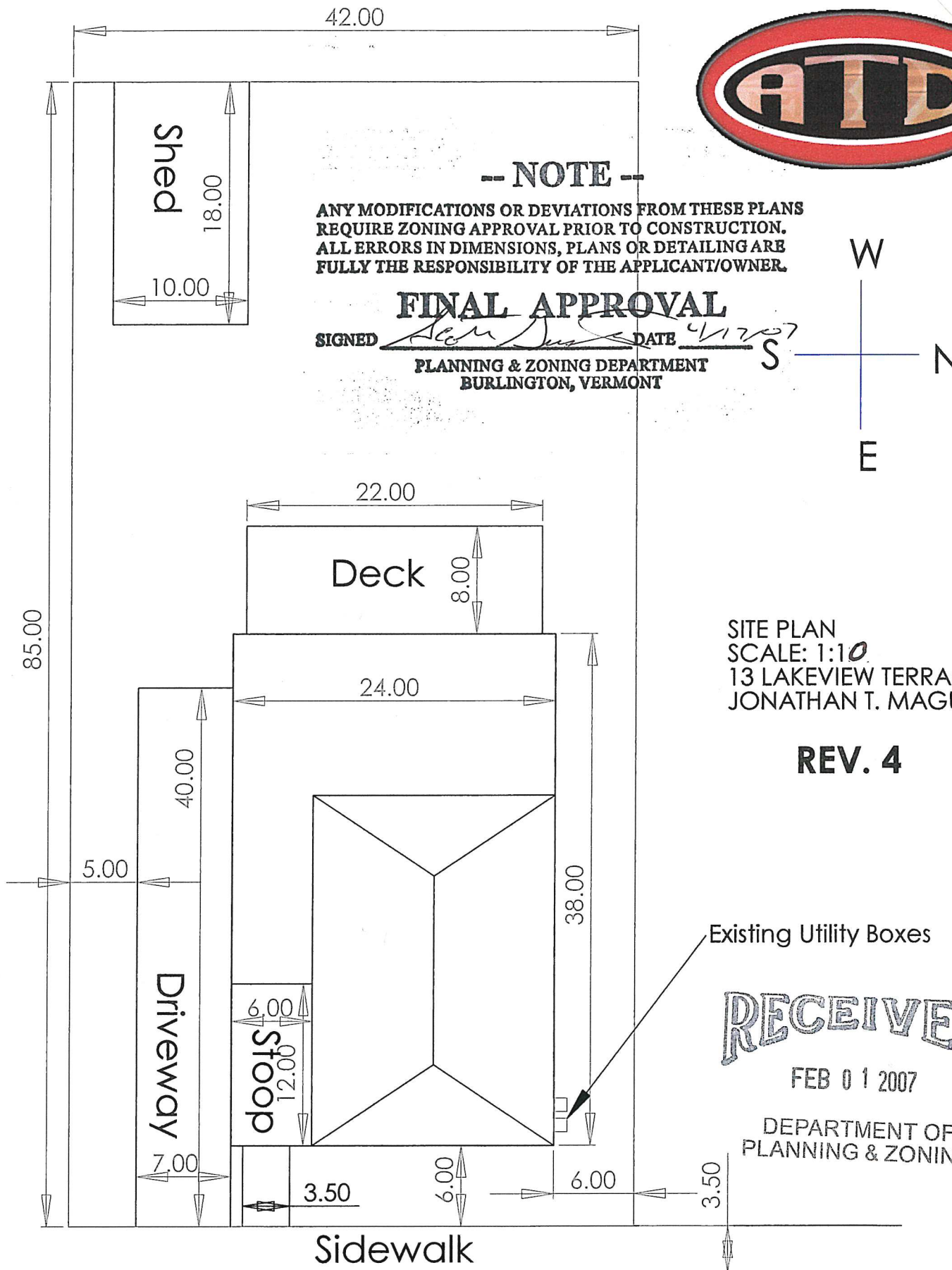
SIGNED

PLANNING & ZONING DEPARTMENT  
BURLINGTON, VERMONT

DATE

4/12/07

S



SITE PLAN  
SCALE: 1:10  
13 LAKEVIEW TERRACE  
JONATHAN T. MAGUIRE

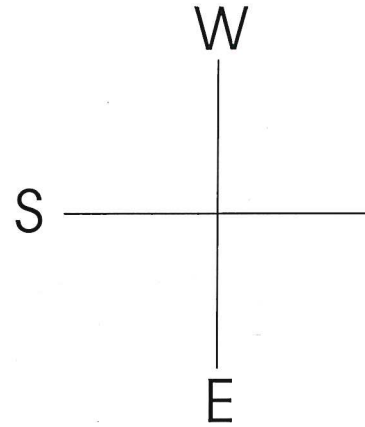
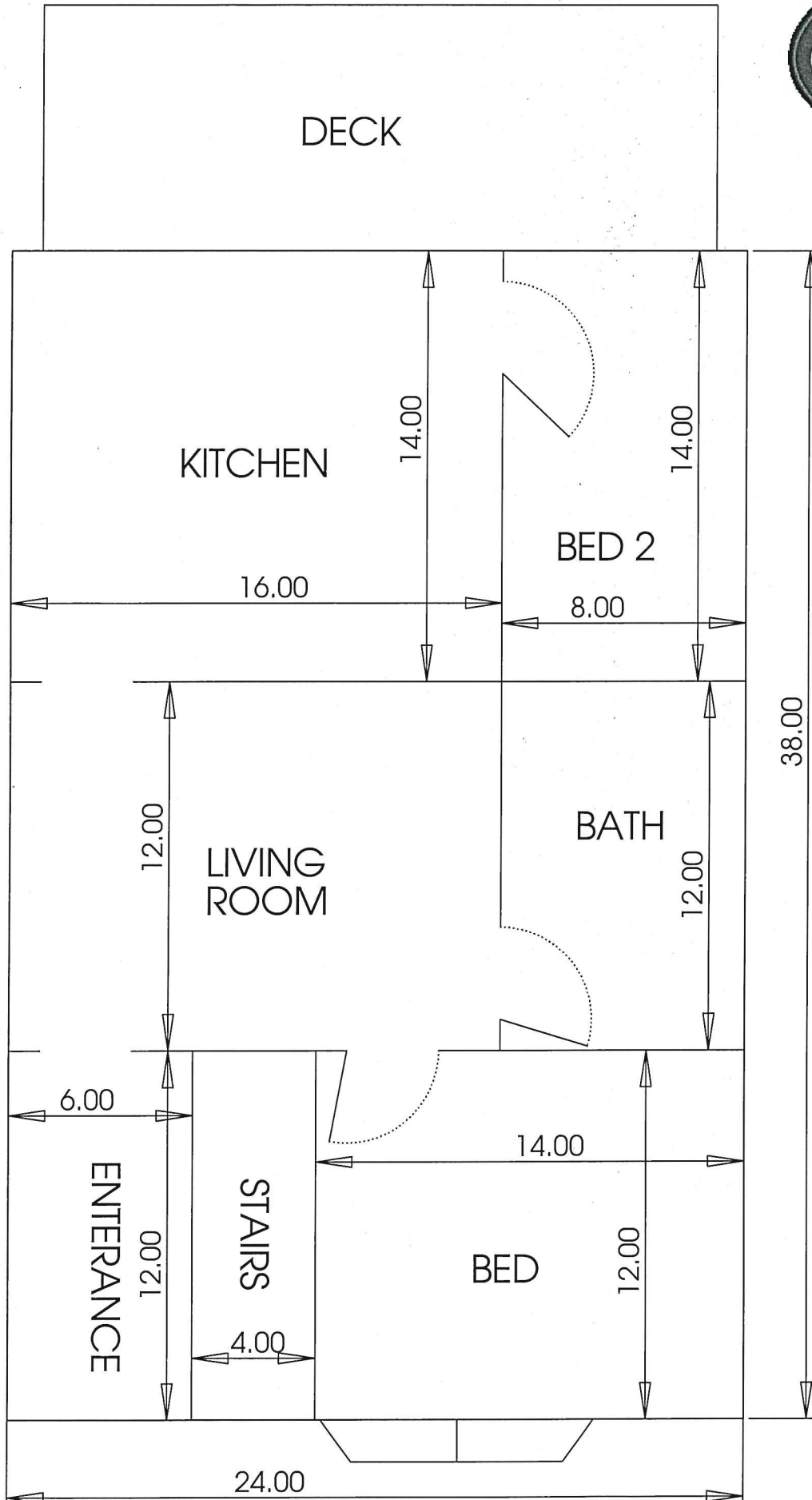
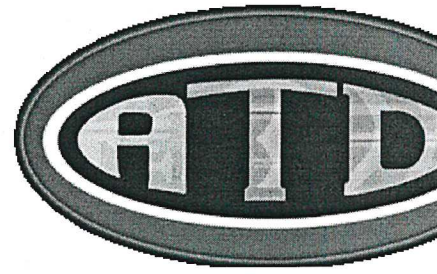
**REV. 4**

Existing Utility Boxes

**RECEIVED**

FEB 01 2007

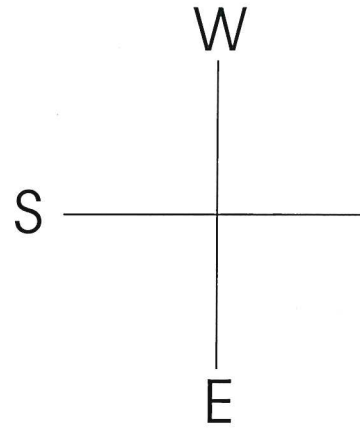
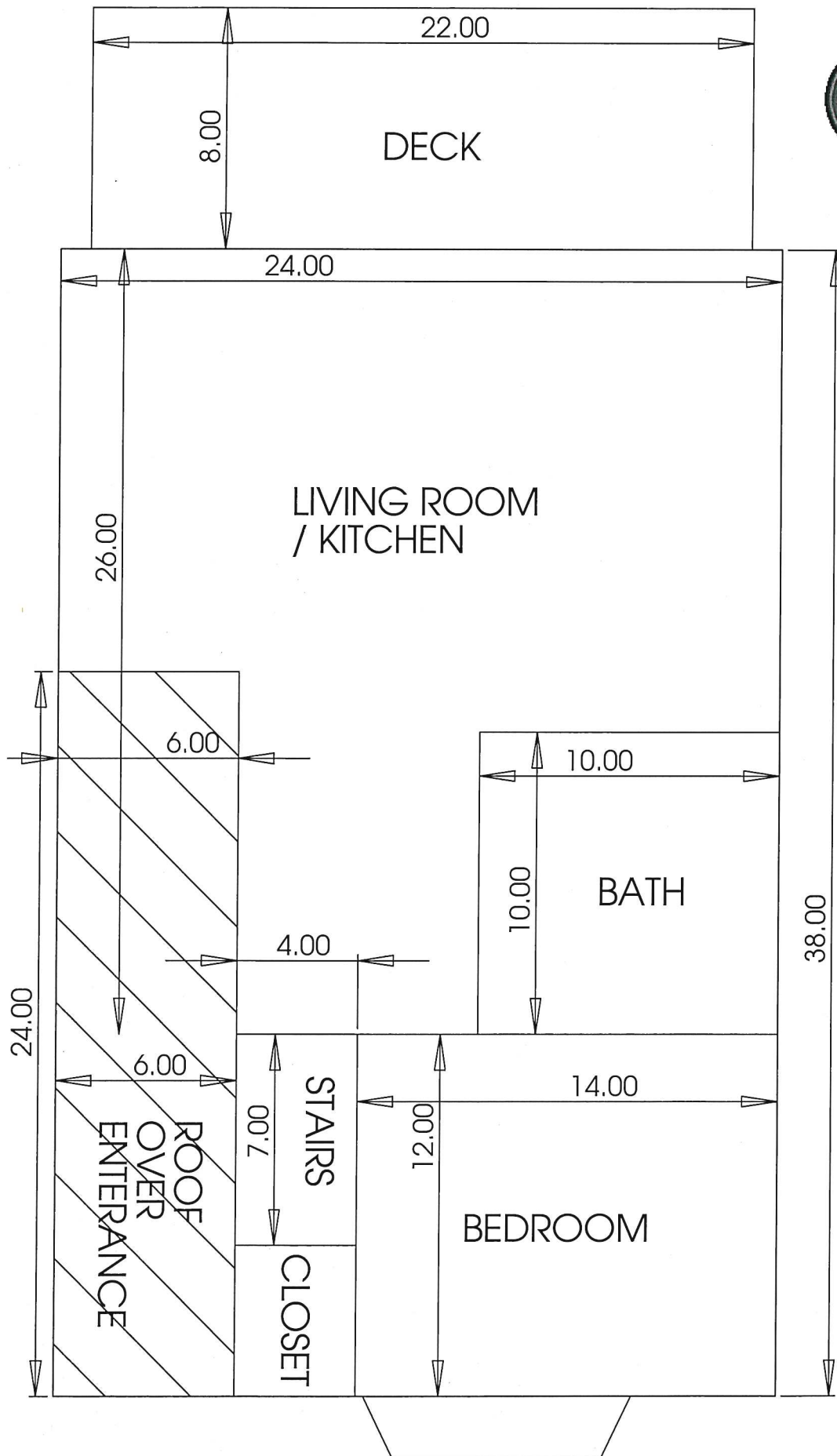
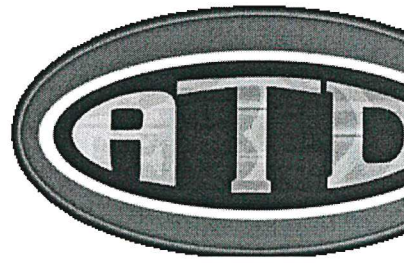
DEPARTMENT OF  
PLANNING & ZONING



FLOOR 1  
SCALE: 1:60  
13 LAKEVIEW TERRACE  
JONATHAN T. MAGUIRE

**REV. 8**

RECEIVED  
APR 11 2017  
DEPARTMENT OF  
PLANNING & ZONING



FLOOR 2 FUTURE  
SCALE: 1:60  
13 LAKEVIEW TERR.  
JONATHAN T. MAC

**REV. 8**

**RECEIVED**

APR - 4 2007

DEPARTMENT OF  
PLANNING & ZONING

## Department of Permitting & Inspections

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

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



**TO:** Development Review Board  
**FROM:** Scott Gustin  
**DATE:** July 19, 2022  
**RE:** ZP-22-184; 13 Lakeview Terrace

=====

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

Zone: RM Ward: 3C

Owner/Applicant: Jonathan Maguire

**Request:** Convert an existing duplex into 2 bed & breakfast (short term rental) units.

### **Applicable Regulations:**

Article 5 (Citywide General Regulations), Article 8 (Parking)

### **Background Information**

The Development Review Board considered this application at their June 7, 2022 meeting. The public hearing was open and closed that evening with a deliberative session immediately thereafter. During deliberations, the DRB voted to deny the application based on inadequate parking. The property contains a duplex and requires 4 on-site parking spaces but only has 2. The parking is a pre-existing nonconformity.

The proposed short term rental (bed & breakfast) is a partial change in use of the property and results in a parking requirement of 3 on-site parking spaces. One of the duplex units will remain the applicant's primary residence as required but may be short term rented while the applicant is away. The other duplex unit will be a full time short term rental. Use of both duplex units as short term rental would drop the on-site parking requirement to 3 spaces. Given that one of the duplex units will remain the applicant's primary residence, the on-site parking requirement remains unchanged at 4. No additional parking is proposed. The short term rental use introduced to the property results in a 1-space reduction in parking nonconformity when both duplex units are short term rented. While the owner's duplex unit serves as his residence, the parking nonconformity remains unchanged.

In light of previous approvals issued by the DRB involving changes of use and parking nonconformity, staff recommended that the Board reconsider their decision. A sampling of prior affirmative DRB findings for other pertinent applications is provided for reference.

### **I. Findings**

**Article 5: Citywide General Regulations**  
**Sec. 5.3.6, Nonconforming Lots**

*(c) Changes to a Nonconforming Lot*

This section prohibits changes to a nonconforming lot which would increase the density or structure located within the lot. This section specifically refers to insufficient parking as lot nonconformity. The definition of “nonconforming lot or parcel” in Article 13 is consistent by referring to noncompliant parking. The short term rental application does not increase the density or structure on the lot. The provisions of this section are intended to prevent increases in nonconformity. They do not prohibit decreases or continuation of unchanged nonconformities. The parking nonconformity will be reduced or left unchanged by this application. **(Affirmative finding)**

**Article 8: Parking**

***Sec. 8.1.15 Existing Structures – Changes or Expansion of Use***

This section requires that changes or expansions in use that result in increased parking demand provide additional parking to meet that demand. This section does not require additional parking for changes or expansions of use that result in unchanged or lessened parking demand. This section is consistent with the nonconforming lot provisions noted above. Increases in nonconformity are expressly addressed and prohibited. Unchanged or lessened nonconformity is permissible. The short term rental application does not result in increased parking demand. In fact, use of both duplex units as short term rentals decreases the minimum parking requirement by 1 space. **(Affirmative finding)**

**II. Conditions of Approval**

If the DRB acts to approve the application, the above findings will be incorporated into the written decision that will be issued with the originally recommended conditions of approval.

## **77-79 Monroe St – Short term rental**

### **Article 8: Parking**

#### ***Sec. 8.1.8, Minimum Off-Street Parking Requirements***

The subject property is located within the neighborhood parking district. Within that district, duplexes require 4 onsite parking spaces (2 per dwelling unit). There is a single-width driveway onsite that contains room for 2 tandem parking spaces. **There is currently a 2-space “grandfathered” parking nonconformity.** The short term rental unit contains 2 bedrooms. The applicable parking standard is 1 space per bedroom. **The resultant parking requirement for the property remains unchanged at 4 spaces with two spaces actually present. Lacking an increase in parking requirement, the existing nonconformity may be retained.** **(Affirmative finding)**

## **85 Archibald St – Short term rental**

### **Article 8: Parking**

#### ***Sec. 8.1.8, Minimum Off-Street Parking Requirements***

Single family dwellings in the Neighborhood Parking District require 2 parking spaces. “Bed & Breakfast” uses require 1 parking space per bedroom.

There is a single shared driveway for the property and serves both homes. There is room for two parking spaces in tandem arrangement. **This is a pre-existing nonconformity.** Use of the second home on the property as a 3-bedroom short term rental increases required parking by 1 space and requires a parking waiver. **(Affirmative finding as conditioned)**

#### ***Sec. 8.1.15, Waivers from Parking Requirements/Parking Management Plans***

As this application is after-the-fact, the applicant has experience with actual parking demand for the short term rental. The entire unit is rented to guests – it is never rented by bedroom to separate guests. As such, parking demand with the short term rental is typically 1 space, sometimes 2 spaces, but never 3. Given this track record and the nature of the short term rental (whole unit, not individual bedrooms for separate guests), the 1-space parking waiver can reasonably be granted. **(Affirmative finding)**

## **322 North Winooski Ave – Recording Studio**

### **Article 8: Parking**

#### ***Sec. 8.1.8, Minimum Off-Street Parking Requirements***

The recording studio requires 5 off-street parking spaces. There are only 3 parking spaces onsite. The 5-space requirement is the same as that for the previous bicycle sales/repair facility. That use received a 1-space parking waiver from the DRB. **The other space is a grandfathered nonconformity that had been carried over from the prior use. As there is no increase in the minimum parking requirement, that 1-space nonconformity may be carried over with this new use.** See Sec. 8.1.5 for the requested 1-space parking waiver. **(Affirmative finding)**

#### ***Sec. 8.1.5, Waivers from Parking Requirements/Parking Management Plans***

The applicant has submitted a parking management plan that articulates the basis for a 1-space parking waiver. The property is readily accessible by foot and alternative transportation. Perhaps

more importantly, the business will be by appointment only. Only one client will be present at a time. The

management plan also refers to nearby after-hours parking that may be available. Without securing it by way of easement or deed, this off-site parking cannot be counted towards the minimum requirement, nor does it need to be with a 1-space waiver. **(Affirmative finding as conditioned)**

### **234-240 College St – Addition of 4 apartments for total of 23**

#### **Article 8: Parking**

##### ***Sec. 8.1.8, Minimum Off-Street Parking Requirements***

The property is located within the Downtown Parking District. There are presently 2 onsite parking spaces behind the building. These 2 spaces will be lost to the addition.

The 18 residential apartment units and 1 commercial (retail) unit presently requires 18 parking spaces (1 space per residential unit & 0 for the retail unit). With just 2 spaces onsite, there is a 16-space deficiency.

The 23 residential apartments require 23 parking spaces (1 space per unit). Sec. 8.1.5, Existing Structures – Change or Expansion of Use, requires that current parking requirements be applied for increased demand. The existing deficiency, however, may be carried over insofar as existing conditions are carried over. In other words, additional parking is required only for those changes/additions that result in a higher parking demand. The end result is that 7 parking spaces

are needed (23 total based on total unit count, minus the pre-existing 16-space deficiency). The application notes that 5 offsite spaces will be provided. Two additional spaces are needed.

While not considered as part of the minimum off-street parking requirements, it bears noting that the site plan depicts the street space in front of the newly closed curb cut as a tenant drop-off spot (i.e. 15-minute parking space). Such designation is subject to the review and approval by the Public Works Commission. Also, this space currently serves as a CCTA bus stop. The applicant has been working with the Department of Public Works and CCTA to make this 15-minute designation and to move the CCTA bus stop to the corner. **(Affirmative finding as conditioned)**

### **110 Hyde St – New Home Occupation**

#### **Article 8: Parking**

The duplex requires 4 parking spaces (2 per unit). The property has no parking and has not had any since before the 1978 orthophotos were taken. It is nonconforming. The proposed work includes provision of 1 residential space in the garage, thereby lessening the degree of nonconformity. The home occupation requires 1 parking space, and that space will be provided in the garage. As noted previously, parking on the driveway strips is prohibited as it would increase the degree of nonconforming lot coverage. **(Affirmative finding)**

**From:** Benjamin Traverse <btraverse@burlingtonvt.gov>  
**Sent:** Monday, July 18, 2022 3:32 PM  
**To:** Scott Gustin <SGustin@burlingtonvt.gov>  
**Cc:** Ryan Morrison <rmorrison@burlingtonvt.gov>  
**Subject:** 203 South Cove

Dear Scott and Ryan,

I write to respectfully request that your office withdraw its request for reconsideration of the DRB's recent decision on 203 South Cove Road. I'm mindful of the good reasons behind the separation between the DRB and City Council processes, and I generally hope to stay clear of advocating for any particular outcome on matters before your office or the DRB.

I am prompted to write here, however, as I firmly believe the applicants should be allowed to rely on the outcome of the DRB vote at its July 5 meeting. Having attended the meeting, my impression was that the DRB appropriately considered all relevant issues of fact and law. I understand the applicants and their builders have worked hard to keep their proposed renovation within the footprint of the existing structure. From my perspective, it was well within the DRB's right to determine that the applicants' plans will not result in any meaningful extension of a non-complying situation.

I understand the regulations around variances are exacting and, while each application should be reviewed on a case-by-case basis, I certainly respect concerns around the proverbial slippery slope on variances. We should also be mindful, though, about avoiding any precedent around the City seeking reconsideration of DRB decisions. Particularly with projects like that here, where neighbors unanimously approve of the proposal, applicants should be able to rely on and start making plans based off decisions reached through DRB deliberation.

I am also concerned that a too strict application of the CDO will run against the grain of the City's stated public policy interest in ensuring Burlington is a city where young families can stay and grow. While I recognize this is not a relevant consideration under the CDO, I believe it is an important point to remember when choosing whether to challenge a defensible DRB decision.

Thank you for your consideration of this note. As always, I greatly appreciate the work you are doing for our City and its residents. If appropriate, feel free to add this note to the DRB agenda.

Best regards,

Ben Traverse



**Ben Traverse**  
Ward 5 City Councilor  
[btraverse@burlingtonvt.gov](mailto:btraverse@burlingtonvt.gov)  
(802) 357-2055

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

## Burlington Development Review Board

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

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



### BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, July 19, 2022, 5:00 PM

#### AMENDED AGENDA

*Remote Meeting*

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

**Webinar ID:** 832 2569 6227

**Passcode:** 969186

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

#### I. Agenda

#### II. Communications

#### III. Minutes

#### IV. Consent

1. **ZP-22-395; 97 Spear Street (I, Ward 8E) UVM State Agricultural College / Lani Ravin**  
Amend the zoning permit for the Tarrant Multipurpose Events Center to include two phases and an extended construction timeframe. No changes to the approved construction. (Project Manager, Scott Gustin)

Approve

#### V. Public Hearing

1. **ZP-22-184; 13 Lakeview Terrace (RM, Ward 3C) Jonathan Maguire**  
Convert existing residence to establish short-term rental. *Reopened hearing to consider parking nonconformity rescheduled from June 7, 2022.* (Project Manager, Ryan Morrison)

Approve

#### VI. Other Business

1. **ZAP-22-2; 203 South Cove Road (RL-W, Ward 5S) Stanley Weinberger / Christine Weinberger**  
Request for reconsideration of the DRB's decision to grant an appeal for the administrative denial of ZP-22-148. (Project Manager, Ryan Morrison)

Deferred until August 2, 2022

#### 2. Annual organizational meeting

Nomination and election of Board chair, vice chair, ordinance committee members, and long range planning committee member

Deferred until August 2, 2022

#### VII. Adjournment

*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

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](http://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.*

## Burlington Development Review Board

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

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



### BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, July 19, 2022, 5:00 PM

#### MINUTES

#### *Remote Meeting*

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

**Board Members Absent:** Geoff Hand and Caitlin Halpert

**Staff Members Present:** All members were remote. Scott Gustin, Ryan Morrison, and Joseph Cava

**Staff Members Absent:** Mary O'Neil

- I. Agenda
- II. Communications
- III. Minutes
- IV. Consent

**1. ZP-22-395; 97 Spear Street (I, Ward 8E) UVM State Agricultural College / Lani Ravin**

Amend the zoning permit for the Tarrant Multipurpose Events Center to include two phases and an extended construction timeframe. No changes to the approved construction. (Project Manager, Scott Gustin)

Lani Ravin: Sworn in.

AJ LaRosa: This is recommended for consent, is everyone okay with this?

Lani Ravin: I am okay with this; I have no issues with the staff recommendations.

Brooks McArthur: Motioned to approve and adopt staff recommendations. Leo Sprinzen 2<sup>nd</sup>. Vote 6-0. Motion carries.

**V. Public Hearing**

**1. ZP-22-184; 13 Lakeview Terrace (RM, Ward 3C) Jonathan Maguire**

Convert existing residence to establish short-term rental. *Reopened hearing to consider parking nonconformity rescheduled from June 7, 2022.* (Project Manager, Ryan Morrison)

Scott Gustin: The existing site has two parking spaces available which is a non-conformity with the change of use to two short-term rental units. Non-conformity with parking can be retained unless discontinued but cannot be expanded. Under Article 8, in relation to change of use, the City's position has always been minimal parking standards. Under this Article, parking non-conformity would be decreasing to allow for three parking spaces, because one of the units is owner occupied. This is the exception for four parking spaces that would be required if both units were rented out full time.

AJ LaRosa: Is there anyone in the audience who wishes to speak on this application? Hearing none, I move we close the public hearing.

**VI. Other Business**

**1. ZAP-22-2; 203 South Cove Road (RL-W, Ward 5S) Stanley Weinberger / Christine Weinberger**

Request for reconsideration of the DRB's decision to grant an appeal for the administrative denial of ZP-22-148. (Project Manager, Ryan Morrison)

AJ LaRosa: I'm recused but why don't we deliberate and come back to this item.

**2. Annual organizational meeting**

Nomination and election of Board chair, vice chair, ordinance committee members, and long range planning committee member

AJ LaRosa: Motioned to defer this to the August 2<sup>nd</sup> DRB meeting. Brooks McArthur 2<sup>nd</sup>. Vote 6-0. Motion carries.

**VII. Adjournment**

Hearing closed at 5:15 PM.



8-4-22

---

Bradford L. Rabinowitz, Chair of Development Review Board

Date



8-4-22

---

Joseph H. Cava, Permitting & Inspections Permit Technician

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](http://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.*