

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/PZ/DRB

Phone: (802) 865-7188

Fax: (802) 865-7195

Austin Hart, Chair
Michael Long
Jonathan Stevens
Brad Rabinowitz
Missa Aloisi
Israel Smith
A.J. LaRosa
Alexandra Zipparo (Alt.)
Jim Drummond (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday May 19 2015 PUBLIC HEARING NOTICE

The Burlington Development Review Board will hold a meeting on **Tuesday May 19, 2015 at 5:00 p.m. in Contois Auditorium, City Hall.**

1. **15-0922CA/MA; 451 Appletree Point Road (RL, Ward 4N) Alfred Senecal**
Demolition of existing structures, construct new duplex, associated site improvements and lot line adjustment.
2. **15-0923CA/MA; 465 Appletree Point Road (RL, Ward 4N) Alfred Senecal**
New residential duplex, utilities and driveway
3. **15-1009SD; 1 Summit Ridge Street (RL, Ward 6S) Sanjay Sathe**
Subdivide one lot into a total of three conforming lots, one to remain with main dwelling.
4. **15-1012CA/CU; 36 Locust Street (RL, 5S) Alec Bauer**
Add second floor living space to convert entire garage to accessory dwelling unit.
5. **15-1039CA/CU; 54 Muirfield Road (RL-W, 4N) Luis and Kristin Llanos**
Addition of shed and small production granite cheese boards for home occupation.

Plans may be viewed in the Planning and Zoning Office, (City Hall, 149 Church Street, Burlington), 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 Planning and 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/pz/drbb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

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 Department of Planning & Zoning 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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BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, May 19, 5:00 p.m. Contois Auditorium, City Hall, 149 Church Street, Burlington, VT AGENDA

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Consent Agenda**
 - 1. **15-1039CA/CU; 54 Muirfield Road (RL-W, 4N) Luis and Kristin Llanos**
Addition of shed and small production granite cheese boards for home occupation (Project Manager, Scott Gustin)
- V. **Public Hearing**
 - 1. **15-1012CA/CU; 36 Locust Street (RL, 5S) Alec Bauer**
Add second floor living space to convert entire garage to accessory dwelling unit (Project Manager, Ken Lerner)
 - 2. **15-1009SD; 1 Summit Ridge Street (RL, Ward 6S) Sanjay Sathe**
Subdivide one lot into a total of three conforming lots, one to remain with main dwelling (Project Manager, Ken Lerner)
 - 3. **15-0922CA/MA; 451 Appletree Point Road (RL, Ward 4N) Alfred Senecal**
Demolition of existing structures, construct new duplex, associated site improvements and lot line adjustment (Project Manager, Scott Gustin)
 - 4. **15-0923CA/MA; 465 Appletree Point Road (RL, Ward 4N) Alfred Senecal**
New residential duplex, utilities and driveway (Project Manager, Scott Gustin)
- VI. **Other Business**
- VII. **Adjournment**

Applications and Plans may be viewed in the Planning and Zoning office, (City Hall, First Floor, 149 Church Street, Burlington), between the hours of 8:00 a.m. and 4:30 p.m.

All staff comments, plans and supporting documents will be available on the Planning and Zoning website at: www.burlingtonvt.gov/pz/drbb/agendas approximately one week before the hearing.

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Printed on 100% Recycled Paper

This agenda is distributed to: adjacent property owners of projects before the Development Review Board, Neighborhood Planning Assemblies, City Councilors, City Departments and interested parties. You may direct written comments to the Planning and Zoning Department, at the above address. Inquiries may be made by calling 865-7188. Oral comments may be given at the meeting by any persons on any project listed on the Agenda.

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401

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

Telephone: (802) 865-7188
(802) 865-7195 (FAX)

David E. White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, Senior GIS/IT Programmer/Analyst
Scott Gustin, AICP, CFM, Senior Planner
Mary O'Neil, AICP, Senior Planner
Elsie Tillotson, Department Secretary
Anita Wade, Zoning Clerk



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Senior Planner
Date: May 19, 2015
RE: 54 Muirfield Drive, ZP15-1039CA/HO

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

File: ZP15-1039CA/HO

Location: 54 Muirfield Drive

Zone: RL-W **Ward:** 4N

Date application accepted: April 22, 2015

Applicant/ Owner: Luis Llanos & Kristin Julianio Llanos

Request: Home occupation for production of granite cheese boards. Add a 10' x 14' shed (already on site; not permitted by previous owner.)

Background:

- Zoning Permit 11-1122CA; enlarge and enclose screened porch at rear. July 2011.
- Appeal of Impact Fee assessment. Fees adjusted by DRB decision. April 1997.
- Zoning Permit 93-317; Construction of single family home on vacant lot. March 1993.



Overview: The applicants wish to conduct a small business creating granite cutting boards from their single family residence. The application has been revised to move the production off-site; only a small home office (approximately 6' x 8') and an area of the garage (8' x 8') will be assigned to the home occupation. The garage area will be limited to product presentation (tying bows.)

The application includes review of a 10' x 14' shed which is already on-site, but was not permitted by previous owners.

Recommendation: Consent approval, per the following findings and conditions:

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I. Findings

Article 3: Applications and Reviews

Part 5 Conditional Use & Major Impact Review:

(1) The capacity of existing or planned community facilities;

The proposed home occupation will have no perceptible impacts on existing or planned community facilities. **Affirmative finding.**

(2) The character of the area affected;

The area is a residential neighborhood near Lake Champlain on Appletree Point. As proposed, the home occupation is anticipated to have no impact on the character of the area. The production portion of the home occupation has been removed from the residence to allay neighbor concern about noise. **Affirmative finding.**

(3) Traffic on roads and highways in the vicinity;

No customers will come to the residence, and only the owners will be employed by the home occupation. No increase of traffic beyond typical residential use is expected. **Affirmative finding.**

(4) Bylaws then in effect;

As conditioned, the application is consistent with applicable bylaws. This provision excludes any private covenants or bylaws of the homeowners' association. **Affirmative finding.**

(5) Utilization of renewable energy resources;

Not applicable.

(6) Cumulative impacts of the proposed use;

There has been raised a concern about disposal of granite waste. As the production portion of the home occupation has been moved off-site, no cumulative impacts are anticipated. **Affirmative finding.**

(7) Functional family;

Not applicable.

(8) Vehicular access points;

The subject property is served by a private driveway. The home occupation does not require any change to this access point. **Affirmative finding.**

(9) Signs;

No exterior signs are proposed for the home occupation. **Affirmative finding.**

(10) Mitigation measures;

All material wastes must be disposed of in a safe and legal manner. As the production portion of the home occupation has been moved off-site, mitigation appears unnecessary. **Affirmative finding.**

(11) Time limits for construction;

The Certificate of Appropriateness portion of the permit relates to the construction of the shed. There is a two year time limit for the zoning permit. The applicant must provide an accurate site plan confirming the location of the shed relative to property boundaries. **Affirmative finding as conditioned.**

(12) Hours of operation and construction;

The applicants propose work 2 hours a day, 2 afternoons a week. The production work is intended to occur offsite; product finishing (packaging, bows) will occur within the garage. Paperwork relating to the home occupation will occur within a home office within the residence. **Affirmative finding.**

(13) Future enlargement or alterations;

Any future enlargement or alterations of the home occupation will require additional permit review per the regulations in effect at that time. **Affirmative finding as conditioned.**

(14) Performance standards;

The Board may, at their discretion, impose particular performance standards.

(15) Conditions and safeguards;

See proposed conditions of approval.

Article 4: Maps & Districts

4.4.5 Residential Districts

(a) Purpose

2. Waterfront Residential Low Density (RL-W)

The proposed home occupation will take place within the RL-W zone. This district is intended primarily for low-density residential development, and characterized by a compact and cohesive development pattern reflective of the neighborhood's history. A greater consideration is required for views from the lake and stormwater runoff. Neither will be impacted by the proposed home occupation nor shed addition. **Affirmative finding.**

(b) Dimensional Standards and Density

Table 4.4.5-3 limits coverage to 35% in the RL-W district. The coverage will increase from 20.82 to 21.70% with the construction of the shed. As submitted, the application meets the dimensional standards of this section. The applicant will need to provide an accurate site plan confirming that the proposed shed meets all required setbacks. **Affirmative finding as conditioned.**

(c) Permitted & Conditional Uses

The existing single family home is a permitted use in the RL-W zoning district. The proposed home occupation may be conditionally allowed. **Affirmative finding.**

Article 5: Citywide General Regulations

Part 4: Special Use Regulations

Sec. 5.4.6 Home Occupations

1. A home occupation shall be conducted solely by resident occupants plus no more than one additional full-time equivalent employee in RL and WRL districts and no more than two (2) full-time equivalent employees in other districts. The home occupation shall be conducted entirely within an existing dwelling unit and/or one enclosed accessory structure.

The home occupation will be conducted by two resident occupants. No alterations are proposed to the residence. A 10' x 14' shed was originally proposed to be included as part of the production area, where boards will be chiseled by hand. The applicant has now chosen to perform the production work off site. **Affirmative finding.**

2. No more than thirty-five percent (35%) of the floor area of said residence, including accessory structures, up to a maximum of seven hundred fifty (750) square feet, whichever is less, shall be used for such purpose.

The Assessor's data card provides a gross area of 5868 sf. Thirty-five percent of that would exceed the 750 sq. ft. maximum (2053.8 sq. ft.) . The applicant has provided that a 6' x 8' area will be used for the home office, and a 8' x 8' area within the garage for the product finalization (tying bows.) The total of 112 sq. ft. is within the percentage allowed for a home occupation, or 1.9% of the gross floor area of the residence. **Affirmative finding.**

3. No home occupation shall require alterations, construction or equipment that would change the fire rating of the structure or the fire district in which the structure is located.

The home occupation does not result in a change to the fire rating of the structure. No modifications to the single family home. No electrical tools are proposed to be used, and no consultation with the Fire Marshal appears warranted. **Affirmative finding.**

4. There shall be no outside storage of any kind related to the home occupation.

Storage is proposed within the existing garage. The applicant notes some storage will be behind shed; assumably this may be raw material. It is noted that **no outside storage** can be permitted as part of this home occupation. All materials, both raw and finished, will need to be stored within a structure. **Affirmative finding as conditioned.**

*5. There shall be no exterior evidence of the conduct of a home occupation except for:
Occasional garage/lawn/yard type sales (up to twice a year not to exceed two (2) days each);
and
One non-illuminated attached parallel sign that shall not exceed two (2) square feet. No other signs shall be permitted.*

No garage/lawn/yard type sales are included in this proposal. No outdoor sign is proposed. **Affirmative finding.**

6. No home occupation may increase vehicular traffic flow or parking by more than one additional vehicle at a time for customers or deliveries. All parking shall be located off-street and shall maintain the required front yard setback per Article 5.

As no customers or deliveries are included within this proposal, there is no anticipated change in the traffic flow or parking for this residence. **Affirmative finding.**

7. No home occupation shall create sounds, noise, dust, vibration, smell, smoke, heat, humidity, glare, radiation, electrical interference, fire hazard or any other hazard, nuisance or unsightliness which is discernible from any adjacent dwelling unit.

The proposed production of granite cutting boards will use manual labor and be conducted off site. Finishing work within the garage should have no greater impact than gift wrapping. **Affirmative finding.**

8. The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes and shall not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part.

The proposed home occupation is clearly incidental to the primary residential use of the property. Work is limited to the garage with related administrative work in the residence. As proposed, the home occupation will not be perceptible from the exterior. **Affirmative finding.**

9. Delivery of products and materials related to the home occupation by vehicles other than automobiles shall occur no more than once per day.

No deliveries are proposed. **Affirmative finding.**

10. With the exception of one delivery per day, as specified in subparagraph (9), no more than one commercial vehicle shall be allowed on the premises at any one time;

No commercial vehicles are identified with the proposed home occupation. **Affirmative finding.**

11. There shall be no sale of goods except for goods fabricated on the premises as part of an approved home occupation.

The applicants have not defined how the product will be distributed; only that no customers will come to the residence. No other sale of goods is included within this home occupation. **Affirmative finding.**

Article 8: Parking

The single family home in a Neighborhood parking district requires 2 parking spaces. There are existing 2 in the garage and 2 in the driveway (tandem) for a total of four parking spaces. The applicant is cautioned not to consume the entire garage with the home occupation, which would eliminate the legitimate parking spaces via access driveway. The result would be Front Yard Parking, if the driveway did not connect to a parking space that was beyond the front setback of the house.

As no customers are proposed to come to the residence, no additional parking requirement is warranted. **Affirmative finding.**

II. Conditions of Approval

1. The applicant shall provide an accurate site illustrating the location of the shed, observing all required property setbacks **prior to release of the zoning permit.**
2. Any changes to the home occupation as proposed, including outside employees or customer arrivals shall require an amendment to the home occupation permit approval.
3. The applicant is responsible for complying with all representations disclosed on the Home Occupation Questionnaire.
4. The garage may not be entirely converted for use of the home occupation, as there remains legitimate parking spaces via an access driveway. Removal of those spaces for use would conflict with Section 8.1.12 (c), constituting *Front Yard Parking*.
5. There shall be **no outside storage** of any materials relating to the home occupation.
6. Standard permit conditions 1-15.

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



BRAD RABINOWITZ ARCHITECT

Architecture

Space Planning

Interior Design

RECEIVED
MAR 27 2015

**DEPARTMENT OF
PLANNING & ZONING**

JOB MEMO: 451 & 465 Appletree Point Road
RE: DRB & DAB Application Submittal
DATE: March 26, 2015
TO: Scott Gustin, Burlington Planning and Zoning
FROM: Brad Rabinowitz

The attached submittal is for a proposed new residential project at 451 Appletree Point Road. This is being submitted simultaneously with the application for 465 Appletree Point. The site plans and attachments are the same for both projects.

Attachments:

1. Completed and signed Zoning Permit Application and fee for \$550 on 451 and \$650 on 465.
2. Full size set of Drawings – at 24" x 36"
3. Reduced set of Drawings at 11"x17"
4. Information on the exterior lights. These are located on the plans.
5. Information on proposed windows including details and energy performance.

Project Description:

The application is for a duplex to be constructed at 451 Appletree Point Road. The previous approval for this property specified the setbacks and also that the new building footprint could not exceed the existing footprint.

The proposed building meets those restrictions.

The project is proposed as a duplex and provides 4 parking spaces.

This submittal includes a lot line adjustment between 451 and 465 to increase the size of 465 to meet the requirements for a duplex in this "Large Lot Overlay District".

Note that photos of the existing site are included on the Landscape Drawing as well as in the rendered views from the lake.

Major Impact Review:

Even though both projects are for small residential projects on single lots, as duplexes on the lake they are required to go before the NPA as part of the review. This was presented on March 25th to the NPA.

200 Main Street

Burlington, Vermont 05401

(802) 658-0430, Fax (802) 863-6876

www.bradrabinowitzarchitect.com

Senecal-Appletree Point

State Shoreland Permit:

A state permit application has been prepared and reviewed with the Lakes and Ponds Division and the State's criteria have been addressed. However, as the Shoreland review may be transferred to the City of Burlington, that application is on hold pending that clarification.

Site Plan/Design:

In addition to addressing the setbacks as noted, the application addresses the existing shoreland. As shown on the Landscape Plan, damaged and fallen trees are removed. The bank is repaired in the area of the removal of the existing house.

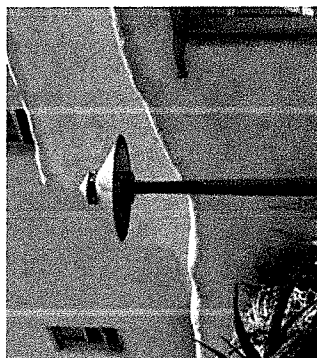
Erosion control measures are noted on the engineering site plans. The engineer will be reviewing this with DPW regarding stormwater.

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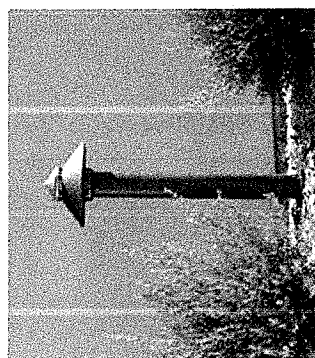
DEPARTMENT OF
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cc Al, Cheryl & Nicole Senecal
 Scott Homestead
 Cynthia Knauf

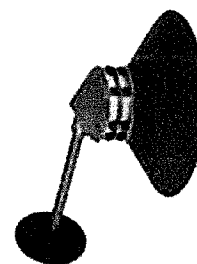
Lighting Schedule



L1 Teka LED Post



L2 Teka Bollard

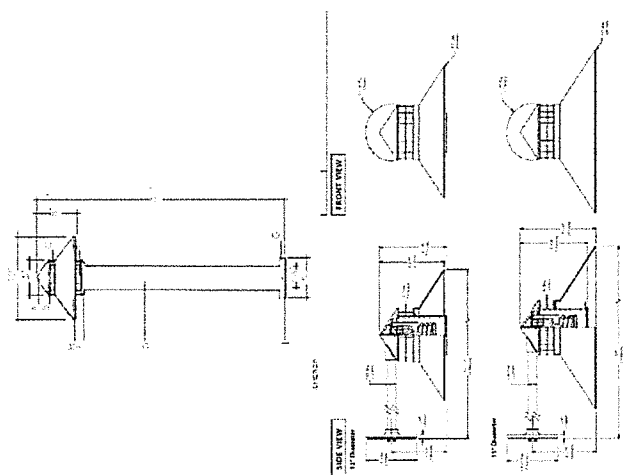
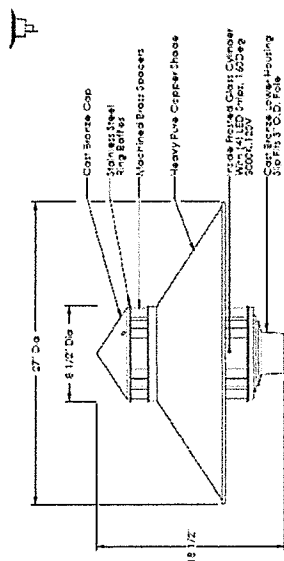


L3 Teka Beacon Wall

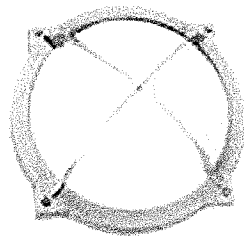
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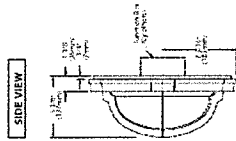
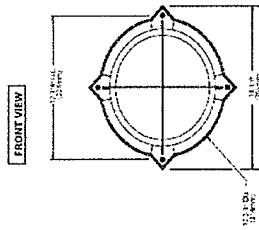
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Senecal Residence
451 & 465 Appletree Point, Burlington, VT
Lighting Schedule



L4 Teka Surface LED



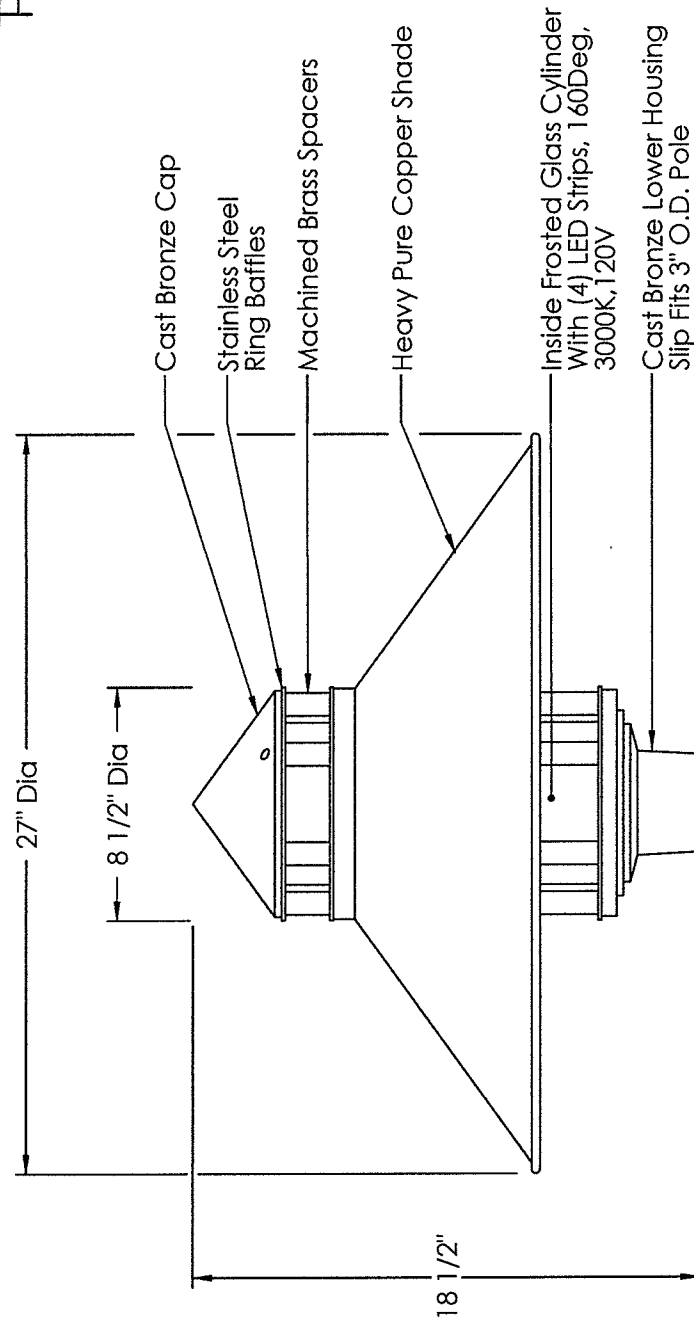
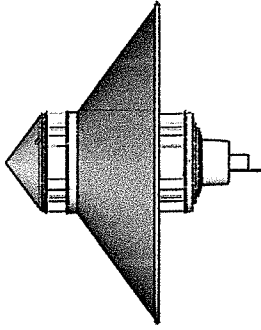
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Provide 12V A.C. Power
to Fixture

TEKA

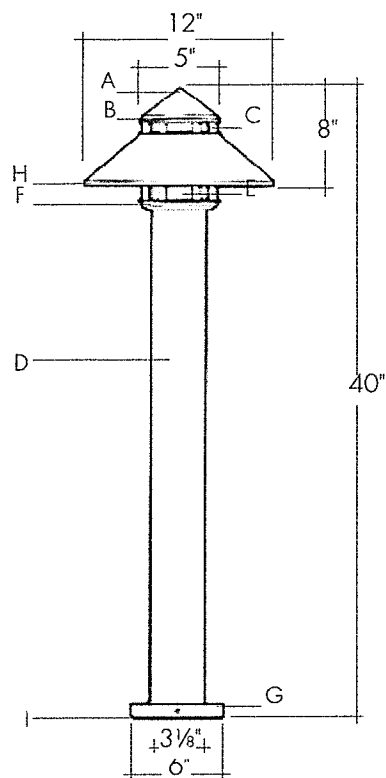
ILLUMINATION

Beacon Shaded B

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MAR 27 2015

DEPARTMENT OF
PLANNING & ZONING



Description

Exterior bollard luminaire.

Materials and Construction

- A. Cast bronze cap
- B. Stainless steel or copper on stainless steel Ring baffles
- C. Machined, solid brass spacers
- D. Heavy wall, .125 thk. solid copper post, 3.5" O.D.
- E. Etched glass cylinder
- F. Cast bronze housing
- G. Cast bronze base
- H. Solid copper, heavy wall shade
- I. Stainless steel and cast bronze anchor plate
- J. Provided with all stainless steel fasteners
- K. 120V electronic PLT ballast with -15°F starting temperature is standard on PLC models

Mounting

TEKA mounting kit #34 provided. Allows for (2) 3/4" maximum trade conduits.

Product Number	Lamp	Rings	Finish Option
BSB-2546 / Natural	60W A-19	St. Sil.	Brown Patina
BSB-2516 / Natural	60W A-19	Copper	Brown Patina
BSB-2542 / Natural	26W PLT	St. Sil.	Brown Patina
BSB-2512 / Natural	26W PLT	Copper	Brown Patina

Options available at additional cost

1. Add suffix BP for brown patina
2. Add suffix # 277 to PLT models for integral 277V electronic ballast
3. For higher or lower heights available, consult factory

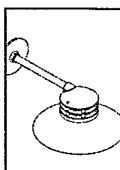
Note

ETL listed to ANSI/UL Standard 1598 and Certified to CAN/CSA Standard C22.2 No. 250

TEKA ILLUMINATION, INC

40429 Brickyard Drive Madera, California 93636 (559) 438-5800 Fax (559) 438-5900 www.tekaillumination.com

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Compact Fluorescent

BEACON WALL MOUNT (BW)

PROJECT:	
TYPE:	RECEIVED MAR 27 2015 DEPARTMENT OF PLANNING & ZONING
CATALOG NUMBER:	
SOURCE:	
NOTES:	

CATALOG NUMBER LOGIC

Example: **BWM** - **12** - **CF** - **353** - **C** - **BP** - **120** - **DT**

Series **BWM** - Beacon Wall Mount

Shade Size
12 - 12 Inch
15 - 15 Inch

Source **CF** - Compact Fluorescent

Lamp
0 - By Others
353 - CF13W/GU24/2700K (13W)
354 - CF13W/GU24/4100K (13W)
355 - CT18W/GU24/2700K (18W)
356 - CT18W/GU24/4100K (18W)
357 - CT26W/GU24/2700K (26W)
358 - CT26W/GU24/4100K (26W)

Ring Stack
C - Copper
S - Stainless Steel*

Finish
NAT - Natural
BP - Brown Patina*
NIC - Nickel Plate*
BZW - Bronze Wrinkle Powder Coat
(See Powder Coat Finish Chart for Available Choices.)

*Stainless Steel Rings are provided in Natural (NAT) regardless of finish choice.

Standard Finish

Powder Coat Color	Satin	Wrinkle
Bronze	BZP	BZW
Black	BLP	BLW
White (Gloss)	WHP	WHW
Aluminum	SAP	—
Verde	—	VER

Premium Finish

ABP Antique Brass Powder	HUG Hunter Green
AMG Aleutian Mountain Granite	MDS Mojave Desert Sandstone
AQW Antique White	NBP Natural Brass Powder
BCM Black Chrome	OCP Old Copper
BGE Belge	RMG Rocky Mountain Granite
BPP Brown Patina Powder	SDS Sonoran Desert Sandstone
CAP Clear Anodized Powder	SMG Sierra Mountain Granite
CMG Cascade Mountain Granite	TXF Textured Forest
CRI Cracked Ice	WCP Weathered Copper
CRM Cream	WIR Weathered Iron

Voltage **120** - 120 VAC Input

Option
CLR - Clear Coat Protection (For use with Natural (NAT) Finishes)
MESH - Mesh Screen (Finish to match fixture)
DT - Dark Top (Eliminates glow in window above shade. Finish to match fixture)

LAMP DATA

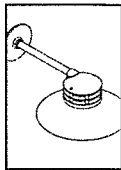
Lamp #	Watts	Description	Rated Life	Initial Lumens	Design Lumens	CRI	CC
353	13	CF13W/GU24/2700K	10,000	900	900	82	2,7
354	13	CF13W/GU24/4100K	10,000	900	900	82	4,1
355	18	CF18W/GU24/2700K	10,000	1,250	1,250	82	2,7
356	18	CF18W/GU24/4100K	10,000	1,250	1,250	82	4,1
357	26	CF26W/GU24/2700K	10,000	1,250	1,250	82	2,7
358	26	CF26W/GU24/4100K	10,000	1,250	1,250	82	4,1

TEKA ILLUMINATION

40429 Brickyard Drive • Madera, CA 93636 • USA
559.438.5800 • FAX 559.438.5900
www.tekaillumination.com • info@tekaillumination.com

SUBMITTAL DATE
3-6-13

DRAWING
SUB-20



Compact Fluorescent

BEACON WALL MOUNT (BWM)

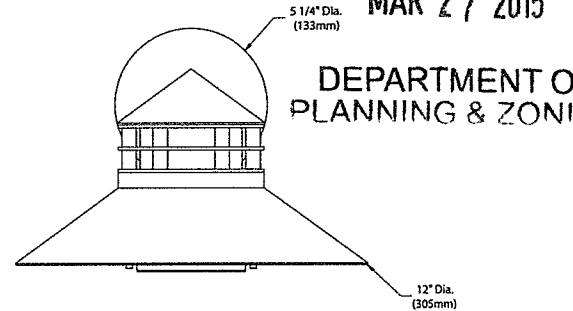
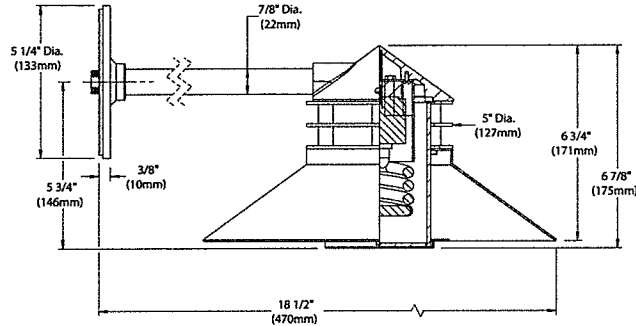
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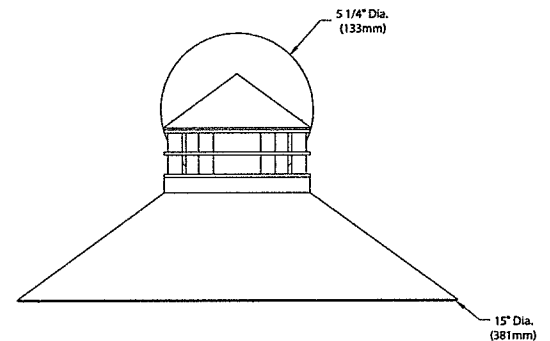
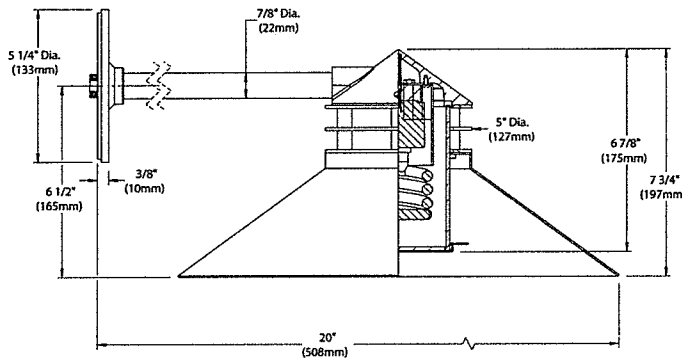
FRONT VIEW

SIDE VIEW

12" Diameter



15" Diameter



SPECIFICATIONS

GreenSource Initiative™

Metal and packaging components are made from recycled materials. Manufactured using renewable solar energy, produced onsite. Returnable to manufacturer at end of life to ensure cradle-to-cradle handling. Packaging contains no chlorofluorocarbons (CFC's). Use of this product may qualify for GreenSource efficacy and recycling rebate(s). Consult www.tekallumination.com/greensource for program requirements.

Enduring Metals

Constructed from copper, bronze, and stainless steel. These lifetime materials are inherently corrosion resistant. Factory-applied finishes are also available.

Installation

5" diameter, machined aluminum mounting plate with textured black finish. For use with 4" octagonal junction box (by others). Supplied with [2] tamper-resistant, black oxide stainless steel mounting screws.

Canopy

5-1/4" diameter canopy conceals mounting plate and hardware. Hand spun from high purity, solid copper plate with tamper resistant, machined brass lock collar.

Shade

Hand spun from high purity, solid copper plate. Specify 12" or 15" diameter.

Lens

3-5/8" dia. translucent acrylic lens with clear acrylic downlight lens provides sealed optical compartment.

Stem

Machined from heavy wall 7/8" O.D. brass.

Body

Cast bronze. High temperature, silicone 'O' Ring provides water tight seal to shade assembly.

Lamp Holder

Specification grade, ceramic body holder for GU24 lamp base. Nickel alloy contacts and heat resistant, spring loaded, stainless steel retaining clips

Lamp

For use with self ballasted 2 pin GU24 twist and lock compact fluorescent lamp.

Ring Stack

Solid copper or stainless steel accent rings with solid brass spacers.

Wiring

Teflon® coated wire, 18AWG, 600V, 250° C rated and certified to UL 1659 standard.

Hardware

Tamper-resistant, stainless steel hardware.

Finish

Natural (NAT): Copper and bronze components are sand blasted to expose the porous metal surface. Over time, and with exposure to the elements, the metals will naturally 'weather' resulting in a unique patina.

Factory Applied: Hand-crafted metal finishes include natural (NAT), brown patina (BP), and nickel plate (NIC).

Powder Coat: Class 'A' TGIC polyester powder coating. RoHS compliant.

Clear Coat Protection

Optional ceramic clear coating seals and protects underlying metals and protects against discoloration, fading, and wear. Highly impervious to chemicals, solvents, and graffiti. For use with natural (NAT) finishes.

Warranty

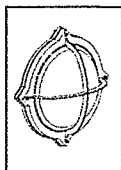
5 year limited warranty.

Listings

ETL Listed to ANSI/UL Standard 1598 and Certified to CAN/CSA Standard C22.2 No. 250. RoHS compliant. Made in USA.



*Teflon is a registered trademark of DuPont Corporation.



THE
ARCADE
SERIES

BISSSL
SOLID STATE LIGHTING

SUNDIAL SURFACE MOUNT ()

PROJECT:	
TYPE:	
CATALOG NUMBER:	
SOURCE:	
NOTES:	

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CATALOG NUMBER LOGIC

Example: **AR - SM - 12 - LED - 322 - NAT - WHT - S - NAT - 120 -**

Series **AR** - Arcade Series

Style **SM** - Sundial Surface Mount

Size **12** - 12 Inch

Source **LED** - Solid State System with Integral Driver

Lamp **322** - 2x4WLED/3000K (8W)
323 - 2x4WLED/4100K (8W)

Finish

	Powder Coat Color	Satin	Wrinkle
NAT - Natural	Bronze	BZP	BZW
BP - Brown Patina	Black	BLP	BLW
NIC - Nickel Plate	White (Gloss)	WHP	WHW
BZW - Bronze Wrinkle Powder Coat*	Aluminum	SAP	—
	Verde	—	VER

* (See Powder Coat Finish Chart for Available Choices)

Diffuser **WHT** - Translucent White
ALB - White Alabaster
ROS - Rose Alabaster
HRN - Natural Horn
CAR - Carmel

Stainless Steel Rings & Finish **S** - Stainless Steel

NAT - Natural
POL - Polished
BZW - Bronze Wrinkle Powder Coat*
* (See Powder Coat Finish Chart for Available Choices)

Copper Rings & Finish **C** - Copper

NAT - Natural
BP - Brown Patina
POL - Polished

Voltage **120** - 120V

Option **CLR** - Clear Coat Protection

SOLID STATE DATA

Lamp #	Watts	Description	Rated Life (Hrs) 70% of initial lumens (L70)	Design Lumens	CCT(K)
322	8	2x4WLED/3000K	50,000	352	3,000
323	8	2x4WLED/4100K	50,000	416	4,100

TEKA ILLUMINATION

40429 Brickyard Drive • Madera, CA 93636 • USA
559.438.5800 • FAX 559.438.5900
www.tekaillumination.com • info@tekaillumination.com

SUBMITTAL DATE
10-5-11

DRAWING NUMBER
S0010



THE
ARCADE
SERIES

BKSSL
SOLID STATE LIGHTING

SUNDIAL SURFACE MOUNT (SM)

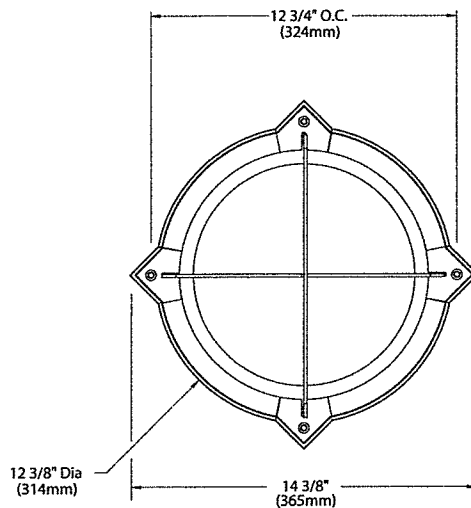
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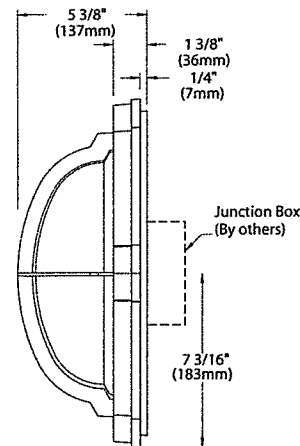
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FRONT VIEW



SIDE VIEW



SPECIFICATIONS

GreenSource Initiative™

Our GreenSource Initiative™ guides the design and manufacturing of this product. All metal and packaging materials are derived from recycled materials, which are also recyclable. Our packaging contains no chlorofluorocarbons (CFC's). Our finishing is RoHS compliant. This product is manufactured using renewable solar energy, which is produced onsite and is returnable at end of life to ensure cradle-to-cradle handling.

Enduring Metals

Constructed from copper, bronze, and stainless steel. These lifetime materials are inherently corrosion resistant. Factory-applied finishes are also available.

Body

Cast from solid, copper-free aluminum. Fully gasketed, and mounts to a recessed 4" octagonal junction box.

Faceplate

Cast bronze faceplate with stainless steel fasteners.

Rings

Solid copper or stainless steel accent rings.

Source

LED features BKSSL™ technology (50,000 Hr. Life), and includes an integral driver with primary overload and short circuit protection. 120V input. Two (2) 4 W LED's for a total of 8W. Available in 3000K and 4100K.

Transformer

Includes a 12 VAC BKSSL transformer.

Diffuser

One of 5 standard molded, etched acrylic translucent diffusers for high transmittance and long life.

Wiring

Teflon® coated wire, 18AWG, 600V, 250° C rated and certified to UL 1659 standard.

Hardware

Tamper-resistant, stainless steel hardware.

Finish

Natural (NAT): Copper and bronze components are sand blasted to expose the porous metal surface. Over time, and with exposure to the elements, the metals will naturally 'weather' resulting in a unique patina.

Factory Applied: Hand-crafted metal finishes include brown patina (BP), polish (POL), and nickel plate (NIC).

Powder Coat: Class 'A' TGIC polyester powder coating. RoHS compliant.

Clear Coat Protection

Optional ceramic clear coating seals and protects underlying metals and protects against discoloration, fading, and wear. Highly impervious to chemicals, solvents, and graffiti. For use with natural (NAT) and polish (POL) finishes.

Warranty

5 year limited warranty.

Listings

ETL Listed to ANSI/UL Standard 1598 and Certified to CAN/CSA Standard C22.2 No. 250. Made in USA.



*Teflon is a registered trademark of DuPont Corporation.



Integrity Windows and Doors NFRC Values

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Wood-Ultrex Double Hung – Standard Glass

DEPARTMENT
PLANNING & ZONING

Glass Description	Divider	U Factor	SHGC	VT	CR	Energy Star	Canada Energy Star
11/16" IG Obscure Argon LoE 180 3.1 mm obscure / 11.5mm argon / LoE 180 3.1 mm	SDLS < 1"	0.30	0.46	0.53	55	N	A, B, C
11/16" IG Obscure Air LoE 180 3.1 mm obscure / 11.5mm air / LoE 180 3.1 mm	SDLS < 1"	0.33	0.46	0.53	52		A, B
11/16" IG LoE 366 Argon Obscure 3.1 mm LoE 366 / 11.5mm argon / 3.1 mm obscure		0.28	0.21	0.49	56	N, NC, SC, S	A
	SDLS < 1"	0.29	0.19	0.43	56	N, NC, SC, S	
	SDLN < 1"	0.28	0.19	0.43	56	N, NC, SC, S	A
11/16" IG LoE 366 Argon 3.1 mm LoE 366 / 11.5mm argon / 3.1 mm clr	GBG	0.28	0.19	0.43	56	N, NC, SC, S	A
		0.28	0.21	0.49	56	N, NC, SC, S	A
	SDLS < 1"	0.29	0.19	0.43	56	N, NC, SC, S	
11/16" IG LoE 366 Air Obscure 3.1 mm LoE 366 / 11.5mm air / 3.1 mm obscure	SDLN < 1"	0.28	0.19	0.43	56	N, NC, SC, S	A
	GBG	0.28	0.19	0.43	56	N, NC, SC, S	A
		0.32	0.21	0.49	53	NC, SC, S	
11/16" IG LoE 366 Air 3.1 mm LoE 366 / 11.5mm air / 3.1 mm clr	SDLS < 1"	0.33	0.19	0.43	53	SC, S	
	SDLN < 1"	0.32	0.19	0.43	53	NC, SC, S	
	GBG	0.32	0.19	0.43	53	NC, SC, S	
11/16" IG LoE 272 Argon Obscure 3.1 mm LoE 272 / 11.5mm argon / 3.1 mm obscure		0.32	0.21	0.49	53	NC, SC, S	
	SDLS < 1"	0.33	0.19	0.43	53	SC, S	
	SDLN < 1"	0.32	0.19	0.43	53	NC, SC, S	
11/16" IG LoE 272 Argon 3.1 mm LoE 272 / 11.5mm argon / 3.1 mm clr	GBG	0.32	0.19	0.43	53	NC, SC, S	
		0.29	0.32	0.54	55	N, NC	A
	SDLS < 1"	0.29	0.28	0.48	56	N, NC, SC	A
11/16" IG LoE 272 Air Obscure 3.1 mm LoE 272 / 11.5mm air / 3.1 mm obscure	SDLN < 1"	0.29	0.28	0.48	55	N, NC, SC	A
	GBG	0.29	0.28	0.48	55	N, NC, SC	A
		0.29	0.32	0.54	55	N, NC	A
11/16" IG LoE 272 Air 3.1 mm LoE 272 / 11.5mm air / 3.1 mm clr	SDLS < 1"	0.29	0.28	0.48	56	N, NC, SC	A
	SDLN < 1"	0.29	0.28	0.48	55	N, NC, SC	A
	GBG	0.29	0.28	0.48	55	N, NC, SC	A
11/16" IG Argon LoE 180 3.1 mm clr / 11.5mm argon / LoE 180 3.1 mm		0.33	0.32	0.54	52		
	SDLS < 1"	0.32	0.29	0.48	52	NC, SC	A
	SDLN < 1"	0.33	0.29	0.48	52	SC	
11/16" IG Air LoE 180 3.1 mm clr / 11.5mm air / LoE 180 3.1 mm	GBG	0.33	0.29	0.48	52	SC	
		0.33	0.32	0.54	52		
	SDLS < 1"	0.32	0.29	0.48	52	NC, SC	A
11/16" IG Argon LoE 180 3.1 mm clr / 11.5mm argon / LoE 180 3.1 mm	SDLN < 1"	0.33	0.29	0.48	52	SC	
	GBG	0.33	0.29	0.48	52	SC	
		0.31	0.53	0.59	54	N	A, B, C
11/16" IG Air LoE 180 3.1 mm clr / 11.5mm air / LoE 180 3.1 mm	SDLS < 1"	0.30	0.46	0.53	55	N	A, B, C
	SDLN < 1"	0.31	0.47	0.53	54	N	A, B
	GBG	0.31	0.47	0.53	54	N	A, B
11/16" IG Air LoE 180 3.1 mm clr / 11.5mm air / LoE 180 3.1 mm		0.34	0.53	0.59	51		A, B
	SDLS < 1"	0.33	0.46	0.53	52		A, B
	SDLN < 1"	0.34	0.47	0.53	51		A
	GBG	0.34	0.47	0.53	51		A



Integrity
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Windows and Doors

Integrity Windows and Doors NFRC Values

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Wood-Ultrex Awning Operator/Stationary – Standard Glass

DEPARTMENT OF
PLANNING & ZONING
Canada Energy

Glass Description	Divider	U Factor	SHGC	VT	CR	Energy Star	Star
1 1/8" Tri-Pane LoE 272 Air LoE 180 3.1 mm LoE 272 / 9.8mm air / 3.1 mm clr / 9.8mm air / LoE 180 3.1 mm		0.23	0.27	0.45	65	N, NC, SC, S	A, B, C
	SDLS < 1 "	0.23	0.25	0.41	65	N, NC, SC, S	A, B, C
	SDLS > 1 "	0.23	0.23	0.37	65	N, NC, SC, S	A, B, C
	SDLN < 1 "	0.23	0.25	0.41	65	N, NC, SC, S	A, B, C
	SDLN > 1 "	0.23	0.23	0.37	65	N, NC, SC, S	A, B, C
	GBG	0.23	0.25	0.41	65	N, NC, SC, S	A, B, C
1 1/8" Tri-Pane LoE 272 Argon LoE 180 3.1 mm LoE 272 / 9.8mm argon / 3.1 mm clr / 9.8mm argon / LoE180 3.1 mm		0.20	0.27	0.45	69	N, NC, SC, S	A, B, C, D
	SDLS < 1 "	0.20	0.25	0.41	69	N, NC, SC, S	A, B, C, D
	SDLS > 1 "	0.20	0.23	0.37	69	N, NC, SC, S	A, B, C, D
	SDLN < 1 "	0.20	0.25	0.41	69	N, NC, SC, S	A, B, C, D
	SDLN > 1 "	0.20	0.23	0.37	69	N, NC, SC, S	A, B, C, D
	GBG	0.20	0.25	0.41	69	N, NC, SC, S	A, B, C, D
1 1/8" Tri-Pane LoE 272 Argon Obscure LoE 180 3.1 mm LoE 272 / 9.8mm argon / 3.1 mm obscure / 9.8mm argon / LoE180 3.1 mm		0.20	0.27	0.45	69	N, NC, SC, S	A, B, C, D
	SDLN < 1 "	0.20	0.25	0.41	69	N, NC, SC, S	A, B, C, D
	SDLN > 1 "	0.20	0.23	0.37	69	N, NC, SC, S	A, B, C, D
	SDLS > 1 "	0.20	0.23	0.37	69	N, NC, SC, S	A, B, C, D
	SDLS < 1 "	0.20	0.25	0.41	69	N, NC, SC, S	A, B, C, D
	GBG	0.20	0.25	0.41	69	N, NC, SC, S	A, B, C, D
11/16" IG Air LoE 180 3.1 mm clr / 11.5mm air / LoE 180 3.1 mm		0.33	0.50	0.56	52		A, B
	SDLN > 1 "	0.32	0.41	0.46	53	N	A
	SDLN < 1 "	0.33	0.45	0.51	52		A
	SDLS > 1 "	0.32	0.41	0.46	53	N	A
	SDLS < 1 "	0.32	0.45	0.51	53	N	A, B
	GBG	0.33	0.45	0.51	52		A
11/16" IG Air LoE 180 3.1 mm clr / 9.8mm air / LoE 180 4.7mm		0.33	0.49	0.56	51		A, B
	SDLS < 1 "	0.33	0.44	0.51	51		A
	SDLS > 1 "	0.33	0.40	0.46	51		A
	SDLN < 1 "	0.33	0.44	0.51	51		A
	SDLN > 1 "	0.33	0.40	0.46	51		A
	GBG	0.34	0.44	0.51	50		A
11/16" IG Argon LoE 180 3.1 mm clr / 9.8mm argon / LoE 180 4.7mm		0.30	0.49	0.56	54	N	A, B, C
	SDLS < 1 "	0.30	0.45	0.51	54	N	A, B
	SDLS > 1 "	0.30	0.40	0.46	54	N, NC	A, B
	SDLN < 1 "	0.30	0.45	0.51	54	N	A, B
	SDLN > 1 "	0.30	0.40	0.46	54	N, NC	A, B
	GBG	0.30	0.45	0.51	54	N	A, B
11/16" IG Argon LoE 180 3.1 mm clr / 11.5mm argon / LoE 180 3.1 mm		0.30	0.50	0.56	55	N	A, B, C
	SDLS < 1 "	0.29	0.45	0.51	56	N	A, B, C
	SDLS > 1 "	0.29	0.41	0.46	56	N	A, B
	SDLN < 1 "	0.30	0.46	0.51	55	N	A, B
	SDLN > 1 "	0.29	0.41	0.46	56	N	A, B
	GBG	0.30	0.46	0.51	55	N	A, B
11/16" IG LoE 272 Air 3.1 mm LoE 272 / 11.5mm air / 3.1 mm clr		0.32	0.30	0.51	53	NC, SC	A
	SDLS > 1 "	0.32	0.25	0.42	53	NC, SC, S	A
	SDLS < 1 "	0.32	0.28	0.46	53	NC, SC	A
	SDLN > 1 "	0.32	0.25	0.42	53	NC, SC, S	A
	SDLN < 1 "	0.32	0.28	0.46	53	NC, SC	A
	GBG	0.32	0.28	0.46	53	NC, SC	A
11/16" IG LoE 272 Air 3.1 mm LoE 272 / 9.8mm air / 4.7mm clr		0.33	0.30	0.51	51	SC	
	SDLS < 1 "	0.33	0.28	0.46	51	SC	
	SDLS > 1 "	0.33	0.25	0.41	51	SC, S	
	SDLN > 1 "	0.33	0.25	0.41	51	SC, S	
	SDLN < 1 "	0.33	0.28	0.46	51	SC	
	GBG	0.34	0.28	0.46	51	SC	
11/16" IG LoE 272 Argon 3.1 mm LoE 272 9.8mm argon / 4.7mm clr		0.29	0.30	0.51	55	N, NC, SC	A
	SDLS > 1 "	0.29	0.25	0.41	55	N, NC, SC, S	A
	SDLS < 1 "	0.29	0.27	0.46	55	N, NC, SC, S	A
	SDLN > 1 "	0.29	0.25	0.41	55	N, NC, SC, S	A
	SDLN < 1 "	0.29	0.27	0.46	55	N, NC, SC, S	A
	GBG	0.29	0.27	0.46	55	N, NC, SC, S	A



Integrity Windows and Doors NFRC Values

Wood-Ultrex Awning Operator/Stationary – Standard Glass

Glass Description	Divider	U Factor	SHGC	VT	CR	Energy Star	Canada Energy Star
11/16" IG LoE 272 Argon 3.1 mm LoE 272 / 11.5mm argon / 3.1 mm clr		0.28	0.30	0.51	57	N, NC, SC	A, B
	SDLS > 1 "	0.28	0.25	0.42	57	N, NC, SC, S	A, B
	SDLS < 1 "	0.28	0.27	0.46	57	N, NC, SC, S	A, B
	SDLN < 1 "	0.28	0.27	0.46	57	N, NC, SC, S	A, B
	SDLN > 1 "	0.28	0.25	0.42	57	N, NC, SC, S	A, B
	GBG	0.28	0.27	0.46	57	N, NC, SC, S	A, B
11/16" IG LoE 366 Air 3.1 mm LoE 366 / 9.8mm air / 4.7mm clr		0.32	0.21	0.46	51	NC, SC, S	
	SDLN > 1 "	0.32	0.17	0.37	51	NC, SC, S	
	SDLN < 1 "	0.32	0.19	0.41	51	NC, SC, S	
	SDLS > 1 "	0.32	0.17	0.37	51	NC, SC, S	
	SDLS < 1 "	0.32	0.19	0.41	51	NC, SC, S	
	GBG	0.33	0.19	0.41	51	SC, S	
11/16" IG LoE 366 Air 3.1 mm LoE 366 / 11.5mm air / 3.1 mm clr		0.31	0.20	0.46	53	NC, SC, S	
	SDLS < 1 "	0.32	0.19	0.42	53	NC, SC, S	
	SDLS > 1 "	0.31	0.17	0.38	53	NC, SC, S	
	GBG	0.31	0.19	0.42	53	NC, SC, S	
11/16" IG LoE 366 Argon 3.1 mm LoE 366 / 9.8mm argon / 4.7mm clr		0.28	0.20	0.46	55	N, NC, SC, S	A
	SDLS < 1 "	0.28	0.19	0.41	55	N, NC, SC, S	A
	SDLS > 1 "	0.28	0.17	0.37	55	N, NC, SC, S	A
	SDLN < 1 "	0.28	0.19	0.41	55	N, NC, SC, S	A
	SDLN > 1 "	0.28	0.17	0.37	55	N, NC, SC, S	A
	GBG	0.29	0.19	0.41	55	N, NC, SC, S	A
11/16" IG LoE 366 Argon 3.1 mm LoE 366 / 11.5mm argon / 3.1 mm clr		0.28	0.20	0.46	57	N, NC, SC, S	A
	SDLN > 1 "	0.28	0.17	0.38	57	N, NC, SC, S	A
	SDLN < 1 "	0.28	0.18	0.42	57	N, NC, SC, S	A
	SDLS > 1 "	0.28	0.17	0.38	57	N, NC, SC, S	A
	SDLS < 1 "	0.28	0.18	0.42	57	N, NC, SC, S	A
	GBG	0.28	0.18	0.42	57	N, NC, SC, S	A



WOOD-ULTREX DOUBLE HUNG

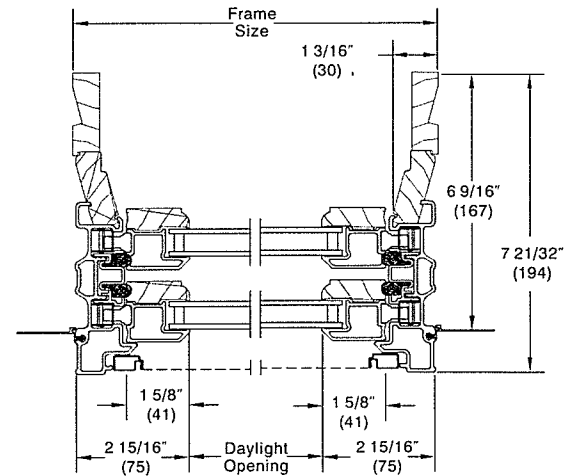
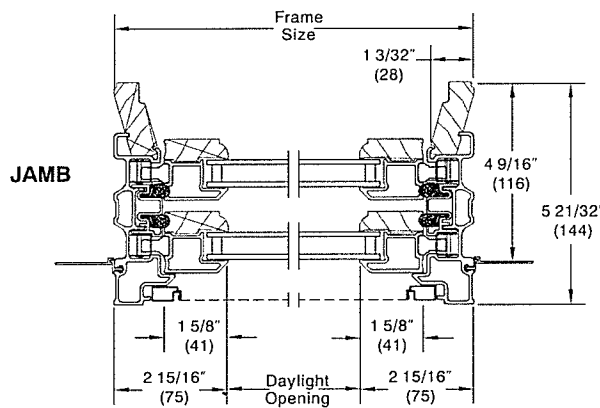
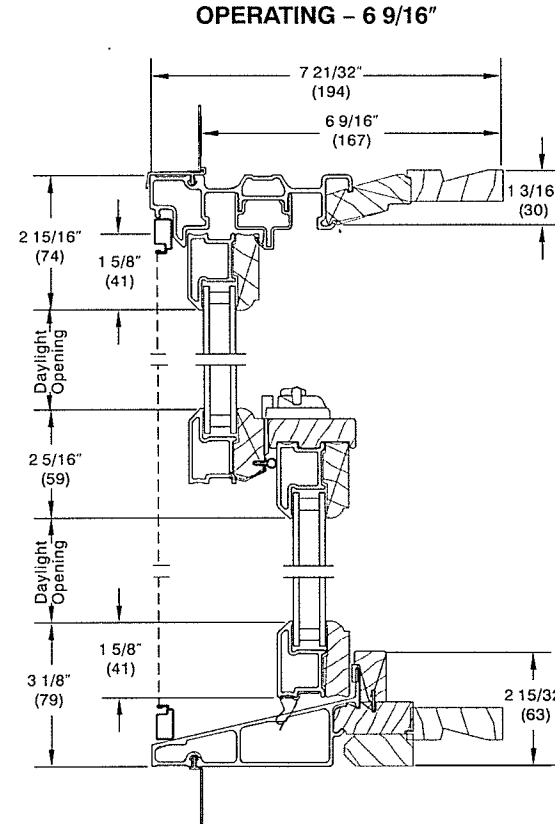
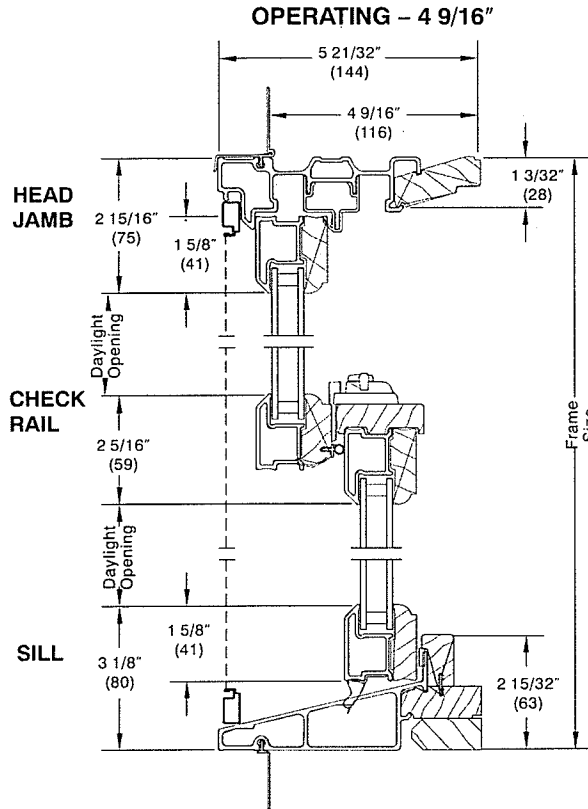
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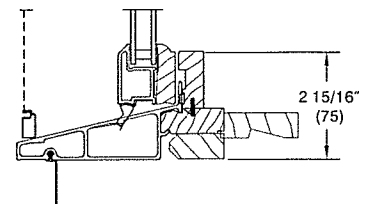
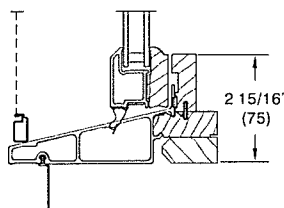
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SECTION DETAILS: Not to Scale

STANDARD GLAZED

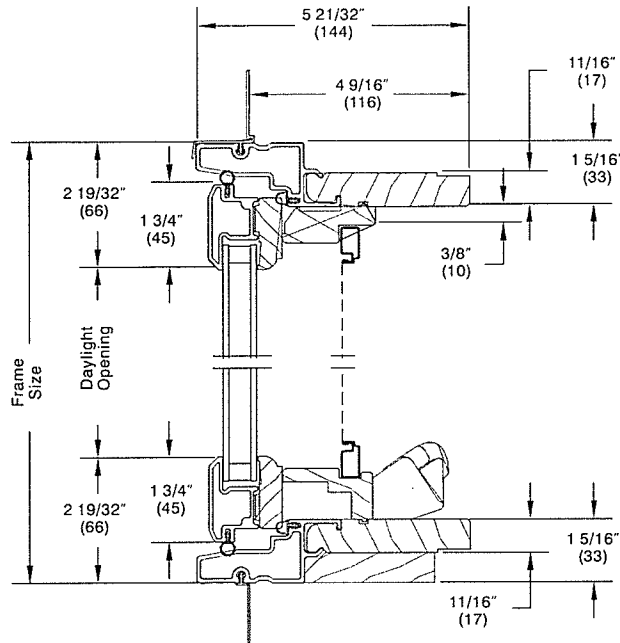


HIGH PERFORMANCE

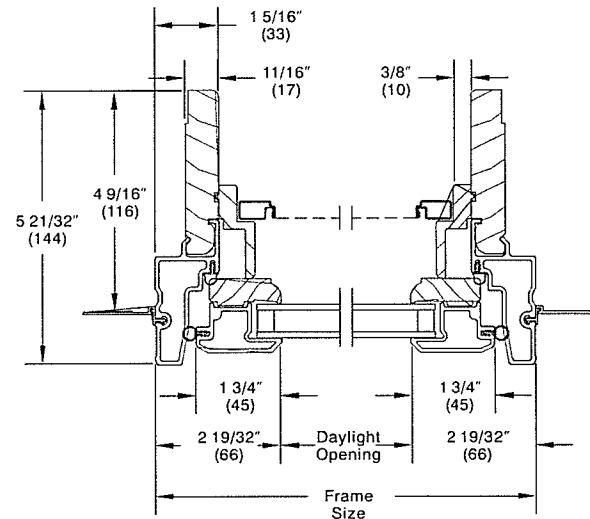


NOTE: CE is not available on High Performance units

**CASEMENT/AWNING
OPERATING – 4 9/16" (116)**

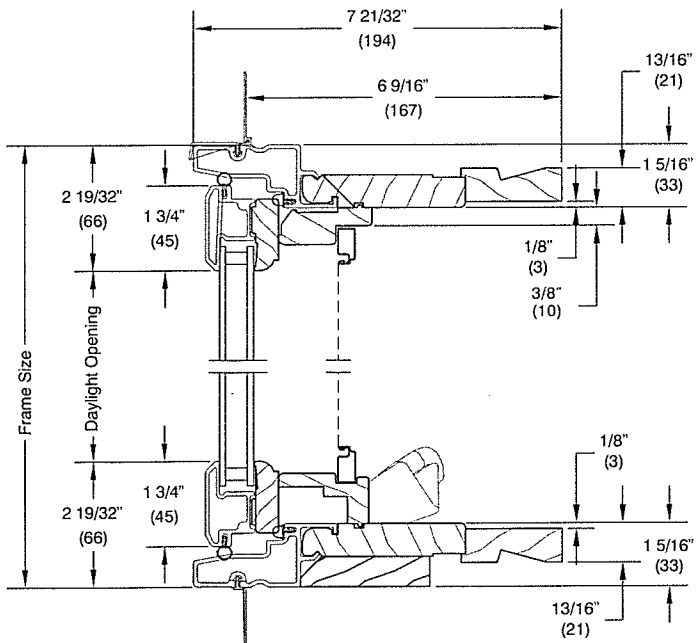


Head Jamb and Sill

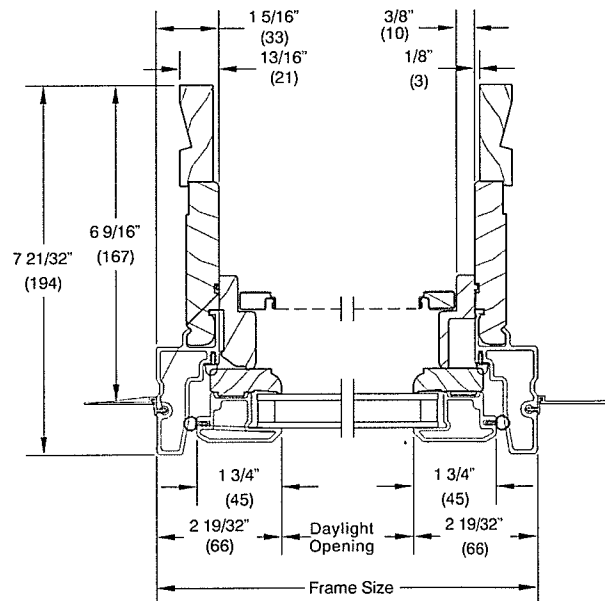


Jambs

OPERATING – 6 9/16" (167)



Head Jamb and Sill



Jambs



NOTE:
Photo of existing conditions
View from Lake Facing West



BRAD RABINOWITZ ARCHITECT

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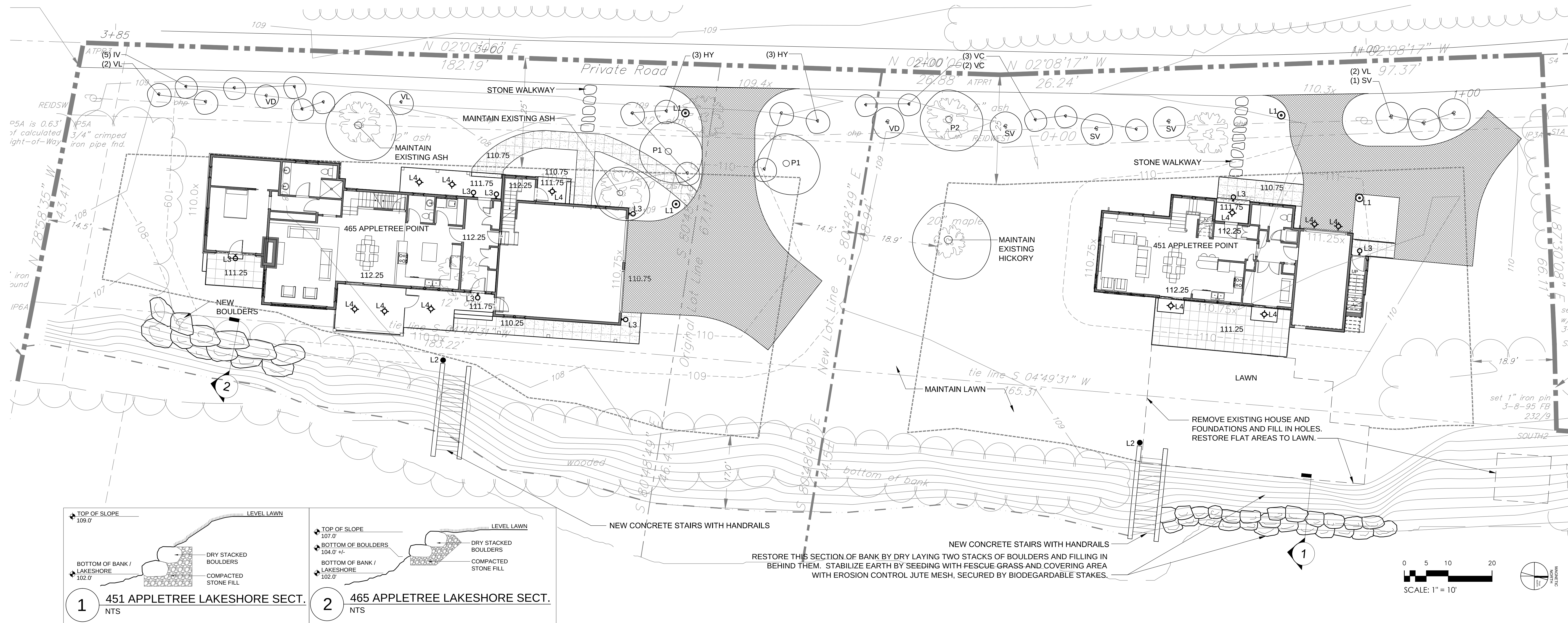
Design:

Senecal Residence
BURLINGTON, VERMONT

465 & 451
Existing Conditions

V2

03/03/15



PLAN FOR TREE REMOVAL ALONG LAKESHORE



PLANT SCHEDULE FOR SENECAI PROPERTIES				
TREES				
Key	Botanical Name / Common Name	Characteristics	Size	Qty.
P1	Prunus 'Montmorency' or 'Ball' / Cherry	Pink spring bloom, summer cherries	Availability	2
P2	Peach 'Reliance' / Peach	White spring bloom, summer peaches	Availability	1
SHRUBS				
Key	Botanical Name / Common Name	Characteristics	Size	Qty.
HY	Hydrangea paniculata 'Limelight' / Pee Gee Hydrangea	White summer bloom, yellow fall foliage	10g, 3'-4'	6
VD	Viburnum dentatum / Arrowwood / Viburnum	White spring bloom, purple fall foliage and berries	8&8, 4-5'	2
VL	Viburnum lentana 'Mohican' / Viburnum	White spring bloom, purple fall foliage and berries	8&8, 4-5'	5
VC	Vaccinium corymbosum / Highbush Blueberry	Summer berries, red fall foliage	5g, 2-3'-3'	5
SV	Syringa vulgaris 'Charles Joly' / Common Lilac	Fragrant purple spring bloom	8&8, 5-6'	4
IV	Ilex verticillata 'Winter Red' / Winterberry, Decid. Holly	Red fall foliage, red winter berries	5g, 3'-4'	4
IV	Ilex verticillata 'Jim Dandy' / Male Winterberry	Red fall foliage, red winter berries	5g, 3'-4'	1

LIGHTING LEGEND		
KEY	DESCRIPTION	QTY.
⦿ L1	TEKA POST-MOUNTED LED LIGHT	4
• L2	TEKA BOLLARD LED LIGHT	2
◐ L3	TEKA WALL-MOUNTED LED LIGHT	8
◈ L4	TEKA SURFACE-MOUNTED LED LIGHT	11

Senecal Residences at Appletree Point
Burlington, Vermont

Landscape and Planting Plan

CYNTHIA KNAUF
LANDSCAPE DESIGN INC.

215 College Street | Studio 2C | Burlington Vermont 05401
Cynthia@CynthiaKnauf.com | 802.655.0552 | CynthiaKnauf.com

BEAUTY FUNCTION SUSTAINABILITY COLLABORATION

ARCHITECT
Brad Robinson, Architect
200 Main Street, Burlington, Vermont 05401
Tel: (802) 658-0430 / Fax: (802) 863-6876
Email: office@bradrobinsnowarchitect.com

DATE: March 2, 2015

SCALE: 1" = 10'-0"

DRAWN BY: AC

L1.0

3/3/2015 10:48:01 AM Z:\201417\Revit\Senecal Residence site.rvt



NOTE:
Superimposed schematic design over photo of existing conditions
View from Lake Facing West



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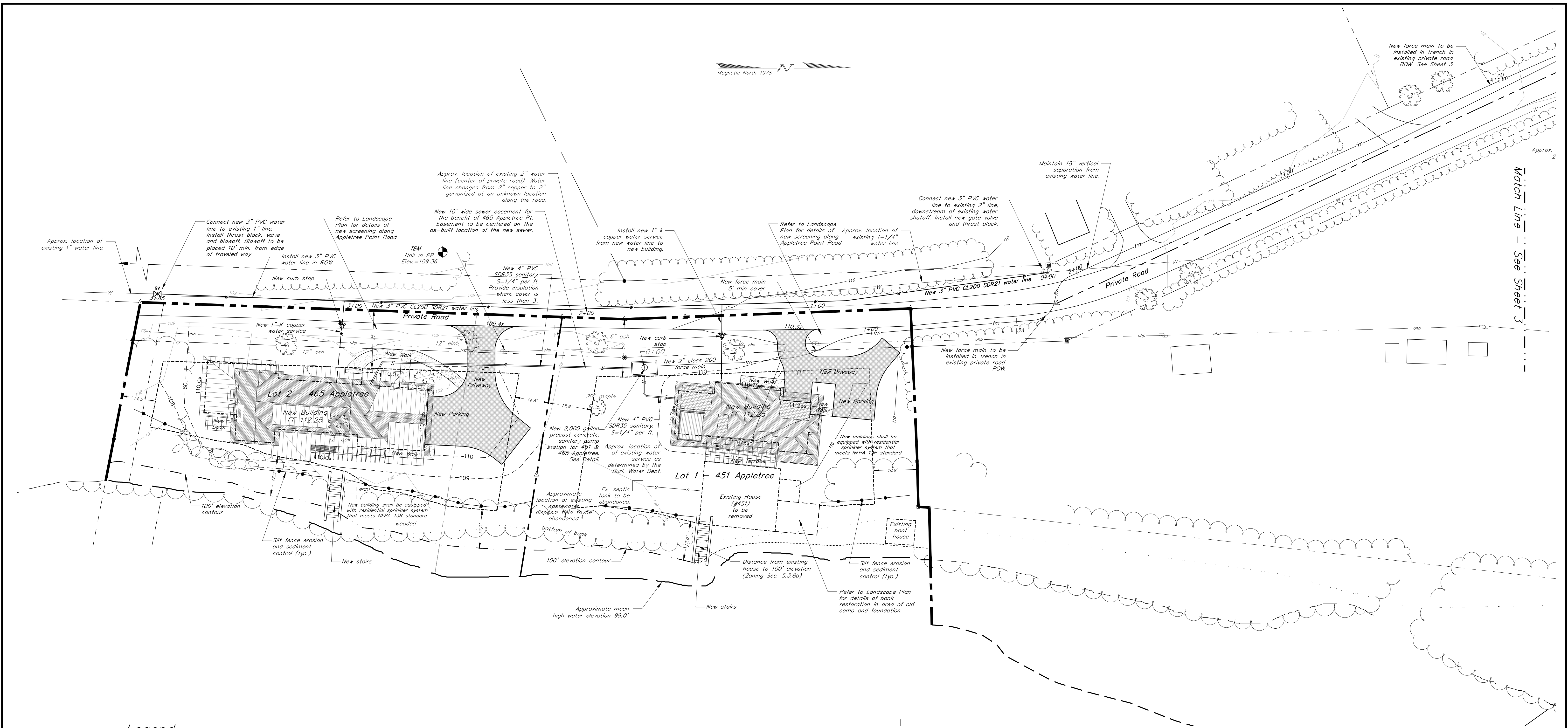
Design:

Senecal Residence
BURLINGTON, VERMONT

465 & 451 Schematic view
from Lake Champlain

V1

03/03/15



Legend

- Property line / right of way
- Setback line
- Existing waterline
- Existing sewer line
- Existing gas service
- Existing power pole / line
- High water elevation 99.0
- Bottom of lake shore bank
- Edge of woods
- Traverse point
- New water service
- New gravity sanitary line
- New sanitary force main
- Existing sewer manhole
- Existing storm manhole
- Silt Fence

Existing Lot Coverage

Buildings = $\frac{1,347 \text{ s.f.}}{35,283 \text{ s.f.}} = 3.8\%$ of total lot area
Roads/Driveways = $\frac{2,536 \text{ s.f.}}{35,283 \text{ s.f.}} = 7.2\%$ of total lot area
Total Coverage = $\frac{1,347 + 2,536}{35,283 \text{ s.f.}} = 12.0\%$ of total lot area

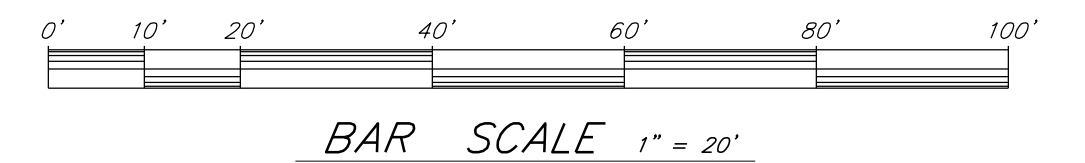
Proposed Lot Coverage

451 Appletree
Buildings = $\frac{1,342 \text{ s.f.}}{17,865 \text{ s.f.}} = 7.5\%$ of Lot 1
Roads/Driveways = $\frac{2,190 \text{ s.f.}}{17,865 \text{ s.f.}} = 12.3\%$ of Lot 1
Total Coverage = $\frac{1,342 + 2,190}{17,865 \text{ s.f.}} = 19.8\%$ of Lot 1

465 Appletree
Buildings = $\frac{2,512 \text{ s.f.}}{17,417 \text{ s.f.}} = 14.4\%$ of Lot 2
Roads/Driveways = $\frac{2,680 \text{ s.f.}}{17,417 \text{ s.f.}} = 15.4\%$ of Lot 2
Total Coverage = $\frac{2,512 + 2,680}{17,417 \text{ s.f.}} = 29.8\%$ of Lot 2

NOTES:

- Krebs and Lansing Consulting Engineers performed a topographic survey on a one-foot contour interval across the project area in 2001 using an assumed datum. Vertical control is NAVD 88.
- The location of existing utilities is not warranted to be exact or complete. Contact DIG SAFE prior to any excavation. It is the responsibility of the Contractor to have an independent locator verify the location of utilities outside the right of way.
- Refer to Landscape Plan prepared by Cynthia Knauff for landscaping and lighting details.
- Refer to Architectural Plans prepared by Brad Rabinowitz, Architect for building related features and entrance details.



Progress Print 2-18-15

Date revised	Description	Checked	Date
Design SWH	Site & Utility Plan		
Drawn FMP/SWH			
Checked	Property of Alfred R. & Cheryl Senecal		
Scale 1" = 20'			
Date Feb. 17, 2015	451 & 465 Appletree Point Road Burlington, Vermont		
Project 14132			
KREBS & LANSING Consulting Engineers, Inc. 164 Main Street, Colchester, Vermont 05446			Field Book 183 451-465 appletree

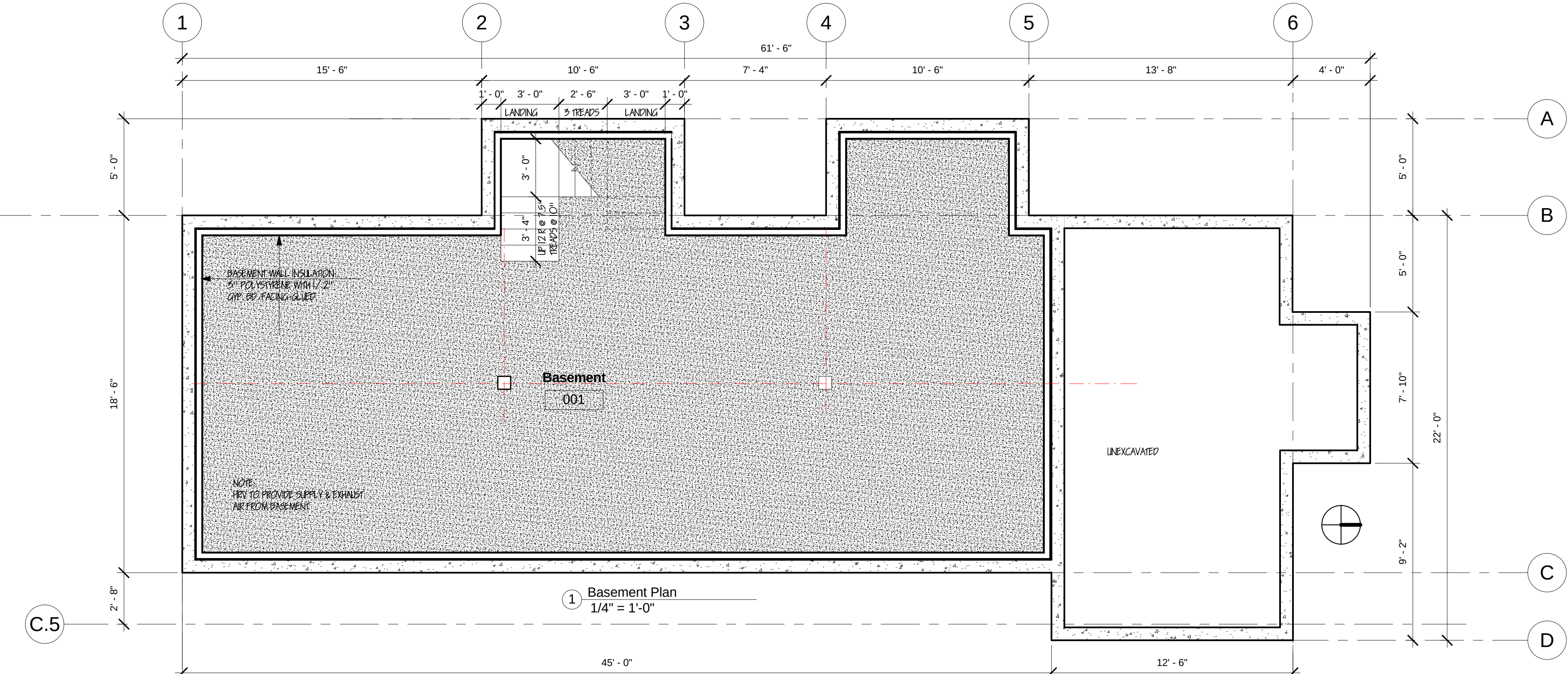
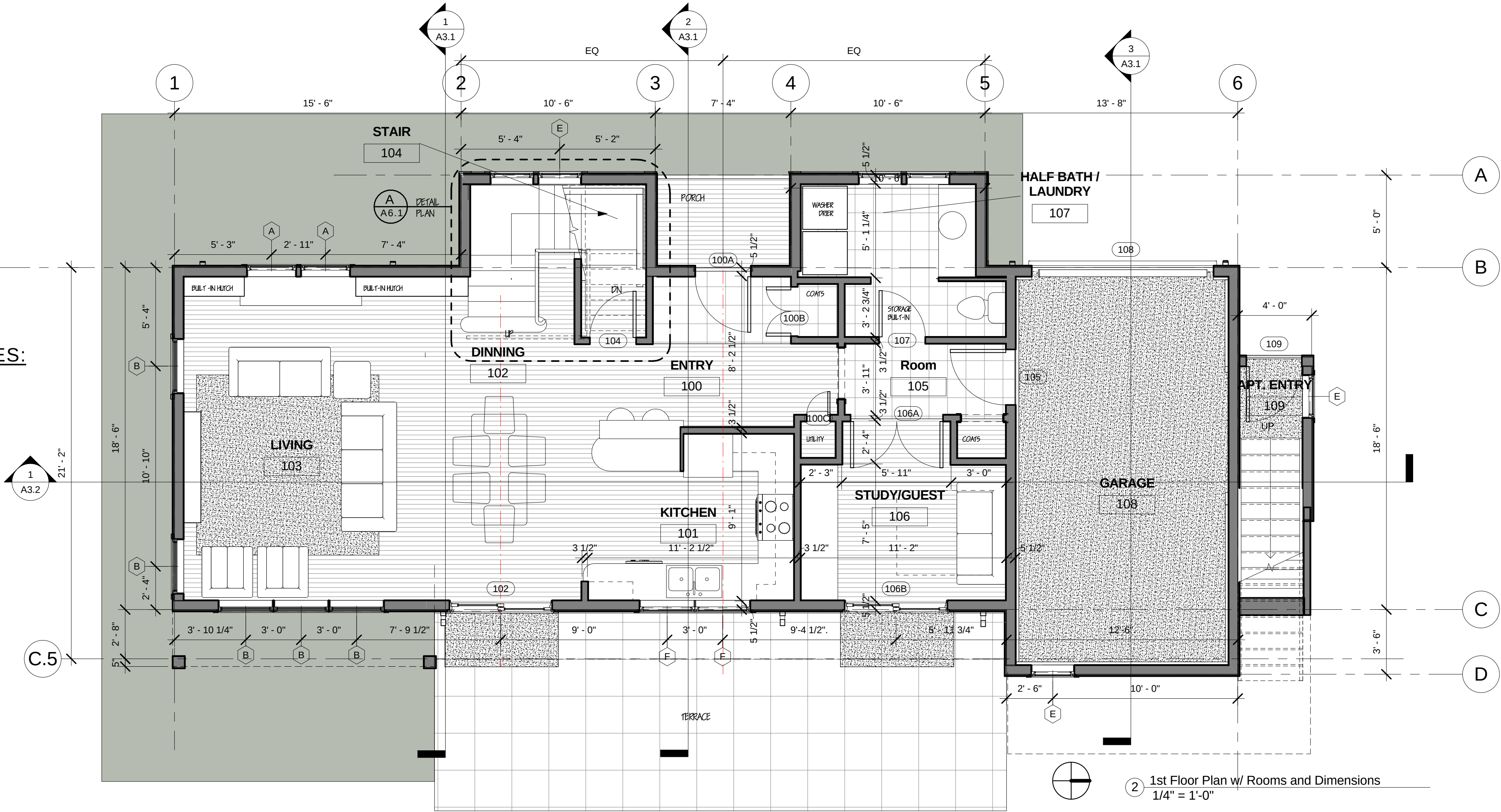
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WINDOW SCHEDULE							
KEY	Description	Manufacturer	Model	R.O. W	R.O. H	NO.	Comments
A	AWNG	Integrity Windows and Doors	IAWN3347	2' - 8 1/2"	3' - 11 5/8"	2	
B	DBLE HUNG	Integrity Windows and Doors	ITDH3672	3' - 0 1/2"	6' - 0 1/4"	5	
C	DBHG	Integrity Windows and Doors	ITDH 3664 E	3' - 0 1/2"	5' - 4 1/4"	6	
D	DBLE HUNG	Integrity Windows and Doors	ITDH3264	2' - 8 1/2"	5' - 4 1/4"	2	
E	AWNG	Integrity Windows and Doors	IAWN2935	2' - 4 1/2"	2' - 11 5/8"	7	
F	AWNG	Integrity Windows and Doors	IAWN3747	3' - 0 1/2"	3' - 11 5/8"	8	
G	AWNG	Integrity Windows and Doors	IAWN2947	2' - 5"	3' - 11 5/8"	1	
H	CSMT	Integrity Windows and Doors	ICA 3755	3' - 0 1/2"	4' - 7 5/8"	11	
Grand total: 42							

EXTERIOR LIGHTING NOTES:

- L1 - POST LIGHT
L2 - BOLLARD
L3 - SCOUNCE
L4 - SURFACE MOUNT



REVIEW ISSUE: MARCH 12, 2015



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Design:
SENECAL Residence at Appletree Point
BURLINGTON, VERMONT

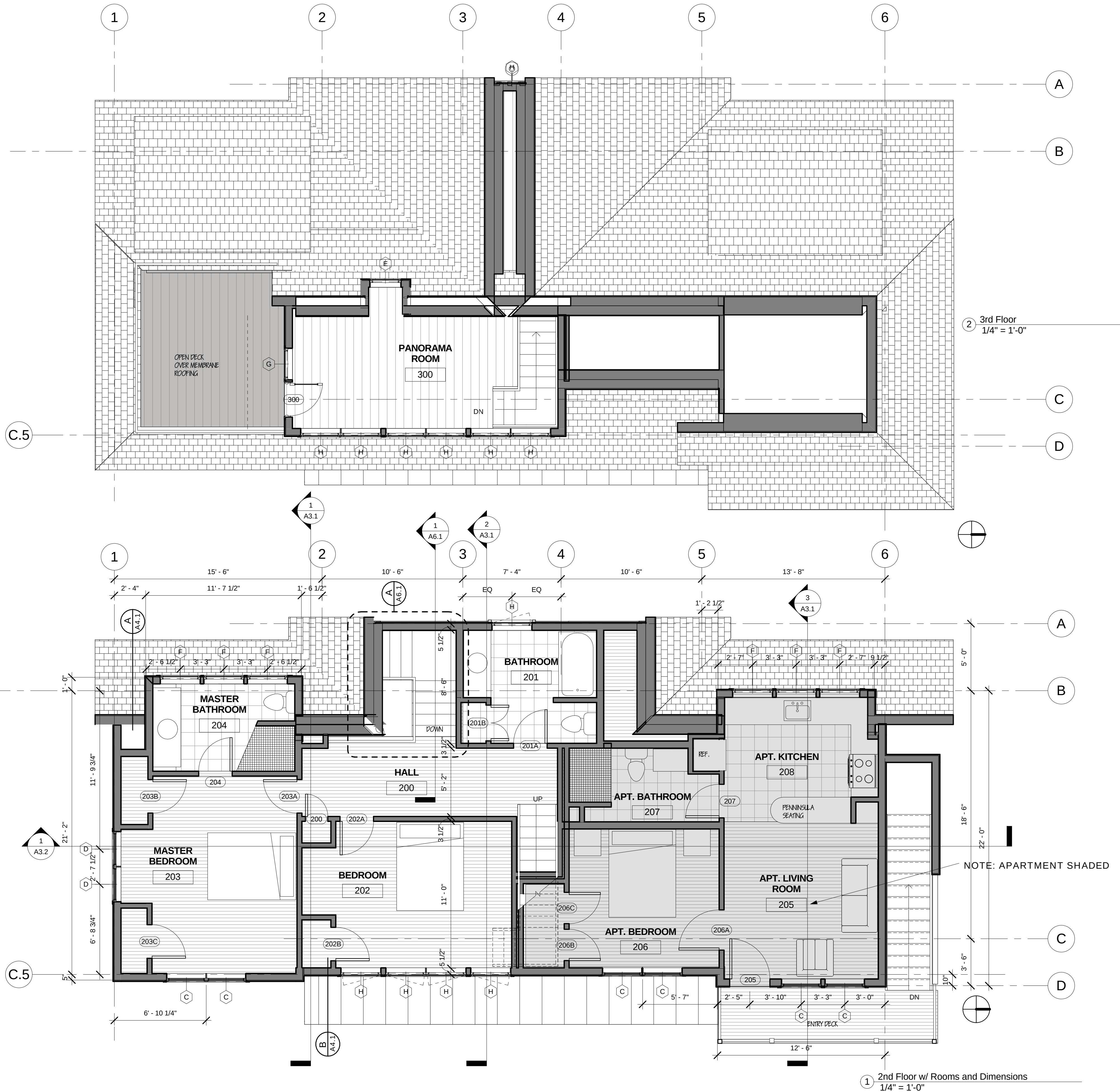
DRAWING TITLE:
**FLOOR PLANS 451 -
BASEMENT AND FIRST**

DATE REVISION

A1.1
As indicated
October 31, 2014

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EXTERIOR LIGHTING NOTES:

- L1 - POST LIGHT
- L2 - BOLLARD
- L3 - SCOUNCE
- L4 - SURFACE MOUNT

REVIEW ISSUE: MARCH 12, 2015



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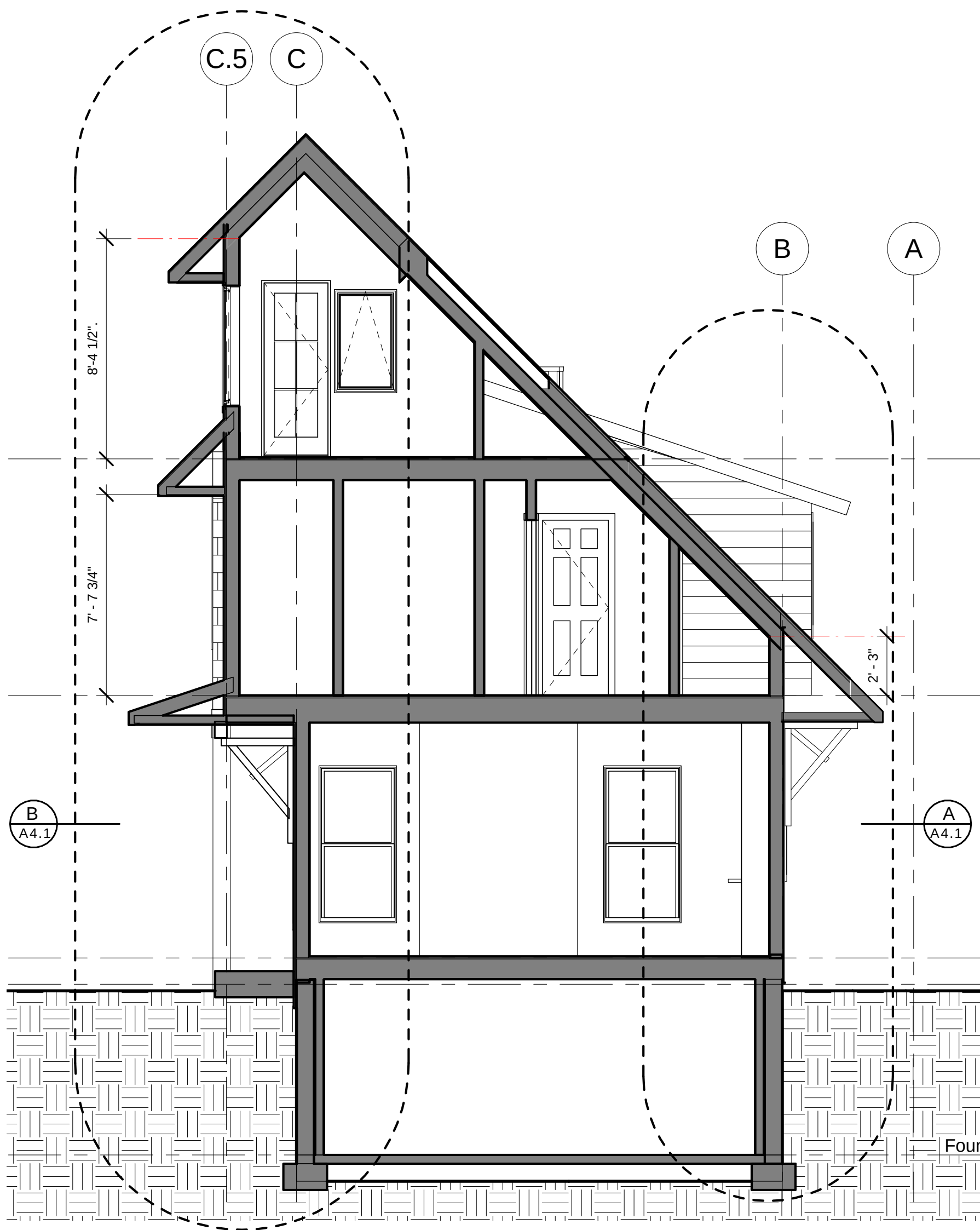
DRAWING TITLE:
**FLOOR PLANS 451 -
SECOND AND LOFT**

DATE REVISION

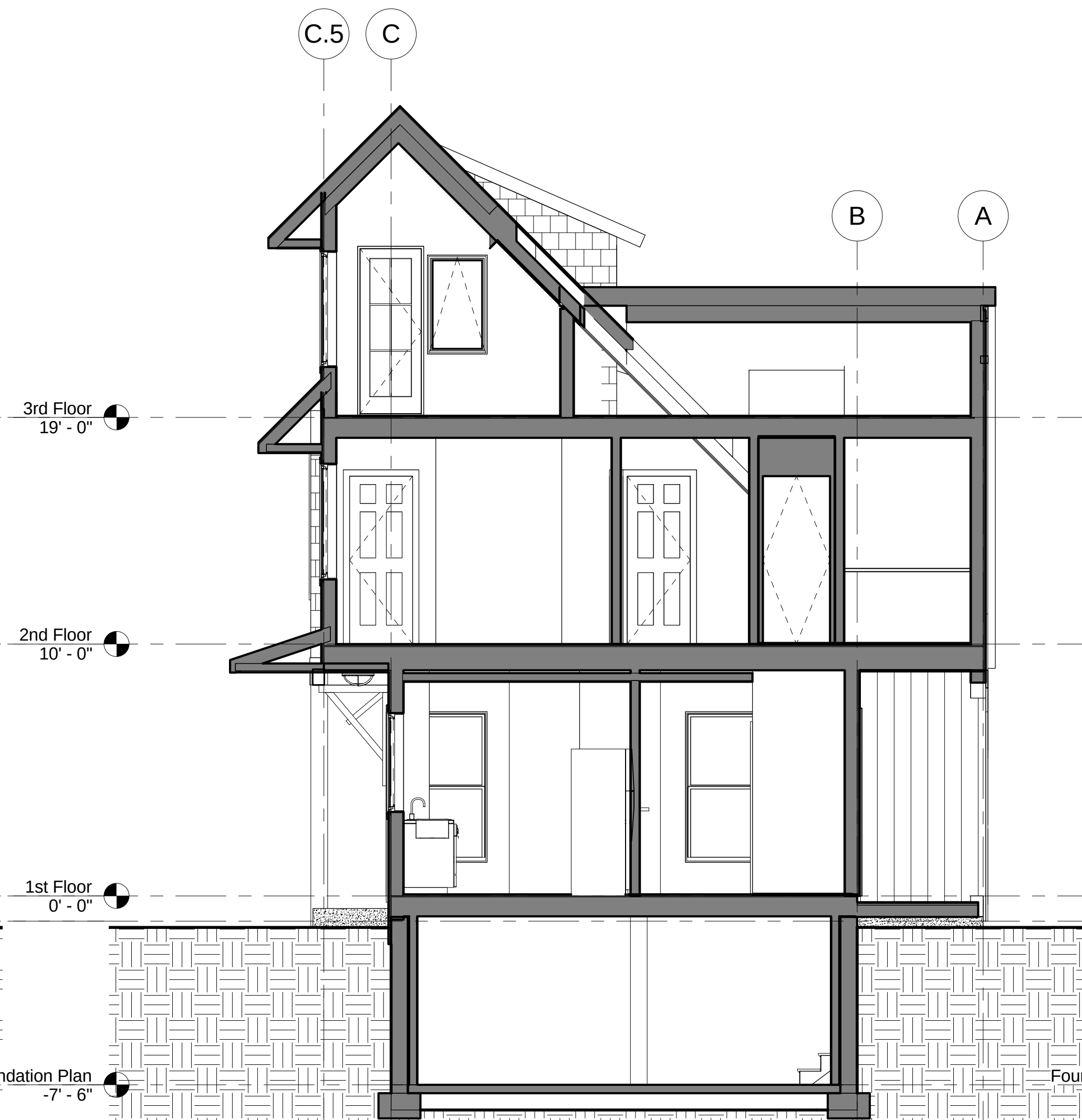
A1.2
As indicated
10/10/14

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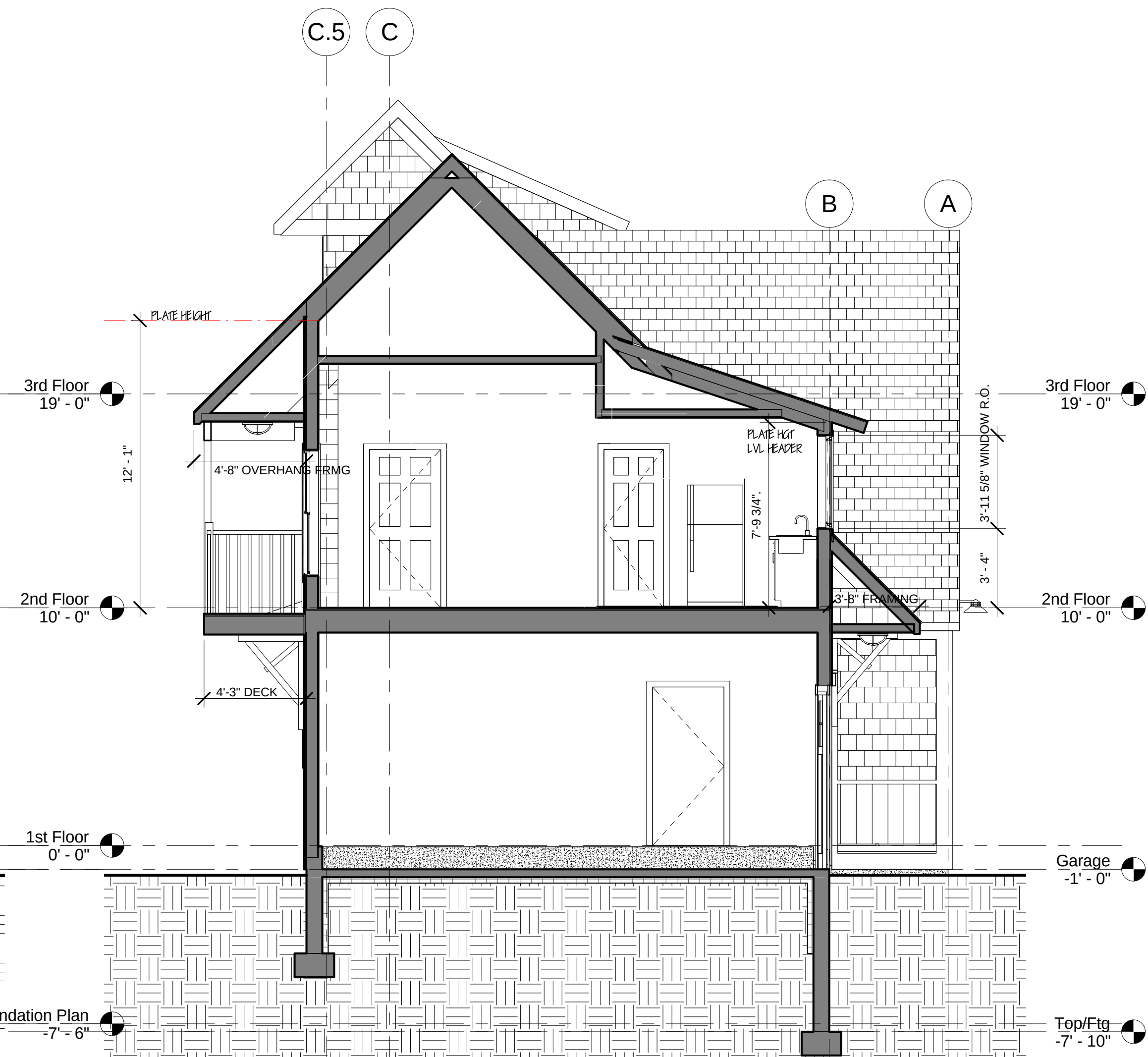
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① Building Section 1
1/4" = 1'-0"



② Building Section 2
1/4" = 1'-0"



③ Building Section-Apartment
1/4" = 1'-0"

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Design:

SENECAL Residence at Appletree Point

BURLINGTON, VERMONT

DRAWING TITLE:

BUILDING SECTIONS- 451

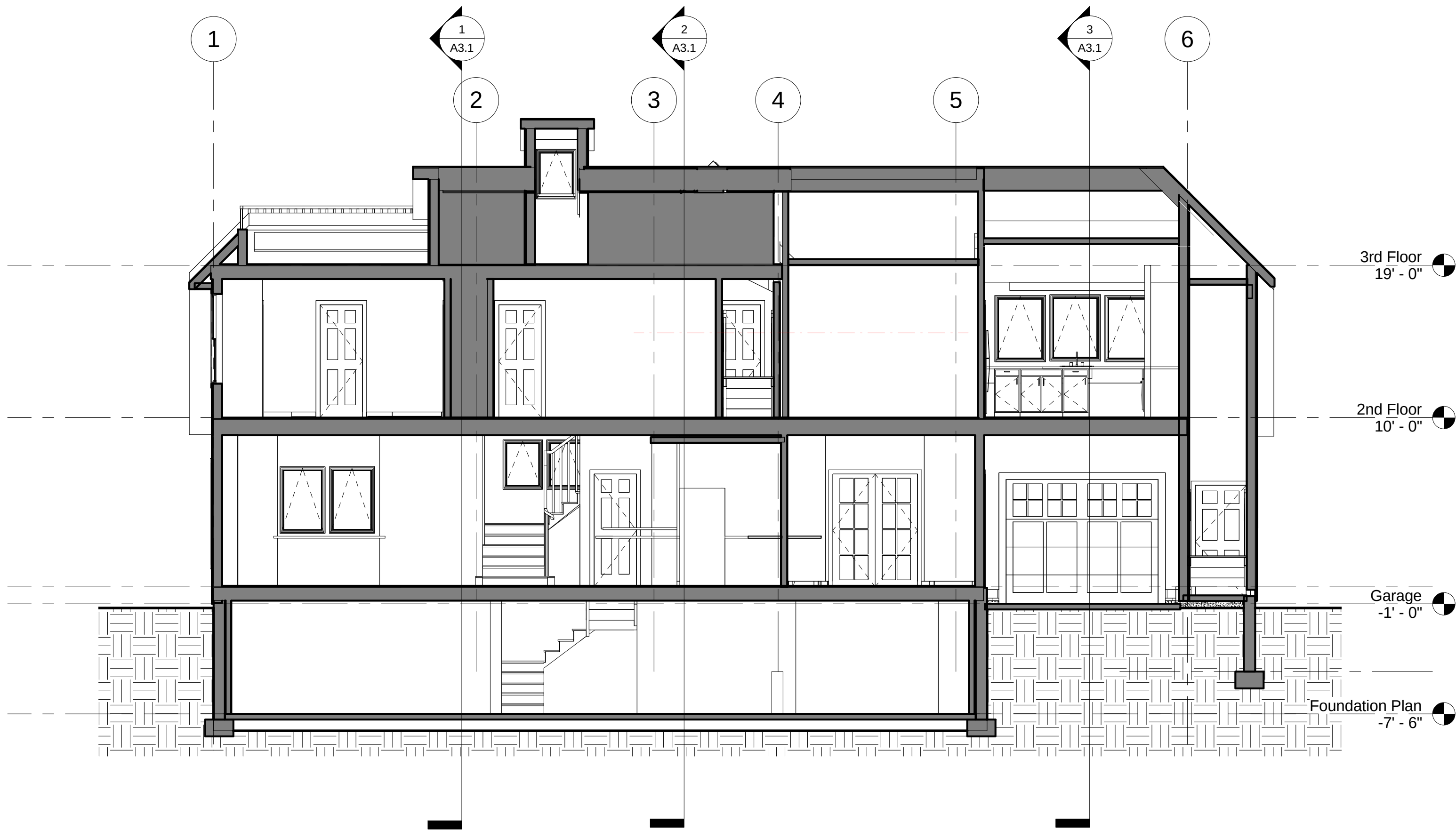
DATE REVISION

A3.1

1/4" = 1'-0"
11/11/14

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1 Building Section 3
3/16" = 1'-0"

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Design:

SENECAL Residence at Appletree Point

BURLINGTON, VERMONT

DRAWING TITLE:

BUILDING SECTIONS - 451

DATE REVISION

A3.2

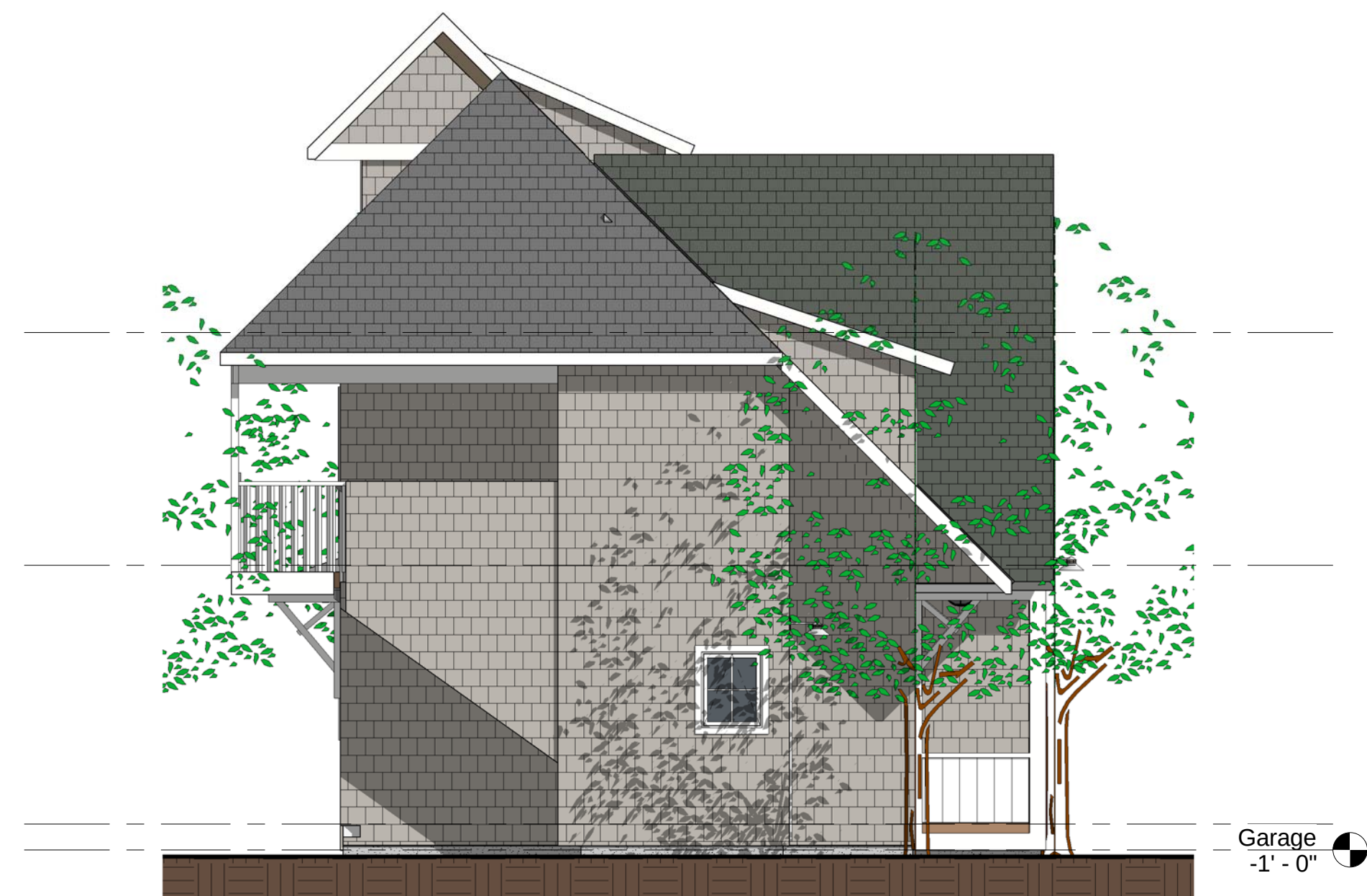
3/16" = 1'-0"
11/11/14



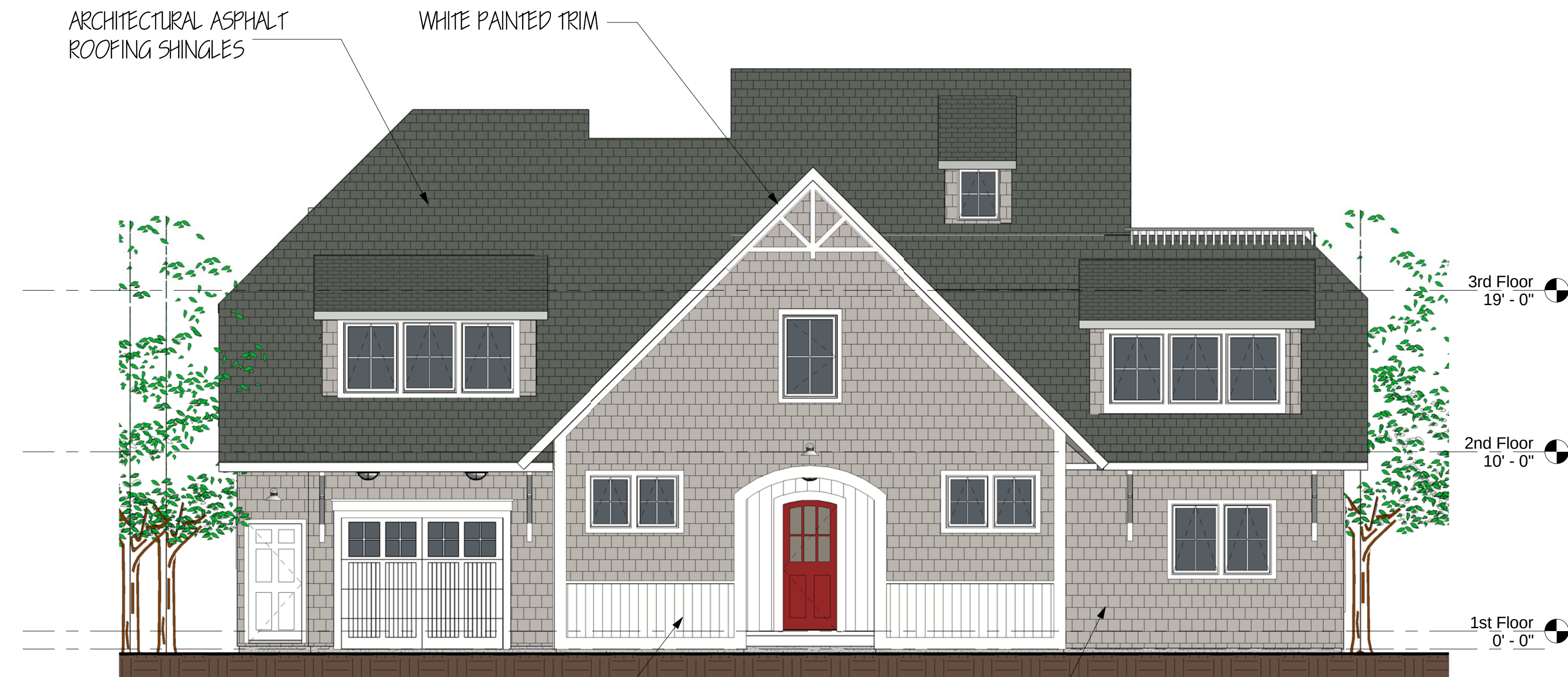
④ East Elevation
3/16" = 1'-0"



③ South Elevation
3/16" = 1'-0"



① North Elevation
3/16" = 1'-0"



② West Elevation
3/16" = 1'-0"

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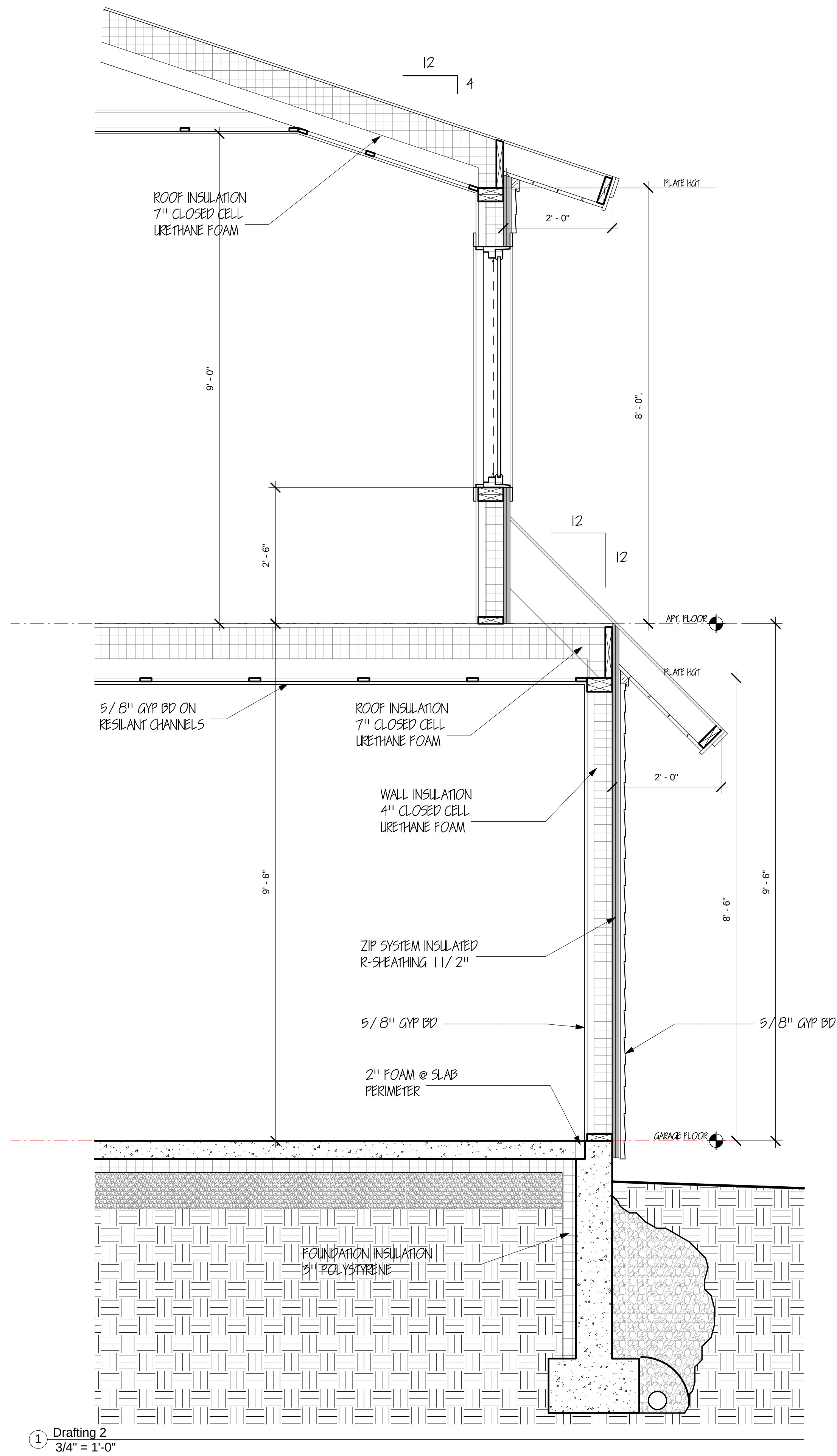
DRAWING TITLE:

EXTERIOR ELEVATIONS - 451

DATE	REVISION

A2.1

3/16" = 1'-0"
October 31, 2014



PERMIT ISSUE: FEBRUARY 19, 2015



BRAD RABINOWITZ ARCHITECT
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Design:

SENECAL Residence at Appletree Point

BURLINGTON, VERMONT

DRAWING TITLE:

Detail Wall Section

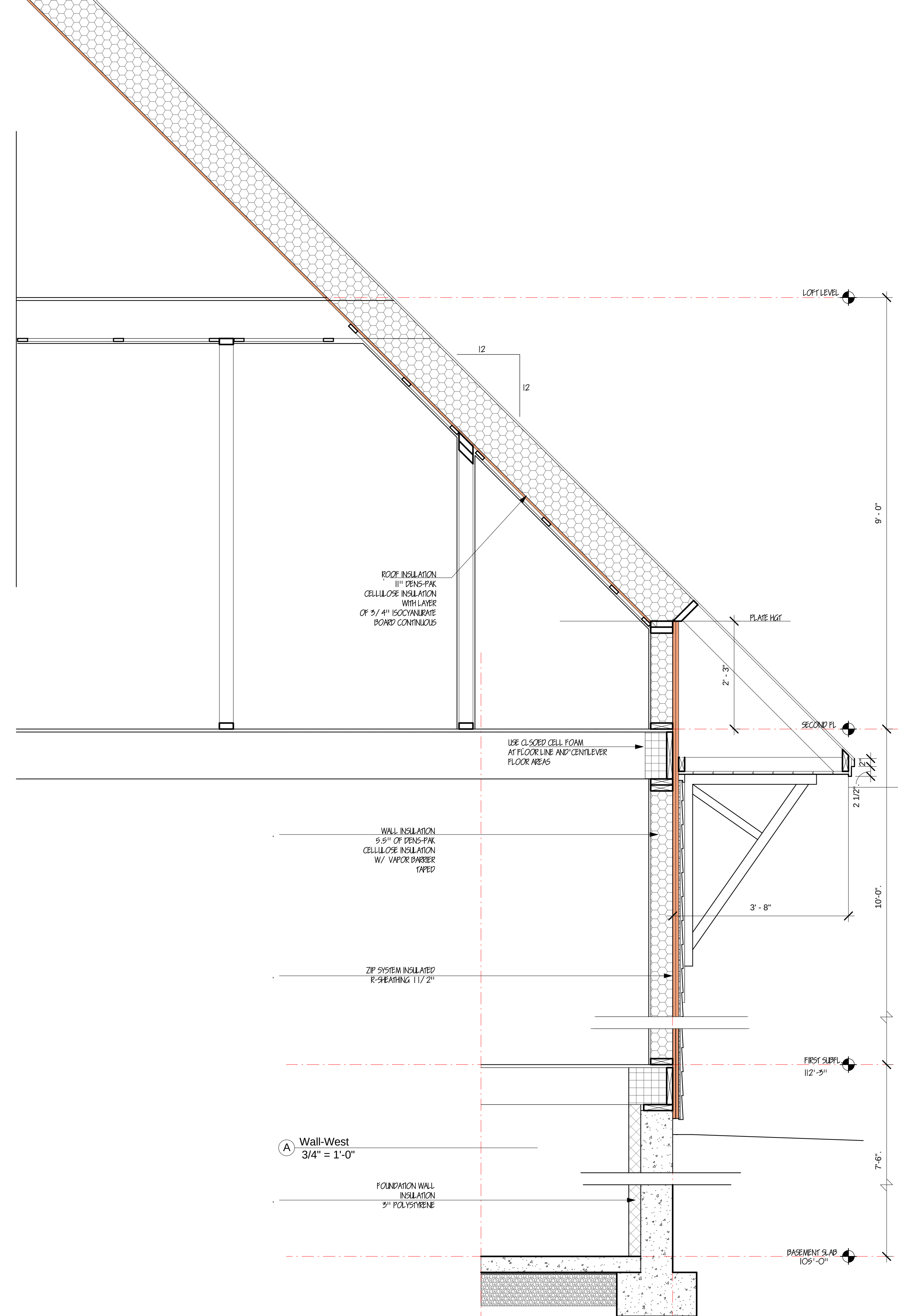
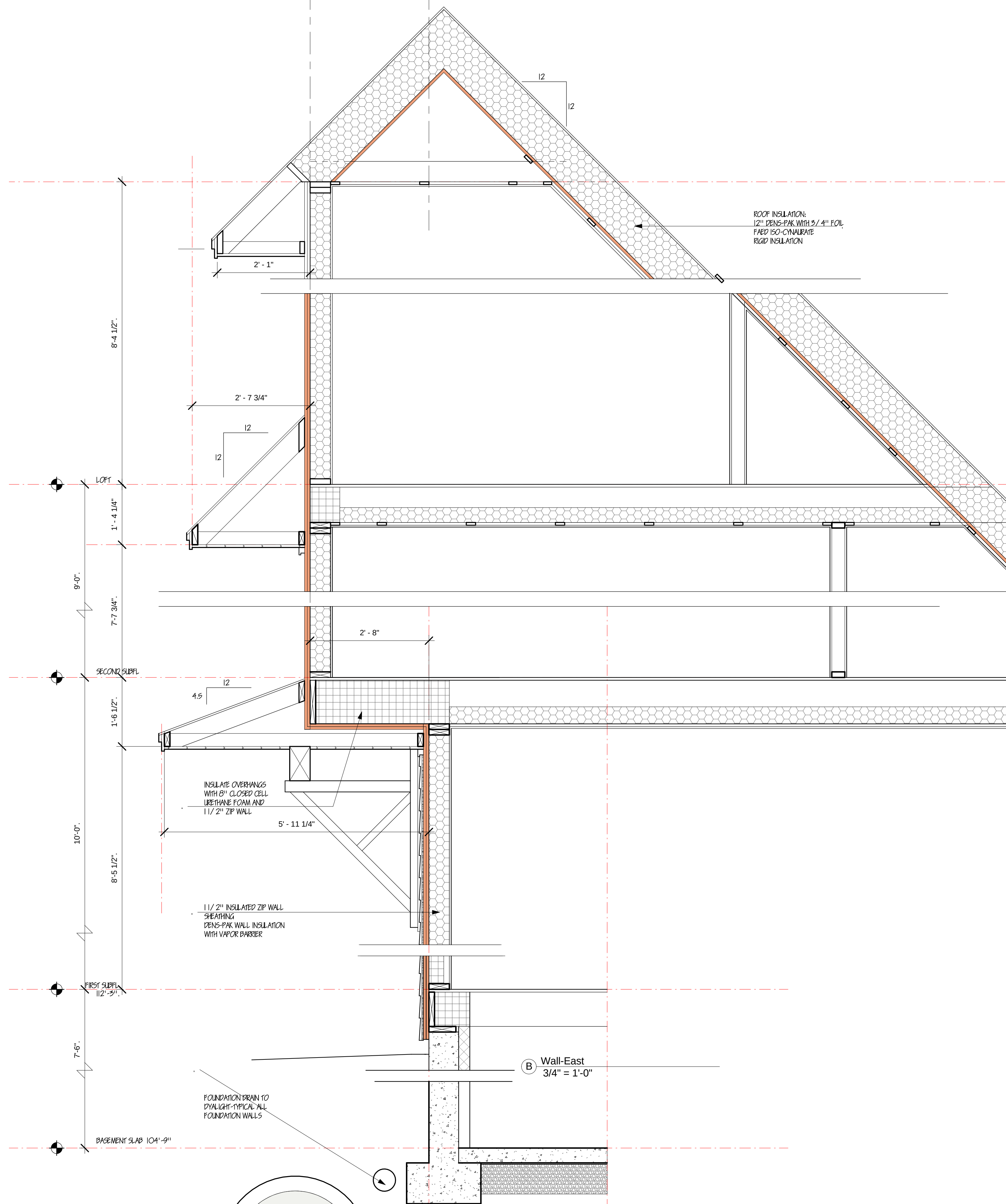
DATE REVISION

B4.1

3/4" = 1'-0"
01/07/15

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REVIEW ISSUE: MARCH 12, 2015

DRAWING TITLE:
**Detail Sections-Wall &
Roof- 451**

DATE REVISION

A4.1

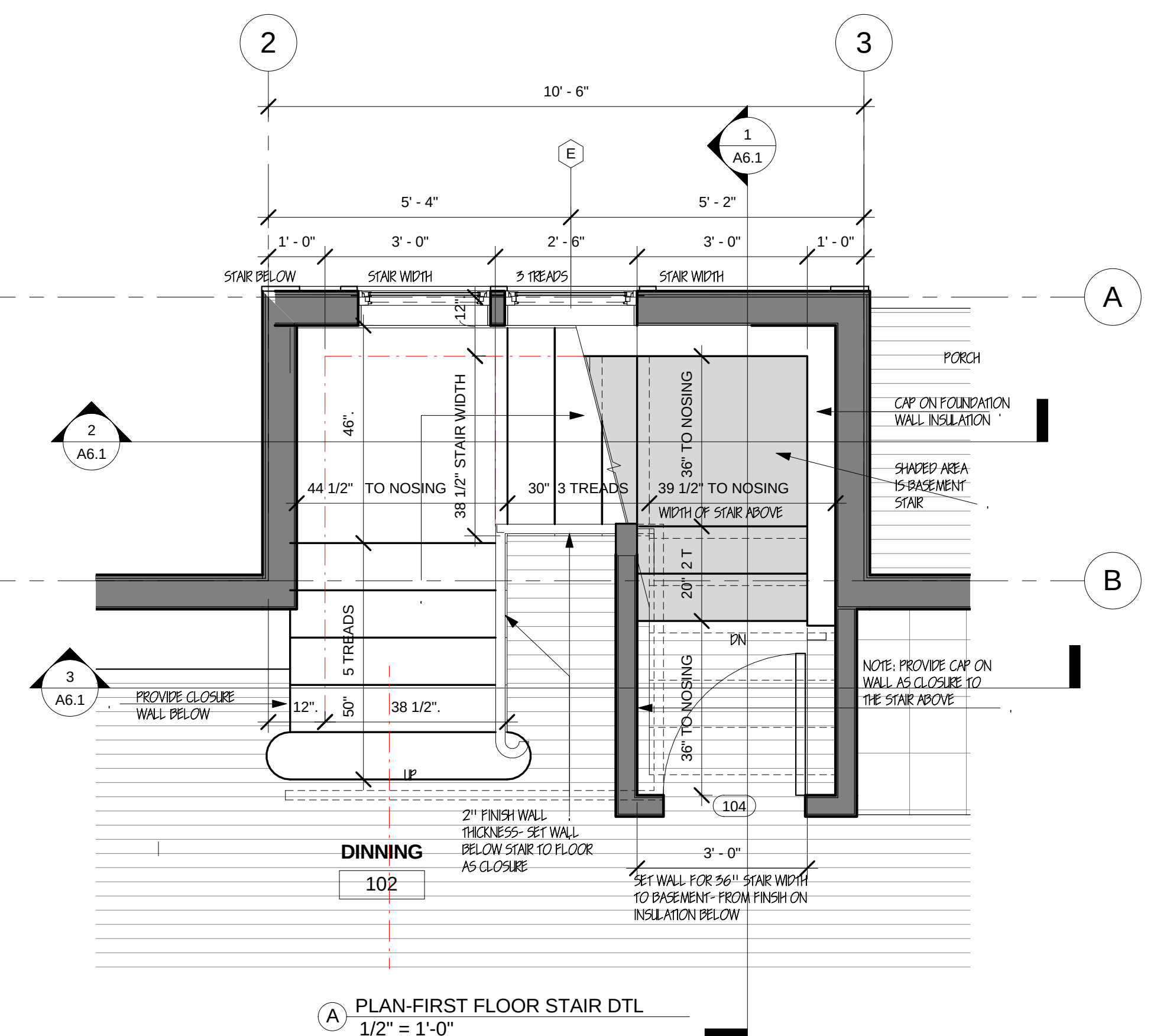
3/4" = 1'-0"
11/11/14



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Design:
SENECAL Residence at Appletree Point
BURLINGTON, VERMONT

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Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
Anita Wade, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin
DATE: May 19, 2015
RE: 15-0922CA; 451 Appletree Point Road

=====

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: WRL Ward: 4N

Owner/Applicant: Al Senecal / Brad Rabinowitz

Request: Demo existing structures, construct new duplex and associated site improvements. Lot line adjustment included.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking), Article 10 (Subdivision)

Background Information:

The applicant is seeking approval to demolish an existing seasonal camp and boathouse and to construct a new duplex, driveway, and related site improvements. As something other than a single family home, the project's location along the lakeshore requires "major impact" review with the Development Review Board. The proposed duplex also requires "conditional use" review. Note that the proposed duplex is essentially a single family home with a small accessory apartment; however, the applicant wishes to seek approval as a duplex for flexibility in ownership.

Note that this property received variance approval from the front yard setback. Based on the average of neighboring properties, the front yard setback was in the lake. That variance approval, granted July 1, 2014, resulted in a 25' front yard setback for the proposed construction. Finally, note that a boundary line adjustment with the neighboring 465 Appletree Point Road is also included in this application.

The Conservation Board reviewed this application April 6, 2015 and unanimously recommended approval as presented.

The Design Advisory Board reviewed this application April 14, 2015 and unanimously recommended approval as presented.

Previous zoning actions for this property are as follows:

- 7/1/14, Approval of front yard setback variance

- 7/26/04, Approval of 2-lot subdivision
- 1/13/04, Denial of 3-lot subdivision

Recommendation: **Major Impact & Certificate of Appropriateness 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:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

The proposed development will require municipal water and sewer service. A municipal water line already runs by the property. A new pump station and force main will be installed to connect to the municipal wastewater system. Review and approval by the Department of Public Works will be required. Public Works will also need to verify adequate capacity to serve the development. A State of Vermont wastewater permit has already been obtained. **(Affirmative finding as conditioned)**

2. The character of the area affected;

The property is located on the east-facing side of Appletree Point within the Waterfront Residential Low Density (WRL) zone. There is an existing vacant camp structure on the property and several homes along the western side of the point; however, much of the peninsula is undeveloped. As with the Residential Low Density zone, the WRL zone is primarily intended for low density residential development in the form of detached single family homes and duplexes. The WRL zone is distinguished by its close proximity to the lake and a greater consideration of public views from the lake and stormwater runoff. The proposed duplex is consistent with the intent of the WRL zone. The proposed home will be set back 35' – 45' from the 100' lakeshore elevation, and much of the existing vegetation along the lakeshore will be retained. Stormwater management has been reviewed and approved by the Stormwater Administrator. **(Affirmative finding)**

3. Traffic on roads and highways in the vicinity;

No traffic information has been provided; however, traffic associated with the new duplex is expected to be minimal. **(Affirmative finding)**

4. Bylaws then in effect;

The project as conditioned is in compliance with all applicable bylaws as reflected in these findings. **(Affirmative finding)**

5. Utilization of renewable energy resources;

The utilization of alternative energy has not been incorporated into this proposal. The proposed construction does not preclude such utilization in the future. **(Affirmative finding)**

6. Cumulative impacts of the proposed use;

Residential homes are allowed in the WRL zone. As a result, this criterion requires that cumulative impacts be considered negligible. **(Affirmative finding)**

7. Functional family;

There is no request to exceed 4 unrelated adults within either duplex unit. **(Not applicable)**

8. Vehicular access points;

The duplex will be served by a private driveway with access onto Appletree Point Road.

(Affirmative finding)

9. Signs;

No signs are included in this proposal.

10. Mitigation measures;

The proposed development is not expected to generate any noxious effects such as excessive noise, glare, or emissions. **(Affirmative finding)**

11. Time limits for construction;

The project is to be constructed within the standard 2-year time frame. **(Affirmative finding as conditioned)**

12. Hours of operation and construction;

Hours of operation do not apply to the proposed duplex. No construction schedule is proposed. Other projects with nearby residences have days and hours of construction limited to Monday-Friday 7:00 am – 6:00 pm. Limited work may extend outside this schedule to extend to Saturday 9:00 AM – 5:00 PM only after obtaining approval from the Development Review Board through correspondence rather than a scheduled hearing. No construction on Sunday. **(Affirmative finding as conditioned)**

13. Future enlargement or alterations;

As with anything else, any future enlargement or alteration to the development will require zoning review under the regulations in effect at that time. **(Affirmative finding)**

14. Performance standards;

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5 of these findings.

15. Conditions and safeguards;

Approval of this project will be conditioned to implement the purposes of the zoning regulations. **(Affirmative finding)**

(b) Major Impact Review Standards

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

A stormwater management plan has been submitted and approved by the Stormwater Administrator (see Sec. 5.5.3). No significant air or noise pollution is anticipated as a result of the proposed duplex. **(Affirmative finding)**

2. Have sufficient water available for its needs;

Sufficient municipal water service is available to serve the development. **(Affirmative finding)**

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

See item 2 above.

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

See Sec 5.5.3.

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

See Sec. 3.5.6 (a) 3 for traffic information. The proposed duplex is expected to have minimal impacts on the city's transportation infrastructure. Impact fees will be paid to help offset what impacts there are. **(Affirmative finding as conditioned)**

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

School age children may, or may not, live in the duplex. In any event, no unreasonable burden on the city's ability to provide educational services are expected. Impact fees will be paid to help offset what impacts there are. **(Affirmative finding as conditioned)**

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

The proposed development will generate minor additional impacts on city services; however, those impacts can be accommodated. Impact fees will be paid to help offset impacts generated.

(Affirmative finding as conditioned)

8. Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;

The subject property contains no rare or irreplaceable natural communities. The Lake Champlain shoreline is identified as a significant natural area and is protected by the Riparian & Littoral Conservation Zone (see Sec. 4.5.4 for details). The camp on the property is not historically significant, and its demolition will not adversely impact Burlington's historic resources. Appletree Point generally is an archeologically sensitive area; however, the subject property contains no identified points of archaeological significance. Lastly, the demolition of the existing camp immediately along the shoreline and replacement with a new structure set further inland will not have an undue adverse impact on the scenic or natural beauty of the area. **(Affirmative finding)**

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

The proposed duplex will replace a vacant camp on a property zoned for low density residential development. The proposed construction will have no adverse impact on the city's present or future growth patterns. **(Affirmative finding)**

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

The proposed development is very small in scale and "major impact" in name only. Insofar as the duplex is consistent with the intent of the WRL zone, is of a scale consistent with other homes in the area (City of Neighborhoods, pg. I-24), and will comply with the city's current energy efficiency standards (Sec. VIII), it can be found in substantial conformance with the city's municipal development plan. **(Affirmative finding)**

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

The proposed duplex will provide two new housing units in an area of the city zoned for low density residential development. Its construction will have no adverse impact on the present or projected housing needs of the city. **(Affirmative finding)**

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

Minimal impacts on the city's park and recreation needs are anticipated as a result of the duplex. Impact fees will be paid to help offset these impacts. **(Affirmative finding as conditioned)**

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(2) Waterfront Residential Low Density (WRL)

The subject property is located in the WRL zone. This zone is intended primarily for low density residential development in the form of single detached dwellings and duplexes with consideration given to design review. The proposed duplex is consistent with this purpose. **(Affirmative finding)**

(b) Dimensional Standards & Density

The property, with the lot line adjustment with neighboring 465 Appletree Point Rd, will have 150' of road frontage and 22,043 sf area. Both well above the 100' and 15,840 sf, respectively, needed for a duplex in the Larger Lot Overlay that affects this property.

The 2 residential units proposed on the 0.5 acre lot is acceptable. For duplexes, residential density is limited to 5.5 units per acre in the Larger Lot Overlay.

Lot coverage will come to 19.8%, well below the 35% limit permitted.

The proposed front yard setback is 25' as approved via previously granted variance. Side yard setbacks vary between 15' and 17.5' with the slightly tapered lot. As proposed, the home is 40' at its closest to a side property line. There is no rear yard setback; rather, there is a waterfront setback. The standard waterfront setback requirement is 75'; however, as noted during review of the July 2014 variance request, there are exceptions as noted in (d) *District Specific Regulations*, 1 below. As proposed, the new duplex would be set back an acceptable 35' – 45' from the 100' elevation, depending on the curvature of the shoreline.

The multiple roof planes and dormers make a clear height measurement to the midpoint of the roof rise elusive. It appears to be about 20.' The very peak of the structure is 33', below the 35' height limit. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The proposed duplex is a conditional use in the WRL zone. Conditional use criteria are addressed under Article 3 above. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

B. Encroachment into the Waterfront Setback.

(i) Replacement of Existing Structure

The existing camp structure on the subject property sits about 17' from the 100' lakeshore elevation. As noted above, the standard setback requirement is 75.' This provision allows replacement structures to encroach into the standard 75' setback so long as the area or extent of encroachment does not increase. As noted above, the new duplex will be set back 35' – 45' from the 100' elevation and is acceptable. **(Affirmative finding)**

2. Height

No height bonuses are being sought. **(Not applicable)**

3. Lot Coverage

No lot coverage bonuses are being sought. **(Not applicable)**

4. Accessory Residential Structures and Uses

The attached garage has a 275 sf footprint; less than 50% of the main home's 1,342 sf footprint. **(Affirmative finding)**

5. Residential Density

The duplex is subject to the functional family provisions of the Comprehensive Development Ordinance. **(Affirmative finding)**

6. Uses

No neighborhood commercial use is included in this proposal. **(Not applicable)**

7. Residential Development Bonuses

No development bonuses are being sought. **(Not applicable)**

Sec. 4.5.4, Natural Resource Protection Overlay (NR) District

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

The subject property is wholly affected by the Riparian and Littoral Conservation Zone (250' width from the 100' lakeshore elevation). This overlay zone limits the clearing of vegetation and new stormwater outfalls. As proposed, some dead or dying trees will be removed, but most of the existing vegetation along the lakeshore will be retained. The project plans clearly depict vegetation to be removed or retained. No new stormwater outfalls are proposed. A basic stormwater management plan has been reviewed and approved by the Stormwater Administrator (see Sec. 5.5.3). As noted previously, the Conservation Board reviewed this project under this criterion and recommended project approval as proposed. **(Affirmative finding)**

(f) District Specific Regulations: Special Flood Hazard Area

This lakeshore property is partially affected by the special flood hazard area (SFHA). All areas along the lakeshore under the 102' elevation are within the SFHA. Except for a new stairway to the water, none of the proposed construction will take place within the SFHA. **(Affirmative finding)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation
(Not applicable)

Sec. 5.2.5, Setbacks
See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits
See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations
See Sec. 4.4.5 (b) above.

Sec. 5.5.1, Nuisance Regulations
Nothing in the proposal appears to result in creating a nuisance under this criterion. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting
New outdoor lighting is proposed and consists of building mounted fixtures to illuminate building entries and post and bollard fixtures to illuminate the circulation area and new stairs to the lakeshore. Locations are noted, and cutsheets have been provided. All are acceptable residential fixtures generating low levels of illumination. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control
As more than 400 sf of earth disturbance is proposed, a “small project erosion control” form has been provided. A residential stormwater management plan has also been provided. Stormwater management is basic and amounts to directing runoff onto pervious surfaces for infiltration. Both have been reviewed and approved by Conservation Board and the Stormwater Administrator. Those approvals are incorporated into this permit. **(Affirmative finding as conditioned)**

Article 6: Development Review Standards
Part 1, Land Division Design Standards

No land division is included in this proposal; however, a lot line adjustment between this property and neighboring 465 Appletree Point Road is proposed. The proposed adjustment is of the common side property boundary and will not affect any of the criteria under this section. **(Affirmative finding)**

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

This lakeshore site is lightly wooded. Most of the trees are concentrated along the shoreline. Some tree removal is proposed as noted on the landscape and planting plan; however, a number of the existing trees will remain. The lakeshore itself is a significant natural feature and is protected by the riparian and littoral conservation zone. This overlay limits tree clearing and also requires stormwater management. The stormwater management plan has been reviewed and approved by the Conservation Board and the Stormwater Administrator. **(Affirmative finding)**

(b) Topographical alterations

The property slopes gently towards the lake and then drops significantly down to the lake along the immediate shoreline. The site of the proposed duplex is generally flat and will remain so. A soils analysis has been done, and no blasting is included in this proposal. Removal of the existing camp and boathouse along the shoreline will require some grading. That work will result in grades reflecting the existing grades on either side of these structures. **(Affirmative finding)**

(c) Protection of important public views

The subject property is not affected by any identified public view corridor. This criterion is typically applied to developments fronting such corridors. An individual interested in this application has asserted that, in light of the design review considerations of the WRL zone, views of the construction from the lake should be considered. This criterion is written broadly enough that that assertion may be well based. The proposed home will indeed be visible from the lake. Virtually any construction would be. The new home will be set back and at least partially behind lakeshore vegetation. The existing camp structure is set closer to the lakeshore with little vegetative screening. **(Affirmative finding)**

(d) Protection of important cultural resources

The property is within an archaeologically sensitive area; however, there are no specifically identified archaeological sites on the property. This archaeological sensitivity stems from the property's lakeshore location. If, during construction, artifacts are unearthed, it is the applicant's responsibility to stop earthwork and to contact the Vermont Division for Historic Preservation for further guidance. **(Affirmative finding as conditioned)**

(e) Supporting the use of alternative energy

There is no indication that the proposed home will utilize alternative energy. Solar energy utilization is encouraged. In any event, the home will not adversely impact the actual or potential use of alternative energies by neighboring properties. **(Affirmative finding)**

(f) Brownfield sites

The subject property is not an identified brownfield. **(Affirmative finding)**

(g) Provide for nature's events

As total lot coverage will exceed 2,500 sf, a residential stormwater plan has been provided. All of the impervious surface associated with this project is disconnected from the municipal stormwater system, and stormwater will infiltrate into the ground as it does now. As noted above, the city's stormwater program has reviewed the proposed stormwater management.

The front entrance into the home is sheltered, and ample room is available onsite for seasonal snow storage. **(Affirmative finding)**

(h) Building location and orientation

The proposed duplex is relatively far from existing homes on Appletree Point Road (~ 360' from 395 Appletree Point Rd and ~ 220' from 440 Appletree Point Rd). It will be set 25' from the road – the same front setback as that of the to-be-built neighboring home at 465 Appletree Point Road. Its main entrance faces the road and is clearly identifiable. The small front porch accentuates the primary entrance. The secondary entrance (into the 2nd unit) is set off to the side but also faces the road. The garage is set back more than the minimum required 25' from the road and is set behind the front plane of the home. The width of the garage is 12' or 19.7% of the total building width of

61'. The width of the garage complies with the maximum permissible 35% of the width of the entire structure. **(Affirmative finding)**

(i) Vehicular access

A private driveway will provide adequate access to the duplex. It will access the attached garage and surface parking to the side. A turn-around is provided in front of the home; however, it remains behind the front yard setback. **(Affirmative finding)**

(j) Pedestrian access

A stone front walkway is proposed and will connect to the private road. **(Affirmative finding)**

(k) Accessibility for the handicapped

No handicap accessibility is evident or required with this proposal. **(Affirmative finding)**

(l) Parking and circulation

Four parking spaces are provided; three in the driveway and one in the attached garage. These spaces meet the minimum parking requirement of 2 spaces per dwelling unit. Circulation is simple with access provided to the garage and surface parking spaces. **(Affirmative finding)**

(m) Landscaping and fences

Clearing limits are depicted. Much of the existing vegetation will be retained. New landscaping is proposed and consists of a variety of shrubs and one new peach tree. Much of the new landscaping is proposed along the roadside and will provide some buffering between the new home and the road. No new fencing is proposed; however, a boulder wall will be installed to help shore up the slope where the existing camp will be removed. Topographic information indicates the bottom of this wall will be above the 102' elevation and out of the lake's flood zone. New concrete stairs will provide access to the lakeshore. **(Affirmative finding)**

(n) Public plazas and open space

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

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

New utility lines must be buried. No mechanical equipment is depicted on the plan; however, the applicant has noted that an AC compressor will be located behind the building. This item must be depicted on the site plan. **(Affirmative finding as conditioned)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The massing, height, and scale of the proposed duplex are consistent with that of existing homes along Appletree Point Road. The proposed gross floor area (GFA) is 2,461 sf. Some nearby homes include 395 Appletree Point Rd at 3,432 sf GFA, 440 Appletree Point Rd at 3,989 sf GFA, 490 Appletree Point Rd at 3,831 sf GFA, and 554 Appletree Point Rd at 4,724 sf GFA. The proposed home affords ample living space while staying within the constraints

established by the existing structures within the lakeshore setback. The front façade includes a well-defined symmetrical front entry. Varying rooflines, dormers, and eave projections serve to articulate separate volumes within the overall structure. **(Affirmative finding)**

2. Roofs and Rooflines

As noted above, the proposed structure incorporates numerous rooflines. Generally, however, it may be seen as a gable roof, particularly as viewed from the road. The proposed roof is appropriate as part of this residential building. **(Affirmative finding)**

3. Building Openings

The primary front entrance is clearly articulated and is sheltered by a small front porch. Fenestration is appropriately scaled and placed in consistent rhythm throughout the building. **(Affirmative finding)**

(b) Protection of important architectural resources

The seasonal camp structure proposed for demolition is not historically significant. Its removal will not adversely impact Burlington's wealth of historic buildings. **(Affirmative finding)**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

As noted above, the front entry to the proposed home is clearly articulated. There are no large blank walls or expanses of roof. Fenestration, roof variations, and architectural detailing work successfully to provide an active and inviting street elevation. **(Affirmative finding)**

(e) Quality of materials

The proposed home will be clad in cedar shingles with tongue-and-groove siding accents. Painted white AZEK trim is noted. Asphalt shingles will be installed. Combination fiberglass and wood windows will be installed. Railing materials are composite. The materials proposed are of acceptable quality and durability. **(Affirmative finding)**

(f) Reduce energy utilization

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

(g) Make advertising features complimentary to the site

No advertising is included in this proposal.

(h) Integrate infrastructure into the building design

Utility meters will be appropriately located on a side elevation near the entrance to the apartment. **(Affirmative finding)**

(i) Make spaces safe and secure

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

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

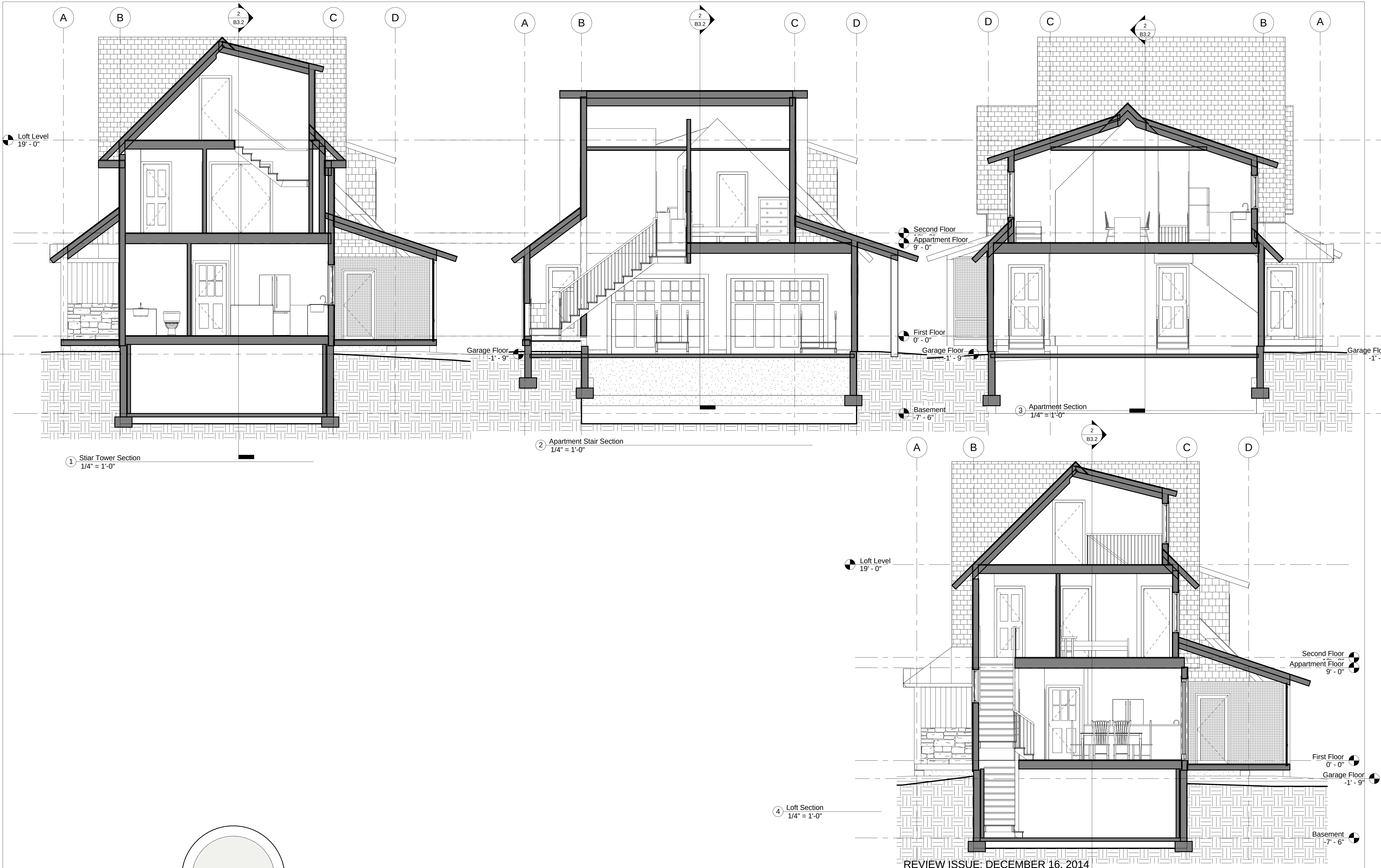
The subject property is located in the neighborhood parking district. As such, the duplex requires 4 parking spaces (2 per dwelling unit). All four parking spaces will be provided onsite; 1 in the garage and 3 within the driveway. **(Affirmative finding)**

Article 10: Subdivision

No subdivision of land is included in this proposal; however, a lot line adjustment with neighboring 465 Appletree Point Rd is included. A boundary line adjustment plan clearly depicts the proposed boundary adjustment. The required endorsement block for the Administrative Officer's signature per Sec. 10.1.5, *Lot Line Adjustments*, (a) is missing. All of the signature blocks provided relate to subdivisions and should be deleted (except for the surveyor's endorsement). **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, revised plans shall be submitted subject to staff review and approval. Revised plans shall depict:
 - a. The proposed AC compressor; and,
 - b. The required Administrative Officer's signature block per Sec. 10.1.5.
2. **Prior to release of the zoning permit**, the new pump station and force main shall be reviewed and approved by the Department of Public Works. Verification of wastewater capacity to serve the proposed duplex shall also be obtained from Public Works.
3. This permit incorporates the EPSC and Stormwater Management approvals issued by the Stormwater Administrator on April 3, 2015.
4. Days and hours of construction shall be limited to Monday-Friday 7:00 am – 6:00 pm. Limited work may extend outside this schedule to extend to Saturday 9:00 AM – 5:00 PM only after obtaining approval from the Development Review Board through correspondence rather than a scheduled hearing. No construction on Sunday
5. In the event that artifacts are uncovered during excavation, it is the applicant's responsibility to contact the Vermont Division for Historic Preservation for further guidance.
6. 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.
7. At least **7 days prior to the issuance of a certificate of occupancy**, the applicant shall pay to the Planning & Zoning Department the impact fee as calculated by staff based on the net new square footage of the proposed development.
8. Standard permit conditions 1-15.



2/201417RevitGeneral-465- Stair
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BRAD RABINOWITZ ARCHITECT
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Design:

SENECAL Residence at Appletree Point

BURLINGTON, VERMONT

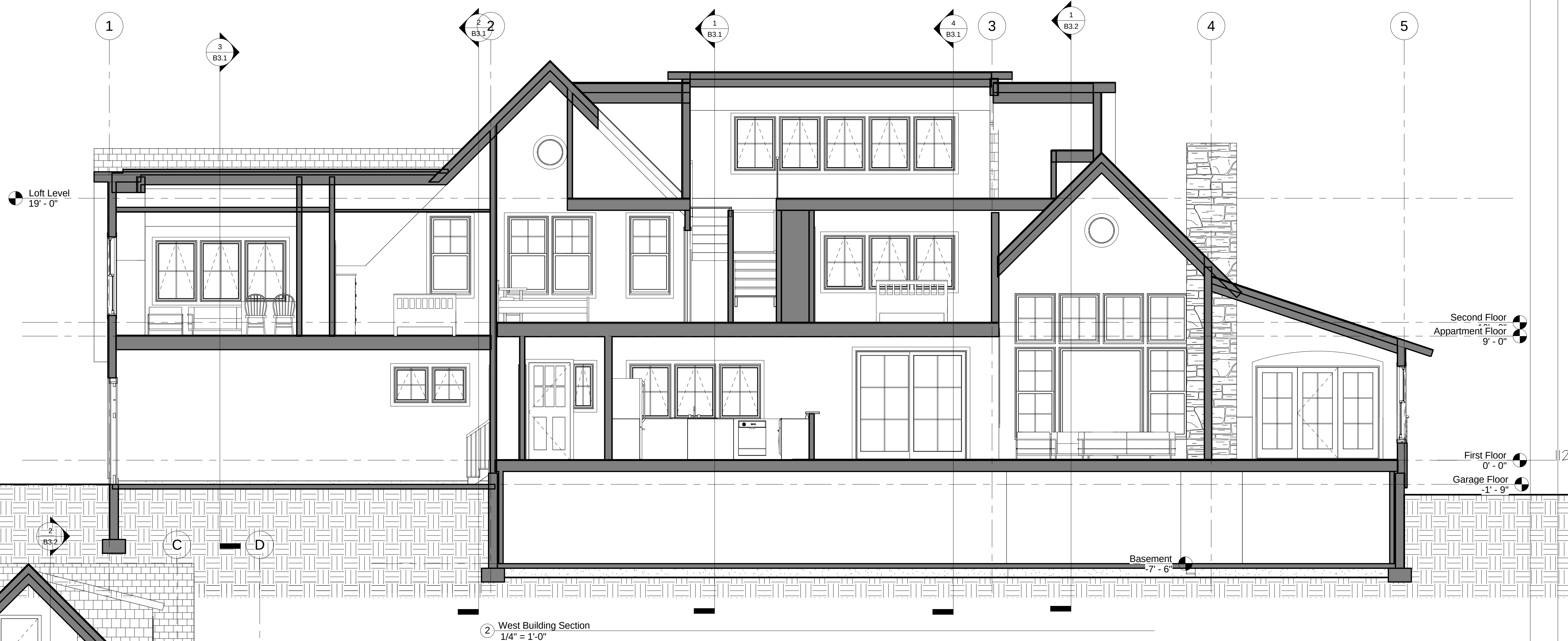
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Sections - 465

DATE REVISION

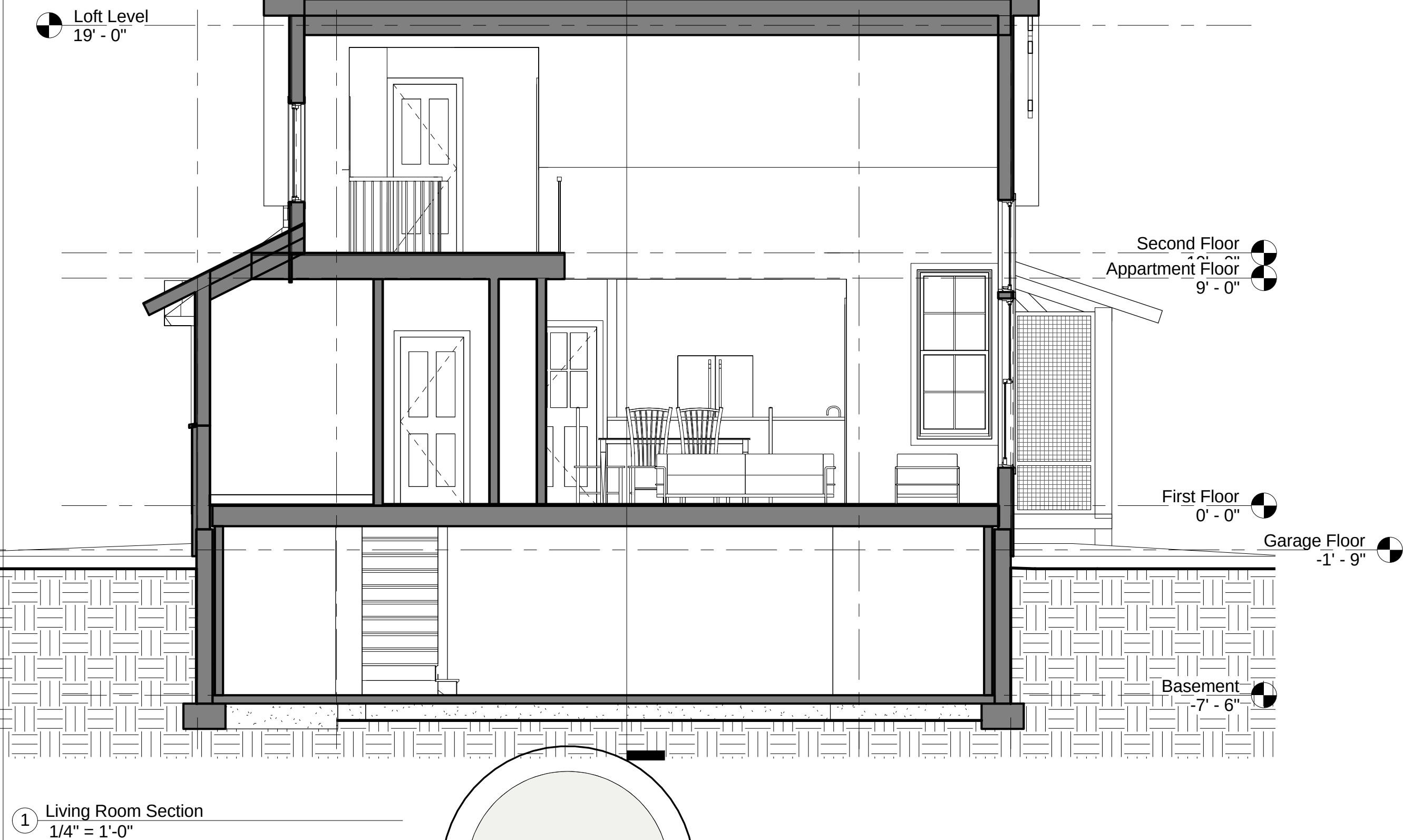
B3.1

1/4" = 1'-0"
11/10/14



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REVIEW ISSUE: DECEMBER 16, 2014



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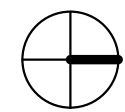
Design:
SENECAL Residence at Appletree Point
BURLINGTON, VERMONT

DRAWING TITLE:
Sections - 465

DATE REVISION

B3.2

1/4" = 1'-0"
11/12/14



① Basement
1/4" = 1'-0"

DRAWING TITLE:

Basement Floor Plan - 465

B1.0
1/4" = 1'-0"
12/3/14

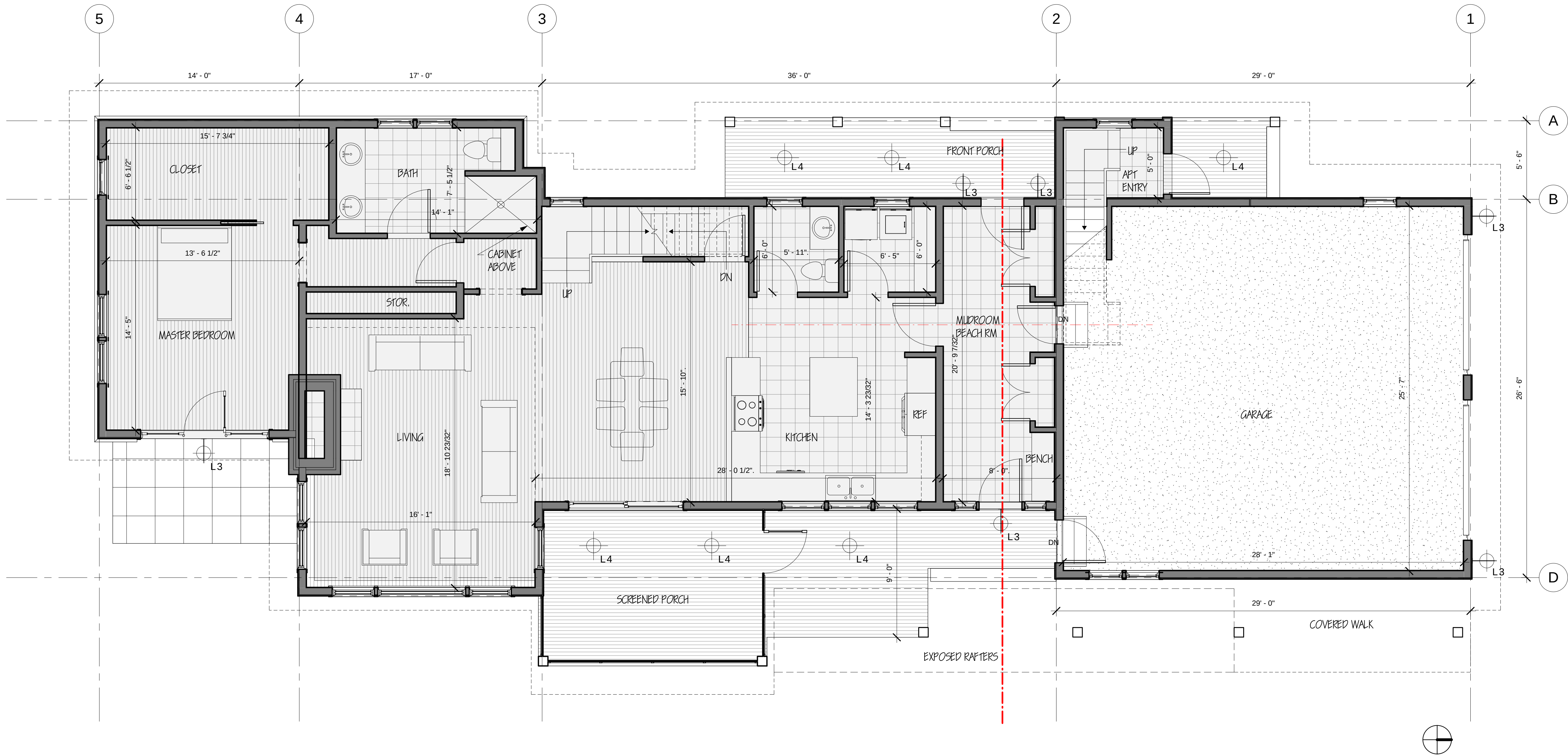


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2/19/2015 2:26:00 PM



1 First Floor
1/4" = 1'-0"

EXTERIOR LIGHTING NOTES:

- L1 - POST LIGHT
- L2 - BOLLARD
- L3 - SCOUNCE
- L4 - SURFACE MOUNT

PERMIT ISSUE: FEBRUARY 19, 2015



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DRAWING TITLE:

First Floor Plan - 465

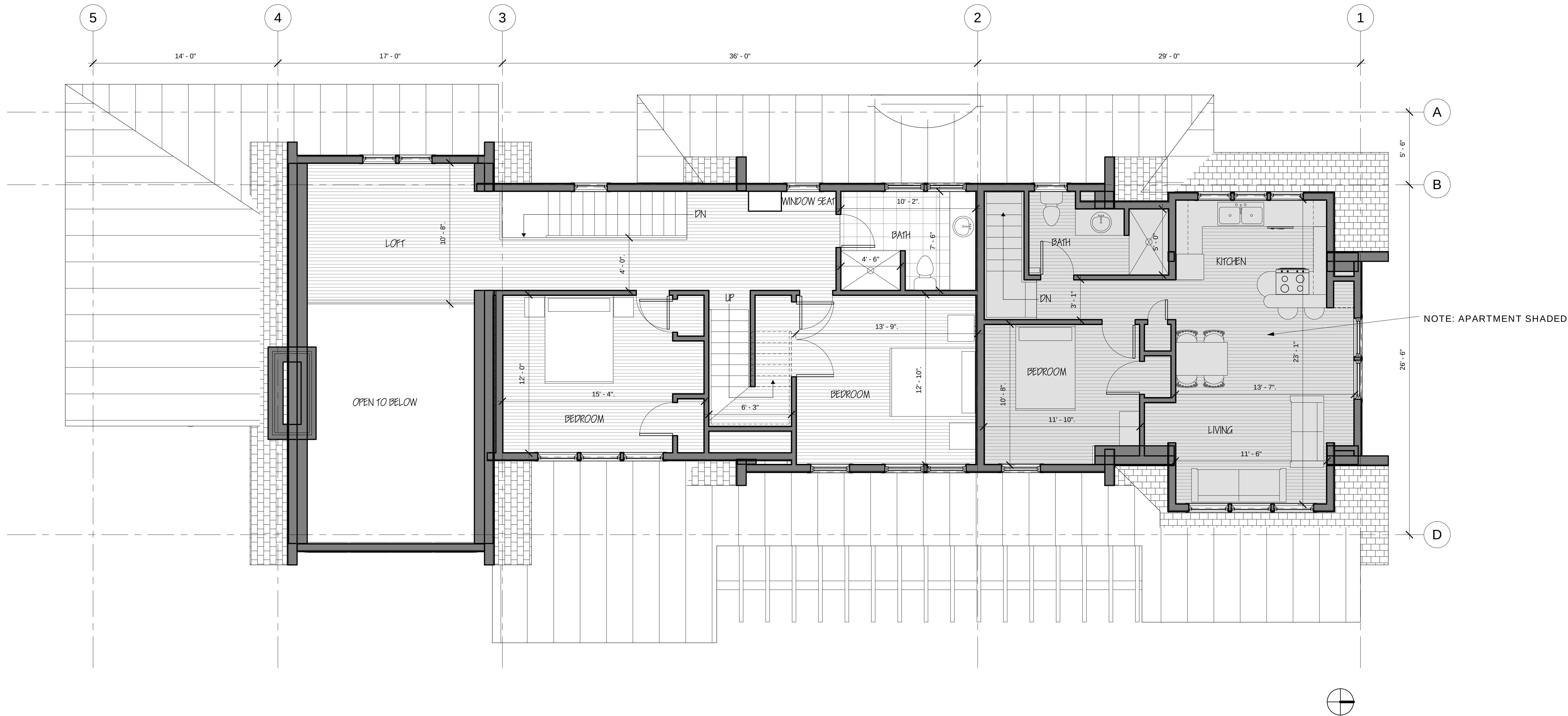
DATE REVISION

B1.1

As indicated
12/3/14

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① Second Floor
1/4" = 1'-0"

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BURLINGTON, VERMONT

DRAWING TITLE:
**Second and Apartment
Floor Plan - 465**

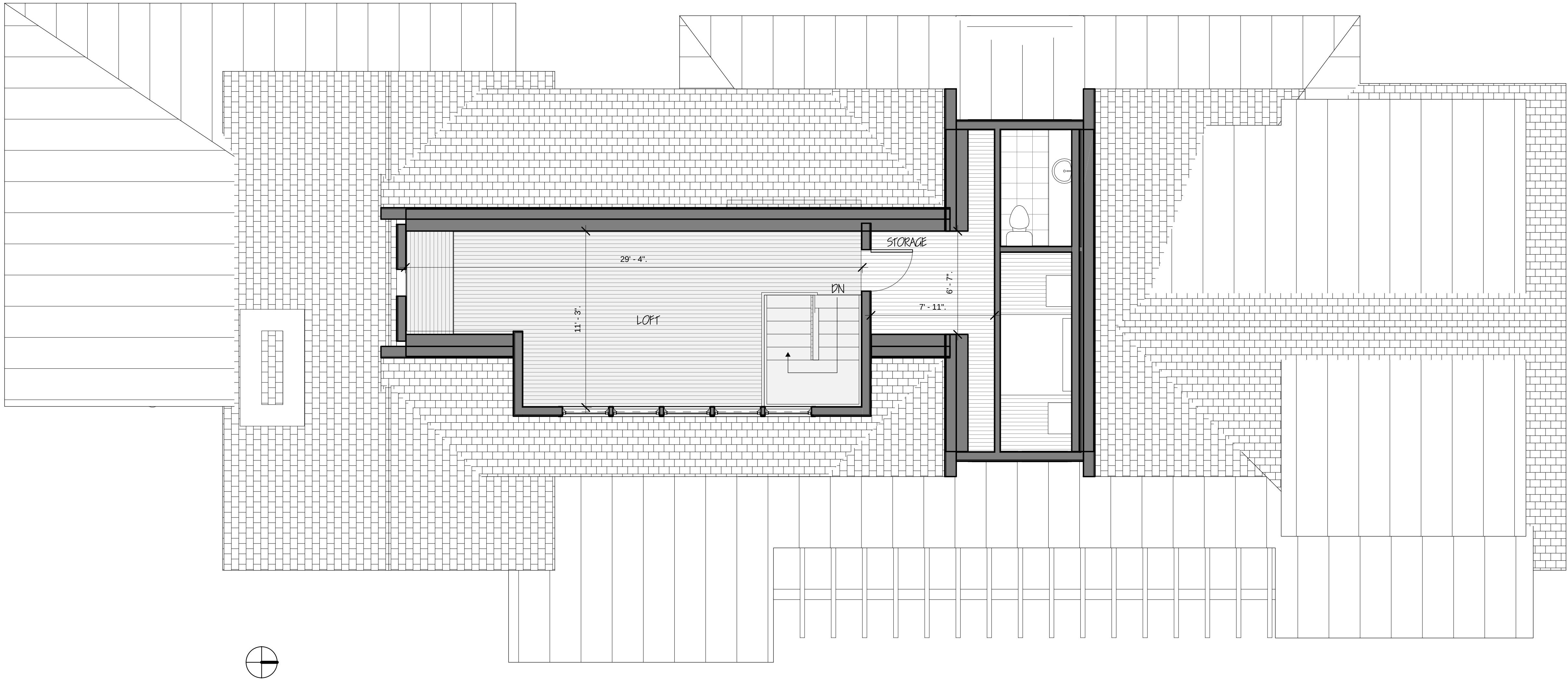
DATE REVISION

B1.2

1/4" = 1'-0"
12/3/14

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① Loft
1/4" = 1'-0"

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Design:

SENECAL Residence at Appletree Point

BURLINGTON, VERMONT

DRAWING TITLE:

Loft Floor Plan - 465

DATE REVISION

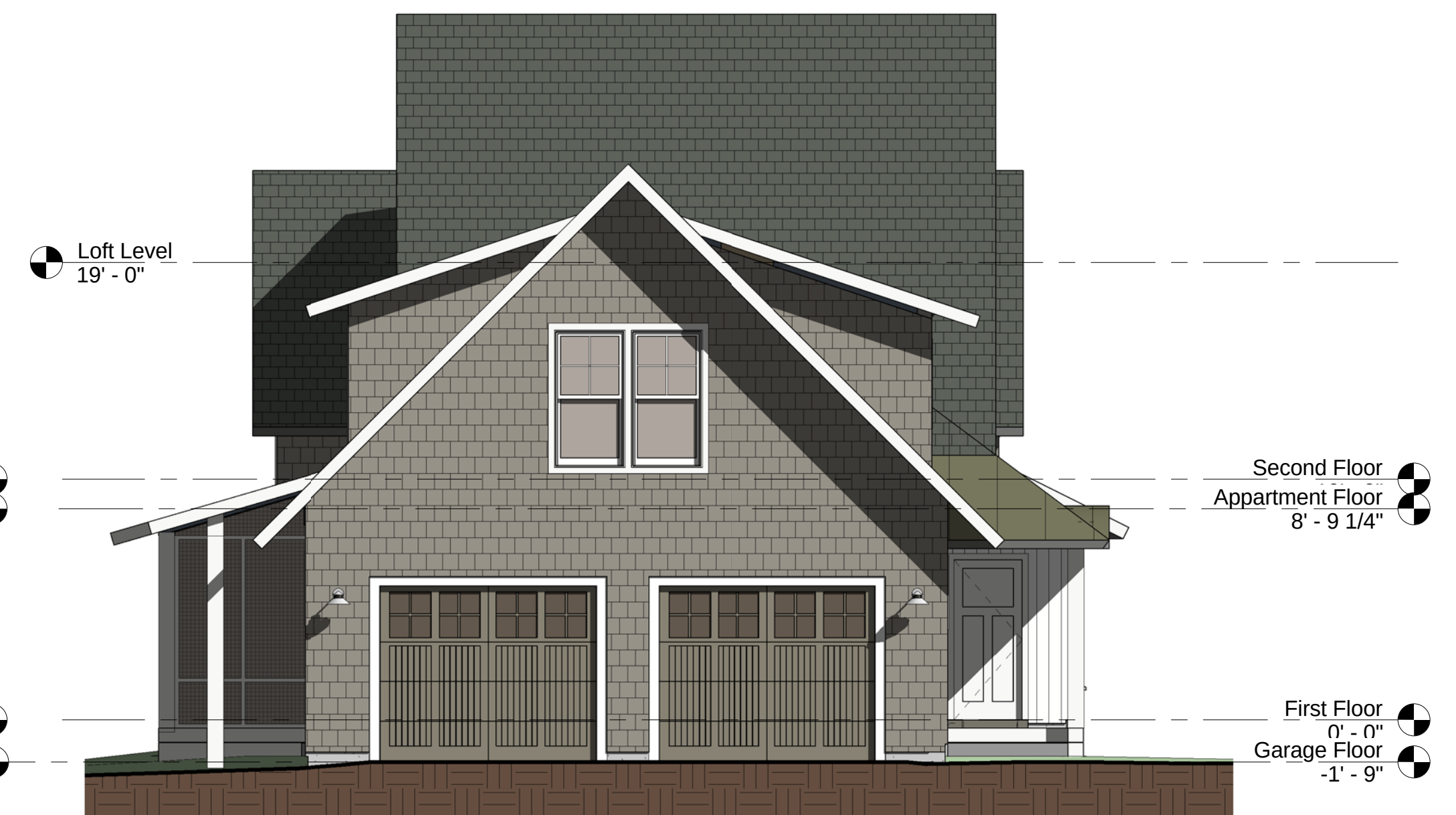
B1.3

1/4" = 1'-0"
12/3/14



① East Elevation
3/16" = 1'-0"

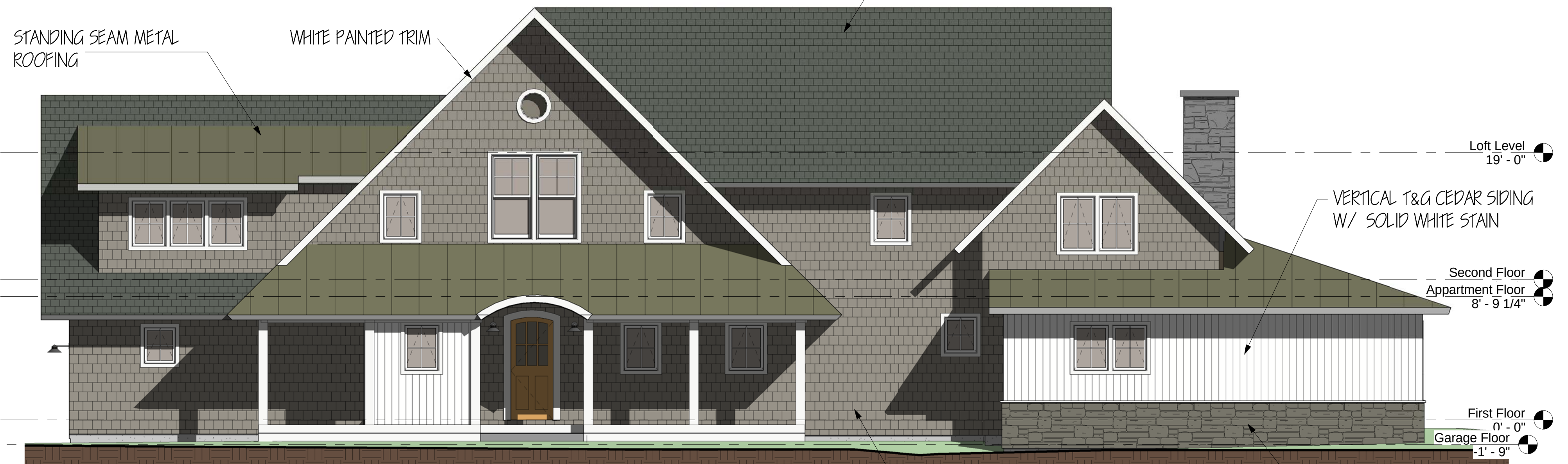
SCREENED PORCH



② North Elevation
3/16" = 1'-0"



③ South Elevation
3/16" = 1'-0"



④ West Elevation
3/16" = 1'-0"

STANDING SEAM METAL
ROOFING

WHITE PAINTED TRIM

ARCHITECTURAL ASPHALT ROOFING SHINGLES

VERTICAL T&G CEDAR SIDING
W/ SOLID WHITE STAIN

EASTERN WHITE CEDAR SHINGLES
W/ SOLID BODY STAIN

NATURAL STONE VENEER

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SENECAL Residence at Appletree Point
BURLINGTON, VERMONT

DRAWING TITLE:
Exterior Elevations

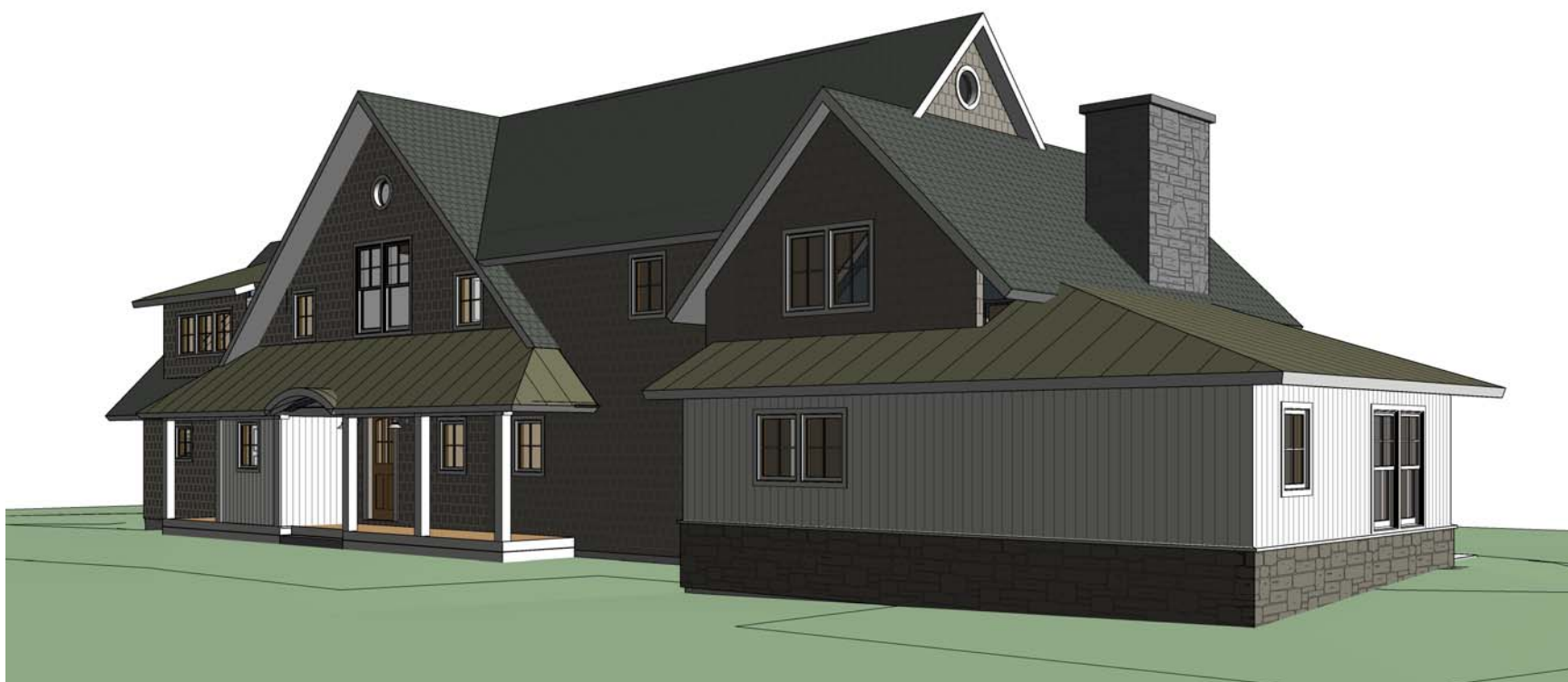
DATE REVISION

B2.1

3/16" = 1'-0"
1/14/15



② View from North West
12" = 1'-0"



④ View from South West
12" = 1'-0"



③ View from South East
12" = 1'-0"



① View from North East
12" = 1'-0"

D R A W I N G I N D E X		
	DRAWINGS 1-5 KREBS AND LANSING	
1	BOUNDRY LINE ADJUSTMENT	
2	SITE AND UTILITY PLAN	
3	SANITARY FORCE MAIN PLAN	
4	UTILITY PROFILES	
5	DETAILS	
	DRAWING L1 CYNTHIA KNAUF	
L 1	PLANTING PLAN	
B1.0	BASEMENT PLAN	
B1.1	FIRST FLOOR PLAN	
B1.2	SECOND FLOOR PLAN	
B1.3	THIRD FLOOR PLAN	
B2.1	EXTERIOR ELEVATIONS	
B4.1	Detail Wall Section	

PERMIT ISSUE: FEBRUARY 19, 2015



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Design:
SENECAL Residence at Appletree Point
BURLINGTON, VERMONT

DRAWING TITLE:
**3D Views & DRAWING
INDEX - 465**

DATE REVISION

BT.1
As indicated
12/3/14

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
Anita Wade, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin
DATE: May 19, 2015
RE: 15-0923CA; 465 Appletree Point Road

=====

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: WRL Ward: 4N

Owner/Applicant: Al Senecal / Brad Rabinowitz

Request: Construct new duplex and associated site improvements. Lot line adjustment included.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking), Article 10 (Subdivision)

Background Information:

The applicant is seeking approval to construct a new duplex, driveway, and related site improvements on a vacant property. The proposed duplex's location along the lakeshore requires "major impact" review with the Development Review Board. The proposed duplex also requires conditional use review. Note that this property received variance approval from the front yard setback. Based on the average of neighboring properties, the front yard setback was nearly in the lake. That variance approval, granted July 1, 2014, resulted in a 25' front yard setback for the proposed construction. A boundary line adjustment with the neighboring 451 Appletree Point Road is also included in this application. As with the proposal at 451 Appletree Point Rd, the proposed duplex is essentially a single family home with a small accessory apartment; however, the applicant wishes to seek approval as a duplex for flexibility in ownership.

The Conservation Board reviewed this application April 6, 2015 and unanimously recommended approval as presented.

The Design Advisory Board reviewed this application April 14, 2015 and unanimously recommended approval as presented.

Previous zoning actions for this property are as follows:

- 7/1/14, Approval of front yard setback variance
- 7/26/04, Approval of 2-lot subdivision
- 1/13/04, Denial of 3-lot subdivision

Recommendation: Major Impact & Certificate of Appropriateness 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:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. *The capacity of existing or planned community facilities;*

The proposed development will require municipal water and sewer service. A municipal water line already runs by the property. A new pump station and force main will be installed to connect to the municipal wastewater system. Review and approval by the Department of Public Works will be required. Public Works will also need to verify adequate capacity to serve the development. A State of Vermont wastewater permit has already been obtained. **(Affirmative finding as conditioned)**

2. *The character of the area affected;*

The property is located on the east-facing side of Appletree Point within the Waterfront Residential Low Density (WRL) zone. The subject property is presently vacant. Several homes are located along the western side of the point; however, much of the peninsula is undeveloped. As with the Residential Low Density zone, the WRL zone is primarily intended for low density residential development in the form of detached single family homes and duplexes. The WRL zone is distinguished by its close proximity to the lake and a greater consideration of public views from the lake and stormwater runoff. The proposed duplex is consistent with the intent of the WRL zone. Most of the proposed home will be set back 20' – 40' from the 100' lakeshore elevation (a rear porch will reach as close at 17'), and much of the existing vegetation along the lakeshore will be retained. Stormwater management has been reviewed and approved by the Stormwater Administrator. **(Affirmative finding)**

3. *Traffic on roads and highways in the vicinity;*

No traffic information has been provided; however, traffic associated with the new duplex is expected to be minimal. **(Affirmative finding)**

4. *Bylaws then in effect;*

The project as conditioned is in compliance with all applicable bylaws as reflected in these findings. **(Affirmative finding)**

5. *Utilization of renewable energy resources;*

The utilization of alternative energy has not been incorporated into this proposal. The proposed construction does not preclude such utilization in the future. **(Affirmative finding)**

6. *Cumulative impacts of the proposed use;*

Residential homes are allowed in the WRL zone. As a result, this criterion requires that cumulative impacts be considered negligible. **(Affirmative finding)**

7. *Functional family;*

There is no request to exceed 4 unrelated adults within either duplex unit. **(Not applicable)**

8. Vehicular access points;

The duplex will be served by a private driveway with access onto Appletree Point Road.

(Affirmative finding)

9. Signs;

No signs are included in this proposal.

10. Mitigation measures;

The proposed development is not expected to generate any noxious effects such as excessive noise, glare, or emissions. **(Affirmative finding)**

11. Time limits for construction;

The project is to be constructed within the standard 2-year time frame. **(Affirmative finding as conditioned)**

12. Hours of operation and construction;

Hours of operation do not apply to the proposed duplex. No construction schedule is proposed. Other projects with nearby residences have days and hours of construction limited to Monday-Friday 7:00 am – 6:00 pm. Limited work may extend outside this schedule to extend to Saturday 9:00 AM – 5:00 PM only after obtaining approval from the Development Review Board through correspondence rather than a scheduled hearing. No construction on Sunday. **(Affirmative finding as conditioned)**

13. Future enlargement or alterations;

As with anything else, any future enlargement or alteration to the development will require zoning review under the regulations in effect at that time. **(Affirmative finding)**

14. Performance standards;

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5 of these findings.

15. Conditions and safeguards;

Approval of this project will be conditioned to implement the purposes of the zoning regulations. **(Affirmative finding)**

(b) Major Impact Review Standards

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

A stormwater management plan has been submitted and approved by the Stormwater Administrator (see Sec. 5.5.3). No significant air or noise pollution is anticipated as a result of the proposed duplex. **(Affirmative finding)**

2. Have sufficient water available for its needs;

Sufficient municipal water service is available to serve the development. **(Affirmative finding)**

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

See item 2 above.

4. *Not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;*
See Sec 5.5.3.

5. *Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed;*
See Sec. 3.5.6 (a) 3 for traffic information. The proposed duplex is expected to have minimal impacts on the city's transportation infrastructure. Impact fees will be paid to help offset what impacts there are. **(Affirmative finding as conditioned)**

6. *Not cause an unreasonable burden on the city's ability to provide educational services;*
School age children may, or may not, live in the duplex. In any event, no unreasonable burden on the city's ability to provide educational services are expected. Impact fees will be paid to help offset what impacts there are. **(Affirmative finding as conditioned)**

7. *Not place an unreasonable burden on the city's ability to provide municipal services;*
The proposed development will generate minor additional impacts on city services; however, those impacts can be accommodated. Impact fees will be paid to help offset impacts generated. **(Affirmative finding as conditioned)**

8. *Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;*
The vacant property contains no rare or irreplaceable natural communities. The Lake Champlain shoreline is identified as a significant natural area and is protected by the Riparian & Littoral Conservation Zone (see Sec. 4.5.4 for details). Appletree Point generally is an archeologically sensitive area; however, the subject property contains no identified points of archaeological significance. Lastly, construction of a new home set behind existing lakeshore vegetation will not have an undue adverse impact on the scenic or natural beauty of the area. **(Affirmative finding)**

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

The proposed duplex will be constructed on a property zoned for low density residential development. The proposed construction will have no adverse impact on the city's present or future growth patterns. **(Affirmative finding)**

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

The proposed development is very small in scale and "major impact" in name only. Insofar as the duplex is consistent with the intent of the WRL zone, is of a scale consistent with other homes in the area (City of Neighborhoods, pg. I-24), and will comply with the city's current energy efficiency standards (Sec. VIII), it can be found in substantial conformance with the city's municipal development plan. **(Affirmative finding)**

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

The proposed duplex will provide two new housing units in an area of the city zoned for low density residential development. Its construction will have no adverse impact on the present or projected housing needs of the city. **(Affirmative finding)**

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

Minimal impacts on the city's park and recreation needs are anticipated as a result of the duplex. Impact fees will be paid to help offset these impacts. **(Affirmative finding as conditioned)**

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(2) Waterfront Residential Low Density (WRL)

The subject property is located in the WRL zone. This zone is intended primarily for low density residential development in the form of single detached dwellings and duplexes with consideration given to design review. The proposed duplex is consistent with this purpose. **(Affirmative finding)**

(b) Dimensional Standards & Density

The property, with the lot line adjustment with neighboring 451 Appletree Point Rd, will have 180' of road frontage and 17,417 sf area. Both well above the 100' and 15,840 sf, respectively, needed for a duplex in the Larger Lot Overlay that affects this property.

The 2 residential units proposed on the 0.4 acre lot is acceptable. For duplexes, residential density is limited to 5.5 units per acre in the Larger Lot Overlay.

Lot coverage will come to 29.8%, well below the 35% limit permitted.

The proposed front yard setback is 25' as approved via previously granted variance. The minimum side yard setback is 18.' As proposed, the home is 30' at its closest to a side property line. There is no rear yard setback; rather, there is a waterfront setback. The standard waterfront setback requirement is 75'; however, as noted during review of the July 2014 variance request, there are exceptions as noted in (d) *District Specific Regulations*, 1 below. As proposed, the new duplex would be set back an acceptable 17' from the 100' elevation, depending on the curvature of the shoreline.

The midpoint of the roof appears to be about 25.' The very peak of the structure is 31', below the 35' height limit. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The proposed duplex is a conditional use in the WRL zone. Conditional use criteria are addressed under Article 3 above. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

B. Encroachment into the Waterfront Setback.

(ii) Averaging of Setbacks of Existing Structures

This criterion allows new construction to observe a waterfront setback based on the average waterfront setback of existing principal structures within 150.' In this case, the existing camp on neighboring 451 Appletree Point Rd is set back 17' from the 100' lakeshore elevation. The

proposed duplex will be set back 17'. As noted previously, this 17' setback will be for the rear porch. The bulk of the structure will be set further back (20' – 40'). **(Affirmative finding)**

2. Height

No height bonuses are being sought. **(Not applicable)**

3. Lot Coverage

No lot coverage bonuses are being sought. **(Not applicable)**

4. Accessory Residential Structures and Uses

The attached garage has a footprint of ~720 sf; less than 50% of the main home's 2,512 sf footprint. **(Affirmative finding)**

5. Residential Density

The duplex is subject to the functional family provisions of the Comprehensive Development Ordinance. **(Affirmative finding)**

6. Uses

No neighborhood commercial use is included in this proposal. **(Not applicable)**

7. Residential Development Bonuses

No development bonuses are being sought. **(Not applicable)**

Sec. 4.5.4, Natural Resource Protection Overlay (NR) District

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

The subject property is wholly affected by the Riparian and Littoral Conservation Zone (250' width from the 100' lakeshore elevation). This overlay zone limits the clearing of vegetation and new stormwater outfalls. As proposed, some dead or dying trees will be removed, but most of the existing vegetation along the lakeshore will be retained. The project plans clearly depict vegetation to be removed or retained. No new stormwater outfalls are proposed. A basic stormwater management plan has been reviewed and approved by the Stormwater Administrator (see Sec. 5.5.3). As noted previously, the Conservation Board reviewed this project under this criterion and recommended project approval as proposed. **(Affirmative finding)**

(f) District Specific Regulations: Special Flood Hazard Area

This lakeshore property is partially affected by the special flood hazard area (SFHA). All areas along the lakeshore under the 102' elevation are within the SFHA. Except for a new stairway to the water, none of the proposed construction will take place within the SFHA. **(Affirmative finding)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

(Not applicable)

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

New outdoor lighting is proposed and mirrors that at 451 Appletree Point Road. It consists of building mounted fixtures to illuminate building entries and post and bollard fixtures to illuminate the circulation area and new stairs to the lakeshore. Locations are noted, and cutsheets have been provided. All are acceptable residential fixtures generating low levels of illumination.

(Affirmative finding)

Sec. 5.5.3, Stormwater and Erosion Control

As more than 400 sf of earth disturbance is proposed, a “small project erosion control” form has been provided. A residential stormwater management plan has also been provided. Stormwater management is basic and amounts to directing runoff onto pervious surfaces for infiltration. Both have been reviewed and approved by Conservation Board and the Stormwater Administrator. Those approvals are incorporated into this permit. **(Affirmative finding as conditioned)**

Article 6: Development Review Standards

Part 1, Land Division Design Standards

No land division is included in this proposal; however, a lot line adjustment between this property and neighboring 451 Appletree Point Road is proposed. The proposed adjustment is of the common side property boundary and will not affect any of the criteria under this section.

(Affirmative finding)

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

As with neighboring 451 Appletree Point Road, this lakeshore site is lightly wooded. Some tree removal is proposed as noted on the landscape and planting plan; however, a number of the existing trees will remain. The lakeshore itself is a significant natural feature and is protected by the riparian and littoral conservation zone. This overlay limits tree clearing and also requires stormwater management. Stormwater management information has been provided. As required, the proposed construction has been reviewed and approved by the Conservation Board and the city’s stormwater program staff. **(Affirmative finding)**

(b) Topographical alterations

The property slopes gently towards the lake and then drops significantly down to the lake along the immediate shoreline. The site of the proposed duplex is generally flat and will remain so. A soils analysis has been done, and no blasting is proposed. **(Affirmative finding)**

(c) Protection of important public views

The subject property is not affected by any identified public view corridor. This criterion is typically applied to developments fronting such corridors. An individual interested in this application has asserted that, in light of the design review considerations of the WRL zone, views of the construction from the lake should be considered. This criterion is written broadly enough that that assertion may be well based. The proposed home will indeed be visible from the lake. Virtually any construction would be. The new home will be set back and behind existing lakeshore vegetation. **(Affirmative finding)**

(d) Protection of important cultural resources

The property is within an archaeologically sensitive area; however, there are no specifically identified archaeological sites on the property. This archaeological sensitivity stems from the property's lakeshore location. If, during construction, artifacts are unearthed, it is the applicant's responsibility to stop earthwork and to contact the Vermont Division for Historic Preservation for further guidance. **(Affirmative finding)**

(e) Supporting the use of alternative energy

There is no indication that the proposed home will utilize alternative energy. Solar energy utilization is encouraged. In any event, the home will not adversely impact the actual or potential use of alternative energies by neighboring properties. **(Affirmative finding)**

(f) Brownfield sites

The subject property is not an identified brownfield. **(Affirmative finding)**

(g) Provide for nature's events

As total lot coverage will exceed 2,500 sf, a residential stormwater plan has been provided. All of the impervious surface associated with this project is disconnected from the municipal stormwater system, and stormwater will infiltrate into the ground as it does now. As noted above, the city's stormwater program has reviewed the proposed stormwater management.

The front entrance into the home is sheltered within an open porch, and ample room is available onsite for seasonal snow storage. **(Affirmative finding)**

(h) Building location and orientation

The proposed duplex is relatively far from existing homes on Appletree Point Road (~ 360' from 395 Appletree Point Rd and ~ 220' from 440 Appletree Point Rd). It will be set 25' from the road – the same front setback as that of the to-be-built neighboring home at 451 Appletree Point Road. Its main entrance faces the road and is clearly identifiable. The open front porch provides an obvious and welcoming entry into the home. The secondary entrance (into the 2nd unit) is also within the front porch but oriented towards the north. The attached garage faces north, to the side. It is not oriented towards the road. **(Affirmative finding)**

(i) Vehicular access

A private driveway will provide adequate access to the duplex. It will access the two-bay attached garage. A turn-around is provided within the driveway and is set to the side of the home. **(Affirmative finding)**

(j) Pedestrian access

A stone front walkway is proposed and will connect to the private road. **(Affirmative finding)**

(k) Accessibility for the handicapped

No handicap accessibility is evident or required with this proposal. **(Affirmative finding)**

(l) Parking and circulation

Four parking spaces are provided; two in the driveway and two in the attached garage. These spaces meet the minimum parking requirement of 2 spaces per dwelling unit. Circulation is simple with access provided to the garage and surface parking spaces. **(Affirmative finding)**

(m) Landscaping and fences

Clearing limits are depicted. Much of the existing vegetation will be retained. New landscaping is proposed and consists of a variety of shrubs and two new cherry trees on either side of the driveway. As with the neighboring property to the north, much of the new landscaping is proposed along the roadside and will provide some buffering between the new home and the road. No new fencing is proposed; however, a boulder wall will be installed along a portion of the lakeshore. Topographic information indicates the bottom of this wall will be above the 102' elevation and out of the lake's flood zone. New concrete stairs will provide access to the lakeshore. **(Affirmative finding)**

(n) Public plazas and open space

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

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

New utility lines must be buried. No mechanical equipment is depicted on the plan; however, the applicant has noted that an AC compressor will be located behind the building. This item must be depicted on the site plan. **(Affirmative finding as conditioned)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The massing, height, and scale of the proposed duplex are consistent with that of existing homes along Appletree Point Road. The proposed home is larger than that proposed at 451 Appletree Point Road but remains within the scale established by existing waterfront homes along Appletree Bay. The proposed gross floor area (GFA) is 3,659 sf. Some nearby homes include 395 Appletree Point Rd at 3,432 sf GFA, 440 Appletree Point Rd at 3,989 sf GFA, 490 Appletree Point Rd at 3,831 sf GFA, and 554 Appletree Point Rd at 4,724 sf GFA. The proposed shingle style home faces the road with a well-defined front entry. Varying rooflines, dormers, and distinct building sections serve to articulate separate volumes within the overall structure. **(Affirmative finding)**

2. Roofs and Rooflines

Gable roofs are proposed, albeit on different plans. Several dormers project from the upper roofs. The proposed roof forms are appropriately residential. **(Affirmative finding)**

3. Building Openings

The primary front entrance is clearly articulated and is sheltered by an open front porch. Fenestration is appropriately scaled and placed in consistent rhythm throughout the building. **(Affirmative finding)**

(b) Protection of important architectural resources

There are no historic structures on the subject property or nearby. Construction of the proposed duplex will have no adverse impacts on Burlington's historic structures. **(Affirmative finding)**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

The front entry to the proposed home is clearly articulated and faces the road. There are no large blank walls or expanses of roof. Fenestration, roof variations, and architectural detailing work successfully to provide an active and inviting street elevation. **(Affirmative finding)**

(e) Quality of materials

The proposed home will be clad in cedar shingles with tongue-and-grove siding accents. Painted white AZEK trim is noted. Asphalt shingles will be installed on most of the roofs; however, standing seam metal will be installed on the dormers. Combination fiberglass and wood windows will be installed. A natural stone veneer will be installed along the base of the attached garage. The materials proposed are of acceptable quality and durability. **(Affirmative finding)**

(f) Reduce energy utilization

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

(g) Make advertising features complimentary to the site

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

(h) Integrate infrastructure into the building design

Utility meters will be appropriately located on a side elevation near the entrance to the apartment. **(Affirmative finding)**

(i) Make spaces safe and secure

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

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located in the neighborhood parking district. As such, the duplex requires 4 parking spaces (2 per dwelling unit). All four parking spaces will be provided onsite; 2 in the garage and 2 within the driveway. **(Affirmative finding)**

Article 10: Subdivision

No subdivision of land is included in this proposal; however, a lot line adjustment with neighboring 451 Appletree Point Rd is included. A boundary line adjustment plan clearly depicts the proposed boundary adjustment. The required endorsement block for the Administrative Officer's signature per Sec. 10.1.5, *Lot Line Adjustments*, (a) is missing. All of the signature blocks provided relate to subdivisions and should be deleted (except for the surveyor's endorsement). **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, revised plans shall be submitted subject to staff review and approval. Revised plans shall depict:
 - a. The proposed AC compressor; and,
 - b. The required Administrative Officer's signature block per Sec. 10.1.5.
2. **Prior to release of the zoning permit**, the new pump station and force main shall be reviewed and approved by the Department of Public Works. Verification of wastewater capacity to serve the proposed duplex shall also be obtained from Public Works.
3. This permit incorporates the EPSC and Stormwater Management approvals issued by the Stormwater Administrator on April 3, 2015.
4. Days and hours of construction shall be limited to Monday-Friday 7:00 am – 6:00 pm. Limited work may extend outside this schedule to extend to Saturday 9:00 AM – 5:00 PM only after obtaining approval from the Development Review Board through correspondence rather than a scheduled hearing. No construction on Sunday
5. In the event that artifacts are uncovered during excavation, it is the applicant's responsibility to contact the Vermont Division for Historic Preservation for further guidance.
6. 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.
7. At least **7 days prior to the issuance of a certificate of occupancy**, the applicant shall pay to the Planning & Zoning Department the impact fee as calculated by staff based on the new square footage of the proposed development.
8. Standard permit conditions 1-15.



Google earth

feet
meters

10

6



EXISTING WEST ELEVATION

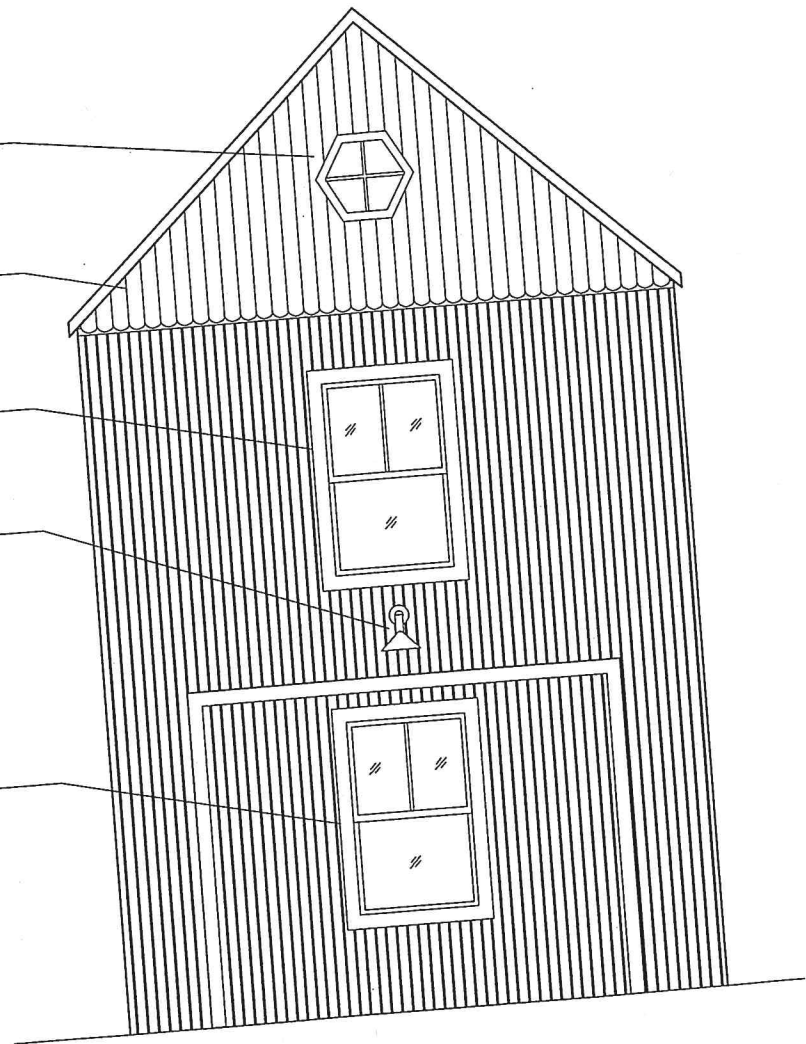
NEW WINDOW AT SOUTH
ELEVATION IN KEEPING WITH
NEIGHBORHOOD DESIGN
ELEMENTS

RE-USE EXISTING VERTICAL
CLAPBOARDS WITH
SCALLOPED TRIM

NEW WOOD WINDOW, TYP.

NEW EXTERIOR GRADE
GOOSENECK LIGHT

"FRAMED-IN" GARAGE DOOR
OPENING WITH NEW WOOD
WINDOW AS SHOWN



PROPOSED SOUTH ELEVATION

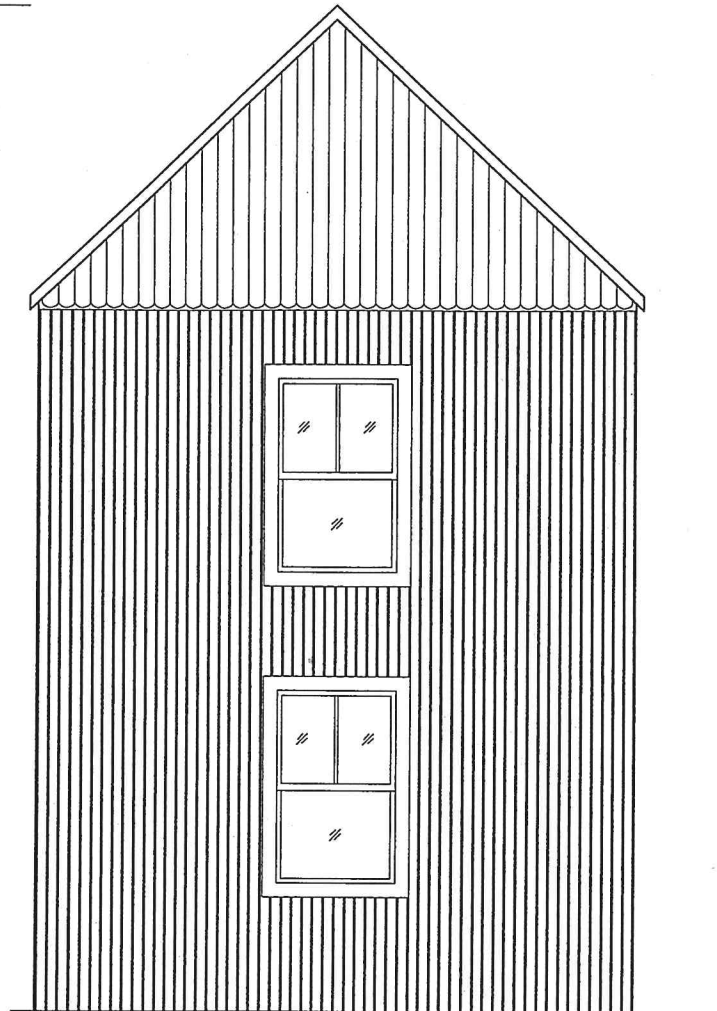


T.O. RIDGE

20'-10"



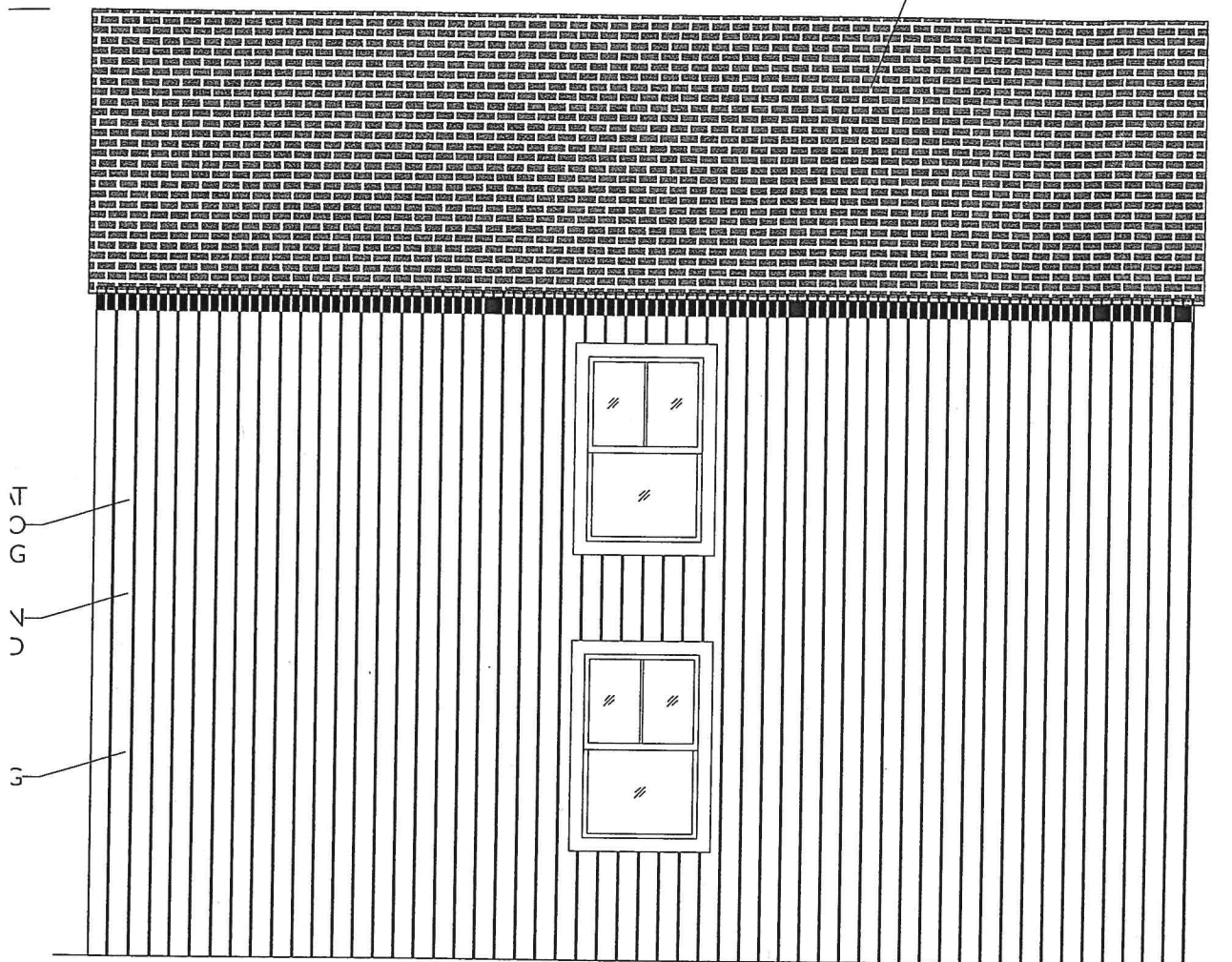
NEW WOOD
WINDOW, TYP.



PROPOSED NORTH ELEVATION

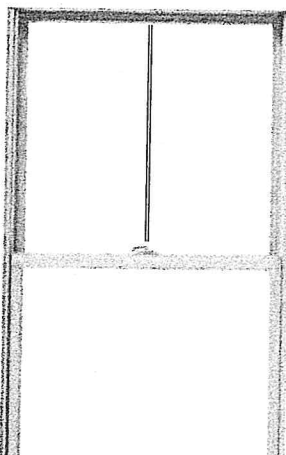
PROPOSED ELEVATIONS

RE-USE ENTIRE EXISTING WOOD AND EXISTING SKYLIGHTS, TYP.



PROPOSED EAST ELEVATION

IS



except decorative non-operable
(variation) to be Pella ProLine
N-E, insulated glass to match all
Divided light 2 above 1 patterns
match existing.

Exterior Light Details: <http://>

A classic light with American
unique neck design that featur
All shades are handspun from
durable powder coat finish c
one-of-a-kind gooseneck bar

Shade Size:
12" Shade: W 12" x H 9"
14" Shade: W 14" x H 9"
16" Shade: W 16" x H 10"

Additional Information:
Finish: Black Powder Coat
Mounting: Multiple (See Goods
Backplate Dimensions: 4 3/8"

EX

EXISTING ELEVATION

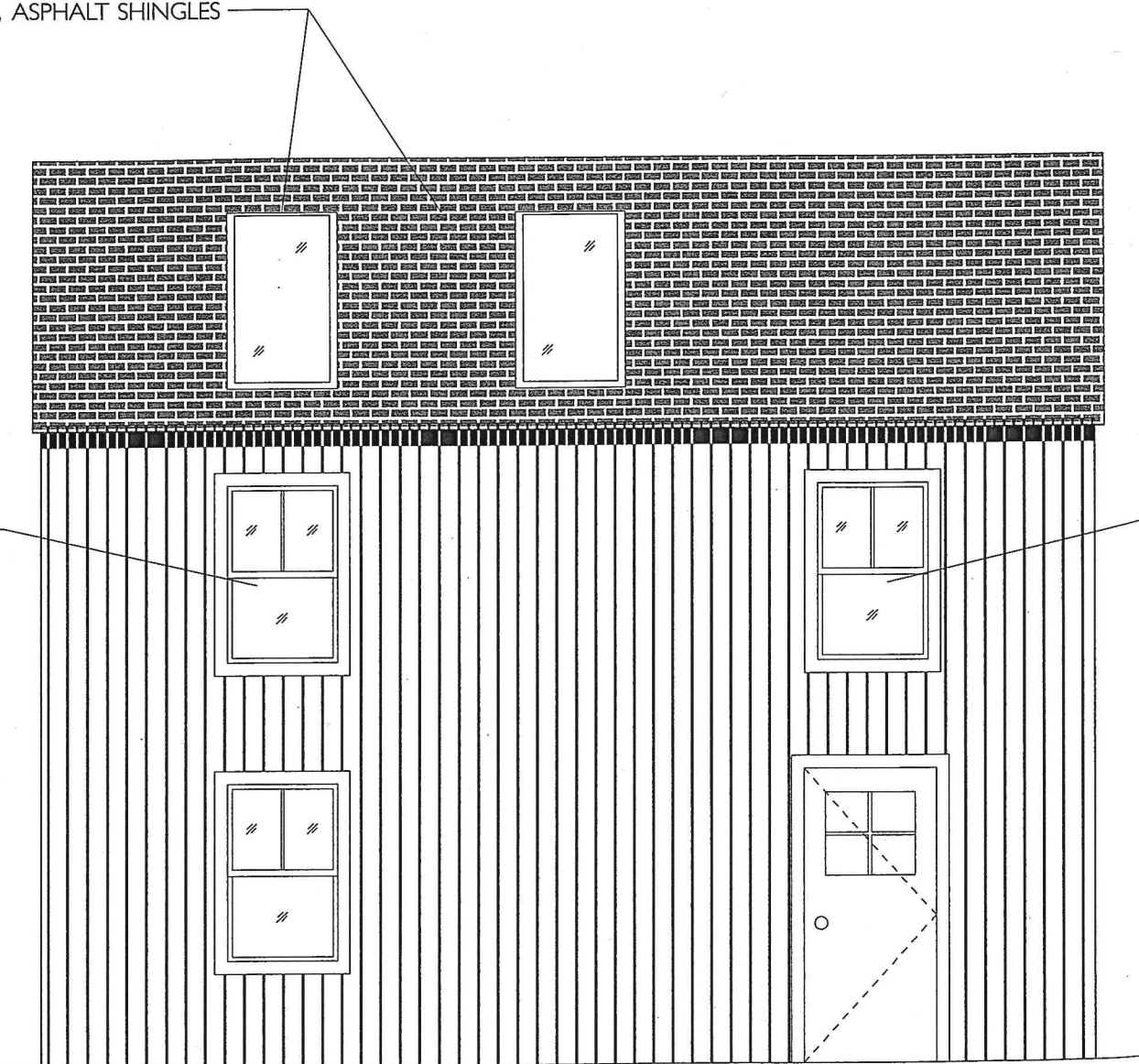
ROOF, ASPHALT SHINGLES

OD
YP.

NEW
WID

PROPOSED WEST ELEVATION

PROPOSED



4" Apple

4" Apple

6" Maple

(N) 10' x 14'
Pre-Fab Wood
Storage Shed

EXCEED REQ'D SETBACK

34'-8 3/4"

6" Maple

30" Spruce

30" Spruce

30" Spruce

(E) Garage

24'5"

18'5"

(N) PATIO BY PERMIT
#11-0767CA

(E) FLAT
ROOF

(E) ROOF
BELOW

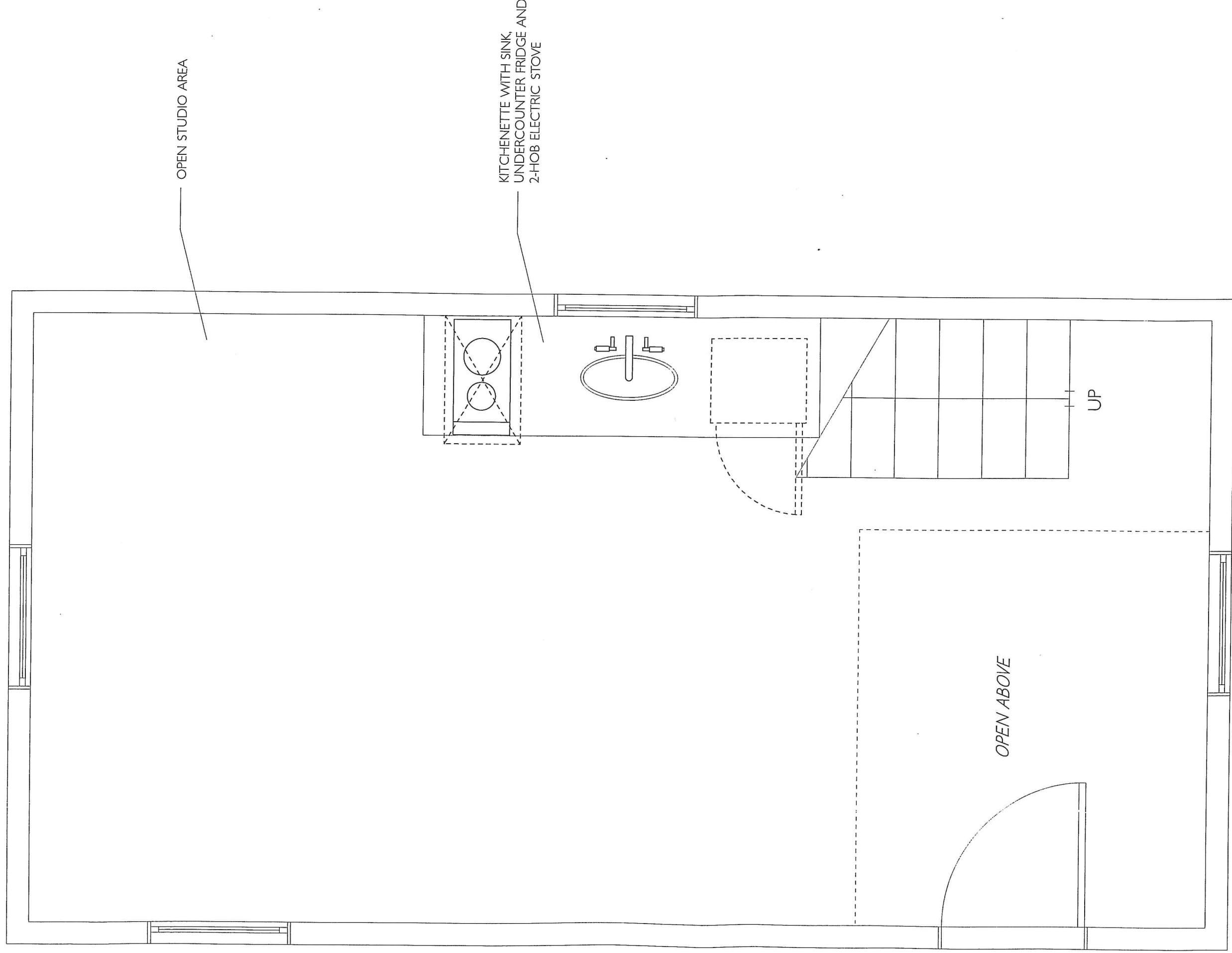
Existing House

(E) 2-TRACK
DRIVE

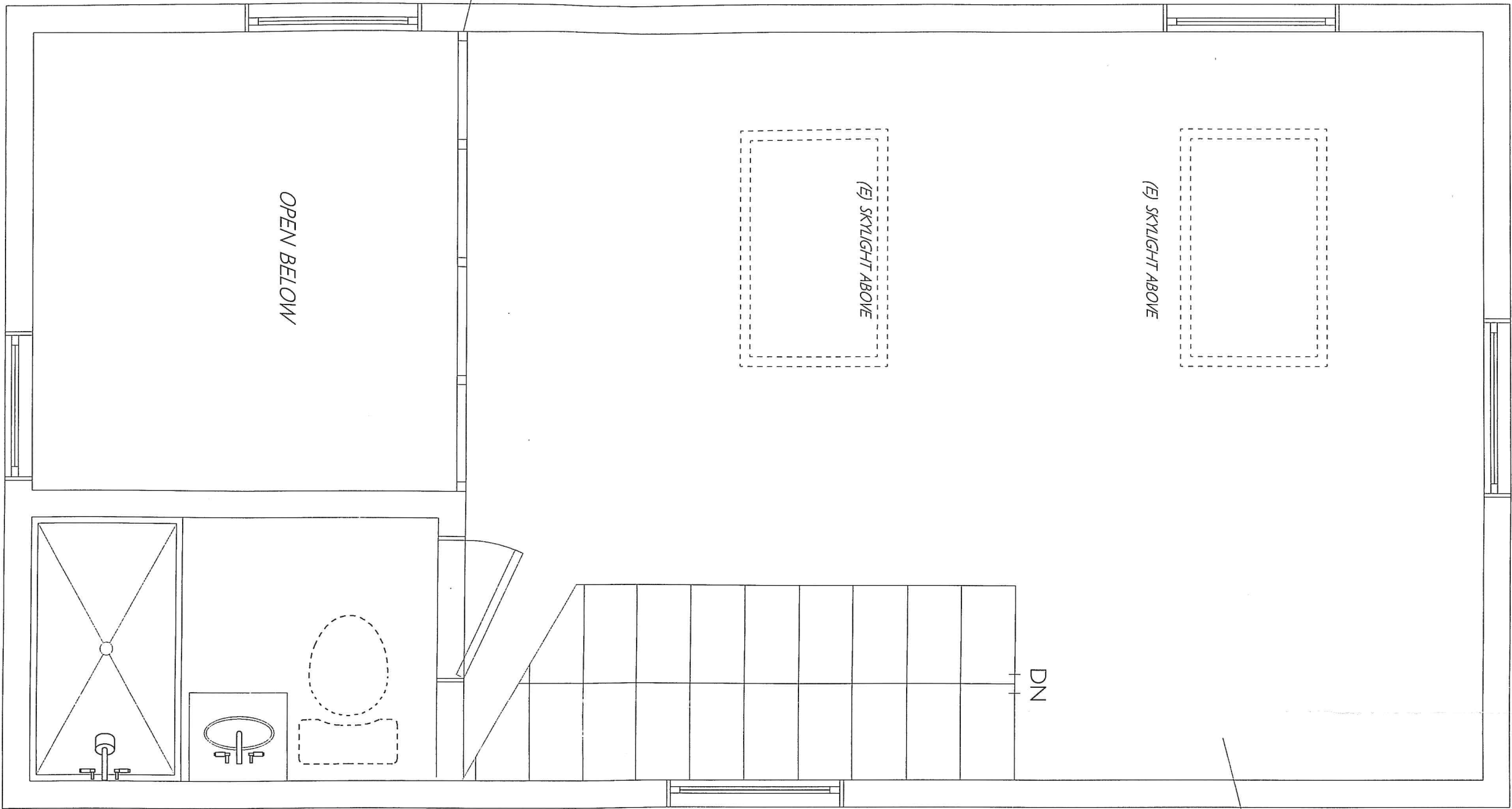
50" Locust

Stones

Concrete Sidewalk



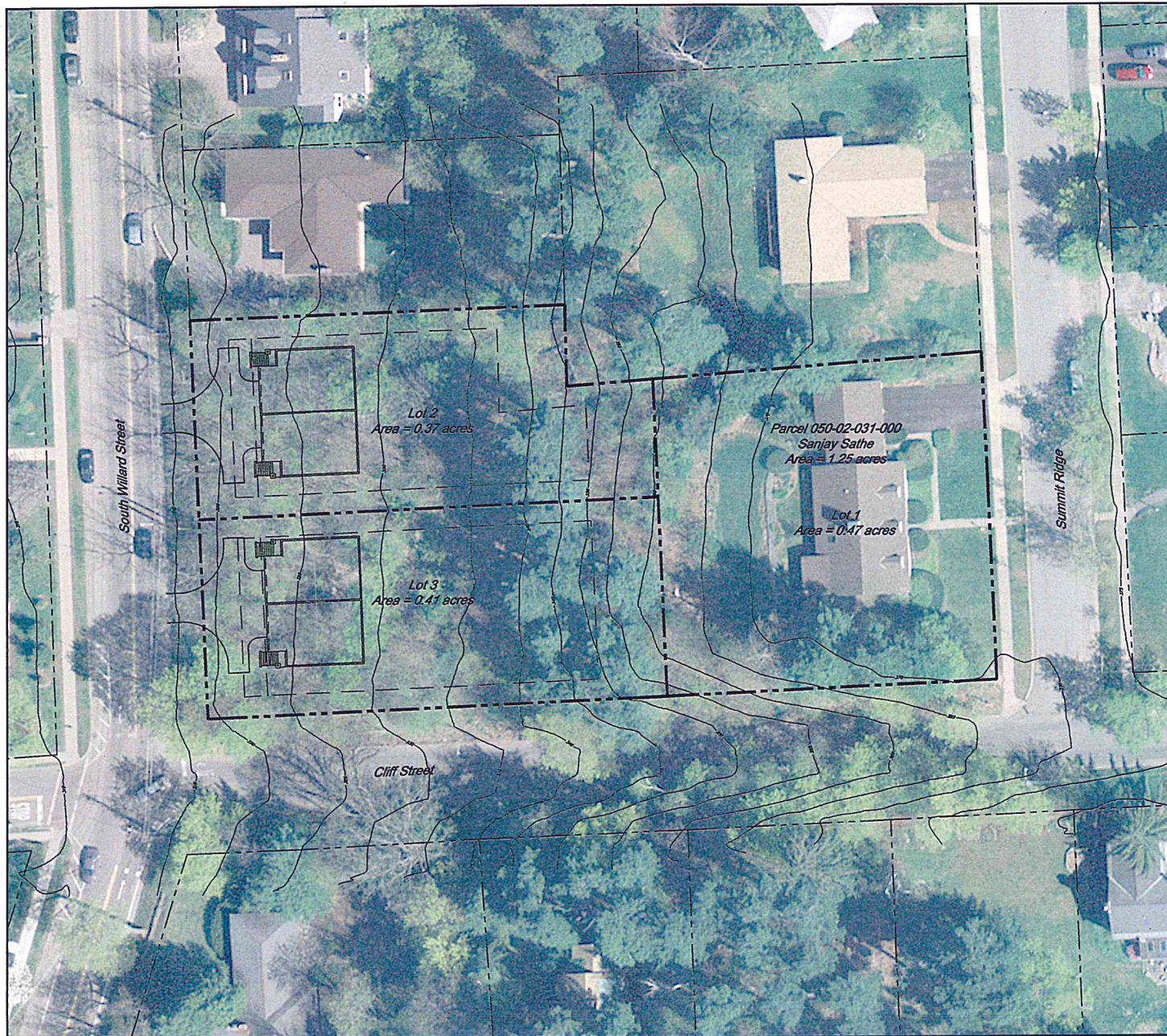
GROUND FL. - FINISHED AREA ~ 310sf



OPEN STUDIO AREA

3/4 BATH WITH TOILET
SHOWER STALL

SECOND FL. - FINISHED AREA ~ 200sf



Legend

- Existing 5' Contour
- Approximate Property Line
- Setback Line

Planning and Zoning Information

Owner/Applicant:
Sanjay Sathe
1 Summit Ridge
Burlington, VT 05401
Area:
1.25 acres

Zones:
Residential Low Density (RL)
See Map 40 050-2-031-000
The proposed subdivision will be served by
municipal water and sewer.

Notes:

1. This plan is not a boundary survey. The property lines shown are based on City of Burlington tax maps and are considered approximate.
2. The underground utilities are approximate and not warranted to be exact or complete. Dig Safe shall be contacted prior to any excavation.
3. Elevations are based on the NAVD 88 (Geoid 12A) vertical datum.
4. Project Horizontal Coordinates are based on NAD83 (2011) datum.



Date revised	Description	Checked
Design	SMI	
Drawn	SMI	
Checked		
Scale	1" = 20'	
Date	Feb. 3, 2015	
Project	15105 1 Summit Ridge	Burlington

Sketch Plan "B"

Sathe Property

ARRERS & LANSING Consulting Engineers, Inc.
164 Main Street, Colchester, Vermont 05446

6. Plan entitled "Henry Leavenworth V. T18, P477 - Surveyed by J.T. Benedict Aug. 1846". Plan not filed in the City of Burlington Records.



Location
not to

Boundary No

1. The descriptions controlling the land surveyed and the physical ground were compared and analyzed and that are most indicative of the harmony with existing monument physical evidence and written evidence and/or documents should be of color of title or conflict.
2. This plat of survey depicts boundaries the title of Sanjay Sathe and Anita Sathe where known, of easements, licenses, rights that may encumber or burden the exception of utility easements.
3. Monuments have been set in the plat of survey where, in the necessary to perpetuate a corner. Monuments shown as "to be set in direction.
4. Any boundary line location, based in the public records by which Sanjay Sathe and Anita Sathe and Anita Sathe were at accuracy and legality of those deeds or documents are improper, contain errors or omissions in erroneous conclusions of law, they may not be valid.
5. The boundary line locations shown and legality or lack of authority, professed the right or ability to property or rights in the survey.
6. Any depiction on the plats of structures, exclusive of boundaries, Sathe were located by tachometer boundary lines other than those are not warranted and all bounds the accuracy and completeness.
7. This plat of survey is for the Sanjay Sathe. Use by other property is specifically unauthorized.
8. No formal layout information for discovered in the City Records. Street was depicted as 57.75' Ridge in 1961. Information from in 1925 also indicates a 57.75'

Surv

1. All bearing Vermont State Plane GPS readings & 102.
2. A closed 2015 using

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Ken Lerner
DATE: May 19, 2015
RE: 15-1012CA/CU; 36 Locust 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 **Ward:** 5

Owner/Applicant: Alec Bauer

Request: Construct second story over garage and convert entire garage for an accessory unit, add storage shed and patio.

Applicable Regulations:

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

Background Information:

The applicant is seeking approval to add a second story to a detached garage and convert the entire structure into an accessory apartment. No new parking to serve the accessory unit is proposed.

Previous zoning actions for this property are noted as follows:

- ZP 11-0508CA Addition to single family residence, add retaining wall, relocate existing garage, extend driveway. Approved December 10, 2010.
- ZP 11-0571CA Demolition of existing garage and construction of a new one. Approved April 27, 2011.
- ZP 15-0161CA Finish interior space in garage per previous permit #11-0767CA. Construct new pervious stone patio in backyard. Approved August 4, 2014.

Recommendation: **Denial** for the following reasons:

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

(a) Conditional Use Review Standards

(1) The capacity of existing or planned community facilities;

The proposed accessory dwelling unit will be served by municipal water and sewer service. Adequate capacity is available; however, approval for connections from DPW and a wastewater permit from the State of Vermont will be required. **(Affirmative finding if conditioned)**

(2) The character of the area affected;

This neighborhood is defined by detached single family homes. Accessory dwelling units are allowed in association with single family homes throughout the city. As required, the proposed accessory dwelling unit is relatively small and is clearly secondary to the primary residence on the subject property. As an apartment the occupancy of the unit is for permanent residents and cannot be used otherwise such as for less than a 30-day rental period. **(Affirmative finding if conditioned)**

(3) Traffic on roads and highways in the vicinity;

No traffic information has been provided; however, anticipated traffic impacts are minimal. **(Affirmative finding)**

(4) Bylaws then in effect;

As a rental, either the primary or accessory unit must be registered with Code Enforcement for occupancy for permanent residential use, and shall meet minimum housing standards as required. **(Affirmative finding if conditioned)**

There is inadequate parking to support the accessory unit and the single family occupancy as required – see finding in Sec. 5.4.5 (a) 4 and Sec. 8.1.8. Thus this proposal cannot be found to comply with all applicable zoning bylaws. **(Adverse finding)**

The applicant refers to the recent approval by the DRB for a similar situation. In that case, 52 Locust Street 14-0773CA/CU, the approval was granted only with a parking management plan and deeded covenant that limited vehicular ownership for both units to two vehicles. See below under Article 8.

(5) Utilization of renewable energy resources;

No utilization of renewable energy resources is evident in the project plans; however, as proposed, the accessory dwelling unit will have no adverse impact on the potential utilization of such energy onsite. **(Affirmative finding)**

(6) Cumulative impacts of the proposed use;

The subject property is located in the RL zone wherein residential use is permitted. Per this criterion, cumulative impacts shall be deemed negligible. **(Affirmative finding)**

(7) Functional family;

Accessory apartments by definition are limited to 1-bedroom or studio units. While the functional family limitations of this criterion apply, the occupancy restrictions of no more than two adult occupants for an accessory apartment are more stringent. The functional family limitation also would be applicable to occupancy of the principal dwelling. **(Affirmative finding if conditioned)**

(8) Vehicular access points;

The proposed accessory unit will be placed behind, to the east of, the existing home utilizing an existing garage by adding a second story. There is insufficient parking in the driveway to accommodate the increase in use and to meet the required parking resulting from the accessory unit as per Sec. 5.4.5 (a) 4 and Sec. 8.1.8. As noted the applicant requests a waiver of parking and points to the waiver granted to 52 Locust Street. **(Adverse finding)**

(9) Signs;

No signage is included in this proposal. **(Not applicable)**

(10) Mitigation measures;

The proposed accessory dwelling unit should not produce noise or glare sufficient to warrant mitigation measures. **(Affirmative finding)**

(11) Time limits for construction;

The zoning permit is valid for 2 years; 1 year to start construction and another to finish. No additional time is being sought by the applicant. **(Affirmative finding)**

(12) Hours of operation and construction;

Hours of operation do not apply to the proposed residential use. Given the project location in a residential neighborhood, hours of construction of the second story and shed should be limited to Monday – Saturday, 7:00 AM – 6:00 PM. No construction on Sunday. These limitations are consistent with those imposed for other development within residential areas. **(Affirmative finding if conditioned)**

(13) Future enlargement or alterations;

Any future enlargement or alterations will require additional permit review in accordance with the regulations in effect at that time. **(Affirmative finding)**

(14) Performance standards;

See Sec. 5.5.3 for erosion control.

(15) Conditions and safeguards;

If conditioned, the proposed use complies with the applicable requirements of the Comprehensive Development Ordinance, except for parking as noted. **(Affirmative finding)**

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(1) 1. The Residential Low Density (RL) 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.

The subject property is located in the RL zone. This zone is intended primarily for low density residential development in the form of single detached dwellings and duplexes. Accessory dwelling units are allowed in association with single family homes throughout the city.

(Affirmative finding)

(b) Dimensional Standards & Density

Lot coverage will increase to 25.6% plus 6% for amenity coverage; below the 35% and 10% maximum permissible. **(Affirmative finding)**

The accessory dwelling unit as proposed with a second story appears to be greater than 15 ft. high. Thus it is subject to complying with a side yard setback of 10% of the lot width. As proposed, it will be set back 5.5 ft. from the side boundary line, which it appears to do. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The existing single family home is a permitted use in the RL zone. Accessory dwelling units may be permitted uses as well; however, the new construction proposed tips the application into conditional use review. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

Refers to exceptions – none sought

2. Height

Refers to exceptions – none sought

3. Lot Coverage

Refers to exceptions – none sought

4. Accessory Residential Structures and Uses

Accessory dwelling units are allowed in association with single family homes throughout the city and are not counted as an additional unit for density purposes. See Sec. 5.4.5, *Accessory Dwelling Units*. **(Affirmative finding)**

5. Residential Density

No additional density is calculated as a result of the inclusion of an accessory apartment.

6. Uses

See item 4. above.

7. Residential Development Bonuses

(Not applicable)

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

(Not applicable)

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) above.

Sec. 5.4.5, Accessory Dwelling Units

(a) Accessory Units, General Standards/Permitted Uses:

Where there is a primary structure on a lot which exists as an owner-occupied single family residence, one accessory dwelling unit, that is located within or appurtenant to such single family dwelling, shall be allowed as a permitted use if the provisions of this subsection are met. An accessory dwelling unit means an efficiency or one bedroom apartment that is clearly subordinate to the primary dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation. No accessory unit shall be inhabited by more than 2 adult occupants.

As required, there shall be no more than two adult occupants in the accessory unit and the premises must be owner occupied. **(Affirmative finding if conditioned)**

Additionally, there must be compliance with all the following:

1. *The property has sufficient wastewater capacity as certified by the Department of Public Works;*
The proposed accessory dwelling unit will place minimal demand on the city's wastewater system. This capacity must be verified in writing by the Department of Public Works. **(Affirmative finding if conditioned)**
2. *The unit does not consist of more than 30 percent of the total habitable floor area of the building, inclusive of the accessory dwelling unit;*
The proposed accessory dwelling unit is 510 sf.
This square footage is 29.59% of the 1723 sf habitable area of the existing single family home which includes the habitable first floor of the garage. **(Affirmative finding)**
3. *Applicable setback and lot coverage requirements are met; and,*
As noted previously, the proposed accessory dwelling complies with yard setback requirements. The proposed work does not exceed lot coverage limitations. **(Affirmative finding)**
4. *One additional parking space which may be legally allocated to the accessory unit must be in existence and provided for the accessory unit.*
There are two parking spaces in tandem in the existing driveway on the property. Three parking spaces are required; two for the single family use and one for the accessory apartment. The driveway is not sufficient to contain the required three parking spaces; also as per Sec. 8.1.8. No additional parking is proposed. **(Adverse finding)**

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

A proposed outdoor lighting fixture is shown at the front of the accessory structure that is residential in character. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

As no earth disturbance is proposed, a "small project erosion control" form is not required. **(Affirmative finding)**

Article 6: Development Review Standards

Part 1, Land Division Design Standards. Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

There are no natural resource features on site that are in need of protection. **(Affirmative finding)**

(b) Topographical alterations

No topographical alterations are proposed. **(Affirmative finding)**

(c) Protection of important public views

There are no important public views from or through the subject property. **(Affirmative finding)**

(d) Protection of important cultural resources

The existing single family house was built post WWII, around 1946. It is identified in the Five Sisters Neighborhood Survey of historic resources. The site does not contain any known archaeological resources. **(Affirmative finding)**

(e) Supporting the use of alternative energy

As noted previously, no utilization of renewable energy resources is evident in the project plans. **(Affirmative finding)**

(f) Brownfield sites

(Not applicable)

(g) Provide for nature's events

See Sec. 5.5.3.

(h) Building location and orientation

The proposed dwelling unit is accessory to the primary residence on the subject property. It is appropriately located behind the principal building. **(Affirmative finding)**

(i) Vehicular access

See Sec. 3.5.6 (a) 8.

(j) Pedestrian access

Access to the accessory dwelling unit will be over a previously approved patio. **(Affirmative finding)**

(k) Accessibility for the handicapped

While not required the two story accessory dwelling will not be accessible for use by handicapped persons. A suggested alternative would be to add to the garage keeping it as a single story structure. **(Not applicable)**

(l) Parking and circulation

See Sec. 5.4.5 (a) 4 and 8.1.8.

(m) Landscaping and fences

No changes proposed. **(Affirmative finding)**

(n) Public plazas and open space
(Not applicable)

(o) Outdoor lighting
See Sec. 5.5.2.

(p) Integrate infrastructure into the design

New site infrastructure is needed for the accessory dwelling unit. All new utility lines to serve the dwelling must be buried. **(Affirmative finding if conditioned)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

- *Massing, Height, and Scale*

The massing, height, and scale of the proposed accessory dwelling unit while subordinate to the primary residence, results in an ill-proportioned structure. It is relatively too tall and vertical for the width of its footprint. In addition, the use of vertical siding only adds to this verticality. As an alternative an at-grade extension might be a better solution. As designed it is suggested that, if the conditional use for the accessory unit is approved, the COA for the structure not be issued unless the structure is redesigned or referred to the DAB for consideration. **(Affirmative finding if conditioned)**

- *Roofs and Rooflines*

The proposed gable roof on the accessory dwelling is acceptable although as noted the building ratio of height to width is awkward. **(Affirmative finding)**

- *Building Openings*

Fenestration is composed of basic geometric shapes that reinforce the residential nature of the proposed building. **(Affirmative finding)**

(b) Protection of important architectural resources

The subject property contains an historic building that is common to this neighborhood. The addition of the accessory structure is separate and detached and will not have any effect on the existing building or others in the vicinity. **(Affirmative finding)**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

As noted above, proposed building will house an accessory dwelling unit. The building is not intended to present a strong street presence. Rather, the building is oriented behind the primary dwelling unit. **(Affirmative finding)**

(e) Quality of materials

The existing garage was approved with metal siding. The proposed elevations illustrate vertical siding that exacerbates the verticalness of the structure. Horizontal siding should be considered unless the building is one-story. **(Affirmative finding if conditioned)**

(f) Reduce energy utilization

The proposed building must comply with the state & city's current energy efficiency standards.
(Affirmative finding if conditioned)

(g) *Make advertising features complimentary to the site*

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

(h) *Integrate infrastructure into the building design*

No exterior mechanical equipment is proposed. If exterior utility meters are to be installed, they must be depicted on revised plans and screened. **(Affirmative finding if conditioned)**

(i) *Make spaces safe and secure*

The proposed building must comply with the city's current egress requirements. **(Affirmative finding if conditioned)**

Article 8: Parking

Sec. 8.1.8 Minimum Off-Street Parking Requirements

The accessory dwelling unit requires one parking space and the principal residence requires two spaces for a total of three. The driveway is inadequate to contain the required parking.

No additional parking is proposed, rather a waiver is requested under Sec. 8.1.15, below.

(Adverse finding)

Sec. 8.1.15 Waivers from Parking Requirements/ Parking Management Plans

The total number of parking spaces required pursuant to this Article may be reduced to the extent that the applicant can demonstrate that the proposed development can be adequately served by a more efficient approach that more effectively satisfies the intent of this Article and the goals of the municipal development plan to reduce dependence on the single-passenger automobile.

Any waiver granted shall not exceed fifty percent (50%) of the required number of parking spaces except for the adaptive reuse of a historic building ... and ground floor retail uses in any Mixed Use district which may be waived by as much as one hundred percent (100%). Waivers shall only be granted by the DRB, or by the administrative officer pursuant to the provisions of Sec. 3.2.7 (a) 7.

In order to be considered for a waiver, the applicant shall submit a Parking Management Plan that specifies why the parking requirements of Sec. 8.1.8 are not applicable or appropriate for the proposed development, and proposes an alternative that more effectively meets the intent of this Article. A Parking Management Plan shall include, but not be limited to:

- (a) *A calculation of the parking spaces required pursuant to Table 8.1.8-1.*
- (b) *A narrative that outlines how the proposed parking management plan addresses the specific needs of the proposed development, and more effectively satisfies the intent of this Article and the goals of the Municipal Development Plan.*
- (c) *An analysis of the anticipated parking demand for the proposed development. Such an analysis shall include, but is not limited to:*
 - 1. *Information specifying the proposed number of employees, customers, visitors, clients, shifts, and deliveries;*
 - 2. *Anticipated parking demand by time of day and/or demand by use;*
 - 3. *Anticipated parking utilizing shared spaces or dual use based on a shared parking analysis utilizing current industry publications;*

4. *Availability and frequency of public transit service within a distance of 800-feet.*
 5. *A reduction in vehicle ownership in connection with housing occupancy, ownership, or type; and,*
 6. *Any other information established by the administrative officer as may be necessary to understand the current and project parking demand.*
- (d) *Such a plan shall identify strategies that the applicant will use to reduce or manage the demand for parking into the future which may include but are not limited to:*
1. *A telecommuting program;*
 2. *Participation in a Transportation Management Association including methods to increase the use of mass transit, car pool, van pool, or non-auto modes of travel;*
 3. *Implementation of a car-share program;*
 4. *Development or use of a system using offsite parking and/or shuttles; and,*
 5. *Implementation of public transit subscriptions for employees.*

Prior to any approval by the DRB pursuant to this section, the means by which the parking management plan will be guaranteed and enforceable over the long term, such as a contract, easement, or other means, and whether the city should be a party to the management contract or easement, shall be made acceptable to the city attorney.

The proposed accessory apartment cannot be approved as it does not meet the minimum parking standards as articulated in Sections 5.4.4 (a) 4 and 8.18. In an attempt to address the lack of parking, the applicant has requested a parking waiver based on:

There being three spaces that can be lined up behind each other in the driveway;

That the premises are owner-occupied; and

That there is on-street parking available.

It is also noted that another property owner was granted a waiver.

Tandem spaces are one behind the other. Three spaces lined up are “stacked” and only tandem are allowable for accessory apartments, (see Section 8.1.14);

The premises are required to be owner occupied regardless and that in-and-of-itself does not address the amount of shuttling that would be necessitated with stacked parking;

Street parking is not allowed to be counted toward any private development, as they are public and subject to change beyond the control of the applicant; and

The waiver granted to a nearby owner (52 Locust Street) was actually a proposal by the owner. His rationale for the waiver is based on a personal commitment and life style.

Despite a recommendation for an adverse finding, the DRB conditioned that permit for the owner to provide a deeded covenant limiting vehicular ownership to two for the entire property to insure that the future long term occupancy of the accessory unit and single family residence will continue a life-style with limited vehicle ownership. This restriction is based on the commitment of the owner and should not be viewed as a precedent. Zoning permits are issued to and run with the land, not with an individual. The reality is that the occupancy of the accessory unit and the single family residence are for the long-term, beyond the current owner’s residency. It is not possible to guarantee or enforce, as required in Sec. 8.1.15 (d), that future owners and/or occupants will subscribe to the same life style including limiting vehicle ownership despite the covenant. It is also a concern that

personal circumstances change with life event changes and with the needs of growing families.

In addition, the 52 Locust property is a corner lot and a third parking space could be provided that is accessed from the second fronting street (Locust Terrace). This opportunity does not exist for the subject property.

(Adverse finding)

II. Reasons for Denial:

Per the adverse findings above.

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
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David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Ken Lerner
DATE: May 19, 2015
RE: 15-1009SD; 1 Summit Ridge

=====

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: 6

Owner/Representative: Anita & Sanjay Sathe

Request: Combined preliminary & final plat review of 3-lot subdivision; no development included.

Applicable Regulations:

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

Background Information:

The applicant is seeking combined preliminary and final plat approval to subdivide an existing lot into three lots. The property contains one single family home. The subdivision would result in two new vacant building lots and the remaining lot with the existing home.

Previous zoning action for this property is ZP 00-525 for renovations to the existing single family house.

Recommendation: Consent Approval as per, and subject to, the findings and conditions below:

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

No development is included in this proposal. The two new lots will be served by public sewer and water if developed in the future. Sufficient reserve capacity is available. **(Affirmative finding)**

2. The character of the area affected;

Summit Ridge within a neighborhood mainly comprised of single family homes. The proposed subdivision would enable the construction of two more homes. **(Affirmative finding)**

3. Traffic on roads and highways in the vicinity;
Not applicable.

4. Bylaws then in effect;
As conditioned, the project complies with all applicable bylaws. **(Affirmative finding)**

5. Utilization of renewable energy resources;
Not applicable.

6. Cumulative impacts of the proposed use;
Not applicable.

7. Functional family;
Not applicable.

8. Vehicular access points;
Both proposed new vacant lots front on South Willard Street, with one lot being a corner lot at South Willard and Cliff Street. Access to these lots will most likely be from South Willard.
(Affirmative finding)

9. Signs;
Not applicable.

10. Mitigation measures;
Not applicable.

11. Time limits for construction;
Not applicable.

12. Hours of operation and construction;
Not applicable.

13. Future enlargement or alterations;
Not applicable.

14. Performance standards;
Not applicable.

15. Conditions and safeguards;
Approval of this project will be conditioned to implement the purposes of the zoning regulations.
(Affirmative finding)

Article 4: Maps & Districts
Sec. 4.4.5, Residential Districts:
(a) Purpose

(1) Residential Low Density (RL)

The subject property is located in the RL zone, which is intended primarily for single family homes and duplexes. Except for the subdivision itself, no development is included. The proposed vacant lots would be large enough for each to contain a single family home. Note that duplexes could not be developed on the new lots as per Appendix A, Footnote 2 that limits duplexes to 10,000 sq. ft. lots existing as of January 1, 2007; the new lots are being created in 2015.

(Affirmative finding)

(b) Dimensional Standards & Density

The minimum lot size in the RL zone is 6,000 sf. All of the lots would exceed this minimum lot size.

All lots will have more than 60' of road frontage, the minimum required.

The proposed subdivision will only affect the western side yard setback for the existing home. As proposed, the home must remain at least 14.85' away from this newly formed boundary line; it will be 63 feet away.

Lot coverage on the remaining parcel with the existing home is 24.2%. There is no lot coverage on the new vacant lot. Maximum coverage is 35% plus 10% for unenclosed amenity features.

Building height is not applicable to this proposal.

The resultant 0.48, 0.41 and 0.37 acre lots are sufficiently large enough for single unit density (7.0 units/acre in RL zone. **(Affirmative finding)**

(c) Permitted & Conditional Uses

No development is included in this proposal. A single family home may be allowed on each of the vacant lots under separate permits. Note that duplexes could not be developed on the new lots as per Appendix A, Footnote 2 that limits duplexes to 10,000 sq. ft. lots existing as of January 1, 2007; the new lots are being created in 2015. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

A. Encroachment for Residential Driveways

Not applicable.

B. Encroachment into the Waterfront Setback

Not applicable.

2. Height

A. Exceptions in the Waterfront RM District

Not applicable.

3. Lot Coverage

A. Exceptions for Accessory Residential Features

Not applicable.

4. Accessory Residential Structures and Uses

Not applicable.

5. Residential Density

Not applicable.

6. Uses

Not applicable.

7. Residential Development Bonuses

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable. Existing lot is 54,710 sq. ft. (less than 2.0 acres).

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

Not applicable.

Sec. 5.5.3, Stormwater and Erosion Control

Not applicable for the subdivision. Once lots developed erosion control plans would be necessary.

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. There are some trees along the rear of the new lots but they are not proposed to be disturbed as this request is for subdivision purposes only. **(Affirmative finding)**

(b) Block size and arrangement

Not applicable.

(c) Arrangement of Lots

The proposed subdivision will split the existing lot in three and will result in two lots to the west of the existing lot. The new lots will front on South Willard Street. Lot sizes in this neighborhood vary widely. The sizes of the proposed lots while large are within the range of lot sizes in this area. **(Affirmative finding)**

(d) Connectivity of streets within the city street grid

Not applicable.

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

Not applicable.

Article 10: Subdivision Review

Sec. 10.1.7, 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 three lots, with two new lots being created 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 drawn at a scale of 1" = 40'. The plans are drawn at 1" = 30' and needs to be revised accordingly. **(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.

2. The review criteria for Conditional Use and Major Impact in Article 3, Part 5 where applicable
See Article 3 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. Revision of scale to 1" = 40';
 - b. Obtain signatures for all certifications and endorsements required under Sec. 10.1.11 (a) of the Comprehensive Development Ordinance.
3. No construction related development is included in this approval. Impact fees will be assessed upon issuance of permits for development on the vacant lots.
4. Standard permit conditions 1-15.

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

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Michael Long
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Missa Aloisi
Israel Smith
A. J. LaRosa
Alexandra Zipparo (Alt.)
Jim Drummond (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, May 5, 5:00 p.m.

Conference Room 12, City Hall, 149 Church Street, Burlington, VT
Minutes

Board Members Present: Jonathan Stevens, Brad Rabinowitz, Alexander La Rosa, Jim Drummond, Ali Zipparo, Israel Smith, Missa Aloisi
Board Members Absent: Austin Hart
Staff Members Present: Scott Gustin, Ken Lerner, Anita Wade

I. Agenda

No changes to Agenda

Jonathan chairs the meeting which begins at 5:08pm.

II. Communications

Supplemental Communications;

18-20 Weston, Time line memo from Bill Ward and photo packets;

III. Minutes

To be taken up at deliberation hearing.

IV. Public Hearing

1. 15-0809CA/MA; 316 Flynn Ave (NMU, Ward 5) G and C Properties LLC

Remove existing deli building and replace with new mixed use (deli, office, 9 residential units) building and associated site improvements. (Project Manager: Scott Gustin)

Swearing in of applicants at 5:10pm.

M.Alvanos and Christine Alvanos

M. Alvanos, new development on corner of Pine and Flynn; 9 new residential units, new deli and new office space; DAB and Conservation Brd suggestions mentioned; DAB brought up discussion of bike parking issues;

S.Gustin; mentioned the spec's for bike hanger noting nothing on outside for bike parking

M.Alvanos explanation of outside bike parking; half covered, 7 for 9 units;

JStevens; bike racks for deli?

M Alvanos, some racks, not opposed to other suggestions for rack locations; mentioned mechanical equipment and potential screening; sited in middle of building; maybe concerns about southern exposure and view; open to suggestions from Board;

BRabinowitz; questions

MAlanos, elevator core sticks out?

JStevens has applicant read ordinance about screening and elevation

MAlanos, yes; mentioned traffic and trip ends; okay on traffic;

SGustin, revised estimates, 8 trips, L.Wheelock says not a concern

AJLaRosa, peak am is concern with school drop-off and pickup; questions if building closer to Flynn and Pine and if blocking views for people wanting to turn; landscaping plan in question; are hedge and views of intersection clear

MAlanos no impact on those areas,

MAloisi, site line of intersection questions and the flow of traffic concerns

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Individuals who require special arrangements to participate are encouraged to contact the Department of Planning & Zoning at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188

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MAlvanos, mentioned that entrances on Glen Ave, trying to bring entrances back to Pine St; Affordable housing question and committed to doing this; outdoor lighting providing sketch plan; 20' off ground
 BRabinowitz, this seems high
 MAlvanos, shading requirement for parking lot unclear when bldg. is southwest corner; may need waiver
 SGustin planting new shade trees; shading calculated with the bldg. may have the 30% that's necessary
 BRabinowitz, landscape plan shows some new and some existing?
 MAlvanos, explains plan planted 3 or 4 yrs. ago; not in site lines
 BRabinowitz door into parking lot concerns and deli; need a roof overhang or show some feature to identify egress
 MAlloisi, speed bump placement possible and concerned with sort of a blind spot
 MAlvanos, agrees to speed bump and maybe change of pavement;
 JStevens questions about inclusionary housing
 MAlvanos making sure it is in writing; 1 unit will be affordable on site
 MLong, questions about exterior parking
 MAlvanos, 5 to 6 bikes for rack
 SGustin need to know what type of rack
 MAlvanos; DAB wanted coverable space for bikes
 ISmith, can there be interior bike parking?
 MAlvanos, agrees with everything Board says
 BRabinowitz, asks about color rendering?
 MAlvanos, yes, red color, contemporary,
 BRabinowitz, reddish/black brick?
 JStevens; members of public comment? No
 MAlloisi, likes the change to brick
 AZipparo, mix of bedrooms?
 MAlvanos, 2nd floor has 4 one bedroom; 2 2 bedrooms 3rd floor; families or young couples
 MAlloisi inclusionary one or two bedroom?
 MAlvanos not sure
 AZipparo restaurant and hours
 MAlvanos, 6 – 8pm
 ALaRosa, questions storm water management
 MAlvanos, storm water management plan sent to DPW; treatment on site with section of area
 SGustin, says swale area
 Public Hearing is closed at 5:40pm

2. 15-0830AP; 18-20 Weston St (RL, Ward 1) Charles Burns

Appeal of zoning violation #279187. Continued hearing from April 7, 2015. (Project Manager: Jeanne Francis/Ken Lerner)
 Michael Long recused during this proceeding.
 JStevens swears in C.Burns and B.Heir a 5:41 pm

KLerner, distributes supplemental communications.
 JStevens, asks for summation
 SRiley; chair of Board in Williston owned bldg. 1996 to 2002; parking all around lot; residential 2; garage built 100 yrs. ago not serviceable for cars; sold to Chuck in 2002;
 BHeir, said green space reduced and questions Scott if green space was reduced
 SRiley, no it was not
 JStevens questions?
 KLerner, no or if Code Enforcement?

JFrancis, findings of the 1st complaint 2004 stated she lived there forever and parking had increased
B.Heir, witness should be here to comment
JFrancis, said everything at last meeting; spoke to Chuck on site and about plan of 2005 was he had agreed to
B.Heir, nothing happened to it
JStevens will make decision to significance of plan
JFrancis, characterized as a plan
B.Heir, discounts the agreement
BRabinowitz questions about if plan was followed through
CBurns; never went through; didn't make sense; has drawing that makes more sense and shares it with board
KLerner; aerial photo legitimizes site;
KLong lived Henry St since 1982; questions # of residents and parking and SRiley statements
SRiley, answered no photos
BRabinowitz, questions about garages
SRiley, presently construction materials storage, too small a space for a car
KLong, questioned who parks in garage
SRiley, garage all different sizes and only one resident
JRosenstrick, lived there when SRiley owned house; problem house; meeting of Henry St and joining Association; receiving letters from Judy Rosenstrick
SRiley does not recall receiving letters
JRosenstick, there were complaints about Riley's ownership and noise
JStevens, this is not relevant
SBuser, City Councilperson, Ward 1, questions SRiley
KimSturvant, question for SRiley; how often at property?
SRiley, once a week, 1992 lived there, 2002 did not live there, 2000 lived in Williston;
JStevens; clarify last answer; there was a daily inspection of property in Burlington?
SRiley, 1993 to 2011 office in Burlington Alpine Shop; managing properties weekly basis
SBuser, opportunity to ask more questions; issues to address are parking,
BHeir asks for SRiley to be excused
MLong, asks to address SRiley
JStevens everyone speak to him; other witnesses may have other things to say; no more back and forth;
SRiley; stated that he owned bldg. from 1996 to 2002;
BRabinowitz, where are trash receptacles on plan?
CBurns, under porch
BHeir, reluctant to rehash everything
MLong, read letter from Mark Mahoney; parking on north side always in 1980's; not parking all over lot; parking since has been expanded;
SBuser, long time lived on Weston St, concerned about the number of activities identified by code enforcement and that it is not fault of City that it is not implemented and a recommendation to remedy a problem.
JStevens, Should Board do a formal site visit to see garage?
M.Aloisi, questions sizes of bays
BRabinowitz, the size of the bays seems difficult cars
JFrancis, state that code enforcement does not support the plan and does not correspond to aerial photos;
JStevens, not clear about the statement 'not support'
JFrancis, the number of parking spaces does not support what is shown on aerial; further discussion about the bays being used for parking
ABond, lived since 2009, no problem with residents; problem with how parking is allowed on neighboring property; taking advantage of code enforcement
ISmith, 2005 plan and how it came about
BRabinowitz yes, went over this at last hearing

C.Long, offered additional information to share; in 2005 curb cut pulled out of 18/20 Weston; DPW inspected; allowed landlord to widen apron and driveway at same time drawing came up; found out no permit to do driveway; green space taken away at that time; indications that a business being run out of garage; abutting neighbor not notified of expanded parking; only parking allowed in garage...

B.Heir, City cannot establish when green space was removed/occurred; photos not disguisable; same for garages about use changing; horse and buggy garages unsuitable for cars; two bays used for storage materials; not a shop; materials come in and go out; people from both properties using lots;

ALaRosa, people who live at 18/20 park at garage?

C.Burns, didn't know

BHeir, asks where does City ordinance prohibit people from using a parking lot

BHeir, driveway being paved was replaced not taken away green space and made a smooth driveway

ALaRosa when did paving occur

CBurns, said he cannot remember,

K.Sturtevant, there needs to be clarification on City violation; said property owner has burden to prove statute of limitations and violations, exceptions for uses over 15yrs; separate use of property is not accessory to property

JStevens closed public hearing at 6:27pm

3. 15-0882CA/AP; 92 Home Ave (RL, Ward 5S) Benjamin Traverse

Appeal of denied permit to expand living space into garage and associated modifications to windows. (Project Manager: Ken Lerner)

JStevens, said the City has burden to prove its case in this matter and City will go first.

Swearing performed at 6:27pm

KLerner, this is an appeal of denial of zoning permit; garage converted to living space; exhibit D; result of second parking space was within City right of way; driveway becomes defacto parking space; cannot claim use of public right away

LLaRosa, how much into public right away

KLerner, a few feet

BRabinowitz, widened driveway?

KLerner, no access to parking?

M. O'Neil, first space has to have access to garage

KLerner, approved expansion of house, but owner put pantry into garage; approved addition in rear only; potential to use north side of property and expand living space
Explanation of floor plans showing pantry;

BRabinowitz, lot coverage?

KLerner, up to 27% could have up to 45% coverage

BTraverse, 92 Home Ave owners since 1994; wants to add a new bedroom; alternatives more expensive to add bedroom; not accurate assessment; site plan with parking is aspirational with two cars in driveway and use walkway as walkway; concrete slab has been used as parking space; space described by P & Z has never been used as parking space; argument should be practical and don't think P & Z should rule at all; cannot find single person who has used it as a garage; 2003 approved walk-in pantry and considered liveable space by assessor's office; does not affect parking and will still park two cars outside; submit copies of emails to Board

Explanation of emails and previous owners; Photos from 1999 shows location of cars parked; 2003 proposal was included in zoning application; only approved was expansion of house; only stamped approval was the blueprint; CO was signed off and in compliance with code; it was livable space and relevant to discussion; learned back in 2000 work done on street City expanded curb cut to access concrete slab and make second cut; evidence that City approved parking spaces; spaces grandfathered in over 15yrs; referenced to 140 Wells St and similar circumstance; owners were able to prove

statute of limitations for reasons of pre-existing; no evidence in code or elsewhere on how grandfathered in; garage was too small; not able to access and converted to livable space; Environmental Ct did not say something cannot be condoned; can demonstrate that driveway has been used as two car driveway; driveway closer to 20' length, suggestion by Zoning to widen driveway and concerns about not being access driveway. Term access driveway is not clear in Codes. 1991 VT Supreme CT drive by which one accesses a piece of property; Definition of Access Driveway by Board?; exception to driveway is simply 18' and not to an access point; mentioned location of driveway near busy intersection; busy bus stop; lawn used as signage; parking situation precludes from improving home

ALaRosa, Is pantry taxed as livable space?

BTraverse, accessed since 2003 as livable space

ISmith, basic application, description matches well

KLerner, basic permit, only looked at addition, does not look at floor plan; CO refers to addition only; site plan from 2001 shows two site plans to walkway to driveway not supported in original plan 14 yrs. ago; Wells St is not in right away;

BRabinowitz, question about small lots and driveways; tiny house and tiny lot; how does zoning address this

KLerner, no alternative, in Burlington has determined access of a lot

BRabinowitz, is it preferred approach to allow two driveways

ALaRosa, discussion about alternatives

KLerner giving options; required to have two space; survey might help;

ALaRosa, 18' not right away chance decision

KLerner still in right away

BRabinowitz trouble with placement

MAloisi addition is the whole thing

JStevens discussion for deliberation

BTraverse: reads term addition differently; disagrees about Well St does not involve right away; Spruce St spots not in driveway; front yard parking ban is single access driveway; see same factual issues as Well St; if Board disagrees with arguments request a variance;

JStevens, one alternative would be to remove the pantry?

BTraverse; not enforceable to take down the pantry

KLerner, basic permits are very basic, pantry was beyond basic permit; if claim not extending right away suggest a survey

Wells St was grandfathered and not a right away;

JStevens reminds Board this is appropriate for deliberation hearing;

Public Hearing closed at 7:15pm

4. 15-0849DT/AP; 383 College St. (RH, Ward 8E) Astra Burlington LLC

Appeal of determination of the existence of fourteen residential rental units. (Project Manager: Ken Lerner)

Swearing in performed at 7:16pm.

KLerner, permit in 1975 for 12 permits; 1980's changed. Application for 16 apts but did not follow up. Last permit is 12 permits; Owner indicated 14 permits; 15 yr. statute does not apply to use;

Atty; Mr Chase purchase bldg. in 1995; 5 offices; three stories; 6 units on 2nd and 3rd floor; March in 1975 applied for 12 permits; half floor not accounted for in 1975; issues with documents in City not available; questions on former applications for permits; paying for 14 units and min housing; Assessors cards shows 15 units and not certain what this is; 1994 shows 13 units and 2 offices; discrepancies shown in Assessors office; inconsistencies in City records; taxes paid on uses; City has burden to show with records not accurate

BRabinowitz, how did discrepancies come up

Atty, wasn't based on violation,

Discussion of Assessors; record and question about showing Board photographs;
KLerner, made effort to try to verify 14 unit permit; based on research could not say otherwise
Atty.; quotes code; possible former applicant failed to comply with permit
Buyer of property looking for affirmation from City that won't enforce 1975 permit;
Drew Chase; Bldg. always keep the same; want to sell due to health issues; converted dorm room to apartments; apartments are very small; talking about 2nd floor; not the first.
Assume help lived on first floor; tenants now are college professors and doctors; first floor 5 small offices and 2 residences
KLerner, was a fraternity, assume staff house separate from other units;
JStevens, any more questions
Closed Public Hearing 7:33pm

V. Certificate of Appropriateness

1. 15-0704CA; 61 Summit St (I, Ward 6S) University of Vermont

Exterior renovation of Alumni House with construction of a new pavilion. Includes connector to original building and miscellaneous improvements to surrounding grounds.
(Project Manager: Mary O'Neil)

JStevens, questions if applicant has reviewed Board recommendations and conditions of approval; asks applicant to go through the list.

Swearing in at 7:37pm

LRavin, introduces UVM project managers; UVM has reviewed conditions and agrees with them; #6 received request from neighbor for vegetative structure

JSteven, questions most proximate neighbor

LRavin, yes

M. O'Neil, have received 4/29/15

LRavin, submits plan to Board

JStevens asks about elevation

Discussion on screening

JStevens, give brief description of project

LRavin, new pavilion description,

ARyea, office located in project, survey, bldg. with main and larger event space for students;

LRavin, working with neighbors,

JDale speaks to building description

BRabinowitz, beautiful bldg., looking at west side back end of bldg. is back end of alley; disappointing and connector

Abutting neighbor, cannot see sight plan, no contour lines

JStevens, is there a site plan?

JDale, yes

LRavin will set up projector; have submitted topo plans

Abutting neighbor, not large enough

Set up of projector

JDale, 1890 residence, description, street locations, 61 Summit central house and garden and residential area; limit impact on western side with neighbors; speaking to elevations on each side; modern survey of lot shown;

BRabinowitz grade changes question

JDale ground slopes; proposal to use existing curb cuts; turnaround off Summit; connected pavilion toward grass mount; 61 Summit is severe grade and added connector; allowed for ramps; fire stair in NW corner;

LRavin, 6' grade change

Abutting neighbor, questions contours,

BRickowski, runoff from sight, storm water slowing down, giving it opportunity to hold onto ground; filters w/in 48 hrs., mixture of planting area,
JDale, slow water down into western households; drop offs displayed; terrace from east and north; flat area used for tents; 61 Summit has copper and slate roof; granite base with brick; connector is recessive;
BRabinowitz exterior materials question
JDale, Brick material?
LaRosa, Natural shingles? Wood?
JDale, 3 sets of stairs and landscaping;
JStevens, corrugated metal roof?
JDale, yes;
Mechanical system hot air heat pump piped into bldg. and not shown in elevation
Discussion of each elevation from all sides.
BRabinowitz, disappointed by the mass seen from other sides;
J Dale, tried to shield the mass
CLong, comment of massing and plainness; neighbors about light trespass and noise; trying to soften with perennials; description of plantings; neighbors asked for screening with evergreens and Siberian elms for temporary fill in; new fence to limit foot traffic between Main and Maple
KLerner, concern about circular driveway and sightline; concerns that pedestrians been seen
JDale, adding service drive; screen trash area; connector will have plantings;
LRavin, DAB suggestions on turnaround
Neighbor, trees are all down; imagine showing trees slated to be taken down;
C.Long, pointing out American Elm
J Dale, trees are not healthy and taken down; more trees and plantings;
Concept of interior views and street views;
LRavini can address the work with neighbors and letters
Lisa Kingsbury, planning relations manager; working with neighbors number of changes to make it more successful; eliminated service rd.; parking; boundary fence; storm water treatment; added fence to deter walk areas; neighbors on north end put in plantings; conditions agreed to in writing and want to continue work with neighbors; outside events done by 10pm; shuttle buses parking in approximate lots and not further than Maple St; Sat work let know in advance
KLerner, questions route for shuttle buses
LSeavey, explained the route, ultimately use Main St
JStevens presentation complete, asking questions
MGaty, Bio retention area explanation? 11 'grade chance Harrington Terrace; dumpster location enclosure; lighting fixtures, cutoff, don't cutoff enough and shines into windows;
JStevens, questions statute and scope
MONEil, lighting is included
Brad/UVM Bio retention area is small storage area of water; concerns, created shallow ditch less than 1' and 3' wide; routes water to rent ion area disperse; water has opportunity to get into ground in 48hrs; mixture of plantings; rain garden and bio retention same
MLong question if it solves runoff
Brad/UVM captures 1 yr. storm
JDale has storm water runoff
JStevens questions on other items
Mary G; questions lines,
Brad/UVM shrub line
LRavini packet includes photo metric plan;
M. O'Neil never be able to read it; must take staff comments it complies
BRabinowitz questions lighting and standards UVM concerns yellow light
Discussions of elevation;
BRabinowitz overall count it up is 11' grade

Graty, shows the 11' grade
M. O'Neil, contours go from 344 to 357
Board agrees it is 11'
LRavin, cannot comment on 11' grade change; have received request for vegetative screening;
MAloisi questions dumpster location
C.Long, no looked at a nice pad and dense planting and no enclosure
JDale neighbor didn't want chain link
Discussion further about dumpster location
JDale make sure it is not relocate with trucks
Laura G. UVM put a lot of effort into project; Harrington Terrace location; Champlain College construction on Sat; building is 6,000'; green space is compromised;
Intersection of two institutions; realistic expectations of traffic between Champlain and UVM; Saturday construction starts not at 7am but 9am; 2am UVM students walking up street and parties all summer concerns; being hemmed in in a significant way.
Public Hearing closed at 8:44pm.

VI. Other Business
VII. Adjournment

Applications and Plans may be viewed in the Planning and Zoning office, (City Hall, First Floor, 149 Church Street, Burlington), between the hours of 8:00 a.m. and 4:30 p.m.

All staff comments, plans and supporting documents will be available on the Planning and Zoning website at: www.burlingtonvt.gov/pz/drb/agendas approximately one week before the hearing.

Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Planning and Zoning office and Development Review Board is considered public and cannot be kept confidential.

This agenda is distributed to: adjacent property owners of projects before the Development Review Board, Neighborhood Planning Assemblies, City Councilors, City Departments and interested parties. You may direct written comments to the Planning and Zoning Department, at the above address. Inquiries may be made by calling 865-7188. Oral comments may be given at the meeting by any persons on any project listed on the Agenda.
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Scott Gustin

From: James Coffrin <coffrin@PWQY.net>
Sent: Tuesday, April 28, 2015 3:01 PM
To: Scott Gustin
Subject: 451 and 465 Appletree Point Rd; 15-0922CA and 15-0923CA

Hi Scott,

I was in the planning office today asking you some questions about your recommendations to the Design Advisory Board on these properties. I have a concern that the Design Advisory Board did not fairly consider the impact of the project upon views from Leddy Park and the lake. I have concerns about the location and scale of the proposed structures.

In your 4/14/15 review given to the Design Advisory Board, your statement about design standards Sec. 6.2.2 (c) and Sec. 6.3.2 (c) regarding "Protection of important public views" states "The subject property is not affected by any identified public view corridor." Your explanation to me was that "public view corridor" is specifically defined to be views from the downtown. My concern with this response is that the Development Review Standards do not limit consideration of important public views to only defined public view corridors. Rather, Article 4 (p. 4-37) identifies the RL-W district which states: "This district is distinguished from the Residential Low Density district by its proximity to Champlain, and a greater consideration needed for views from the lake...." In addition, design standards Sec. 6.2.2 and 6.3.2 (c), regarding protection of important public views, reference lake views.

Second, the proposed development is on the actual Appletree Point, unlike other homes to which you have referred exist on Appletree Point Road but are not on the actual Point. At the present time, the actual Point is mostly undeveloped and natural. Like Rock Point, the actual Appletree Point presents a dramatic view almost completely unsullied by development. You have acknowledged that the proposed development is "relatively far from existing homes on Appletree Point Road." [See your comment re Site Plan Design Standard 6.2.2 (h)]. Yet, when it came to consideration of mass, height and scale, you used these "relatively far" homes for comparison when there are closer homes and seasonal camps that are smaller than the proposed development. The concern, of course, is that this project will establish a precedence for the line development of Appletree Point with homes that are too tall and too close to the lake's edge. If the structures as proposed are built at the scale proposed I rather think that the public comment will be "what was Burlington thinking!?"

The only structure currently existing on the lots is a long unoccupied and uninhabitable single story two bedroom house sitting just 17' from water's edge....something that could never be built today. Somehow, it does not make sense that this small nonconforming structure can be used to justify development of 2 three story duplexes so close to the lake.

I do not know the protocol for making information available to the Development Review Board, but please forward this email to the members of the Board and place a copy in each development file.

Also, I reside at 275 Appletree Point Road. If I am entitled to it, I would like to be added to the list of property owners who receive notice of hearings on these properties.

James W. Coffrin
Pierson Wadhams Quinn Yates & Coffrin, LLP
253 South Union Street
Burlington, VT 05401
Phone: 802-863-2888
Fax: 802-863-2863
coffrin@pwqy.net

Email Communication between 54 & 46 Muirfield Rd.

Hi Luis and Kristin,

Thank you for your response. You made some statements that I would like to address:

1. "I did ask other neighbors in close proximity if they ever hear or see any chopping of granite and their answer was "never" with a confused look."

When I first heard the noise I didn't realize what it was either because chopping granite with a chisel by hand is not a sound I am accustomed to hearing. So, perhaps that is why they were "confused."

Since you mention the Ahlund's, I can tell you that when I asked Chintana, she was not confused at all. She stated that she hears it and she noticed when it increased. In fact, the Ahlund's do not live "equal distance away". The uninsulated shed from which you operate your granite chopping sits on my property edge, not theirs.

2. "You seem to be the ONLY one bothered."

It does not matter to us if other people want to put up with the noise. We are the closest to your business and are therefore the most affected.

3. I did not compare the noise itself to "the sound of water dripping". My point was to illustrate how disruptive the constant clanging of breaking granite becomes when I am trying to enjoy my yard or even to read a book in my home.

4. "Let me remind you that you purchased a home next to a playground/city park with tennis courts, basketball courts and baseball/soccer field... in a neighborhood. It is not unusual that you may hear the constant sound of basketballs and tennis balls hitting the clay courts."

Allow me to remind you, that you moved into a residential neighborhood where people live in the expectation not to hear granite being broken "2-3 days a week for only a few hours a day." These sounds are not comparable.

5. "We mind our own business and follow the rules."

Which rules are you referring to? I'm certain you are aware it is highly illegal to dump an estimated 2 TONS of granite chips on a Class II Wetland? You were hardly accommodating when requested on numerous occasions to clean up your garbage. You finally responded when our property management team communicated that legal steps would have to be taken. In fact, you hardly cleaned up at all in your first attempt. Your second attempt still did not fully clean up the dumped granite. In fact, right now there are many pieces still sitting there which will never biodegrade.

Are you following the rules of a home business? I have been in contact with the Office of Zoning to confirm that today.

Are you following the rules of the Association By-Laws? You should review Section 8.1 of the General Covenants. Only 'customary home occupations' are allowed in this neighborhood. A granite breaking business does not qualify as 'customary'. I will be addressing this at the next Board meeting which you should both plan to attend.

And, "for the sake of our children" you should dismantle and remove the degrading and therefore dangerous plywood 'bridge' that you have constructed in the woods. First of all, that land is not your property upon which to build (or DUMP) anything. The cheap plywood and wood scraps you used have many nails and jagged edges that are completely unsafe for people, children and pets.

So, as you can see we will not be "leaving this as it is" and this will not be your "final say on the matter." I intend to live peacefully in my home and enjoy my yard without the disruption of you breaking granite into pieces. I'm happy for you that your business is prospering. However, just like you, I bought a house in a neighborhood, not a business district.

Kelli Brooks

From: kristali@comcast.net
Subject: Re: Noise
Date: Sun, 19 Apr 2015 18:48:21 -0400
To: kellibundgard@hotmail.com

Kelli,

After reading your email and considering your request, I have decided I will not be moving my hobby/craft business elsewhere. I did ask other neighbors in close proximity if they ever hear or see any chopping of granite and their answer was "never" with a confused look. In fact, just yesterday one close neighbor asked if I could chisel 2 boards as a special order. Another neighbor, the Ahlund family which live equal distance away and are home everyday, all day with a 3 year old and a new born baby have absolutely no complaints and have told me to include this in my response.

When you first were bothered, my husband and I rushed out and spent nearly \$200.00 on materials and supplies to sound proof the shed while altering our work hours to accommodate you. You compared the sound to that of water dripping which ultimately, is not a noise issue.

Let me remind you that you purchased a home next to a playground/city park with tennis courts, basketball courts and baseball/soccer field... in a neighborhood. It is not unusual that you may hear the constant sound of basketballs and tennis balls hitting the clay courts. We most likely will hear the sounds of playing or even screaming children

whether at the pool/park/beach or in our own yard. Not to mention lawnmowers, weed trimmers, tree cutting or chopping of wood, construction vehicles, parties, music and even planes or loud fighter planes overhead. Additionally, Luis and I only work on the granite 2-3 days a week for only a few hours a day keeping all work behind tightly closed doors in our shed which is practically in the woods. You seem to be the ONLY one bothered. We mind our own business and follow the rules. There are always "things" that other neighbors may do that we ALL find to be annoying, but we must not be unreasonable.

This will be my final say on this matter and we can simply leave it as... we agree to disagree. For the sake of our children and neighbors we should continue to be cordial and keep peace between the homes.

On Apr 14, 2015, at 5:03 PM, Kelli Brooks wrote:

Hi Kristin,

First, I want to thank you for talking with me about how to help solve the noise issue we have. I really appreciate your interest in being neighborly. Doug mentioned that you told him that Luis soundproofed the shed. We do appreciate the effort, however the soundproofing has not decreased the noise at all. Today I was disappointed to clearly hear it once again while working in the yard. This spring and summer we would like to enjoy our porch, yard and open windows without the irritating clanking noise.

Frankly, we live in a residential neighborhood and it is reasonable to expect that we should not have to hear or see a business, at all, while on our property. So, please find a solution soon. At this point I do not think that your garage will be sufficiently soundproofed, so if you would like to keep the business in home I guess you will have to find a room within it.

Another possibility is finding a studio space elsewhere. A great option is the Generator space in Memorial Auditorium (www.generatorvermont.com). They currently have space as well that rents for \$150 per month. I would contact them soon, if you are interested, because they may fill up.

Another option is contacting the South End Arts & Business Association (www.seaba.com). They are a collaboration of artists, entrepreneurs and incubator businesses. They have listings for available studio spaces on their homepage ranging from \$150 to \$500 per month.

Kelli

luis llanos
kristali@comcast.net



Photo of existing open storage of granite material for the home business at 54 Muirfield Rd.

Mary O'Neil

From: luis llanos <kristali@comcast.net>
Sent: Monday, May 11, 2015 10:53 AM
To: Mary O'Neil
Subject: Re: zoning permit for 54 Muirfield

Hi Mary,

I am writing to inform you and the Zoning Board that there will be no onsite production of my granite chise hobby/business ONLY home office.

Thank you,

Kristin Juliano-Llanos

54 Muirfield Rd

Burlington

Mary O'Neil

From: luis llanos <kristali@comcast.net>
Sent: Monday, May 11, 2015 8:50 PM
To: Mary O'Neil
Subject: 54 muirfield rd

Hi Mary,

I just noticed that the letter I sent you to view did not get sent in it's entirety. It looks as though it was cut off. I am sending it again since it is the end of the letter where I say there will not be any more sounds of chiseling.

Best,

Kristin

PS I did receive your email with containing the staff report. Thanks

kristali@comcast.net

Kristin Llanos
54 Muirfield Rd.
Burlington, VT 05408

Strathmore Neighborhood Association

Attn: Board President & Members

Re: Noise complaint by Kelli Brooks

May 1, 2015

Dear Scott,

I am writing to officially respond to the numerous complaints from Kelli Brooks regarding my hobby and home business of producing granite cheese boards on a small scale.

I would like to stress that Kelli is the sole individual amongst my neighbors to complain about "noise issues." I have approached other neighbors to actively inquire about any "noise issues" from the chiseling of granite and no one has expressed the same concern.

In fact, many have expressed concern regarding Kelli's relentless nature to pursue oversight of what I do on my property which has led to hostile communications with my husband and me. This is despite our every effort to address her ongoing grievances. When she first brought up the issue, we immediately worked out and purchased \$200 worth of materials to soundproof the shed. We also limited our work hours to only a couple of days a week only for a few hours. Simply put, we made our best efforts to maintain a nice neighborly relationship but Kelli chose to escalate matters to the point of what I and many others consider to be harassment.

Furthermore, she has made wrongful accusations (in addition to submitting inaccurate photos for evidence) about my husband and I being responsible for broken bridges and ongoing granite dumping in

the woods. Both are untrue. I would be remiss if I didn't mention how appalled I was at your reaction and handling of Kelli's accusations and complaints. Not only did you immediately take her side but you failed to verify matters before calling me and confronting me with unnecessary comments such as "would you like it if I came and built a bridge on your front lawn?"

When I clarified that the bridge Kelli was complaining about was not in fact the bridge we constructed and that all granite pieces had been promptly removed upon the Board's initial outreach to me, you should have at least responded with an apology for the confusion.

For the record, I contacted Frank vonTurkovich about the bridge we did build (lining our property) and received his full approval for keeping and maintaining it. As you saw from the photo I sent to you, it is constructed of only natural materials from the woods in which my children and husband built over 2 years ago. It has been used by many neighbors to enter and exit the woods (including Kelli). Furthermore, Frank's concern and only his right to disapprove of a walkway or bridge on his property not that of members of the Strathmore Board.

To resolve all of this, I want to inform you that I have sought legal counsel and have met with the zoning office and police department. All parties have advised me that there are simply no grounds for a noise complaint and that my licensed business is in no way a major commercial venture.

While I take pride in my home and enjoy being a resident of this neighborhood, I also have a thriving, creative at home business and cannot believe the lack of respect and professionalism that has taken place in the process of settling this matter from key members of the Board. It is additionally shameful that you, as fellow neighbors, are incapable of being civil when approaching others with your thoughts or concerns.

Given all the negative correspondence that has taken place, I have settled the issue of any granite chiseling sounds which should put an end to all complaints about "noise issues." I am no longer willing to correspond with you on this manner and will not be attending the Board Meeting on May 6th.

Since the chiseling sound is now resolved, please consider this matter settled and accept this letter as final correspondence with you on this matter. I also ask that you no longer contact me about the matter.

Thank you for your time,

Kristin Llanos

Mary O'Neil

From: luis llanos <kristali@comcast.net>
Sent: Monday, May 11, 2015 12:08 PM
To: Mary O'Neil
Subject: Fwd: Development Review Board Meeting

Just received this email from Kelli which suddenly has been the most thoughtful and caring letter she has written. She apparently doesn't want to look bad at the zoning hearing. As you can see from the letter that I forwarded to you in which I wrote last week to the President and Board that Kelli will not have to worry about any sound of chiseling...that it has been taken care of. As you now know, I have moved the onsite production to a friends horse farm. As for seeing any of my work or business that would be impossible unless she is peering in my garage window /home office. She IS trying to shut down my home business. Never once before has she ever said it was a cute and great idea. I have been the one in tears and sick over this and doing whatever we could to accommodate her. Now that I am with just a home office and tying ribbons/tags on my boards within my home, she is still not happy?

I have saved the other letters from her and from Scott, the President and her photos if you need to see them or my one letter responding to her. Please let me know.

Begin forwarded message:

From: Kelli Brooks <kellibundgard@hotmail.com>
Date: May 11, 2015 11:10:03 AM EDT
To: "kristali@comcast.net" <kristali@comcast.net>
Subject: Development Review Board Meeting

Hi Kristin,

I just wanted to write to let you know that we received the letter from Planning and Zoning and plan to attend the DRB meeting on the 19th.

I have to say that this whole situation has made me just so sad and sick to my stomach for weeks. We are all rightfully emotional about our home space and I just hate that it came to this. But, like you said, we agree that we disagree and I suppose that using the impartial process of the city is the best route.

I truly don't want to shut down your business. I think it is a cute and great idea and I plan to say that at the meeting on the 19th. For me it is more about not seeing or hearing it all.

We have really liked living next to you and are sad about the tension this has created for all of us.

K

luis llanos
kristali@comcast.net

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/drb

Phone: (802) 865-7188

Fax: (802) 865-7195

Austin Hart
Michael Long
Jonathan Stevens
Brad Rabinowitz
Missa Aloisi
Israel Smith
A. J. LaRosa
Alexandra Zipparo (Alt.)
Jim Drummond (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, May 19, 5:00 p.m.

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT

Minutes

Board Present: A.Zipparo, AJLaRosa, I.Smith, B.Rabinowitz, M.Long, J.Stevens, A. Hart, and M.Aliosi

Board Absent: Jim Drummond

Staff Present: K. Lerner, S.Gustin, M.O'Neil, A.Wade

I. Agenda

Meeting commenced at 5:00pm.

Communications

K. Lerner refers Board to the revised plans for 36 Locust St.

II. Minutes

Board will act on minutes at next deliberative meeting.

III. Consent Agenda

1. 15-1039CA/CU; 54 Muirfield Road (RL-W, 4N) Luis and Kristin Llanos

Addition of shed and small production granite cheese boards for home occupation (Project Manager, Scott Gustin)

No objections on the consent agenda. No one other than applicant present to speak for or against.

J.Stevens, moves to grant permit and adopt findings.

B.Rabinowitz, seconded.

Vote: 8-0-0 (including A. Zipparo)

2. 15-1009SD: 1 Summit Ridge Street (RL, Ward 6S) Sanjay Sathe

Subdivide one lot into a total of three conforming lots, one to remain with main dwelling (Project Manager, Ken Lerner)

No issues for applicant about the staff or Board comments.

P. Sebastiano asked about the types of building and intent of use.

A. Hart said project was for a subdivision and suggested he chat with applicant after hearing on particulars; no proposal for development at this time. Separate applications will be filed before building occurs.

P. Sebastiano asked, what is type of building is allowable?

J. Stevens moves to grant permit and adopt findings.

I. Smith, seconded.

Vote: 8-0-0 (including A. Zipparo)

IV. Public Hearing

1. 15-1012CA/CU; 36 Locust Street (RL, 5S) Alec Bauer

Add second floor living space to convert entire garage to accessory dwelling unit (Project Manager, Ken Lerner)

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Swearing in at 5:13pm

A. Bauer presented an explanation of existing space and metal clad garage; requests continuation for remodeling; may apply for accessory building; referred to recently revised drawings showing two variations with no increase in coverage square footage.

A. Hart said there was no opportunity to look at the new revisions since Board was seeing them for the first time; questions if it will remain one floor.

A. Bauer said footprint stays same and profile, only roofline blown out.

A. Hart questions whether staff had concerns.

K. Lerner, no concerns with narrowness and height; maybe an issue with parking.

A. Hart questioned if vertical siding is too tall for footprint.

A. Bauer, vertical siding replaces existing and only in triangular section; open to staff suggestion for dormer siding.

A. Hart, staff recommended denial based on parking; asked applicant if he has changed perspective on parking.

A. Bauer said no; driveway 70' long and easily provides ample parking; described area; intention not to use accessory apt as income producing.

A. Hart, have to be careful about parking in residential areas where parking needs to keep cars off street; needs a parking plan.

K. Lerner, applicant needs formalized parking plan.

A. Bauer, details show the proximity of spaces; could be space for a carless individual.

M. Aloisi, questioned how many cars applicant owns.

A. Hart, renting to a tenant family member or not?

A. Bauer, no plans at this time, but no intention not to rent out.

A. Hart still independent.

A. Bauer, yes.

M. Aloisi asked why applicant was going for accessory dwelling.

A. Bauer, if can have just a shower would consider doing so.

K. Lerner, as long as not an independent unit.

K. Lerner said applicant could use for guests as small bedroom.

A. Hart said applicant would have to move kitchen or bathroom.

Discussion continued over whether unit could have half bath.

A. Bauer said he would appreciate parking waiver. He gave a description of parking and geographic dimensions.

B. Rabinowitz, questions east side of building having room for another parking space.

K. Lerner, needs separate parking.

A. Bauer questions setback requirement and mentioned that an accessory dwelling means owner resides at the home.

A. Hart the ordinance gives guidance for parking off street; asked if he'd like a ruling.

B. Rabinowitz, questions whether flat roof is viable.

A. Bauer responded it was not.

J. Dubrul, resident of Pine St west of applicant's property; mentioned the last time work done on his site there were problems with erosion; concerned with impact down slope to his property; water washes across yard loaded with debris; shows board photographs; goes over descriptions of pictures.

A. Hart, nothing the Board does can allow someone to discharge stormwater onto another property.

Discussions about impervious surfaces.

The patio was approved previously.

J. Dubrul said applicant has done great job overall with property.

A. Bauer this is a 50yr old property being rehabbed; retaining wall was approved by Bldg Dept; Jackson City apartments sit on Pine St; noting the last 3 years being wet weather and storm water runoff has always been there.

A. Hart closes hearing at 5:41pm and schedules for the deliberation hearing.

2. 15-0922CA/MA; 451 Appletree Point Road (RL, Ward 4N) Alfred Senecal

Demolition of existing structures, construct new duplex, associated site improvements and lot line adjustment (Project Manager, Scott Gustin)

3. 15-0923CA/MA; 465 Appletree Point Road (RL, Ward 4N) Alfred Senecal

New residential duplex, utilities and driveway (Project Manager, Scott Gustin)

Two members of board recused themselves: A. Hart and B. Rabinowitz.

S. Homested and C. Knauf introduced to Board

451 Appletree Point Road has existing camp and will be demolished. 465 Appletree Point Road is undeveloped.

J. Stevens, how long since they were active camps?

S. Homested, not sure, some may be seasonal use, but underutilized area

Proposed buildings as duplexes; more like single family with accessory apartment. Duplex has triggered additional review.

C. Knauf, main intention of property and building and landscaping; spoke about each phase.

The lots are mostly open lawn. The homes can be built without cutting much into woods.

J. Stevens, views from the lake are notable, which is less desirable in ordinance.

S. Gustin, the ordinance does not require that the new homes be invisible. There are ways to lessen visual impacts.

C. Knauf, keeping lakeshore intact; taking out 14 trees/dead scattered around lakefront; building design goal will be less obtrusive from lake and more blended; mass is broken by different materials; rooflines broken up in mass of buildings with eaves; discussion of different materials and setbacks.

A. LaRosa, are trees shown on landscape plan?

S. Homested, noted trees on plan.

A. LaRosa, images are not clearly represented; more clarity needed on trees.

C. Knauf; intend to keep trees and only remove dead and unsafe trees.

A. Senecal; discusses trees.

S. Gustin, shown on landscape plan with the specifics.

J. Stevens asked if Board or public has questions or comments.

M. Sparks, question if Board received materials; feels buildings are wrong for site; gross floor area does not reflect size of existing bldgs; most structures are camp-like. Tip of Appletree is rural; bldgs are better for paved portion of Appletree. Passed around photos of 11 foot wide road; said duplex is an inappropriate use for this area due to rural zone; should be different standards for dirt portion of Appletree point. Discussion continued on square footage of lots. S. Gustin noted that the GFA numbers are from the City Assessor's data. M. Sparks, spoke further about the large tree sitting in middle of 465 Appletree.

JB Cocklin, lives on paved portion of Appletree; feels project is better served on paved portion; obstructs views for beachgoers; Board should view and walk the beach; concerns over the separation in this undeveloped area and Rock Pt.; the two duplexes detract; scale of 3 stories high will seriously affect views from lake; sets precedent in scope and size; appeals for Board members to go to Leddy Park from the standpoint of the public and how it will change the view; development should be within reason and not stand out.

A. Zipparo asked if duplexes are allowed in this zone. S. Gustin said duplexes are a conditional use but are also noted in the purpose statement for the zoning district in the CDO.

S. Eastman, copies of his letter were given to Board; grew up in Appletree; decides to read letter; his great grandfather bought Appletree property and passed down property. Informal agreement of 5mi hr speed limit.

J. Stevens requests resident submit letter without reading

S. Eastman, resident prefers to read since she is nervous.

J. Stevens, informed he is very mindful of the area since he walked area; mindful of concerns and will talk about it at the deliberation.

L. Larson, asks Board if they are amenable to each person to speak; mentions that PZ says this is a major impact and everyone has right to speak.

J. Stevens will give everyone chance to speak.

L. Larson submits letter from resident unable to attend meeting.

M. Aloisi says it is within Board's jurisdiction to limit respondents to 3mins

D. Campbell describes a small cohesive group of neighbors, calls Appletree area a jewel on the lake; describes a 1923 historical marker; evidence of early stone age, musket balls; 100 species of birds; wooded and rural site; says proposal is not appropriate for area or for unpaved area; isthmus of land is very narrow; problematic with utility and fire trucks; wrong size, scale and use.

I. Bleakney expressed surprise at setbacks of duplexes being 17' from Lake; scale does not fit in; expansion of road will contribute to further development; more traffic; quiet neighborhood is a unique place and duplexes will have deleterious impact on area.

J. Cook says he is 3rd generation resident; proposal out of proportion; brings additional 4 households; current residents pay for upkeep of road; proposal will double traffic; sewer upgrade and water; elderly residents; scale is out of character with neighborhood in single family homes; take hard look at proposal and imagine what impact it will have.

Gary Reid, recently subdivided his property; he had to meet city requirements with his proposal; doesn't feel this development meets requirements and suggests removing subdivision status; presented letter to Board.

J. Stevens asks if any seasonal residents reside on Appletree
Response from audience was affirmative.

C.Reid, poplar trees do lean; nothing wrong with the trees; cottonwoods will be disturbed by installation of a sewer.

AZipparo, how long is the dirt road?
Respondents, half mile long for dirt road.

S. Gustin, new force main and pump station will connect to existing city sewer.

C. Reid, the sewer will destroy the trees; needs to know the plan; has not been asked about the plan; must come through his property and he won't grant any permission.

A. Reid, concerned about the small children and their safety and really small road and huge safety risk, lots of traffic, dirt entryway; presented letter to Board.

L. Larson, has resided since 1967; submitted items for consideration; said he was never informed about the variance decision last year; questions process of public meetings; no representative from his Ward is on a Board which raises a question of bias; mentioned Conservation Board's decision; the fact of narrow lots on Appletree; point is only one of two peninsulas in Burlington, an important lakeshore zone; bldg near shore is great mistake by DAB; grossly out of scale in size and height; unique geological aspects; all single family homes are smaller in size and scale. Applicant has misused compatibles; questions approval; stricter 75' from lake in Burlington is better than bldg 17' from lake; applicant has not approached neighbors with proposal; water usage; development on a point narrow neck and fragile; issues of traffic.

Shows Board picture of tree; removal of trees listed as 12" Oak. Over 60" in circumference; add in bank retention: deny lot line adjustment; urges Board to view sight; replicate height at site; willing to work with applicant for sustainable size.

J. Stevens, mentions that city council will be appointing new members to Board.

M. Long, questions why he feels excluded from process.

L. Larson, spoke of summer houses left; saw the "Z" sign. He asked PZ about notice and was told he was sent a letter. Says he did not receive it.

A. Zipparro questioned geological feature.

L. Larson, one of two natural protrusions of shoreline that isn't developed in Burlington.

L. Larson, hope good process is in place to be informed.

J. Stevens, suggests calling P & Z Dept; there will be deliberations.

L. Larson is there an appeal process?

J. Stevens, yes.

S. Homsted responded that the proposal provides private sewer. There is no intention to go on private property; no intention to come in back door; multiple meetings with planning and zoning process; open to comments and interaction; scale is appropriate and well under lot coverage and within zoning limits.

J. Stevens, closed Public Hearing at 7:13pm

V. Other Business

The deliberative meeting was set for Monday, June 1st at 5:00 PM.

VI. Adjournment

A. Hart – Chair, Development Review Board

Date

Anita Wade, Zoning Clerk

Date

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