

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
Brad Rabinowitz
Jonathan Stevens
Israel Smith
A.J. LaRosa
Alexandra Zipparo
Geoff Hand
Jim Drummond (Alt)
Wayne Senville (Alt)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday May 3, 2016

PUBLIC HEARING NOTICE

The Burlington Development Review Board will hold a meeting on **Tuesday May 3, 2016 at 5:00 p.m.** in **Contois Auditorium, City Hall.**

1. **16-0888CA; 100-102 NORTH UNION STREET (RM, Ward 2C) Josh Typrowitz-Cohen**
Appeal of an administrative denial to convert 200 sq. ft. of existing attached shed to living space.
2. **16-0814CA/CU; 20 FLETCHER PLACE (I, Ward 1E) Wiltshire Properties LLC**
Construction of three unit residential building with associated drive and parking.
3. **16-1056SD; 1 Main Street (DW, Ward 3C) Main Street Landing**
Subdivision of lot into two parcels.

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/drb/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).

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

Fax (802) 865-7195

Austin Hart
Brad Rabinowitz
Jonathan Stevens
Alexandra Zipparo
Israel Smith
AJ LaRosa
Geoff Hand

Wayne Senville, (Alternate)
Jim Drummond, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday May 3, 2016, 5:00 PM Contois Auditorium, City Hall, 149 Church Street, Burlington, VT AMENDED AGENDA

- I. Agenda**
- II. Communications**
- III. Minutes**
- IV. Consent Agenda**
 - 1. 16-0962CU; 36 Conger Ave (RL-W, Ward 5S) Sam Gardner**
Change from single family to duplex. (Project Manager, Mary O'Neil)
 - 2. 16-1056SD; 1 Main St (DW/DW-PT, Ward 3C) Main Street Landing Company**
Subdivision of lot into two parcels. (Project Manager, Ryan Morrison)
- V. Public Hearing**
 - 1. 16-0888CA; 100-102 North Union St (RM, Ward 2C) Josh Typrowitz-Cohen**
Appeal of administrative denial to convert 200 sq. ft. of existing attached shed to living space.
(Project Manager, Mary O'Neil)
 - 3. 16-0814CA/CU; 20 Fletcher Place (I, Ward 1E) Wiltshire Properties**
Construction of three unit residential building with associated drive and parking.
(Project Manager, Scott Gustin)
 - 4. 16-0914AP; 17 Henry St (RL, Ward 1E) Jill Boardman**
Appeal of zoning violation for 5 unrelated adults in a dwelling unit located in an RL zone and unfinished attic constructed as habitable space. (Project Manager, Jeanne Francis)
 - 5. 16-0845AP; 75 Grant Street (RH, Ward 2C) Priscilla R Toomey**
Notice of Appeal of zoning violation #301663 relative to parking.
(Project Manager, Jeanne Francis)
- VI. Sketch Plan**
 - 1. 16-0958SP; 316-322 Flynn Ave (NMU, Ward 5S) G and S Properties LLC**
Sketch plan review of project to remove deli building and residence and to replace with four story mixed use building with thirty apartments and two commercial spaces with associated parking lot. (Project Manager, Scott Gustin)
- VII. Other Business**
- VIII. Adjournment**

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.

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).
Printed on 100% Recycled Paper

This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/pz/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

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
Meagan Tuttle, Comprehensive Planner
Jay Appleton, Senior GIS/IT Programmer/Analyst
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Elsie Tillotson, Department Secretary
Anita Wade, Zoning Clerk



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner *mmue*
Date: May 3, 2016
RE: ZP16-0962CU; 36 Conger Avenue

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: ZP16-0962CU

Location: 36 Conger Avenue

Zone: RL-W **Ward:** 5S

Date application accepted: March 16, 2016 (additional material submitted March 24 and 29, 2016)

Applicant/ Owner: Sam Gardner

Parking District: Neighborhood

Request: Change of use from single family to duplex.



Background:

- Non-applicability of Zoning Permit Requirements 16-0871NA, repair siding and roofing, same shingle material, asphalt. Paint exterior. February 2016.

- Zoning Permit 05-277HO, home occupation for lapidary (making and repairing jewelry), December 2004.
- Zoning Permit 05-123CA; two story 16 ft x 20 ft addition to existing single family dwelling. New addition and previous addition approved in 1985 will be clad in vinyl siding. The original section of the home will not be vinyl sided. October 2004.
- Zoning Permit 85-095; construct a second story over the existing 24' x 22' one story back portion of the single family home. No additional lot coverage and no change in use. Install a roof window. March 1985.
- Zoning Permit 77-508; Earl Albright to erect a 16' x 20' addition on the end of house at 36 Conger Avenue. November, 1976.
- Zoning Permit 77-322; Earl Albright to erect a 6' x 60' stockade fence along the south property line at 36 Conger Avenue. September 1976.
- Zoning Permit; Jacqueline Albright to have a day care center as a home occupation. August 1976.

Overview:

The new owner of 36 Conger Avenue wishes to convert the existing single family home into a duplex. A very large northerly addition was approved in 1985/2004. No changes are proposed to the building or the site. There is existing parking to accommodate the parking requirement for two units, and the lot is of sufficient size to meet the requirements of the CDO.

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

I. Findings

Appendix A:

Duplex is a Conditional Use in the RL/RL-W zoning district. Footnote 2 notes: "Duplexes may be constructed, or a single unit may be converted into a duplex, on lots existing as of January 1, 2007, and which meet the minimum lot size of 10,000 square feet."

36 Conger Avenue is a pre-existing lot prior to 2007, and the lot size of 13,289 sq. feet meets the minimum requirement. **Affirmative finding.**

Article 3: Applications, Permits and Project Reviews

Part 5: Conditional Use and Major Impact Review

Section 3.5.6 Review Criteria

(a) Conditional Use Review Standards (as adopted by City Council 8.10.2015)

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

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

The addition of one new residential unit will have minimal impact on public utilities, facilities and services. A letter of confirmation from DPW will be required to assure adequate water and sewer capacity. **Affirmative finding as conditioned.**

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

The property is within an established residential neighborhood and a residential zoning district. The MDP provides the following support:

- *Support the development of additional housing opportunities within the city...* (MDP, Housing Plan, Page IX-1.
- *Support the creation of new rental and owner-occupied housing on every parcel of land in Burlington that is zoned for residential development at the number of units allowed by zoning.* (MDP, Housing Plan, Page IX-12.) **Affirmative finding.**

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

No greater impacts are anticipated than those other residential uses in the area.

Affirmative finding.

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

This parcel is connected to Conger Avenue, within the established neighborhood grid of Lakeside and interconnected with sidewalks and roadways to Lakeside Avenue and Pine Street. **Affirmative finding.**

and

5. *The utilization of renewable energy resources;*

Nothing within the application prevents the use of wind, solar, water, geothermal or other renewable energy resource. **Affirmative finding.**

and

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

The applicant will be required to secure a state wastewater permit, and any associated trades permits for interior work. **Affirmative finding as conditioned.**

(c) Conditions of Approval

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

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

No site changes or exterior alterations are proposed. Not applicable.

2. *Time limits for construction.*

Not applicable.

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

Not applicable.

4. *That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions,*
There is no limitation on the size of the proposed new unit; however any physical alteration or change of use will require review and permitting under regulations in effect at that time. **Affirmative finding as conditioned.**
and
5. *Such additional reasonable performance standards, conditions and safeguards as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*
None identified.

Article 4: Zoning Maps and Districts

Section 4.4.5 Residential Districts

(a) Purpose

2. *The Waterfront Residential Low Density (RL-W) district is intended primarily for low-density residential development in the form of single detached dwellings and duplexes.*
A duplex is proposed. **Affirmative finding.**

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

Duplex and above, WRL Minimum 60' frontage. (*Footnote 1; the DRB may adjust frontage requirements for lots fronting on cul-de-sacs, multiple streets, or corner lots reflecting the existing neighborhood pattern on each respective street.*)

36 Conger Avenue is situated as a singular parcel at the end of a 15' x 115' right-of-way. This is an existing condition; No changes are proposed to the parcel or the site access. The southerly boundary of the parcel that fronts the ROW is approximately 50' (per City of Burlington Land Record of foreclosure, 1275:280). However, this is an existing condition on a lot that pre-exists January 2007. The DRB has the flexibility to adjust the frontage requirement per this standard. **Affirmative finding** if granted.

Table 4.4.5-2 Base Residential Density

Lot Density: RL, RL-W, 7 units/acre.

$13m289 \div 43569 \text{ (acre)} = .305 \text{ acres.}$

$2 \text{ units} \div .305 = 6.55 \text{ units; less than the 7 unit/acre limitation.}$ **Affirmative finding.**

Table 4.4.5-2 Base District Dimensional Standards

No changes are proposed to the existing building, driveway or lot. Not applicable.

c) Permitted and Conditional Uses

A duplex is a conditional use per Appendix. A. See Above.

(d) District Specific Regulations

1. Setbacks

A. Encroachment for residential driveways

Not applicable.

B. Encroachment into the Waterfront Setback

Not applicable.

2. Height

No change. Not applicable.

3. Lot Coverage

No change.

4. Accessory Residential Structures and Uses

The applicant has applied for replacement of the existing shed under a separate zoning permit, to be addressed administratively. **Affirmative finding.**

5. Residential Density

A. Additional Unit to multi-family

Not applicable.

B. Additions to Existing Residential Structures

No additions are proposed. Not applicable.

C. Residential Occupancy Limits

In all residential districts, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13.

The Functional Family provisions of the ordinance will apply to both residential units.

Affirmative finding as conditioned.

6. Uses

A. Exception for Existing Heighborhood Commerical Uses

Not applicable.

7. Residential Development Bonuses

No bonuses are sought. Not applicable.

Article 5: Citywide General Regulations

Section 5.1.1 Uses

See Appendix A, Use Table.

(d) Conditional Uses

See Section 3.5.6, above.

Section 5.1.2 Structures

No changes are proposed to the existing residential structure. Not applicable.

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2 Required Frontage or Access

36 Conger Avenue is developed lot in existence prior to January 1, 2007 with a permanent right-of-way to Conger Avenue. No further land development is proposed. The existing access will serve the proposed new unit as well as the existing single family residence.

Affirmative finding.

Section 5.2.3 Lot Coverage Requirements

No change to coverage is proposed. The site plan defines existing coverage as 22.5%. **Affirmative finding.**

Section 5.2.4 Buildable Area Calculation

Not applicable.

Section 5.2.5 Setbacks

No change. Not applicable.

Section 5.2.6 Building Height Limits

No change. Not applicable.

Section 5.2.7 Density and Intensity of Development Calculations

(a) Dwelling units per acre

For a lot size of 13,290.16 sf. the calculation is as follows:

$13,290.16 / 43560 = .305$ (lot size in acres.)

$2 \text{ units (proposed)} / .305 \text{ (lot size in acres)} = 6.55$. The maximum units per acre in RL-W is 7, so the proposal falls under the density limitation for the zoning district. **Affirmative finding.**

Section 5.4.8 Historic Buildings and Sites

36 Conger Avenue is within the Lakeside Historic District, on the National Register of Historic Places; listed prior to the large rear addition.

No exterior changes are proposed as part of this application. Not applicable.

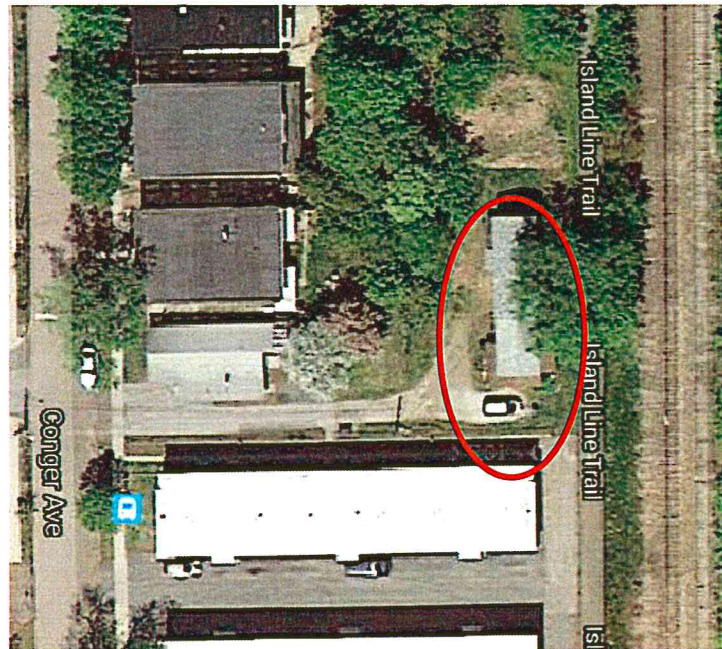
Section 5.4.9 Brownfield Remediation

Not applicable

Section 5.5.1 Nuisance Regulations

Nothing within the application suggests non-compliance with applicable nuisance regulations and performance standards per the requirement of the Burlington Code of Ordinances.

Affirmative finding.



Section 5.5.2 Outdoor Lighting

No changes proposed.

Section 5.5.3 Stormwater and Erosion Control

Not applicable.

Section 5.5.4 Tree Removal

Not applicable.

Article 6: Development Review Standards

No changes to the site or building are proposed. Not applicable.

Article 8: Parking

Table 8.1.8-1 requires 2 parking spaces per unit in the Neighborhood Parking District.

There are four parking spaces (paired tandem) to the west of the existing structure. If the area is improved, it is recommended that the current 21' width be diminished to 18'.

A vehicular turn-around area exists in front of the dwelling. As submitted, the parking standards for a duplex are met.

Affirmative finding.

II. Conditions of Approval

1. The occupancy of both dwelling units is limited to members of a family as defined in Article 13. Not more than four unrelated adults may occupy either dwelling unit.
2. Any physical alteration or further change of use will require review and permitting under regulations in effect at that time.
3. The applicant shall secure a letter of adequate capacity from DPW for water and sewer services **prior to release of the zoning permit.**
4. A state wastewater permit will be required, and is the responsibility of the applicant to secure.
5. If the existing gravel parking area is improved, it is recommended to be minimized to a 18' maximum width.
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.

DESCRIPTION OF PROPOSED PROJECT:

1. Existing house structure was being used as a duplex (or mother in law apartment). We are proposing to officially turn it into one, and close off the interior doorway connection between the old and new connected buildings. Same exterior footprint, and drive area.
2. The insurance company has flagged the shed as a dangerous structure that is about to fall over. We are proposing to replace it with a similar sized structure. See photos

10/16/20

10/16/20

DEPARTMENT OF
PLANNING & ZONING

RECEIVED
MAR 24 2016
DEPARTMENT OF
PLANNING & ZONING



MAR 24 2019
DEPARTMENT OF
PLANNING & ZONING





RECEIVED
MAR 24 2016
DEPARTMENT OF
PLANNING & ZONING



RECEIVED
MAR 24 2016
DEPARTMENT OF
PLANNING & ZONING

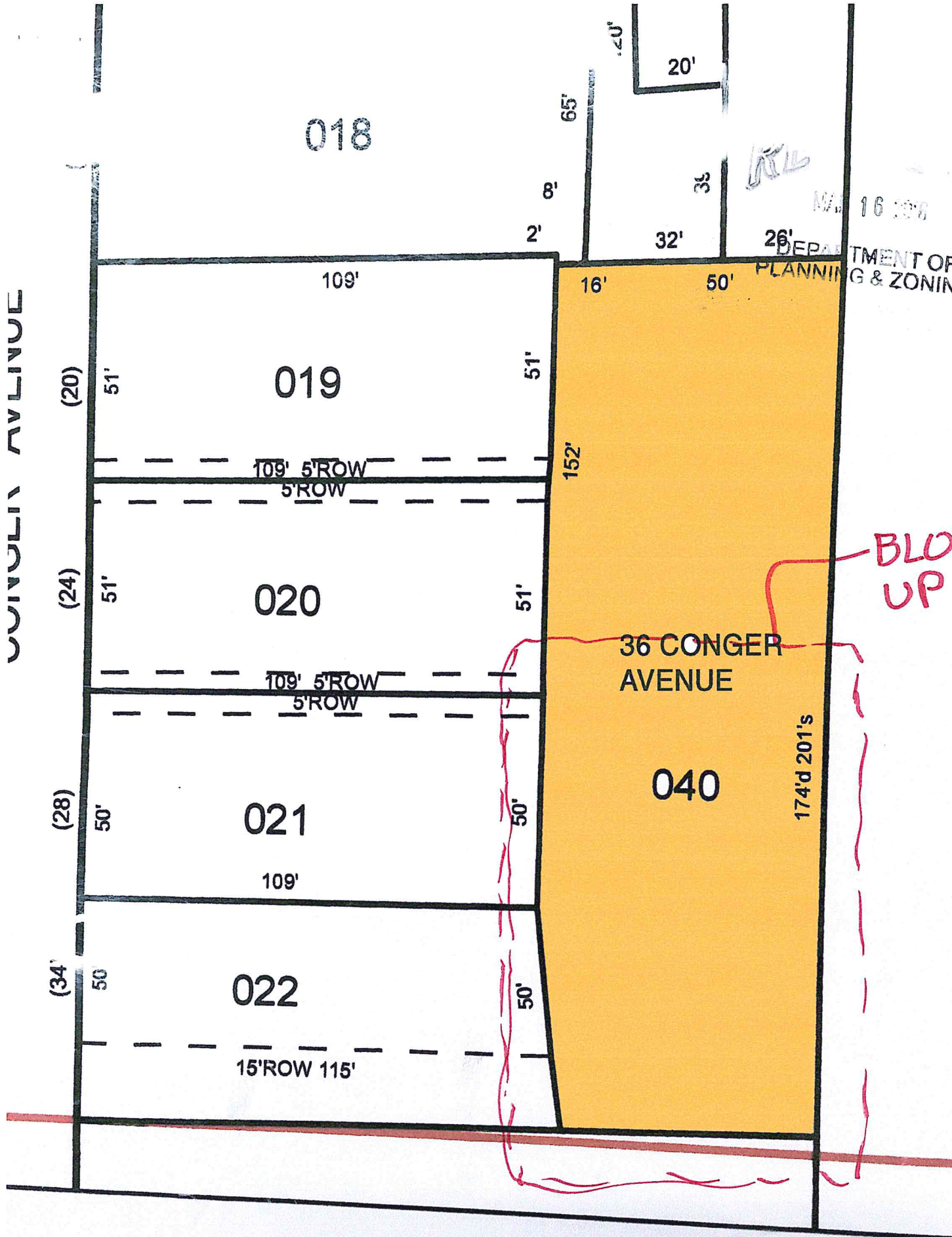


1100TH

100
MAR 24 2010
DEPARTMENT OF
PLANNING & ZONING



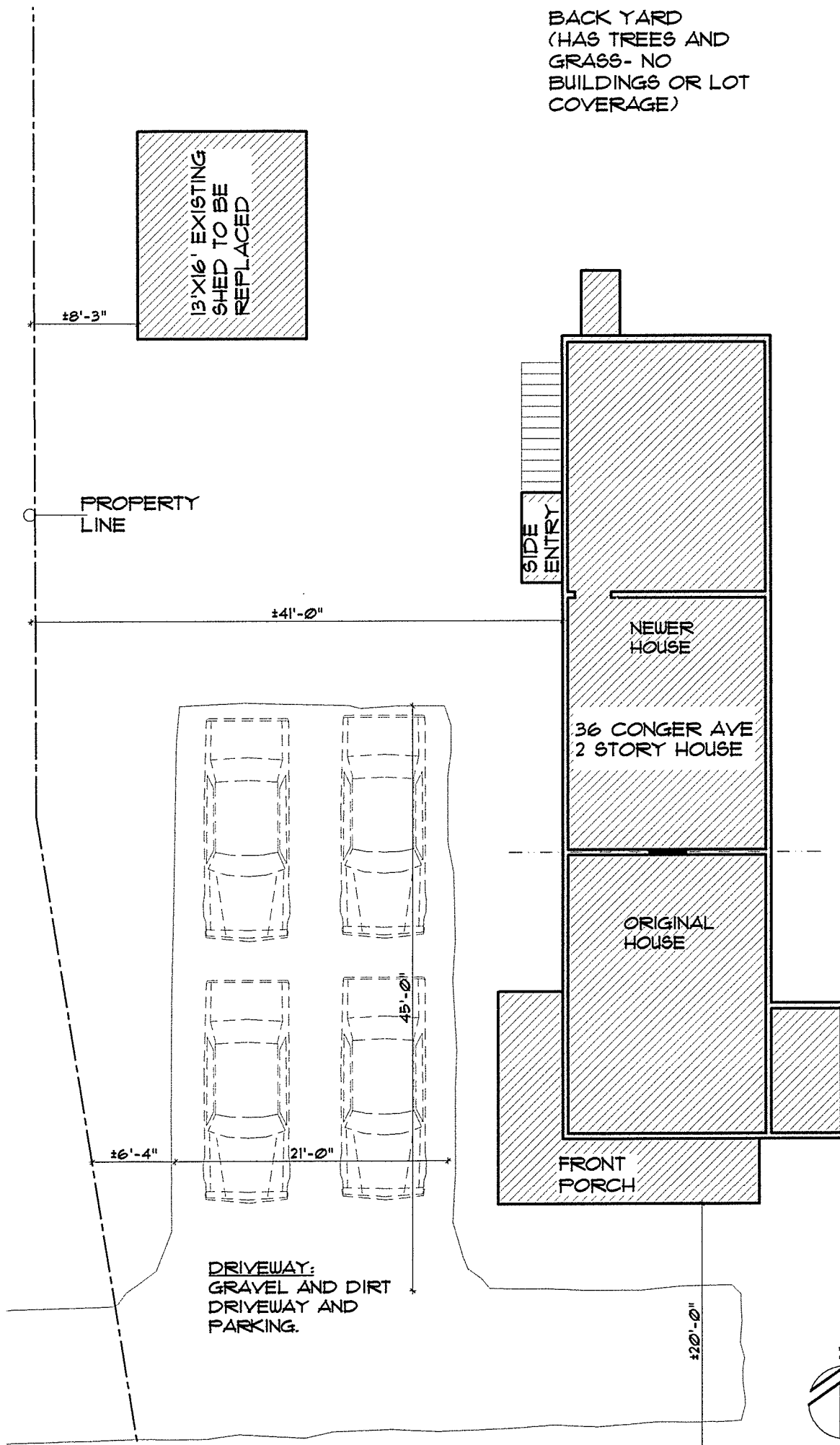
CONVULIA AVENUE



MAR 28 2003

NOTE:
THIS IS NOT A SURVEY,
INFORMATION SHOWN HERE WAS
DERIVED FROM EXISTING TAX
MAPS, ZONING MAPS, AND SITE

TOTAL LOT SIZE: 13,290.16 SFT.
TOTAL LOT COVERAGE EXISTING: 2,988.00 SFT.
PERCENTAGE OF EXISTING COVERAGE: 22.5%
TOTAL LOT COVERAGE PROPOSED: +/- SAME

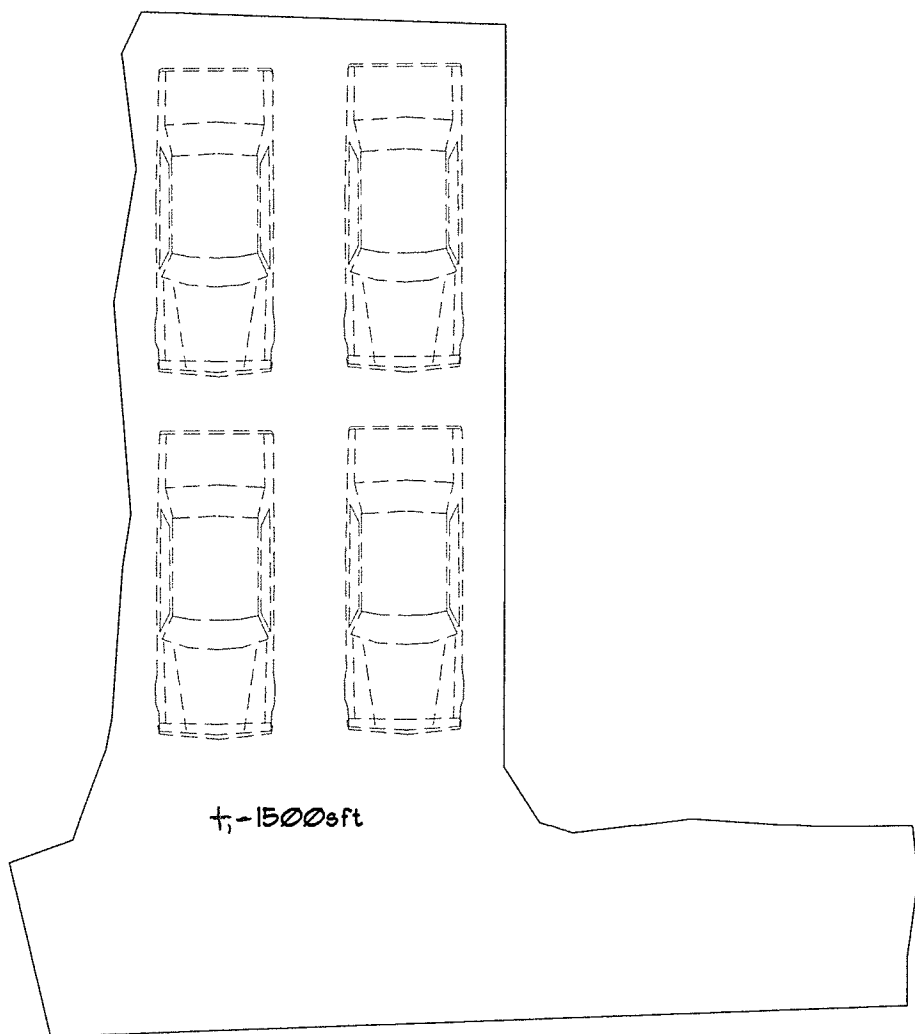


BACK YARD
(HAS TREES AND
GRASS- NO
BUILDINGS OR LOT
COVERAGE)

RECEIVED

MAR 29 2016

DEPARTMENT OF
PLANNING & ZONING



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
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk
Elsie Tillotson, Department Secretary*



TO: Development Review Board
FROM: Ryan Morrison
DATE: May 3, 2016
RE: 16-1056SD; 1 Main Street

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

Zone: DW Ward: 3C

Owner/Representative: Main Street Landing/Melinda Moulton

Request: Combined preliminary and final plat review of a 2-lot subdivision; no development included.

Applicable Regulations:

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

Background Information:

The applicant is seeking preliminary plat approval to subdivide an existing 2.73 acre lot into two lots. The property contains three commercial buildings and a surface parking lot. The three buildings, Union Station, the Cornerstone Building, and the Wing Building, contain a variety of uses, including retail, professional offices, restaurant, art & health studios, and apartments. The subdivision would result in the three existing buildings on one lot, and the surface parking lot on the other lot. As this subdivision would result in just 2 lots, it is eligible for combined preliminary/final plat review per Sec. 10.1.7 of the CDO.

The proposal has been forwarded to the City Engineer's office, to the Burlington Fire Marshal, and to the Director of the Parks & Recreation Department. The Fire Marshall responded as having "no concerns over this subdivision without construction." No other comments were received.

Previous zoning actions for this property are noted below.

- **Zoning Permit 15-1359SN;** signage for Yangser Durjee's Himalaya Restaurant. Approved July 2, 2015.
- **Zoning Permit 15-1334CA;** replace existing door light with new, located under entry awnings. Approved June 25, 2015.

- **Zoning Permit 15-1058AW**; replacement of two existing awnings and light fixtures. Approved May 12, 2015.
- **Zoning Permit 15-0879CA**; lighting for canopy, new Himalayan restaurant. Approved March 20, 2015.
- **Zoning Permit 15-0759AW**; Awning with signage for Yangser Durjee's Himalaya Restaurant. Approved January 30, 2015.
- **Zoning Permit 15-0457CA**; replace two existing first floor windows on west elevation with two new windows of same dimensions. Approved October 10, 2014.
- **Zoning Permit 15-0458CA**; replace existing second story door. Approved October 6, 2014.
- **Zoning Permit 14-0392CA**; install metal cap over existing concrete along west stair wall. Approved September 27, 2013.
- **Zoning Permit 13-1255CA**; change of use of Suite 208 from studio/office to mixed commercial use. Approved June 20, 2013.
- **Zoning Permit 13-0985CA**; change of use from retail to pharmacy. Approved May 13, 2013.
- **Zoning Permit 13-0171NA**; replacement of seven third floor casement windows in kind. Approved August 10, 2012.
- **Zoning Permit 12-1037NA**; install bike repair stand on western patio near Waterfront Recreation Path. Approved May 1, 2012.
- **Zoning Permit 12-0427FC**; install chain link fence along back of existing building, connecting the two existing chain link fences. Approved October 14, 2011.
- **Zoning Permit 12-0159FC**; replace existing wooden fence with new wooden fence of varying heights along Steel Street. Approved August 12, 2011.
- **Zoning Permit 12-0071FC**; install 3ft high metal fence along College St and 4ft high chain link fence along Waterfront Recreation Path to meet existing chain link fence. Approved July 29, 2011.
- **Zoning Permit 11-0251SN**; replace two existing parallel signs on Main Street side of building with new signs for Mirror Mirror. Approved September 21, 2010.
- **Zoning Permit 11-0241CA**; replace existing window on west elevation with new similar clad window. Approved September 17, 2010.
- **Zoning Permit 10-0625AW**; replace existing awning with new awning. Existing Cornerstone Building awning signage to be replaced with new signage for Madera's. Approved February 18, 2010.
- **Zoning Permit 10-0419CA**; install 54 replacement windows. Approved October 30, 2009.
- **Zoning Permit 10-0112CA**; installation of exterior lighting fixtures. Approver October 14, 2009.
- **Zoning Permit 09-724SN**; projecting sign for Madera's. Approved April 24, 2009.
- **Zoning Permit 09-138CA**; replace windows in Union Station. Approved August 19, 2008.
- **Zoning Permit 09-079CA**; replace 4 sliding windows on second floor west elevation with 4 new casement windows, and replace 2 casement windows on east elevation with 2 new casement windows. No change in window size. Approved August 8, 2008.
- **Zoning Permit 09-015NA**; office to office. Approved July 7, 2008.
- **Zoning Permit 08-759SN**; parallel sign for Madera's restaurant. External illumination included. Approved November 6, 2008.

- **Zoning Permit 08-287SN**; two signs for Justin Cruz Salon. Approved October 9, 2007.
- **Zoning Permit 08-078CA**; replace 22 windows on the southwest side of building. No change in window openings. Approved July 27, 2007.
- **Zoning Permit 07-728AW**; install 7 ft. X 4 ft., 3 ft. tall awning for Local Motion. No signage or lighting included. Shift existing Local Motion sign to side of proposed awning. Approved June 21, 2007.
- **Zoning Permit 07-638CA**; convert existing grassy area into expanded surface parking (increase of 14 spaces). Approved May 29, 2007.
- **Zoning Permit 07-466SN**; awning with sign for retail/sales business (Mirror Mirror). Lettering measures 75.5 inches x 10 inches (5.24 sf parallel signage). Approved February 7, 2007.
- **Zoning Permit 04-583**; awning permit for Roque's Restaurante Mexicano. Approved May 14, 2004.
- **Zoning Permit 04-029CA**; pilates studio proposed as accessory use to 1 Main Street. Approved July 25, 2003.
- **Zoning Permit 02-312**; replacement of faces on two parallel illuminated signs. Total signage area is 7 sf. Approved February 7, 2002.
- **Zoning Permit 01-460**; installation of a non-illuminated parallel sign over the entry to the existing bike path resource center space within the existing wing building. Sign to measure approximately 5.5' x 3.5'. Approved May 25, 2001.
- **Zoning Permit 01-051**; installation of a non-illuminated parallel sign over the entry of the existing retail (Sound Essentials) space. Sign to measure 2' x 6'. Approved July 31, 2000.
- **Zoning Permit 00-093**; re-assemble the existing train passenger shelter along the edge of the train tracks and connecting to Union Station with an awning, using original pieces. Proposal includes benches lining the middle. Approved August 17, 1999.
- **Zoning Permit 99-447**; installation of a non-illuminated parallel sign for the existing restaurant in the Wing Building, Unit 105. Approved April 22, 1999.
- **Zoning Permit 99-243**; installation of a bicycle storage locker, 6.3' x 16.6', on an existing paved and gravel area adjacent to Union Station. Approved November 3, 1998.
- **Zoning Permit 99-136**; replace windows in the stair tower on the west side of Union Station. Approved September 10, 1998.
- **Zoning Permit 98-337**; installation of a non-illuminated parallel sign, measuring 4' x 1', over the entry to the existing retail space (Suite 108) in the Wing Building (1 Steel Street). Approved February 17, 1998.
- **Zoning Permit 97-424**; three year time extension to the existing zoning permit which allows for the construction of two mixed use buildings, one with underground parking, and promenade additions to the rear of Union Station, connecting to the proposed Wing Building. Originally approved 6/9/94. Extension allows until 6/9/2000 for completion. Approved April 23, 1997.
- **Zoning Permit 97-428**; installation of two "flying monkeys" with under-lighting on the roof of the existing Union Station commercial complex. Approved April 24, 1997.
- **Zoning Permit 97-385**; installation of a hood ventilating system for the existing restaurant. Approved April 7, 1997.
- **Zoning Permit 97-316**; installation of three parallel signs for the existing restaurant and convenience store. One internally illuminated sign measuring 7' x 2', placed over the entry to the restaurant; one non-illuminated sign measuring 7' x 2', placed over the entry

to the convenience store; and one 2' x 2' non-illuminated sign placed adjacent to the window on the front elevation. Total signage – 32 sf for the Wing Building establishment. Approved March 10, 1997.

- **Zoning Permit 97-269**; installation of a non-illuminated awning at the Battery Street entrance to the Cornerstone Building. Awning to have the building identification – “Cornerstone Building” (8' x 8'). Approved January 21, 1997.
- **Zoning Permit 97-184**; installation of a (second) internally illuminated parallel sign for the existing investment office (Charles Schwab). Proposed sign, placed over an entry door, to measure 14" x 8'10". Approved October 29, 1996.
- **Zoning Permit 97-150**; installation of an internally illuminated awning, with lettering, over the main entry to the existing retail space. Awning to project 18, 12'6 overall height and 8'6 clearance to sidewalk. Approved October 8, 1996.
- **Zoning Permit 97-094**; add a window on the third floor elevation, south side, for the existing residential unit. Proposal includes relocating the existing round window to the east. All materials to match existing. Approved August 27, 1996.
- **Zoning Permit 97-031**; installation of a non-illuminated fabric awning with lettering at the main entrance to the existing restaurant. Approved July 18, 1996.
- **Zoning Permit 97-037**; request to extend the two year time limit of the existing food kiosk as originally approved 6/22/95. Approved July 25, 1996.
- **Zoning Permit 96-664**; construction of a pedestrian crossing with an entrance gate in front of Union Station, along Battery Street. Approved June 17, 1996.
- **Zoning Permit 96-579**; installation of two fabric retractable awnings on the windows of the third floor (west side) residential unit in the existing mixed use Cornerstone Building. Approved June 5, 1996.
- **Zoning Permit 96-563**; installation of four non-illuminated parallel signs for the existing juice bar in the Wing Building. Two signs to measure 2' x 2', and two to measure 4' x 4' (one being a menu board). Approved May 28, 1996.
- **Zoning Permit 96-590**; utilization of an area to the north of the Wing Building, south of Union Station, for seasonal and daily bike repairs. Approved June 13, 1996.
- **Zoning Permit 96-451**; installation of a 10' freestanding non-illuminated sign at the entrance to ‘Steel Street’ as a directional to the public parking located under the Cornerstone Building. Approved April 23, 1996.
- **Zoning Permit 96-436**; installation of an internally illuminated parallel sign, measuring 14 x 14 over the entry door to the retail space. Approved April 12, 1996.
- **Zoning Permit 96-421**; relocation of the seasonal food cart from the corner of Lake and College Street to the parking lot north of Union Station and east of the bike path. Approved April 11, 1996.
- **Zoning Permit 96-336**; installation of a non-illuminated parallel sign, 11 x 24, above the window of the first floor (12' from grade) for the existing restaurant. Approved February 13, 1996.
- **Zoning Permit 96-302**; installation of parallel signage for the existing office on the first level of the Cornerstone Building. One internally illuminated sign over the entry, measuring 9" x 17'6", and a series of window banding across the middle of all windows, measuring 4" x 40" or 37.75". Approved January 16, 1996.
- **Zoning Permit 96-277**; as-constructed changes to the façade of the Cornerstone Building to include door and fenestration alterations. Use remains mixed use. Approved December 5, 1995.

- **Zoning Permit 96-239**; change of use from retail (1st floor – 2850 sf) and office (2nd floor – 2200 sf) to a 180 seat restaurant in the existing mixed use building. No exterior changes. Approved November 2, 1995.
- **Zoning Permit 96-065**; installation of two non-illuminated parallel signs, each measuring 4' x 1', for the existing food kiosk. Approved August 8, 1995.
- **Zoning Permit 96-034**; installation of a non-illuminated parallel sign, measuring 24" x 24", for the existing retail space in the Wing Building at 1 Steele Street, #109. Approved July 25, 1995.
- **Zoning Permit 96-004**; installation of a non-illuminated parallel sign, 24" x 24", for the existing retail shop in the Wing Building, Unit 113, 1 Steele Street. Approved July 5, 1995.
- **Zoning Permit 95-498**; installation of two non-illuminated parallel signs (7' x 2' above door and 2' x 2' next to door) for the existing restaurant. Property is addressed as 103/104 Steele Street. Approved June 20, 1995.
- **Zoning Permit 95-505**; 7' x 7' kiosk to serve food. Approved June 22, 1995.
- **Zoning Permit 94-489**; installation of a seasonal ice cream cart, to be removed nightly, at the southern end of the existing metal building on the Main Street Landing site. Location is best accessed by traveling along King Street extended. Approved June 9, 1994.
- **Zoning Permit 94-096**; phase I of development of two mixed use buildings and addition to Union Station; COA 94-105. Phase I consists of the demolition of the existing sheds and railroad overhang on the site. Approved June 9, 1994.
- **Zoning Permit 94-490**; construction of two mixed use buildings, one with underground parking, and promenade additions to the rear of Union Station, connecting the proposed Wing Building. Approved June 9, 1994.
- **Zoning Permit 94-348**; installation of two non-illuminated awnings over the front doors of the Union Station office complex. Approved April 5, 1994.
- **Zoning Permit 91-298**; utilization of parking lot adjacent to the bike path and off of College Street for parking of food vendor bus, 8' x 33'. Approved April 11, 1991.

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

I. Findings

Article 4: Maps & Districts

Sec. 4.4.1, Downtown Mixed Use Districts:

(a) Purpose

The Downtown Mixed Use districts are intended to provide for a diverse and vibrant mixture of commercial and residential development within Burlington's most highly developed and dynamic urban core. A broad range of uses that support a balance between residential and non-residential uses are encouraged reflecting Burlington's role as a regional urban center for commerce, culture and government. This district is divided into 5 sub-districts. The subject property is located in the Downtown Waterfront (DW) District.

(3) Downtown Waterfront District (DW)

The DW District is intended to enhance and diversify commercial and residential development in the downtown waterfront area. The DW District is further divided into specific areas for the purposes of regulating building height in such a way as to provide vistas from Battery Street of harbor activity within the breakwater area, and to preserve panoramic views. Sec. 4.4.1 (a) (3) (F) places the property within the "**South of College**: Properties south of College Street" area. Except

for the subdivision itself, no development is included. It is possible that the parking area lot could be developed in the future, but generally any new development will be subject to permitting requirements of the Planning and Zoning Department. **(Affirmative finding)**

(b) Dimensional Standards & Density

The DW District does not require a specific minimum lot size. The district limits maximum intensity, or floor area ratio (FAR), which is the ratio of above ground gross floor area to gross site area, or a multiplier representative of the development limits of a site applied to the parcel/land size. The FAR of the DW District – South of College Street is 2.

The DW District's lot coverage allowance is 100%.

The District requires a front setback of greater than 0', or 12' from the curb.

In the South of College Street area of the DW District, the minimum and maximum height allowance is 30' and 35', respectively. The new property line separating the two lots will not affect setbacks for the existing buildings.

The resultant 1.59 and 1.14 acre lots are sufficient in size for continuation of existing uses. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The DW District permits, and conditionally permits, a variety of uses that can be found in Appendix A – Use Table. No development is included in this proposal. **(Affirmative finding)**

(d) District Specific Regulations

1. Use Restrictions

Not applicable.

2. Public Trust Restrictions

Not applicable.

3. Facades and Setbacks on Side and Rear Property Lines

Not applicable.

4. Building Height Setbacks

Not applicable.

5. Lake Champlain Waterfront Setback

Not applicable.

6. Residential District Setback

Not applicable.

7. Development Bonuses/Additional Allowances

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.2, Required Frontage or Access

No subdivision of land may be permitted on lots that do not have frontage on a public road or public waters. The subject property technically has frontage on 5 public streets: Main Street, Battery Street, Lake Street, College Street, and King Street. After the lot is subdivided, each lot will continue to have street frontage. **(Affirmative finding)**

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.1 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable. The property contains no sensitive natural features.

Sec. 5.2.5, Setbacks

See Sec. 4.4.1 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.1 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.1 (b) above.

Sec. 5.4.8 Historic Buildings and Sites

Union Station is listed on the National Register of Historic Places within the Battery Street Historic District, contributing resource #5, *Union Station*, circa 1916. The proposed subdivision will have no impact on the historic nature of Union Station. **(Affirmative finding)**

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

Not applicable.

Sec. 5.5.3, Stormwater and Erosion Control

Not applicable.

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 will have no impact on important natural features. The property is almost entirely covered with impervious surfaces. A small amount of landscaped areas exist throughout. **(Affirmative finding)**

(b) Block size and arrangement

Not applicable.

(c) Arrangement of Lots

The proposed subdivision will split the existing lot into two lots, with a difference of 0.45 acres. The larger of the two lots, 1.59 acres, will contain the existing mixed-use buildings. The other lot, 1.14 acres, will encompass the existing parking area. There are several similarly sized lots within the surrounding 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 two lots, and thus qualifies to be considered in a combined hearing. **(Affirmative finding)**

Sec. 10.1.9, Final Plat Review

(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
Not applicable.

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 applicable 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. 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.
4. Standard permit conditions 1-15.



Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415

Phone: (802) 865-7188

Fax: (802) 865-7195

www.burlingtonvt.gov/pz

RECEIVED

APR 05 2016

DEPARTMENT OF
PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: <u>1 Main St</u>	
PROPERTY OWNER*: <u>Main Street Landing</u>	APPLICANT: <u>Melinda Moulton</u>
*If condominium unit, written approval from the Association is also required	
POSTAL ADDRESS: <u>One Main Street</u>	POSTAL ADDRESS: <u>One Main St</u>
CITY, ST, ZIP: <u>Burlington VT 05401</u>	CITY, ST, ZIP: <u>Burlington VT 05401</u>
DAY PHONE: <u>802-864-7999</u>	DAY PHONE: <u>802-864-7999</u>
EMAIL: <u>Melinda@MainStreetLanding.com</u>	EMAIL: <u>Melinda@MainStreetLanding.com</u>
SIGNATURE: <u>Melinda Moulton</u>	SIGNATURE: <u>Melinda Moulton</u>
I am the owner. In addition, I duly authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.	
Description of Proposed Project: <u>SUB-Division of Union Station SW Lot from PARCEL ID 049-1-080-000.</u>	

Existing Use of Property: ☐ Single Family ☐ Multi Family: #___ Units ☒ Other: Commercial

Proposed Use of Property: ☐ Single Family ☐ Multi Family: #___ Units ☒ Other: Commercial

- Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled? Yes ☐ No ☒
(If yes, the Vermont Residential Building Energy Standards (VRBES) apply. Visit the P&Z Office, Public Service Board or PSB website for details)
- Will 400 sq ft or more of land be disturbed, exposed and/or developed? Yes ☐ No ☒
(If yes, you will need to submit the 'Erosion Prevention and Sediment Control Plan' questionnaire, with a site plan)
- For Single Family & Duplex, will total impervious area be 2500 sq ft or more? Yes ☐ No ☒
(If yes, you will need to submit the 'Stormwater Management Plan' questionnaire, with a site plan)
- Are you proposing any work within or above the public right of way? Yes ☐ No ☒
(If yes, you will need to receive prior approval from the Department of Public Works)

Estimated Construction Cost (value)*: \$ None ~ Just a Subdivision

(*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only: Zone: DW Eligible for Design Review? ☒ Age of House 1940 Lot Size 11774
Type: SN___ AW___ FC___ BA___ COA 1___ COA 2___ COA 3___ CU___ MA___ VR___ HO___ SP___ DT___ MP___
Check No. 4581 Amount Paid 410 Zoning Permit # 16-10565D

4567

100



Union Station
One Main Street
Burlington, VT 05401

RECEIVED
APR 05 2016

April 1st, 2016

DEPARTMENT OF
PLANNING & ZONING

Mr. David White
Director of Planning & Zoning
City of Burlington
149 church Street, City Hall
Burlington, Vermont 05401-8415
Re: Union Station Subdivision

Dear David:

In regard to our previous meetings to talk about the sub-division of the Union Station Surface Lot from Parcel ID 049-1-080-000, I submit the following for review and approval from your department.

**Complete application form.

**\$100 application fee

** Photographs of the subject property

**My letter, herewith.

**Two copies of a lot line adjustment plat with an additional copy at 11 x 17 size from Krebs and Lansing.

It is our hope that this sub-division determination will be uncomplicated and look forward to this parcel being available for future development as it is a critical piece of land for the Burlington Waterfront's redevelopment. Please let me know what else you may need from Main Street Landing and what the process will entail to achieve a timely and successful resolution.

With warm regards,

Melinda L. Moulton

CEO, Main Street Landing



Ryan Morrison

From: Scott Gustin
Sent: Wednesday, April 13, 2016 2:51 PM
To: Ryan Morrison
Subject: FW: 1 Main St subdivision

For your 1 Main Street subdivision report.

Scott Gustin, AICP, CFM
Principal Planner & Asst. Administrative Officer
Dept. of Planning & Zoning
149 Church Street
Burlington, VT 05401
(802) 865-7189

From: Barry Simays
Sent: Wednesday, April 13, 2016 2:21 PM
To: Scott Gustin <SGustin@burlingtonvt.gov>
Subject: Re: 1 Main St subdivision

Scott,

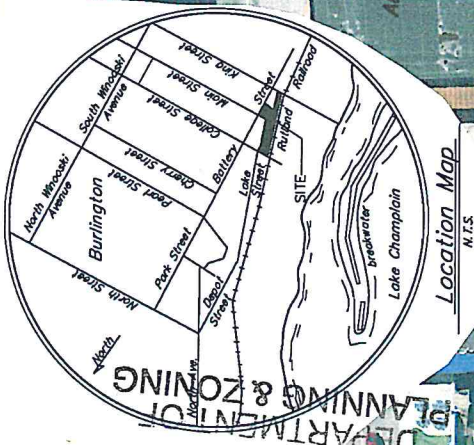
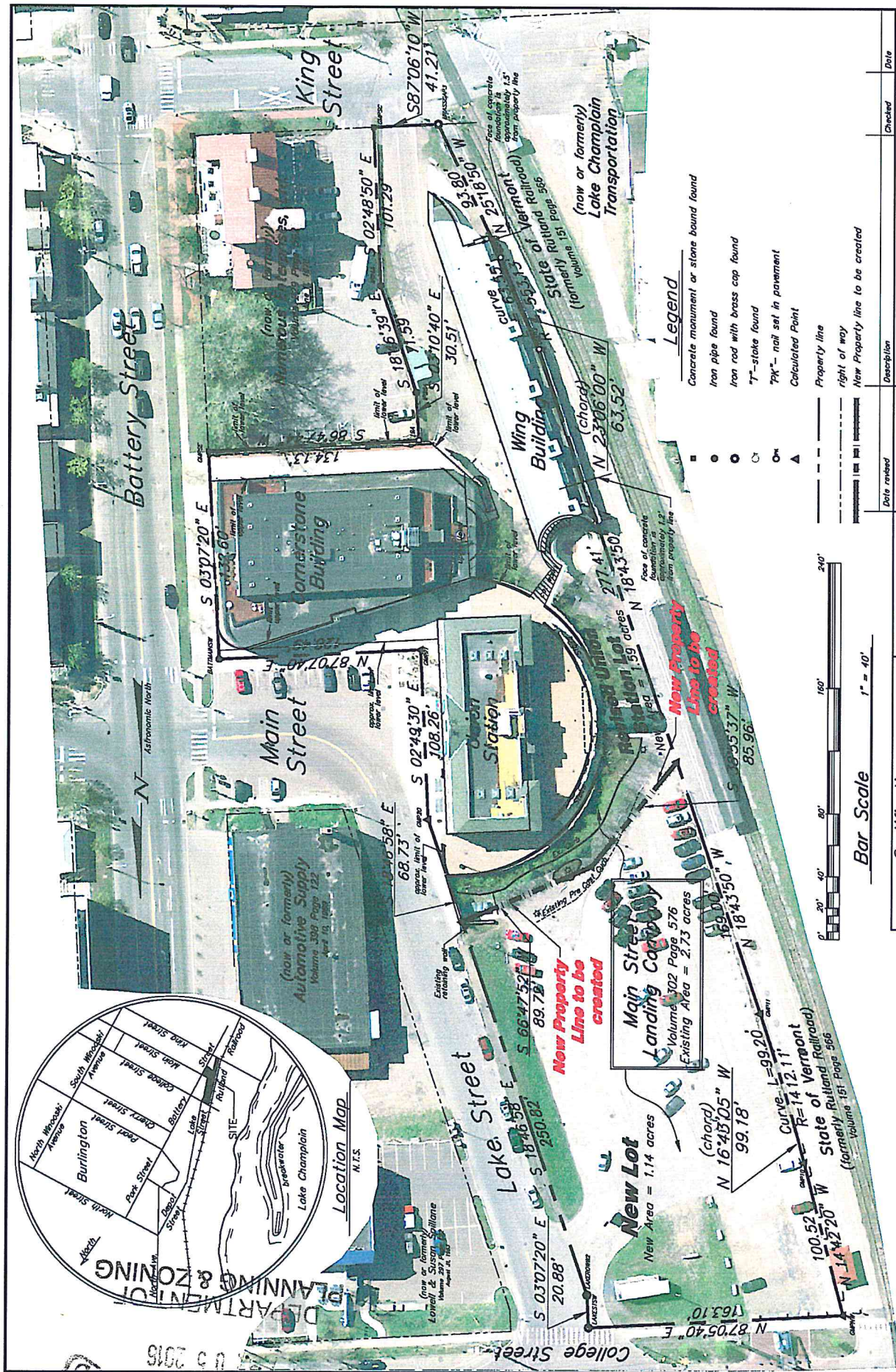
I have no concerns over this lot subdivision without construction. Evaluated for fire department access and water supply, I see no changes to the property itself other than the property line adjustment/creation. Any future construction will be subject to the applicable codes and standards in effect at that future time.

Thank you,

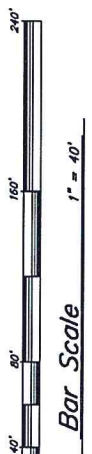
BC Barry Simays, CFI, IAAI-FIT
Fire Marshal
Burlington Fire Department
132 North Avenue
Burlington, VT 05401
(802) 864-5577
(802) 658-7665 (Fax)
bsimays@burlingtonvt.gov

From: Scott Gustin
Sent: Wednesday, April 6, 2016 16:36
To: Norm Baldwin; Jesse Bridges; Barry Simays
Subject: 1 Main St subdivision

FYI,



- Legend**
- Concrete monument or stone bound found
 - Iron pipe found
 - Iron rod with brass cap found
 - "T"-stake found
 - "PK"- nail set in pavement
 - Calculated Point
 - Property line
 - right of way
 - New Property line to be created



Certification

This survey is based on physical evidence found in the field and information abstracted from deeds and other pertinent records and this survey is consistent with that evidence. This plot conforms to 27 V.S.A. section 1403.

Note:

- For the original boundary - See plot entitled "Boundary Survey of Alden Waterfront Corp." by Krebs and Lansing Consulting Engineers Inc. dated October 1994, project 84100, sheet 3 of 3.
- All bearings are referenced to True North.

Date revised	Description	Checked	Date
Surveyed	S.D. 7/18		
Drawn	J.A. 8/24/18		
Checked	J.M.		
Scale	1"=40'		
Date	Nov. 1, 2013		
Project	13153		
Project	Main/Lake Street		
Project	Burlington, Vermont		

Subdivision Plan
Main Street
Landing Company

3/29/2016

IMG_1432.JPG

RECEIVED
APR 05 2016

DEPARTMENT OF
PLANNING & ZONING



3/29/2016

IMG_1433.JPG



3/29/2016

IMG_1434.JPG





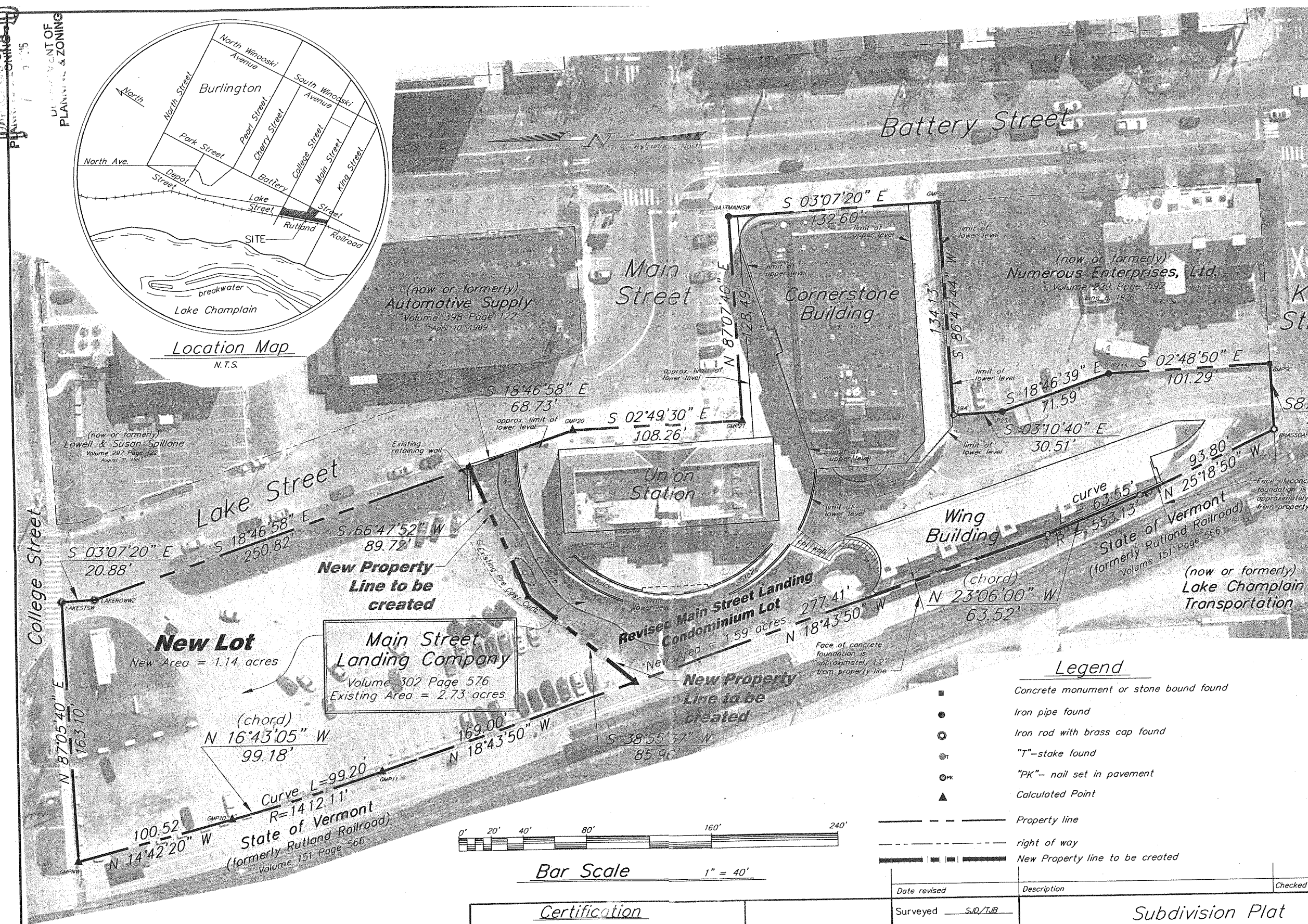
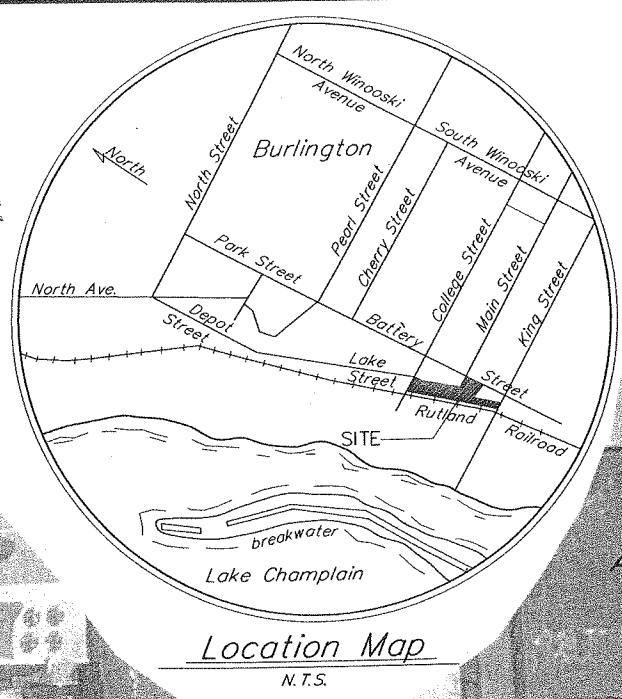
3/29/2016

IMG_1436.JPG



RECEIVED
PLANNING & ZONING

PLANNING & ZONING



Note:

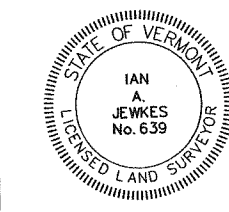
- For the original boundary - See plat entitled "Boundary Survey of Alden Waterfront Corp." by Krebs and Lansing Consulting Engineers Inc. dated October 1994, project 84100, sheet 3 of 3.

2 All bearings are referenced to True North.

Certification

This survey is based on physical evidence found in the field and information abstracted from deeds and other pertinent records and this survey is consistent with that evidence. This plat conforms to 27 V.S.A. section 1403.

[Signature]



Date revised	Description	Checked
Surveyed	S.D./T.J.B.	
Drawn	I.A.J./R.A.W.	
Checked	I.A.J.	
Scale	1"=40'	
Date	October 9, 2015	
Project	13155	

Subdivision Plat

Main Street Landing,

KREBS & LANSING Consulting Engineers, Inc.

Department of Planning and Zoning

149 Church Street

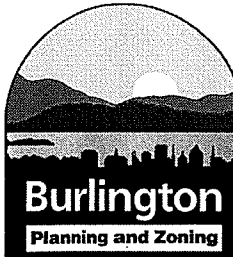
Burlington, VT 05401

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

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

David E. White, AICP, Director
Meagan Tuttle, Comprehensive Planner
Jay Appleton, Senior GIS/IT Programmer/Analyst
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Elsie Tillotson, Department Secretary
Anita Wade, Zoning Clerk



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: May 3, 2016

RE: ZP16-0888CA; 100-102 North Union 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.

File: 16-0888CA / Appeal

Location: 100-102 North Union Street

Zone: RM **Ward:** 2C

Date application accepted: February 29, 2016

Date of denial: March 10, 2016

Applicant/ Owner: Josh Typrowicz-Cohen (purchased 2/3/2016)

Request: Appeal of an administrative denial to convert 200 sq. ft. of an existing attached shed to living space.

Staff site visit: March 31, 2016

Reasons for Denial:

1. Section 5.2.5 Setbacks

(b) Exceptions to Yard Setback Requirements:

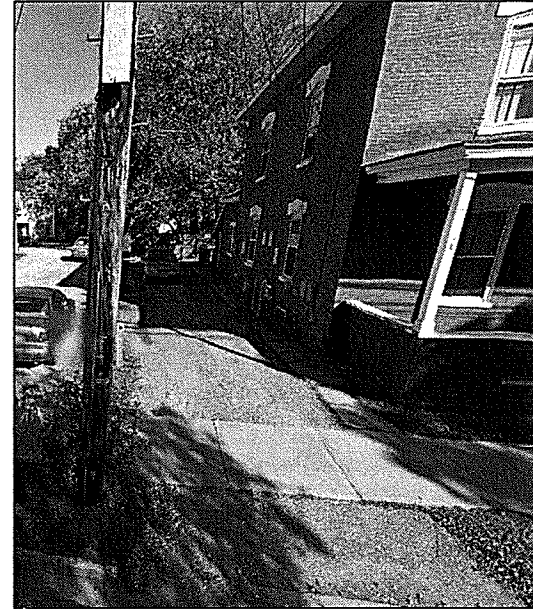
4. Accessory Structures and Parking Areas.

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

The proposed parking plan on the submitted site plan does not meet the required 5' minimum side yard setback. **Adverse finding.**

2. Scaled plan appears inaccurate (site plan scales lot width as 61'; tax maps identify lot width as 56.32'). No survey was provided to confirm parking adequacy or required setbacks on the parcel. **Adverse finding.**

3. Article 5, Part 3: Non-Conformities



Applicant has asserted that the property has the required parking based upon four parking spaces “existing”. For the four spaces to be a legally preexisting nonconformity, the applicant must demonstrate that the four spaces were legal prior to the ordinance requirement for setbacks (January 28, 1947) and lot coverage (1962). Applicant has not demonstrated that the parking at the site has occurred continuously in the proposed configuration during that timeframe, nor has he demonstrated any previous zoning approval for parking in that location.

Applicant’s assertions regarding the 15 year statute of limitations are not relevant to this application as, even if Applicant could prove 15 years of continuous use and location, any parking spaces that fell into the 15 year statute of limitations would not be legal and could not be used toward the required parking spaces. See *In re Keenan Conditional Use*, 2009 WL 4396753 (Vt. Env’tl. Ct. June 4, 2009).

4. Analysis of photographic documentation illustrates parking over property boundary lines. A property owner secured Zoning Permit 11-0343FC “to keep people from crossing drive;” providing confirmation of the problem and an attempt to cease the practice.
Adverse finding.

Background:

- **Zoning Permit 11-0343FC**; install 6’ x 6’ post with galvanized link chain through it. October 2010.
- **Zoning Permit 08-1117FC**; enclose portion of backyard with s’ stockade fence. August 2007.
- **Zoning Permit 97-346**; replacement of existing 2/2 wooden window sash with vinyl. Cover wooden porch trim and wood shingle siding with vinyl and aluminum. Use remains a duplex. March 1997. (Approval for window replacements only; does not include installation of vinyl siding on the front porch. Windows must be true divided light 2/2.)
- **Request for a variance**; Demolish existing garage and replace with larger structure. A variance of lot coverage and setback requirements is requested. **Denied**, May 1984.

[The barn/garage is no longer on site. There is no permit for its removal in the electronic or paper zoning records.]

Overview: The applicant/appellant applied to convert a rear, attached rear shed to living space to expand the existing duplex by adding additional bedrooms. The permit was administratively denied as the provided parking plan encroached into a required sideyard setback, a failure to demonstrate the parking was pre-existing and could therefore be continued, and failure to meet required parking.

Recommendation: **Denial** of the appeal and uphold the administrative decision, per the following findings:

I. Findings

Article 3: Applications, Permits and Project Reviews

Section 3/2/2)c Certificate of Appropriateness (COA) Level I Application

Submission requirements for a COA Level I Application shall include the following as applicable:

2. *Site Plan, drawn to a scale of 1"=8, 10, 16, 20, 40, or 60' of the subject property accurately indicating the location and dimensions of all existing structures, walkways, driveway, and other significant features; and all proposed changes with all dimensions; distances from the front, side and rear property lines to each proposed new structure and/or site improvement.*

The applicant provided a site plan drawn 1"=10'; however there appear to be inaccuracies. The lot per tax and assessor's records is 56.32' wide while the site plan illustrates the width in excess of 60'. A concrete pad that surrounds the north side of the house is not illustrated, nor are the utility meters with protective bollards. On-site measurements define lot width between the concrete walk and the first (westerly) bollard as 11.8'; the width measurement between the walk and the 2nd bollard as 12.25'; not the 20' illustrated.

The bollard-protected utility meter restricts full width parking on the south of the driveway, the bollard and chain on the north. The location of the northerly property boundary is not known. These measurements are inconsistent with the submitted site plan, which was presented as "existing driveway/parking." **Adverse finding.**

Article 4: Zoning Maps and Districts

Table 4.4.5-3 Residential District Dimensional Standards

RM zoning district: Maximum Coverage 40%, Side yard setback 10% of lot width or average of side yard setback of 2 adjacent lots on both sides.

The site plan prepared by the applicant indicates a building footprint of 2110 sf and an "existing driveway" of 70' x 20'. The total area (excluding walkways) is 3510 sf, or 66.71% lot coverage. This exceeds allowable base coverage for the zoning district of 40%.

The parking area/driveway is illustrated on the site plan as up to the northerly (side yard) property line. There is not sufficient evidence that this is a preexisting nonconformity, and therefore presents an encroachment into a required sideyard setback. The applicant did not present a survey to support the accuracy of his plan. **Adverse finding for coverage and setback compliance.**

Section 4.4.5 (d) 1. Setbacks

A. Encroachment for Residential Driveways

For purposes of allowing existing, developed, nonconforming lots containing single family homes to create a driveway and provide a maximum of two tandem parking spaces, driveways may encroach into a required sideyard setback up to the property line with DRB approval.

This is not a single family home, but a duplex. This standard does not apply.

Article 5: Citywide General Regulations

Section 5.2.5 Setbacks

(a) Exceptions to Yard Setback Requirements

4. Accessory structures and parking areas.

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

The site plan submitted by the applicant omits a setback from the side (north) property line, and therefore presents an encroachment into a required side yard setback. **Adverse finding.**

Part 3: Non-conformities

The applicant submitted a detail copy of a 2000 aerial photograph where he asserts adequate parking is represented. The photograph does illustrate vehicles in the driveway, but they are “off-set” from each other; staggered within the access drive and therefore not representative of the parking plan submitted as pre-existing.

Staff submits photographs from the following dates:

1978: No vehicles in driveway.

2000: Three cars in driveway; northerly vehicle appears to be over the property line.

2004 (color): Two vehicles in driveway; one appears to be over the property line.

2004 (black & white): 4 cars in driveway, two over property line.

2014 Google images: single width driveway, one car.

There is no evidence that there has been dual tandem parking on this lot continuously prior to the requirement for the 5 foot setback or 40% lot coverage. Therefore, no pre-existing non-conformity may be established for the proposed parking arrangement.

This discussion is enhanced by Zoning Permit **11-0343FC**, where the property owner applied for a bollard and chain barrier fence to prevent cars from parking over the property line. This establishes a pattern of parking inconsistent with zoning requirements, and a direct action to prevent the continued disregard for property boundaries. As approved, the barrier fence narrows the driveway to approximately 12’ at the widest, therefore insufficient to accommodate 2 vehicles side-by-side, as suggested in the submitted plan. ¹ **Adverse finding.**

Article 8: Parking

Section 8.1.7 Non-conforming Residential Structure

Where additions or conversion to existing residential structures within a Neighborhood or Shared Use Parking District add living space but do not add dwelling units, and such sites do not currently meet the parking standards of Section 8.1.8, one parking space shall be provided for each additional room.

100-102 North Union Street is within the Neighborhood Parking District. The parking requirement for two residential units is four vehicles.

¹ A site visit 3/31/2016 resulted in the following measurements: From the edge of the pavement on the north of the residence to the first post: 11.81’. From the edge of the pavement to the 2nd post, 12.25’. There are metal bollards protecting utility connections on the north side of the dwelling, so vehicles cannot get closer to the structure.

The applicant has applied to convert an attached shed to new habitable space (2 new bedrooms) for the existing duplex. There is no approved site plan that confirms satisfaction of the required parking. The applicant is required to demonstrate four parking spaces legally exist by prior approval or a legally preexisting nonconforming status.

The driveway entrance is single width access as determined from photographs and a site visit. The garage in the 1984 variance request is now gone (no permits on file.) The site is extremely constricted, and there is no evidence of an organized parking plan. Orthophotographs illustrate a scattered pattern of parking, frequently appearing to be over a property boundary.

Per this standard, the applicant must add a parking space for each room added until the full parking requirement is met (a total of 4 parking spaces.) The submitted site plan suggests that the existing pattern of parking is paired tandem parking spaces. Although this would meet the required number of spaces, the plan encroaches into a required side yard setback. Applicant's assertion that the encroachment is a preexisting nonconformity is not supported in photodocumentation. **Adverse finding.**

Table 8.1.8-1, Minimum Off-Street Parking

Requirements in the Neighborhood Parking District are 2 parking spaces per unit. For a duplex, 4 parking spaces are required.

There is no approved site plan that includes parking definition on file for this property. From photographs, parking appears to have been haphazard, with evidence that vehicles were scattered in the rear or parking over the northerly property line. The most recent permit issued was for a bollard-and-chain fence next to the driveway, with notations on the plan:

"To keep people from crossing drive", "Student neighbors", and "Cars parking here NOT MINE." This barrier proposal was approved October 28, 2010, and gives clear definition that vehicles crossing the property line had been a problem. It also effectively terminated any claim that the suggested parking pattern was a preexisting nonconformity, as there is no longer adequate space for vehicles parked as 2 pair in tandem. The parking plan cannot be established as existing non-conforming, and the parking deficient for the parcel per the standards of the ordinance. **Adverse finding.**

II. Recommendation

Uphold administrative denial of zoning permit 16-0888CA per the adverse findings above.



Department of Planning and Zoning

149 Church Street, City Hall

Burlington, VT 05401-8415

Phone: (802) 865-7188

Fax: (802) 865-7195

www.burlingtonvt.gov/pz

RECEIVED
MAR 24 2016

DEPARTMENT OF
PLANNING & ZONING

Appeal of an Administrative Decision Request

Use this form to appeal any Administrative Decision or Notice of Violation - See Sec. 12.2.2 of the Zoning Ordinance.

SUBJECT LOCATION ADDRESS: 100-102 North Union St

Subject Property Owner: Josh Tyrowicz-Cohen

Appellant: _____

Agent/Representative: _____

Mailing Address: PO Box 8892

City, St, Zip: Burlington, VT 05408

Day Phone: 802-522-0526 Email: Josh.dtc@gmail.com

Appellant Signature: [Signature]

Date: 3/24/16

In order for your request to be considered complete, **ALL** of the following information **must** be provided, as applicable:

- ☐ The Appeal fee of \$250;
- ☐ Description of the decision under appeal;
- ☐ Description of the property subject to the appeal;
- ☐ Reference to the regulatory provisions applicable to the appeal;
- ☐ Relief requested by the appellant;
- ☐ Alleged grounds why such requested relief is believed proper under the circumstances.

Office Use Only:

Check No. 1286

Amount Paid \$250

Zoning Permit # 16-08880

Department of Planning and Zoning
149 Church Street
Burlington, VT 05401

RECEIVED
MAR 24 2016

**DEPARTMENT OF
PLANNING & ZONING**

March 24, 2016

To Whom it May Concern:

We are appealing the March 10, 2016 zoning administrative decision that denied us the required zoning permit to add finished space to 100-102 North Union Street. This building is currently a two-unit dwelling and as such is required to have four parking spaces. The permit was denied based on the perception that there currently is not enough area to support four parking spaces and that the current non-conforming parking arrangement has not been in existence for the fifteen years or more.

As illustrated in attached aerial photos this parking arrangement of four tandem spaces has actually been in existence for fifteen or more years. In an aerial photo from the Vermont state archives two cars can be observed parked side by side. Once again in 2003-2004 aerial photo from Google Earth two cars can clearly be seen parked side by side. The zoning department disputed that these cars were not actually parked on the property of 100-102 North Union in these photos, rather they were partially on neighboring lot. In a 2012 aerial photo, however, there are once again car parked in tandem this time with a fence in place that doesn't allow parking past the property line.

In addition is was disputed that there was the nine feet of width per vehicle required to define a parking space per the requirements in Table 8.1.11-1 . In reality there is 23 feet between the building and the property line.

We are appealing this decision based on the existing structures clause in zoning by laws Article 8.1.4 Existing structures and 8.1.11. This property does indeed have the required parking areas, and while may not meet current setback standards it has been in existence for fifteen years or more and as such is not required to have five foot setback.

Josh Typrowicz-Cohen
42 Fairmount Street
Burlington, VT 05401

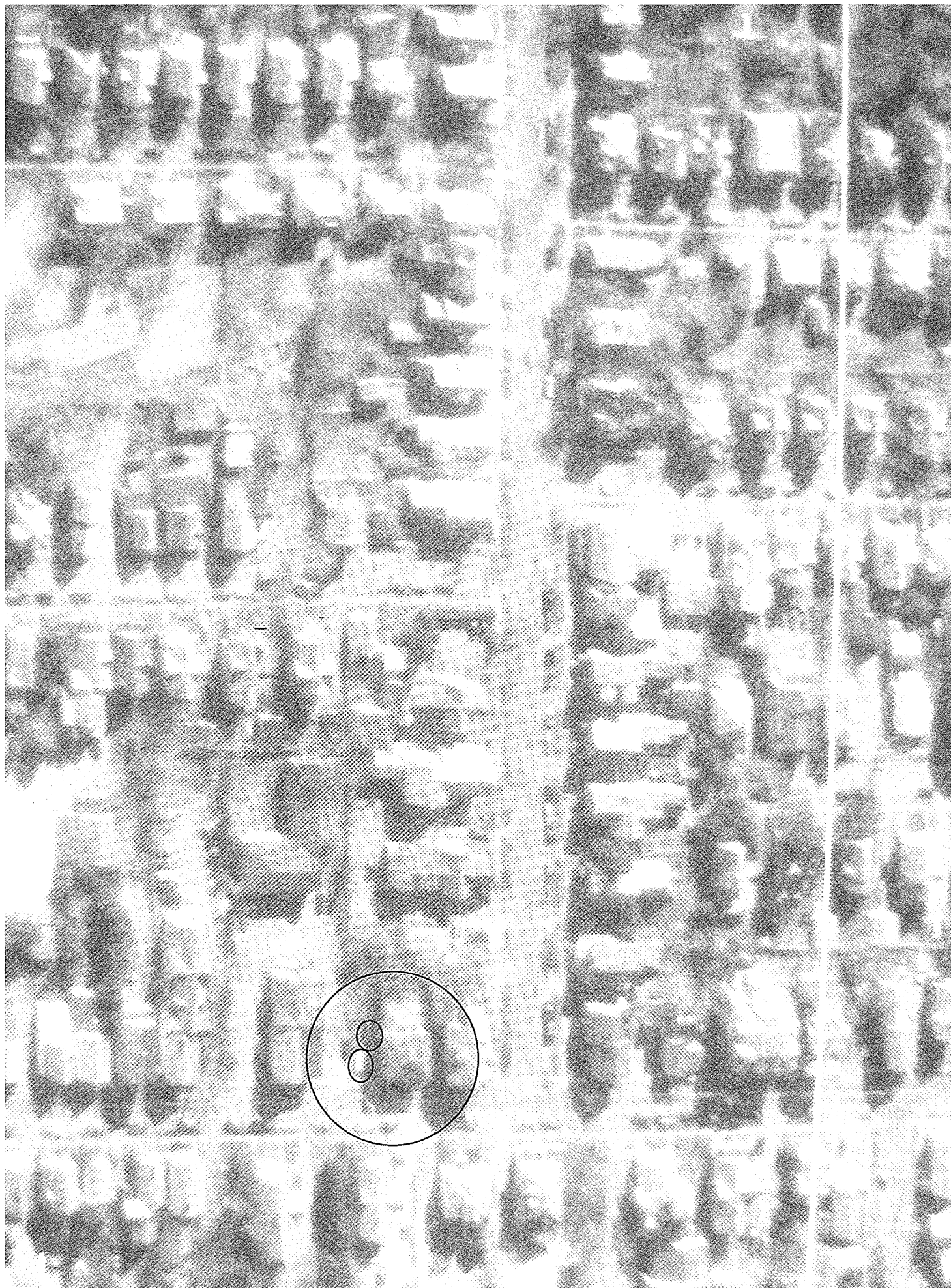
Mary O'Neil

From: Josh Typrowicz-Cohen <joshdtc@gmail.com>
Sent: Wednesday, March 09, 2016 3:53 PM
To: Mary O'Neil
Subject: 102 North Union Aerials
Attachments: _96220_1.JPG; _96220_2.JPG; _96220_3.JPG

Mary,

I got copies of the aerial from Vermont Archivist's office. This was taken of Burlington in 2000. You probably know this already, but they don't have digital copies, you have to view in person. Seen in person you can clearly see cars parked two wide in the driveway for 102.

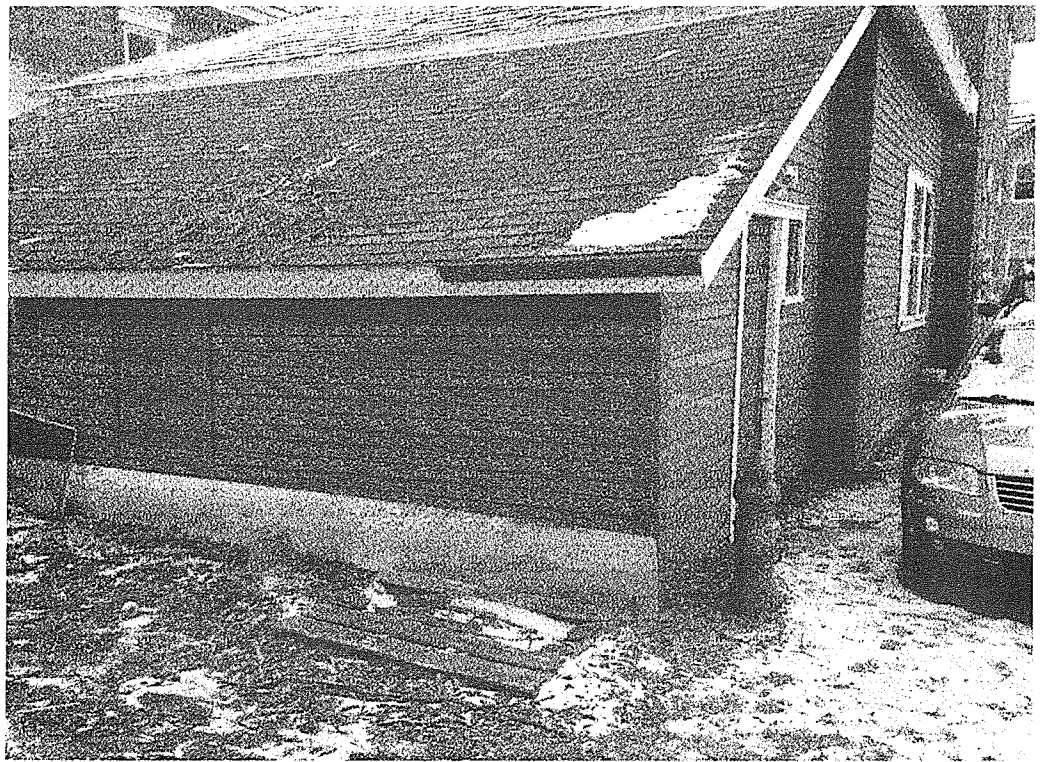
I've attached pictures I took of it and circled the vehicles and house in one copy. Pretty hard to see reproduced especially with shadow of building, but they're there. Let me know thoughts. Thanks
Josh



2000



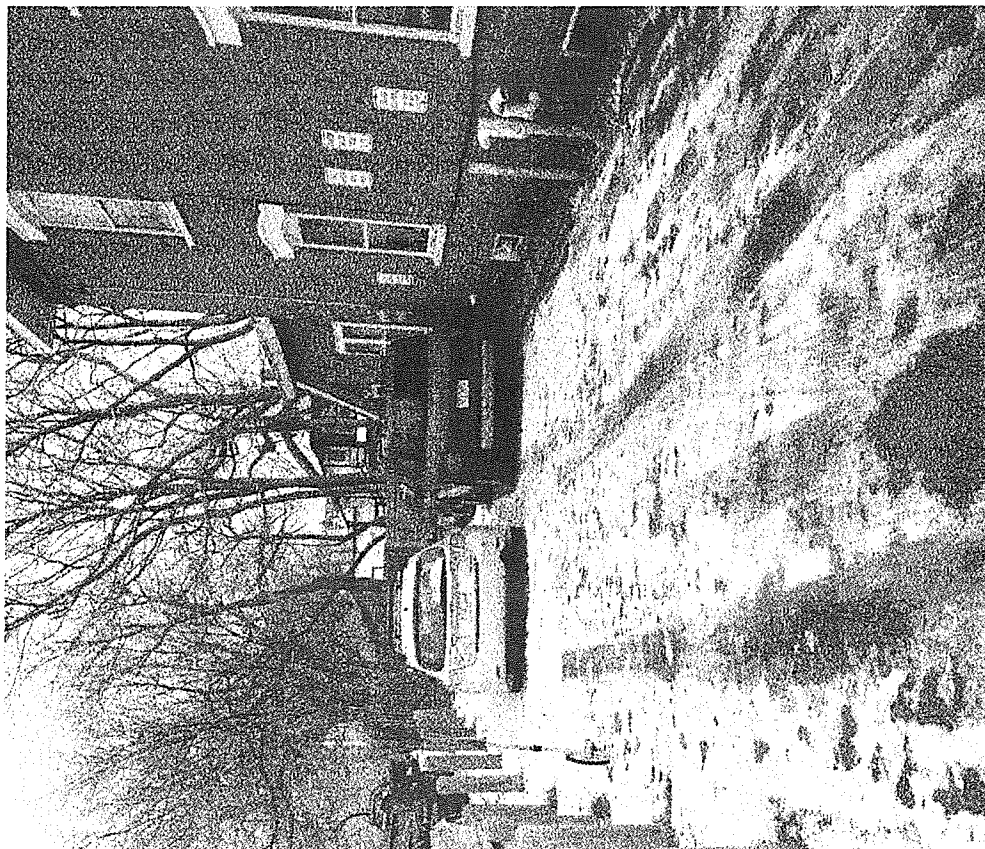
100-102 North Union Street



Existing attached shed to be converted

RECEIVED
FEB 29 2005
DEPARTMENT OF
PLANNING AND ZONING

Parking area



RECEIVED
FEB 27 2016

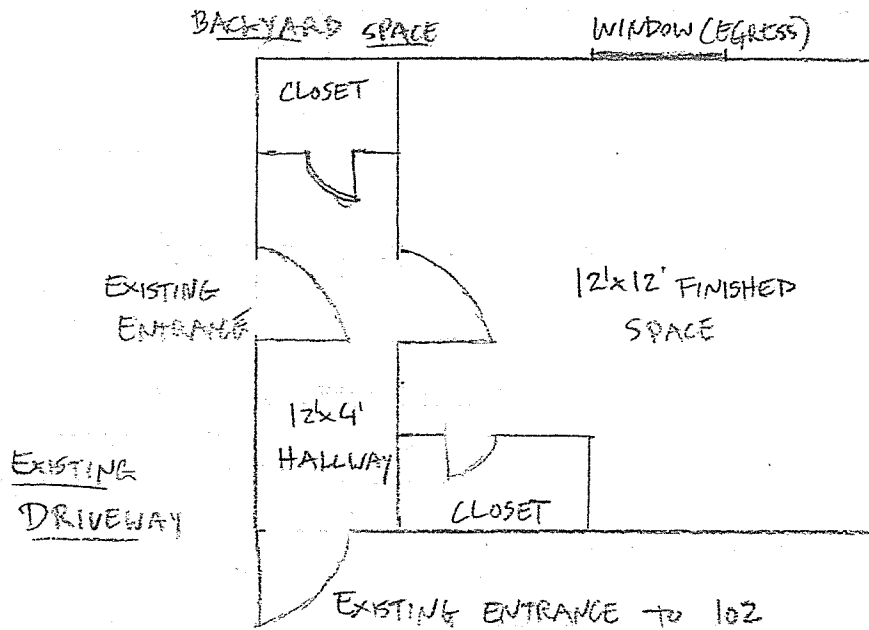
DEPARTMENT OF
PLANNING & ZONING

RECEIVED

FEB 27 2016

DEPARTMENT OF
PLANNING & ZONING

102 NORTH UNION FINISHED SPACE
FLOOR PLAN



100-102 NORTH UNION SITE PLAN

SCALE 1"=10'

RECEIVED

FEB 23 2016

DEPARTMENT OF
PLANNING & ZONING

YARD SPACE

PROPOSED EGRESS
↓ WINDOW

PROPOSED

FINISHED AREA

16'x12'

DOORWAY
(EXISTING)

EXISTING ATTACHED SHED

EXISTING
PARKING
SPOT #1

EXISTING
PARKING
SPOT #2

102 N. UNION

100 N. UNION

EXISTING
PARKING
SPOT #3

EXISTING
PARKING
SPOT #4

EXISTING 2-FAMILY
HOME

EXISTING
DRIVEWAY 70'x20'

ENTRY
TO 100

EXISTING WALKWAY

EXISTING FRONT
PORCH

Sheet1

100-102 North Union Street Lot Coverage

	Existing	Proposed
House (49'x33')	1617	1809
Shed (12'x30')	360	168
Front Porch (33'x8')	264	264
Driveway (70'x20')	1400	1400
Walkways & Landings	153	153
Total	3794	3794
% Coverage (5,600sq ft lot)	68.00%	68.00%

RECEIVED
OCT 23 2016
DEPARTMENT OF
PUBLIC WORKS

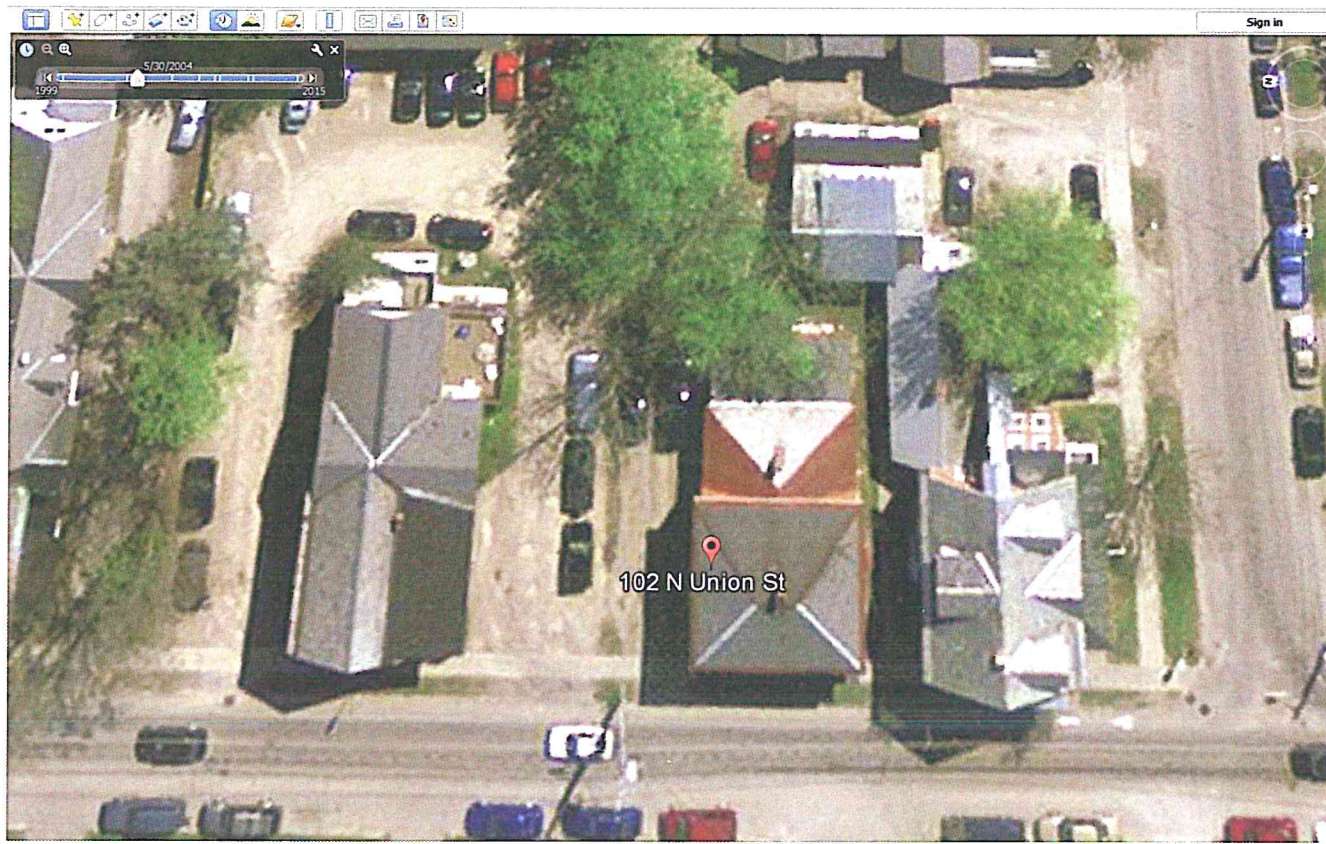


2000 Aerial Photo from Vermont Archives, shows one car in shadow of building and one next to

RECEIVED

MAR 24 2016

DEPARTMENT OF
PLANNING & ZONING



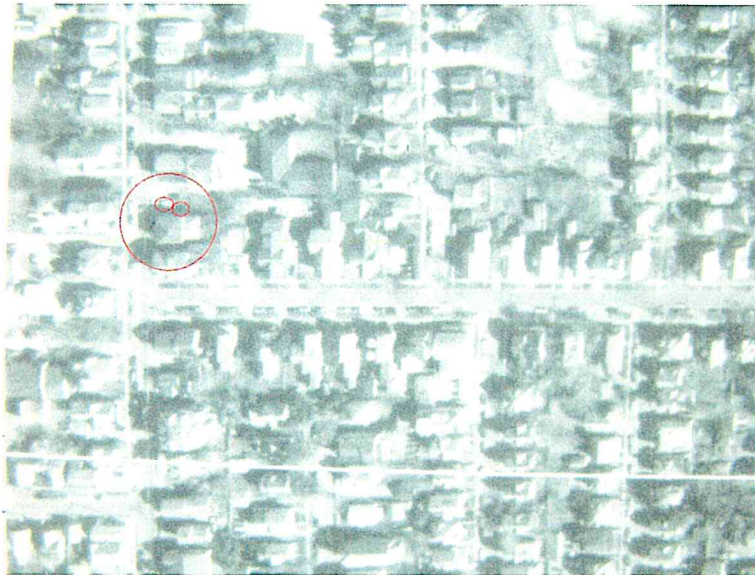
Aerial Photo 2003 from Google Earth, shows two cars parked tandem. Prior to fence

RECEIVED
MAR 24 2016
DEPARTMENT OF
PLANNING & ZONING

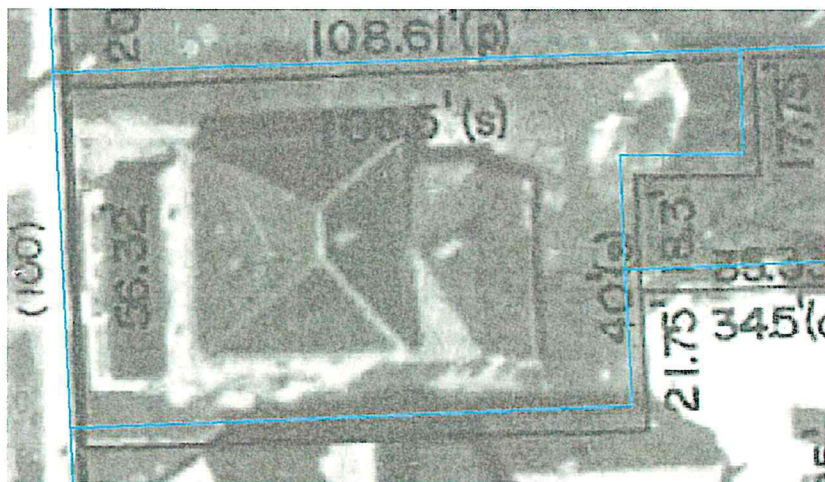


2012 Google Earth Photo, shows 4 cars parked in tandem with fence installed

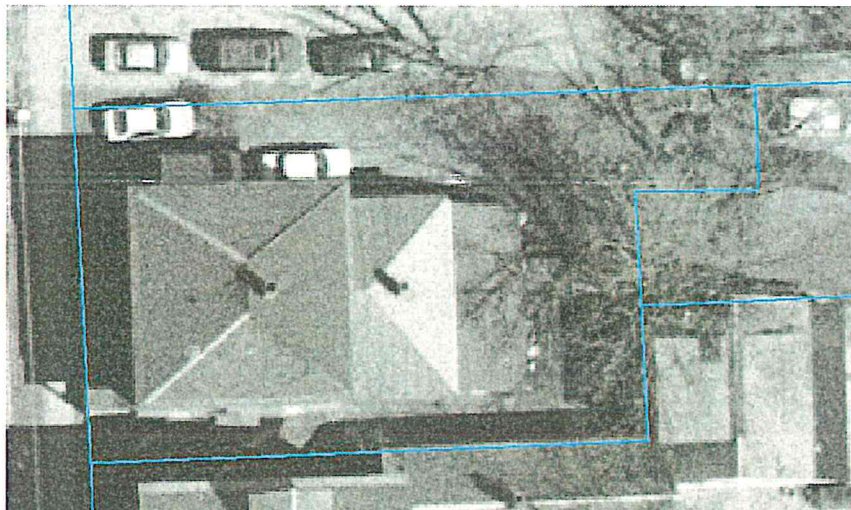
RECEIVED
MAR 24 2016
DEPARTMENT OF
PLANNING & ZONING



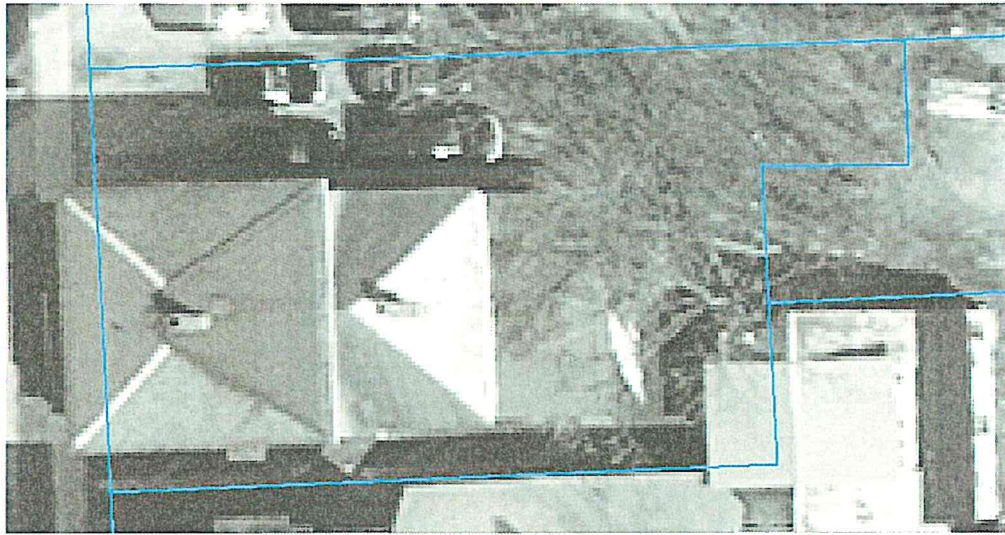
Provided by applicant. 2000. Note annotation of cars.



1978



2000



2004 B & W



2004 Color



2013



2014 Google Image (snip)



October 2014 Google snip.

30 yard
dumper & trash
out of this area in June
not mine

NE 94.10'

Cars parking here
not mine

17.75'

40'

.1± ACRE

34'

108.5'

56.32'

100-102 NORTH UNION STREET

~~Student~~
Student
neighbors

Student
neighbors

fencing

2010
to
keep people
from crossing drive

3 ft in
front
telephone
pole

NOTE

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

FINAL APPROVAL

SIGNED [Signature] DATE 10/28/10

PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT

Fay Associates, Inc.

RECEIVED

OCT 12 2010

DEPARTMENT OF
PLANNING & ZONING

Developed by Vermont Association of REALTORS®

2P 11-0343FC



March 2016



March 2016

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
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *AD*
DATE: May 3, 2016
RE: 16-0814CA/CU; 20 Fletcher Place
16-0815LL; 20 Fletcher Place
16-0816LL; 128 Colchester Avenue
16-0817LL; 132 Colchester Avenue

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

Zone: I Ward: IE

Owner/Representative: Wilshire Properties, LLC

Request: Construction of 3-unit residential building with associated drive and parking

Applicable Regulations:

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

Background Information:

The applicant is seeking approval to construct a new triplex with associated parking and site improvements. The applicant owns several contiguous parcels along the eastern side of Fletcher Place. Associated lot line adjustments among these parcels are also included in this proposal. The proposed triplex will be constructed on a reconfigured lot already containing a single family dwelling. Multiple primary structures are allowed on a single lot in the institutional zone.

The Design Advisory Board reviewed this project February 23, 2016 and unanimously recommended approval with the following conditions:

1. Shelter for the rear entrance should be provided.
2. Edging along the sides of the gravel walkway is recommended.
3. Utility meter and mechanical equipment locations must be depicted and screened.
4. Stormwater management measures must be reviewed and approved by the city's stormwater program.

Previous zoning actions for this property are as follows:

- 4/13/12, Approval to install backyard fence
- 3/20/01, Approval to replace 3rd floor window with new for egress requirements
- 9/8/00, Approval to convert single family home to duplex (not enacted)

Recommendation: Conditional use and 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:

Section 3.5.6 (a) Conditional Use Review Standards

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

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

The proposed triplex will have only modest impacts on public utilities, facilities, or services in the area. A state wastewater permit will be needed. An ability to serve letter from the Department of Public Works will be needed in order to obtain one. Impact fees will be paid to help offset what impacts there are on municipal services and facilities. **(Affirmative finding as conditioned)**

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

The subject property is zoned as Institutional (I). The I zone is intended primarily to support the city's major educational and health care institutions. In addition, the district is intended to support a broad range of related uses reflecting the resident institutions' roles as regional educational, health care, cultural, and research centers. The proposed residence falls into the latter category of related uses and may provide housing for individuals associated with one of the nearby institutions. **(Affirmative finding)**

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

Residents of nearby properties have noted concerns about noise associated with the proposed triplex, particularly if it is used as student housing. With the exception of senior housing, the zoning regulations do not distinguish among who may live somewhere. Concern about noise impacts related to potential student housing is valid and is best addressed through effective property management. The city's Noise Control Ordinance, administered by the Police Department, is also applicable. As for applicable zoning criteria, the proposed triplex can be found in conformance with this criterion. It is a relatively small scale, new residential structure in close proximity to the city's major institutions. **(Affirmative finding)**

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

No traffic analysis has been provided, nor is one required for a proposal of this scale. Anticipated traffic impacts are minimal. Only 3 dwellings are proposed, and they are located in easy walking or biking distance to major educational and employment centers. Nearby bus service is also available. **(Affirmative finding)**

and,

5. *The utilization of renewable energy resources;*

No part of this request prohibits the use of wind, solar, water, geothermal or other renewable energy resource. **(Affirmative finding)**

and,

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

No identified conflicts. Required building and/or life safety codes will be under the review of the building inspector. **(Affirmative finding as conditioned)**

(b) Major Impact Review Standards:
(Not applicable)

(c) Conditions of Approval:

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

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

The proposed residence is unlikely to generate offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

2. *Time limits for construction.*

No phasing or construction schedule is included in this application. As a result, the project must be completed within the standard 2-year time frame. Commence construction within 1 year and complete by the 2nd year unless an extension is requested and granted beforehand. **(Affirmative finding as conditioned)**

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

Hours of operation do not apply to the proposed residence. Construction hours are not specified. Typical construction hours in residential areas are Monday – Friday from 7:00 AM – 5:00 PM. Saturday construction may be allowed upon request. No work on Sunday. **(Affirmative finding as conditioned)**

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

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

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

Article 4: Maps & Districts

Sec. 4.4.4, Institutional District:

(a) Purpose

As noted above, the Institutional zone is intended primarily to support the city's major educational and health care institutions. In addition, the district is intended to support a broad range of related uses reflecting the resident institutions' roles as regional educational, health care, cultural, and research centers. The proposed triplex will provide new housing opportunity within close proximity of the city's major institutions and can be considered one of these related uses.

(Affirmative finding)

(b) Dimensional Standards & Density

The proposed triplex will occupy the lot at 20 Fletcher Place with an existing single dwelling. The 4 dwellings on the 0.28 acre lot are acceptable. The maximum density is 20 units/acre. Up to 5 units could be constructed within allowable density.

Lot coverage will change to 39.8%, just below the maximum permissible 40% coverage.

The proposed triplex will be set back 15' from the front property line as required. The required side yard setbacks are 12' (10% of the 117' - 119' wide lot). The triplex is set back 12' from the southern side boundary and much more than that to the northern side boundary. The proposed 26' rear yard setback complies with the minimum required 26' rear yard setback (25% of the 104' deep lot).

The triplex will reach to 32' at the midpoint of its highest roof. This height is under the maximum permissible 35'. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The proposed triplex constitutes an attached multi-family dwelling and is a conditional use within the Institutional zone. Conditional use criteria are addressed under Article 3 above. **(Affirmative finding)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

Not applicable.

Sec. 5.2.4, Buildable Area Calculation

Not applicable.

Sec. 5.2.5, Setbacks

Not applicable.

Sec. 5.2.6, Building Height Limits

Not applicable.

Sec. 5.2.7, Density and Intensity of Development Calculations

Not applicable.

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. As noted previously, concern has been expressed about noise related to occupants of the proposed triplex. The triplex, in and of itself, will not generate noise. If noise problems associated with occupants of the triplex arise, the city's Noise Control Ordinance may be enforced. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting

Some new outdoor lighting is proposed. It consists of entry lighting at the side and rear of the proposed triplex. One of the fixtures will serve a dual purpose and illuminate the adjacent parking as well. Illumination will be provided by acceptable cutoff fixtures and will generate acceptable lighting levels as demonstrated in the photometric plan. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

A basic stormwater management plan is proposed. Grading will direct stormwater runoff to an existing depression behind the single family home at 20 Fletcher Place. Runoff will collect here for infiltration. A perforated pipe will serve as both underdrain to the pervious parking area and conveyance of overflow into the public storm line along Fletcher Place. Review and approval by the city's stormwater program is pending.

An erosion prevention and sediment control plan has been provided and articulates construction sequencing and preventative erosion control measures. It too is pending review and approval by the city's stormwater program. **(Affirmative finding as conditioned)**

Article 6: Development Review Standards

Part 1, Land Division Design Standards

No subdivision is proposed; however, boundary lines between 20 Fletcher Place, 128 Colchester Avenue, and 132 Colchester Avenue will be adjusted.

Sec. 6.1.2, Review Standards

(a) Protection of important natural features

The proposed boundary line adjustments will have no impact on important natural features. **(Affirmative finding)**

(b) Block size and arrangement

Block size and arrangement will remain unchanged. **(Affirmative finding)**

(c) Arrangement of Lots

The boundary adjustments will enable placement of the triplex in a manner consistent with that of other homes along Fletcher Place. Orientation of the lots and the structures on them will remain unchanged. **(Affirmative finding)**

(d) Connectivity of streets within the city street grid

Not applicable.

(e) Connectivity of sidewalks, trails, and natural systems
Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

The triplex is proposed in an area of lawn just south of the existing single family home. Only limited clearing of an overgrown brushy area is needed. **(Affirmative finding)**

(b) Topographical alterations

The property is essentially flat and will remain so. Proposed grading is minor and relates largely to directing stormwater runoff to a receiving area. **(Affirmative finding)**

(c) Protection of important public views

The subject property is not affected by any identified public view corridor. **(Affirmative finding)**

(d) Protection of important cultural resources

The property itself is not historically significant. The existing home; however, is included on the Vermont State Register of Historic Places. No alterations to this home are proposed.
(Affirmative finding)

(e) Supporting the use of alternative energy

There is no indication that the proposed triplex will utilize alternative energy. The triplex 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

See Sec. 5.5.3 for stormwater management.

The primary entrance into the home is sheltered within an open front porch. As recommended by the Design Advisory Board, shelter is now provided over the rear entry. Ample room is available onsite for seasonal snow storage. **(Affirmative finding)**

(h) Building location and orientation

The proposed home is clearly oriented towards Fletcher Place. The building lines up with other homes along Fletcher Place thereby reinforcing the street edge. **(Affirmative finding)**

(i) Vehicular access

A new private driveway will provide adequate access to the triplex and existing single family home. A curb cut permit from the Department of Public Works is likely required. **(Affirmative finding as conditioned)**

(j) Pedestrian access

A new front walkway will provide pedestrian access from the public sidewalk to the front entry. Another walkway will provide pedestrian access from the driveway to the rear entry. Note that

this second walkway will be gravel. As recommended by the DAB, edging will be provided to contain gravel within the walkway. **(Affirmative finding)**

(k) Accessibility for the handicapped

No handicap accessibility is evident with this proposal. It is the applicant's responsibility to comply with all ADA requirements as administered through the city's building code.

(Affirmative finding as conditioned)

(l) Parking and circulation

An existing parking area in front of the single dwelling at 20 Fletcher Place will be replaced with a new driveway with sufficient room for 3 parking spaces. The driveway will provide access to Fletcher Place. **(Affirmative finding)**

(m) Landscaping and fences

A landscaping plan has been provided. Gardens are proposed along much of the building's perimeter with several new trees planted within the lawn. As proposed, the landscaping plan is fairly typical for new home construction. **(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. As recommended by the DAB, utility meter locations and mechanical equipment locations are noted on the project plans. They are proposed at an acceptable location at the rear of the proposed triplex. **(Affirmative finding)**

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 triplex are consistent with that of existing homes in the neighborhood. Most homes are 2 – 2 ½ stories along Fletcher Place. The proposed triplex will be a full 3 stories. Architectural detailing lessens the perceived mass of the building by breaking it into distinct components. Varying rooflines, dormers, and trim details serve to articulate separate volumes within the overall structure. **(Affirmative finding)**

2. Roofs and Rooflines

The triplex is essentially a gable-roofed structure. Varying roof lines are incorporated into the dormers, porch, and front façade. 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

As noted above, the existing single family home is historically significant. No alterations to this existing structure are proposed. The new triplex will be set away from the existing home and is designed in such a way as to be compatible with it and other nearby historic homes. **(Affirmative finding)**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

The primary entry to the proposed triplex is clearly articulated and oriented towards Fletcher Place. It is set inside an open front porch with walkway access to the public sidewalk. 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 wood clapboard siding with shingle accents. While not required, varying colors between the clapboards and shingle accents is encouraged. Wooden trim is also proposed. Asphalt shingles will be installed on the roof. Clad wooden windows are proposed. Railings appear to be wooden. These materials 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 and mechanical equipment are depicted behind the proposed triplex. **(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 within the Shared Use Parking District. As a result, the existing single family home requires 2 spaces, and the proposed triplex requires 3 spaces (1 space per unit for multi-family). Of the 5 total spaces required, 3 will be provided in the new driveway – 2 for the single family home and 1 for the triplex. The additional 2 spaces for the triplex will be provided offsite at 138 Colchester Avenue (See. Sec. 8.1.12 below). **(Affirmative finding)**

Sec. 8.1.2, Limitations, Location, Use of Facilities

(a) Off-Site parking facilities

The proposed offsite parking spaces at 138 Colchester Avenue are 300 feet, via public sidewalk, from the proposed triplex. This distance is within the 1,000 foot maximum permissible distance. City records indicate that 138 Colchester Avenue contains a single dwelling unit and has 7 parking spaces. Two of the spaces are required for the onsite dwelling unit. Two of the remaining 5 spaces will be dedicated to the proposed triplex. These 2 spaces must be secured by way of long term lease, easement, or deed, subject to review and approval by the Office of the City Attorney. **(Affirmative finding as conditioned)**

Sec. 8.2.5, Bicycle Parking Requirements

The proposed triplex requires 2 short term bicycle parking spaces (i.e. bike rack) and at least 1 long term space (i.e. within the triplex or an enclosed bike locker). Bike parking details are lacking; however, there is ample room within the triplex for the required long term space. Likewise, there is ample room by the entry porch for an outdoor bike rack. Revised plans indicating these items are needed. **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, the applicant shall execute a long term lease, easement, or deed, for the off-site parking spaces subject to review and approval by the Office of the City Attorney.
2. **Prior to release of the zoning permit**, the applicant shall provide revised project plans that include at least 1 long term bike parking space and at least 2 short term bike parking spaces, subject to staff review and approval.
3. At least seven (7) days **prior to issuance of a certificate of occupancy** impact fees based on the gross floor area of the proposed triplex shall be paid to the Department of Planning & Zoning.
4. Review and approval of the stormwater management plan and the erosion prevention and sediment control plan by the city's stormwater program is required.
5. Construction hours shall be limited to Monday – Friday from 7:00 AM – 5:00 PM. Saturday construction may be allowed upon request to the Development Review Board. No work on Sunday.
6. A state wastewater permit is required. An ability to serve letter from the Department of Public Works will be needed in order to obtain one.
7. A curb cut permit from the Department of Public Works may be required for the new driveway. The applicant/property owner is responsible for obtaining such permit.
8. 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.
9. Standard permit conditions 1-15.



RECEIVED

JAN 28 2016

DEPARTMENT OF
PLANNING & ZONING

January 28, 2016

Scott Gustin, AICP, CFM
Interim Zoning Administrator
Dept. of Planning & Zoning
149 Church Street
Burlington, VT 05401

Re: Elizabeth's Place, 20 Fletcher Place
Burlington, VT

Dear Scott:

We are writing on behalf of our client, Martha Lang, DBA Wiltshire Properties, LLC, to request approval of the attached Boundary Line Adjustments and Site Plan Applications. This proposed project involves boundary line adjustments between 20 Fletcher Place, 128 Colchester Avenue and 132 Colchester Avenue, all owned by Wiltshire Properties, LLC. At this point, Wiltshire's other properties are not involved. This project is intended to continue the infill along Fletcher Place, and to provide some much-needed residential units along the existing transit routes in the City, and in close proximity to the two largest institutions in the City.

The boundary line adjustments are proposed to result in 1,061 s.f. being transferred from 128 CA (Colchester Avenue) to 20 FP (Fletcher Place), 2,505 s.f. being transferred from 132 CA to 20 FP and 1,166 s.f. being transferred from 132 CA to 128 CA. The results of these adjustments will be that 20 FP increases from 8,746 s.f. to 12,312 s.f., 128 CA increasing from 7,245 s.f. to 7,350 s.f. and 132 CA decreasing from 8,349 s.f. to 4,678 s.f. These proposed adjustments are shown on the Boundary Line Adjustment Plat attached hereto. As you noted in your e-mail to me of January 18, 2016, these boundary line adjustments trigger a Level III Certificate of Appropriateness (COA).

The site plan depicts a new 3 unit residential building proposed to be constructed in the space between the existing single family dwelling on 20 FP and the gravel parking area serving 128 CA. The building is proposed to be a three story building with a gabled roof, similar in architectural style to those on the surrounding properties. As you noted in your e-mail to me of January 18, 2016, the three unit building is a Conditional Use, and as such triggers a Level II Certificate of Appropriateness (COA). Associated with this new building, in addition to serving the existing building on 20 FP, a new driveway and four-space parking area is proposed. In accordance with Table 8.1.8-1 of the City of Burlington Comprehensive Development Ordinance (CDO), one of the four new spaces will serve as the second parking space required by the single family dwelling on 20 FP, with the other three meeting the requirement of one space per unit for the new building.

Following discussions with Megan Moir on January 13, 2016, we propose to construct the new drive and parking with pervious asphalt to encourage infiltration and reduce runoff. This drive will slope very gradually toward Fletcher Place. In times of intense storms, shallow grass swales lead between the drive and the buildings toward a small detention / infiltration area in the

Scott Gustin
January 28, 2016
Page 2 of 2

RECEIVED
JAN 28 2016

existing low point at the rear of the property. This area will have a 4" overflow pipe leading to the existing storm sewer pipe running down the westerly edge of Fletcher Place. This overflow pipe will also serve as a method of dewatering the base of the pervious concrete drive. The intention of this basin is to provide storage of the water quality volume for the project, as well as reduce the volume of stormwater currently flowing off of this property onto the University of Vermont property to the north of this property.

A lighting plan is also included with this application. We have attempted to minimize the amount of light spilling off of the site by using all down-shielded lights, while at the same time providing needed illumination at the building entrances and toward the parking area.

As required by Article 3 of the CDO, and as per your email dated January 18, 2016, we have attached the following;

COA Level III – Boundary Line Adjustments –

One Zoning Permit Application and Completed Checklist for each of the three properties;
\$300 application fee (\$100 per lot);
Two (2) 18" x 24" copies of the Boundary Line Adjustment Plat
and one (1) 11" x 17" copy of the Boundary Line Adjustment Plat.

COA Level II – Site Plan – for 20 Fletcher Place

Zoning Permit Application;
Completed Level I and Level II checklists;
\$80 application fee for the Level I COA;
\$2,110 application fee for the Level II COA (\$ 110 base fee + \$2,000[\$2/\$1,000 x \$1,000,000 estimated construction cost]);
\$150 application fee for the Conditional Use;
One (1) 24" x 36" set of the project plans
and one (1) 11" x 17" set of the project plans.

Please feel free to contact me if you have any questions.

Sincerely,


Doug Henson, L.S., E.I.

Cc Martha Lang

RECEIVED

JAN 28 2016

DEPARTMENT OF
PLANNING & ZONING

LEGEND

---	EXISTING PROJECT BOUNDARY
---	ABUTTING PROPERTY LINE
---	BUILDING SETBACK
---	EXISTING GROUND CONTOUR
A,E&T	EXISTING UTILITY POLE AND OVERHEAD WIRE
S	EXISTING SEWER LINE
W	EXISTING WATER LINE
---	EXISTING CHAIN LINK FENCE
○ IPF	IRON PIPE FOUND
○ IBF	IRON BAR FOUND
■ CMF	CONCRETE MONUMENT FOUND
■ GMF	GRANITE MONUMENT FOUND
■ MMF	MARBLE MONUMENT FOUND

PROJECT STATISTICS

ZONING DISTRICT - INSTITUTIONAL

DIMENSIONAL REQUIREMENTS	REQUIRED	EXISTING		
MAXIMUM DENSITY	20 DU/ACRE	20 FLETCHER PLACE	128 COLCHESTER AVE.	132 COLCHESTER AVE.
MINIMUM FRONT SETBACK	15 FT MIN (AVG. OF 2 NEIGHBORING LOTS)	8,746 SF (4 MAX)	7,350 SF (3.3 MAX)	8,349 SF (3.8 MAX)
MINIMUM SIDE SETBACK	5 - 20 FT (10% OF LOT WIDTH)	5.3 FT	1.9 FT	2.6 FT
MINIMUM REAR SETBACK	20 - 75 FT (25% OF LOT DEPTH)	32.6 FT	82 FT	95 FT
MAXIMUM COVERAGE	40%	20.0% (1,757 SF)	39.9% (2,935 SF)	17.6% (1,470 SF)

EXISTING USES - SINGLE AND MULTI FAMILY RESIDENTIAL

UTILITIES:
WATER/WASTEWATER - MUNICIPAL SERVICES.

EXISTING PARKING
20 FLETCHER PLACE 2 SPACES PER ZP 12-0988FC
128 COLCHESTER AVE. 6 SPACES PER 1-3-96 APPROVAL
132 COLCHESTER AVE. 2 SPACES

SHEET INDEX

- EXISTING CONDITIONS SITE PLAN
- OVERALL SITE PLAN
- 20 FLETCHER PLACE PROPOSED SITE AND UTILITY PLAN
- GRADING PLAN
- LANDSCAPING PLAN
- LIGHTING PLAN
- WATER, STORMWATER & SITE DETAILS AND SPECIFICATIONS
- SEWER, LANDSCAPING & EROSION CONTROL DETAILS AND SPECIFICATIONS

OWNER/APPLICANT

WILTSHIRE PROPERTIES, LLC
c/o MARTHA LANG, Ph.D.
138 COLCHESTER AVENUE
BURLINGTON, VT 05401

NOTES

1. THIS IS A SITE PLAN ONLY AND IS NOT INTENDED TO BE USED FOR PROPERTY CONVEYANCES. SEE A PLAN ENTITLED "A PORTION OF LANDS OF WILTSHIRE PROPERTIES, LLC, 20 FLETCHER PLACE, 128 AND 132 COLCHESTER AVENUE, BOUNDARY LINE ADJUSTMENT PLAN" FOR A SURVEY OF THE PROPERTY.

2. THE SOILS ON THIS PROPERTY ARE A COMBINATION OF ADAMS AND WINDSOR LOAMY SANDS AND GEORGIA STONY LOAM SOILS.

Date	Revision	By
These plans shall only be used for the purpose shown below.		
☒ Sketch/Concept	☐ Act 250 Review	
☐ Preliminary	☐ Construction	
☐ Final Local Review	☐ Record Drawing	
LANDS OF WILTSHIRE PROPERTIES, LLC.		Project No. 15141
ELIZABETH'S PLACE		Survey KMR
20 FLETCHER PL., 128 & 132 COLCHESTER AVE. BURLINGTON, VT 05403		Design DLH
EXISTING CONDITIONS SITE PLAN		Drawn DLH
		Checked DJG
		Date 12-7-15
		Scale AS NOTED
		Sheet number

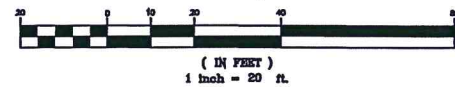
L Lamoureux & Dickinson
Consulting Engineers, Inc.
14 Morse Drive, Essex, VT 05452

THE CONTRACTOR SHALL NOTIFY
'DIGSAFE' PRIOR TO ANY EXCAVATION

LOCATION PLAN

NTS

GRAPHIC SCALE



S:\15141\dwg\15141.dwg, 1/25/2016 10:33:08 AM, 12.21198

LEGEND

---	EXISTING PROJECT BOUNDARY
---	ABUTTING PROPERTY LINE
---	BUILDING SETBACK
---	EXISTING GROUND CONTOUR
A,E&T	EXISTING UTILITY POLE AND OVERHEAD WIRE
S	EXISTING SEWER LINE
W	EXISTING WATER LINE
o	EXISTING CHAIN LINK FENCE
o IPF	IRON PIPE FOUND
o IBF	IRON BAR FOUND
o CMF	CONCRETE MONUMENT FOUND
o GMF	GRANITE MONUMENT FOUND
o MMF	MARBLE MONUMENT FOUND

PROJECT STATISTICS

ZONING DISTRICT - INSTITUTIONAL

DIMENSIONAL REQUIREMENTS:	REQUIRED	20 FLETCHER PLACE	128 COLCHESTER AVE.	132 COLCHESTER AVE.
LOT SIZE	N/A	12,312 SF	7,350 SF	4,678 SF
MAXIMUM DENSITY	20 DU/ACRE	14 DU/ACRE	17.7 DU/ACRE	19 DU/ACRE
MINIMUM FRONT SETBACK	15 FT MIN.(AVG. OF 2 NEIGHBORING LOTS)*	8 FT (EXISTING)	6 FT (EXISTING)	4.6 FT (EXISTING)
MINIMUM SIDE SETBACK	5 - 20 FT (10% OF LOT WIDTH)	5.3 FT (EXISTING)	1.9 FT (EXISTING)	2.6 FT (EXISTING)
MINIMUM REAR SETBACK	20 - 75 FT (25% OF LOT DEPTH)	32.6 FT (28' REQ'D)	63 FT (29' REQ'D)	25 FT (24' REQ'D)
MAXIMUM COVERAGE	40%	39.4% (4,847 SF)	39.9% (2,935 SF)	31.4% (1,470 SF)

*WHICHEVER IS LESS

EXISTING USES - SINGLE AND MULTI FAMILY RESIDENTIAL

UTILITIES:

WATER/WASTEWATER - MUNICIPAL SERVICES.

EXISTING PARKING

20 FLETCHER PLACE	2 SPACES PER ZP 12-0668FC
128 COLCHESTER AVE.	6 SPACES PER 1-3-96 APPROVAL
132 COLCHESTER AVE.	2 SPACES

OWNER/APPLICANT

WILTSHIRE PROPERTIES, LLC
c/o MARTHA LANG, Ph.D.
138 COLCHESTER AVENUE
BURLINGTON, VT 05401

NOTES

1. THIS IS A SITE PLAN ONLY AND IS NOT INTENDED TO BE USED FOR PROPERTY CONVEYANCES. SEE A PLAN ENTITLED "A PORTION OF LANDS OF WILTSHIRE PROPERTIES, LLC, 20 FLETCHER PLACE, 128 AND 132 COLCHESTER AVENUE, BOUNDARY LINE ADJUSTMENT PLAT" FOR A SURVEY OF THE PROPERTY.

2. THE SOILS ON THIS PROPERTY ARE A COMBINATION OF ADAMS AND WINDSOR LOAMY SANDS AND GEORGIA STONY LOAM SOILS.

Date	Revision	By
These plans shall only be used for the purpose shown below:		
☒ Sketch/Concept	☐ Act 250 Review	
☐ Preliminary	☐ Construction	
☐ Final Local Review	☐ Record Drawing	
LANDS OF WILTSHIRE PROPERTIES, LLC.		Project No.
ELIZABETH'S PLACE		15141
20 FLETCHER PL., 128 & 132 COLCHESTER AVE.		Survey
BURLINGTON, VT 05403		KMR
		Design
		DLH
		Drawn
		DLH
		Checked
		DJG
		Date
		12-7-15
		Scale
		AS NOTED
		Sheet number

**OVERALL SITE
PLAN**

Lamoureux & Dickinson
Consulting Engineers, Inc.

THE CONTRACTOR SHALL NOTIFY
'DIGSAFE' PRIOR TO ANY EXCAVATION

#31 FLETCHER PLACE
ROBERT K. & SUSAN G. BUTANI
N/F
VOL. 1085, PG. 778

#27 FLETCHER PLACE
FRANCIS J. & EDWARD B. VON
TURKOVICH
N/F
VOL. 1157, PG. 487

#19 FLETCHER PLACE
DAWN M. & THOMAS F.
EDWARDS
N/F
VOL. 1016, PG. 758

#17 FLETCHER PLACE
UNITED MINING & SALVAGE
COMPANY, LLC
N/F
VOL. 1254, PG. 51

EXISTING SIGN
"NO PARKING
THIS SIDE OF
STREET"

#120 COLCHESTER AVENUE
DANIEL J. & HOLLY TRAHAN
N/F
VOL. 438, PG. 303

#34 FLETCHER PLACE
UNIVERSITY OF VERMONT &
STATE AGRICULTURE COLLEGE
N/F
VOL. 775, PG. 492

#28
FLETCHER
PLACE

PATRICIA A. ROONEY
&
WILLIAM P. HICKOK
N/F

WILTSHIRE PROPERTIES, LLC
N/F
VOL. 1232, PG. 116

#20 FLETCHER PLACE
(SINGLE FAMILY DWELLING)

UNIVERSITY OF VERMONT &
STATE AGRICULTURE COLLEGE
N/F
VOL. 775, PG. 492

WILTSHIRE PROPERTIES, LLC
N/F
VOL. 1232, PG. 116

PROPOSED NEW THREE UNIT
RESIDENTIAL BUILDING

WILTSHIRE PROPERTIES, LLC
N/F
VOL. 1232, PG. 116

WILTSHIRE PROPERTIES, LLC
N/F
VOL. 1232, PG. 116

EXISTING GRAVEL DRIVE

#128
COLCHESTER
AVENUE
(3 FAMILY
DWELLING)

#132
COLCHESTER
AVENUE
(2 FAMILY
DWELLING)

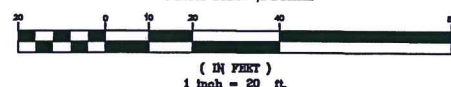
#138
COLCHESTER
AVENUE

FLETCHER ALLEN HEALTH CARE, INC.
N/F
VOL. 978, PG. 403

LOCATION PLAN

NTS

GRAPHIC SCALE



JAN 26 2016

DEPARTMENT OF
PLANNING & ZONING

LEGEND

	EXISTING PROJECT BOUNDARY
	ABUTTING PROPERTY LINE
	BUILDING SETBACK
	EXISTING GROUND CONTOUR
	EXISTING UTILITY POLE AND OVERHEAD WIRE
	EXISTING SEWER LINE
	EXISTING WATER LINE
	IRON PIPE FOUND
	IRON BAR FOUND
	CONCRETE MONUMENT FOUND
	GRANITE MONUMENT FOUND
	MARBLE MONUMENT FOUND

LOCATION PLAN

NTS

EXISTING SEWER MANHOLE #RP 3.02
RIM ELEV = 318.44

REMOVE AND REPLACE
EXISTING CONCRETE CURB
WITH NEW DEPRESSED CURB,
SEE DETAIL ON SHEET #7.

NEW 4" SDR 35 PVC
POND OVERFLOW
INV. = 312.9

NEW 5' WIDE
CONCRETE SIDEWALK

APPROXIMATE LIMITS OF
PAVEMENT REPLACEMENT,
SEE DETAIL ON SHEET #7.

NEW 6" INV. = 311.5 +/-

EXISTING SEWER MANHOLE #RP 3.03
RIM ELEV = 318.50
8" VCP INV. OUT = 311.00

PRIOR TO INSTALLING THE NEW 6" SEWER SERVICE,
THE CONTRACTOR SHALL EXCAVATE A TEST HOLE
TO DETERMINE THE EXACT LOCATION AND
ELEVATION OF THE WATERLINE TO DETERMINE IF A
CONFLICT EXISTS WITH THE NEW SEWER SERVICE.

THE CONTRACTOR SHALL NOTIFY
'DIGSAFE' PRIOR TO ANY EXCAVATION

FLETCHER PLACE

#26
FLETCHER
PLACE

PATRICIA A. ROONEY
&
WILLIAM P. HICKOK
N/F

GRAVEL DRIVE

WILTSHIRE PROPERTIES, LLC
N/F
VOL. 1232, PG. 118

UNIVERSITY OF VERMONT &
STATE AGRICULTURE COLLEGE
N/F
VOL. 775, PG. 482

#20 FLETCHER PLACE
(SINGLE FAMILY DWELLING)

EXISTING GRAVEL DRIVE
TO REMAIN

PROPOSED NEW FOUR SPACE
PERVIOUS PAVEMENT PARKING
AREA

S = 0.005 FT / FT

85 LF NEW PERFORATED
4" SDR 35 PVC

17 LF NEW NON-PERFORATED
4" SDR 35 PVC

S = 0.005 FT / FT

NEW 4" SDR 35 PVC
POND OVERFLOW
INV. = 313.5

NEW 4" WIDE GRAVEL WALK

#140 COLCHESTER AVENUE
WILTSHIRE PROPERTIES, LLC
N/F
VOL. 1232, PG. 118

NEW 2" TYPE "K" COPPER WATER
SERVICE WITH CURB STOP.

PROPOSED NEW THREE
UNIT RESIDENTIAL
BUILDING

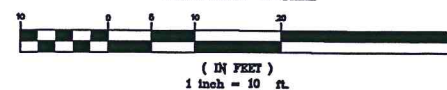
6" INV. = 312.0

NEW 6" SDR 35 PVC SEWER SERVICE
MIN. S = 0.1 FT / FT. (1%)

SIDE YARD BUILDING SETBACK

WILTSHIRE PROPERTIES, LLC
N/F
VOL. 1232, PG. 118

GRAPHIC SCALE



NOTES

1. THIS IS A SITE PLAN ONLY AND IS NOT INTENDED TO BE USED FOR
PROPERTY CONVEYANCES. SEE A PLAN ENTITLED "LANDS OF
WILTSHIRE PROPERTIES, LLC, ELIZABETH'S PLACE, 20 FLETCHER PLACE,
128 AND 132 COLCHESTER AVENUE, BOUNDARY LINE ADJUSTMENT PLAN"
FOR A SURVEY OF THE PROPERTY.

2. THE SOILS ON THIS PROPERTY ARE A COMBINATION OF ADAMS AND

OWNER/APPLICANT

WILTSHIRE PROPERTIES, LLC
c/o MARTHA LANG, P.L.D.
138 COLCHESTER AVENUE
BURLINGTON, VT 05401

Date	Revision	By
These plans shall only be used for the purpose shown below:		
☒ Sketch/Concept	☐ Act 250 Review	
☐ Preliminary	☐ Construction	
☐ Final Local Review	☐ Record Drawing	
LANDS OF WILTSHIRE PROPERTIES, LLC.		Project No. 15141
ELIZABETH'S PLACE		Survey KMR
20 FLETCHER PL., 128 & 132 COLCHESTER AVE. BURLINGTON, VT 05403		Design DLH
20 FLETCHER PLACE PROPOSED SITE AND UTILITY PLAN		Drawn DLH
		Checked DJG
		Date 12-7-15
		Scale AS NOTED
		Sheet number

L Lamoureux & Dickinson
Consulting Engineers, Inc.
14 Morse Drive, Essex, VT 05452

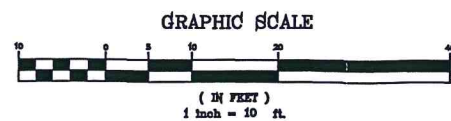
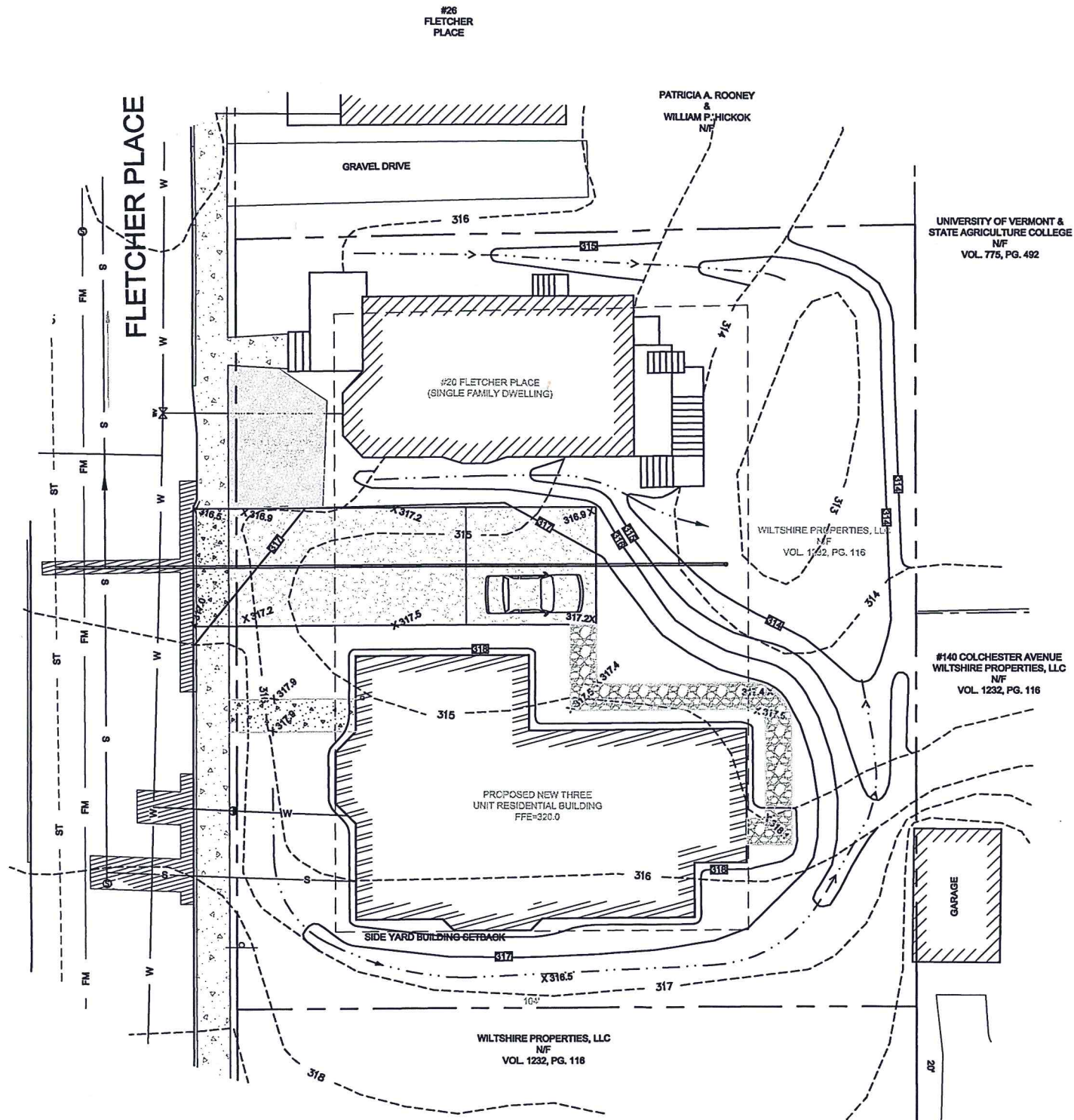
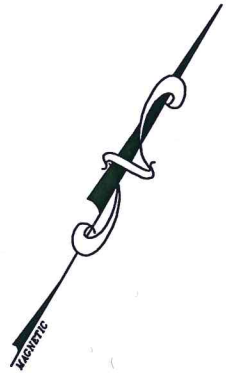
151515141.dwg 15141 1/25/2016 9:40:11 AM, 12.21198

LEGEND	
	EXISTING PROJECT BOUNDARY
	ABUTTING PROPERTY LINE
	BUILDING SETBACK
	EXISTING GROUND CONTOUR
	EXISTING UTILITY POLE AND OVERHEAD WIRE
	EXISTING SEWER LINE
	EXISTING WATER LINE
	FENCE
	NEW SWALE

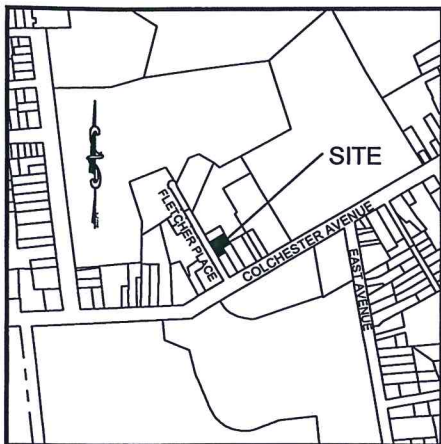
THE CONTRACTOR SHALL NOTIFY
'DIGSAFE' PRIOR TO ANY EXCAVATION



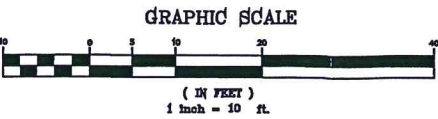
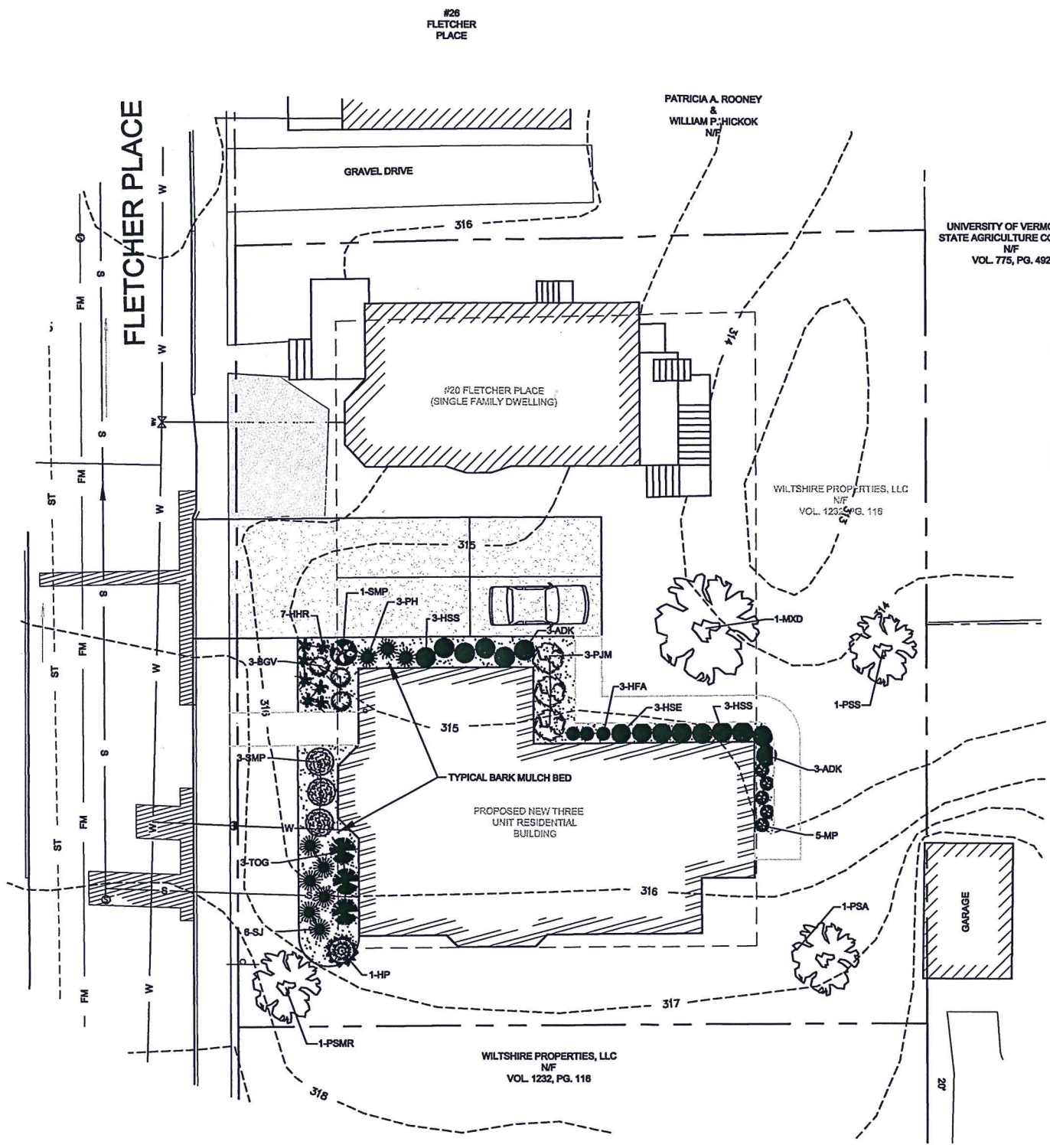
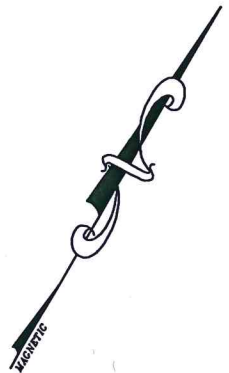
LOCATION PLAN
NTS



Date	Revision	By
These plans shall only be used for the purpose shown below:		
☒ Sketch/Concept	☐ Act 250 Review	
☐ Preliminary	☐ Construction	
☐ Final Local Review	☐ Record Drawing	
LANDS OF WILTSHIRE PROPERTIES, LLC.		
ELIZABETH'S PLACE		Project No. 15141
20 FLETCHER PL., 128 & 132 COLCHESTER AVE. BURLINGTON, VT 05403		Survey KMR
GRADING PLAN		Design DLH
		Drawn DLH
		Checked DJG
		Date 12-7-15
		Scale AS NOTED
		Sheet number
Lamoureux & Dickinson Consulting Engineers, Inc. 14 Morse Drive, Essex, VT 05452		



LOCATION PLAN
NTS



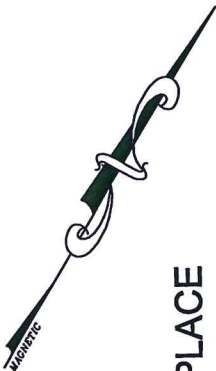
LEGEND

---	EXISTING PROJECT BOUNDARY
---	ABUTTING PROPERTY LINE
---	BUILDING SETBACK
- - - - -	EXISTING GROUND CONTOUR
- A, E & T -	EXISTING UTILITY POLE AND OVERHEAD WIRE
- S -	EXISTING SEWER LINE
- W -	EXISTING WATER LINE

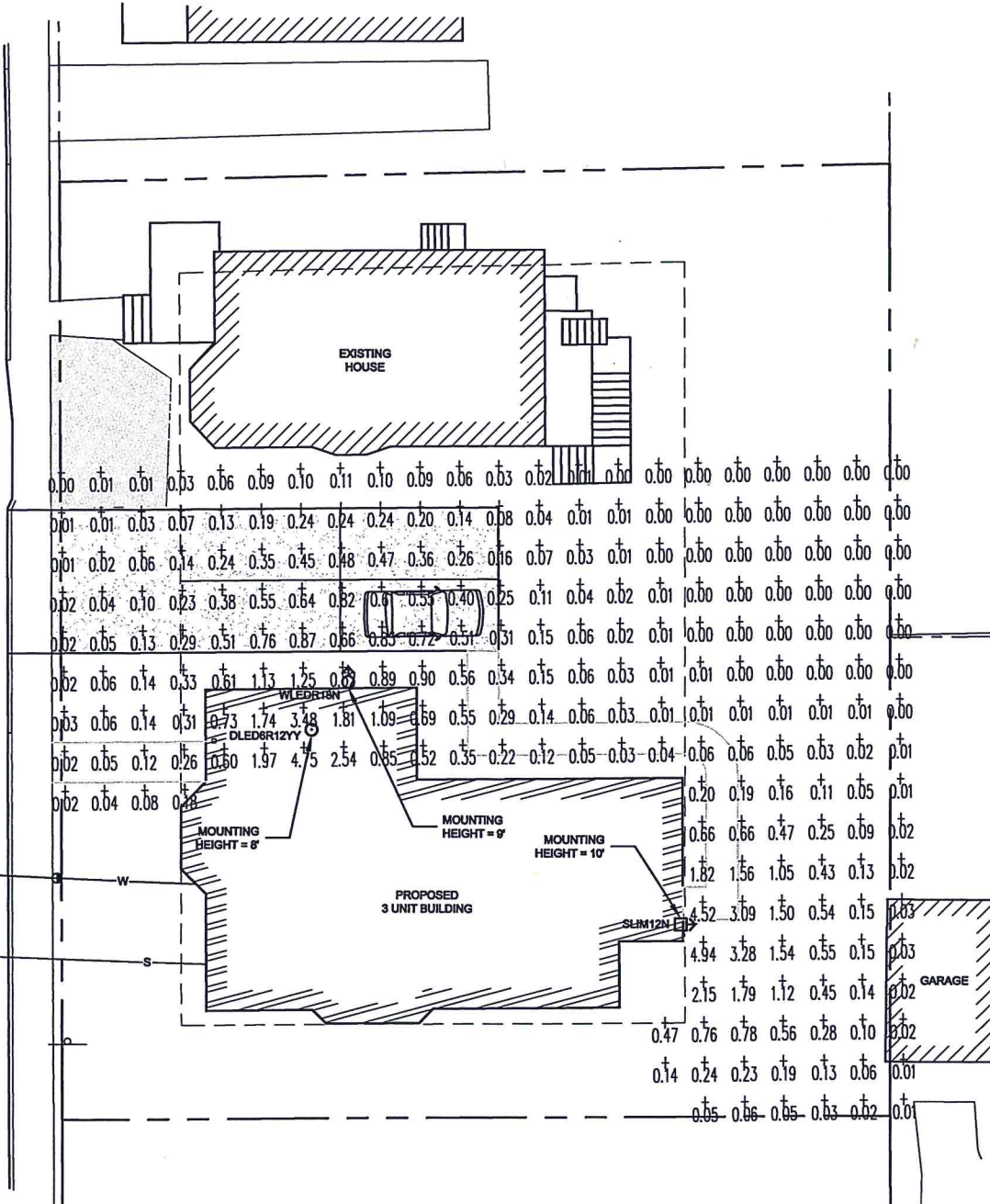
PLANTING SCHEDULE

Planting Schedule						
Count	ID	Common Name	Item Description	Unit	Height	Spread
Trees						
1	MXD	Fireside Apple	Malus x domestica 'Fireside'	5-7 gal	12-15 ft	14 ft
1	PSMR	Mt Royal European Plum	Prunus spp. 'Mt Royal'	5-7 gal	10-12 ft	> 12 ft
1	PSA	Anjou Pear	Pyrus spp. 'Anjou'	5-7 gal	10-12 ft	>12 ft
1	PSS	Seckel Pear	Pyrus spp. 'Seckel'	5-7 gal	10-12 ft	>12 ft
Shrubs						
3	BGV	Green Velvet Boxwood	Buxus 'Green Velvet' (COPF)	3 gal	3 - 5 ft.	36 in. - 4 ft.
1	HP	Pinky Winky™ Hardy Hydrangea	Hydrangea paniculata 'DVPpinky'	3 gal	4 - 7 ft.	4 - 7 ft.
3	PJM	PJM Rhododendron	Rhododendron 'PJM'	3 gal	3 - 5 ft.	4 - 7 ft.
6	SJ	Neon Flash Spirea	Spiraea japonica 'Neon Flash'	2-3 gal	30 in. - 3 ft.	24 - 36ft.
4	SMP	Dwarf Korean Lilac	Syringa meyeri 'Palibin'	2-3 gal	3 - 5 ft.	4 - 7ft.
3	TOG	Globe Arborvitae	Thuja occidentalis 'Globosa'	2 gal	3 - 5 ft.	4 - 7ft.
Herbaceous						
6	ADK	Kniffl® Goat's Beard	Arunco diolcus 'Kniffl'	#2	30 in - 3 ft.	24 - 36in
7	HHR	Happy Returns Daylily	Hemoerocallis 'Happy Returns'	#1	12 - 18 in	< 21in
3	HFA	Variegated Plantain Lily	Hosta fortunei 'Albomarginata'	#2		
3	HSE	Sieboldiana Elegans Plantain Lily	Hosta sieboldiana 'Elegans'	#2		
6	HSS	Sum & Substance Hosta	Hosta x 'Sum & Substance'	#2	24 - 30 in.	4 - 7 ft.
5	MP	Ostrich Fern	Matteuccia pennsylvanica	#1	30 in - 3 ft.	12 - 24 in
3	PH	Cottage Mix Peony	Paeonia hybrids	#2	24 - 30 in.	24 - 36 ft.

Date	Revision	By
These plans shall only be used for the purpose shown below. ☒ Sketch/Concept ☐ Act 250 Review ☐ Preliminary ☐ Construction ☐ Final Local Review ☐ Record Drawing		
LANDS OF WILTSHIRE PROPERTIES, LLC. ELIZABETH'S PLACE 20 FLETCHER PL., 128 & 132 COLCHESTER AVE. BURLINGTON, VT 05403		Project No. 15141 Survey KMR Design DLH Drawn DLH Checked DJG Date 12-7-15 Scale AS NOTED Sheet number 5
LANDSCAPING PLAN		
LANDSCAPE DESIGN BY: Ginkgo Design, LLC Smart Landscape Solutions 22 Pearl Street Burlington, VT 05403 Designed by: David Burton, VCI Vermont Certified Horticulturalist		
Lamoureux & Dickinson Consulting Engineers, Inc. 14 Morse Drive, Essex, VT 05452		



FLETCHER PLACE



SLIM12N

12, 18 and 24 Volt SLIM wallpacks are ultra efficient and deliver impressive light distribution with a compact low profile design that's super easy to install in a downlight or uplight.

Color: Bronze Weight: 4.5 lbs

Project:		Type:
Prepared By:		Date:

Driver Info		LED Info
Type:	Constant Current	Watt:
120V:	0.15A	Color Temp:
208V:	0.08A	Color Accuracy:
240V:	0.07A	L70 L80:
277V:	0.06A	Lumen:
Input Watts:	14W	Efficacy:
Efficiency:	84%	

Technical Specifications

Listings:

UL Listing: Suitable for wet locations. Suitable for mounting within 1.2m (4ft) of the ground.

ADA Compliant: SLIM™ is ADA Compliant.

DLC Listing: The product is on the Energy Lights Consortium (ELC) Qualified Products List and is eligible for rebates from DLC Member Utilities.

Dark Sky Approved: The International Dark Sky Association has approved this product as a full cutoff, fully shielded luminaire.

IESNA LM-79 & LM-80 Testing: RAB LED luminaires have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80, and have received the Department of Energy "Lighting Facts" seal.

Construction

IP Rating: Ingress Protection rating of IP66 for dust and water.

Cold Weather Starting: The minimum starting temperature is -40°F/-40°C.

Ambient Temperature: Suitable for use at 40°C (104°F) ambient temperature.

Thermal Management: Superior heat sinking with internal Air Flow Fan.

Housing:

Precision die-cast aluminum housing.

Mounting:

Heavy-duty mounting bracket with tapered housing for easy installation.

Recommended Mounting Height:

Up to 8 ft.

Lens:

Tempered glass lens.

Reflector:

Special polycarbonate.

Gaskets:

High-temperature silicone.

Finish:

Our environmentally friendly polyester powder coating is formulated for high durability and long lasting color, and contains no VOC or toxic heavy metals.

Green Technology:

Mercury and UV free, and RoHS compliant.

LED Characteristics

LED: Multi-chip, long-life LED.

Life Expectancy:

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

Color Consistency:

3-step blacken E-test binning to achieve consistent future-to-future color.

Color Stability:

LED on temperature is warranted to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:

RAB's range of CCT (Correlated Color Temperature) between the guidelines for the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.371-2011.

Electrical

Driver:

Constant Current, Class 2, 100-277V, 50/60 Hz, 40V surge protection, 50mA, 100-240VAC 0.3-1.5 Amps, 277VAC 0.15Amps, Power Factor 98%.

THD:

12% at 140V

Other

HID Replacement Range:

The SLIM12N can be used to replace 70W HID based on Standard Lumens.

California Title 24:

SLIM12N complies with 2013 California Title 24 building and electrical codes as a residential outdoor fixture. See SLIM12N/PC for a model that complies as a commercial outdoor non-pole-mounted fixture. 30 Watt.

DLED6R12YY

LED wallpacks are perfect for updating existing lighting without changing the fixture. Suitable for 800 ft/cd.

Color: White Weight: 1.4 lbs

Project:		Type:
Prepared By:		Date:

Driver Info		LED Info
Type:	Constant Current	Watt:
120V:	0.15A	Color Temp:
208V:	0.08A	Color Accuracy:
240V:	0.07A	L70 L80:
277V:	0.06A	Lumen:
Input Watts:	12W	Efficacy:
Efficiency:	84%	

Technical Specifications

Listings:

UL Listing: Suitable for damp locations.

IESNA LM-79 & LM-80 Testing: RAB LED luminaires have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80, and have received the Department of Energy "Lighting Facts" seal.

Construction

IP Rating: Ingress Protection rating of IP66 for dust and water.

Cold Weather Starting: The minimum starting temperature is -22°F/-30°C.

Ambient Temperature: Suitable for use at 40°C (104°F) ambient temperature.

Thermal Management: Superior heat sinking with internal Air Flow Fan.

Housing:

Precision die-cast aluminum housing.

Mounting:

Heavy-duty mounting bracket with tapered housing for easy installation.

Recommended Mounting Height:

Up to 8 ft.

Lens:

Tempered glass lens.

Reflector:

Special polycarbonate.

Gaskets:

High-temperature silicone.

Finish:

Our environmentally friendly polyester powder coating is formulated for high durability and long lasting color, and contains no VOC or toxic heavy metals.

Green Technology:

Mercury and UV free, and RoHS compliant.

LED Characteristics

LED: Multi-chip, long-life LED.

Life Expectancy:

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

Color Consistency:

3-step blacken E-test binning to achieve consistent future-to-future color.

Color Stability:

LED on temperature is warranted to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:

RAB's range of CCT (Correlated Color Temperature) between the guidelines for the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.371-2011.

Electrical

Driver:

Constant Current, Class 2, 100-277V, 50/60 Hz, 40V surge protection, 50mA, 100-240VAC 0.3-1.5 Amps, 277VAC 0.15Amps, Power Factor 98%.

THD:

12% at 140V

Other

HID Replacement Range:

The DLED6R12YY can be used to replace 70W HID based on Standard Lumens.

California Title 24:

DLED6R12YY complies with 2013 California Title 24 building and electrical codes as a commercial outdoor fixture. See DLED6R12YY/PC for a model that complies as a commercial outdoor non-pole-mounted fixture. 30 Watt.

WBLED18N

18 Watt LED wallpacks. Die cast aluminum wallpack with 12" cord and 4000K white light.

Color: Bronze Weight: 11.4 lbs

Project:		Type:
Prepared By:		Date:

Driver Info		LED Info
Type:	Constant Current	Watt:
120V:	0.15A	Color Temp:
208V:	0.08A	Color Accuracy:
240V:	0.07A	L70 L80:
277V:	0.06A	Lumen:
Input Watts:	22W	Efficacy:
Efficiency:	81%	

Technical Specifications

Listings:

UL Listing: Suitable for wet locations. Suitable for mounting within 4.8 (15ft) of the ground.

IESNA LM-79 & LM-80 Testing: RAB LED luminaires have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80, and have received the Department of Energy "Lighting Facts" seal.

Construction

IP Rating: Ingress Protection rating of IP66 for dust and water.

Cold Weather Starting: The minimum starting temperature is -40°F/-40°C.

Ambient Temperature: Suitable for use at 40°C (104°F) ambient temperature.

Thermal Management: Superior heat sinking with internal Air Flow Fan.

Housing:

Precision die-cast aluminum housing.

Mounting:

Heavy-duty mounting bracket with tapered housing for easy installation.

Recommended Mounting Height:

Up to 10 ft.

Lens:

Tempered glass lens.

Reflector:

Special polycarbonate.

Gaskets:

High-temperature silicone.

Finish:

Our environmentally friendly polyester powder coating is formulated for high durability and long lasting color, and contains no VOC or toxic heavy metals.

Green Technology:

Mercury and UV free, and RoHS compliant.

LED Characteristics

LED: Multi-chip, long-life LED.

Life Expectancy:

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

Color Consistency:

3-step blacken E-test binning to achieve consistent future-to-future color.

Color Stability:

LED on temperature is warranted to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:

RAB's range of CCT (Correlated Color Temperature) between the guidelines for the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.371-2011.

Electrical

Driver:

Constant Current, Class 2, 100-277V, 50/60 Hz, 40V surge protection, 50mA, 100-240VAC 0.3-1.5 Amps, 277VAC 0.15Amps, Power Factor 98%.

THD:

18.6% at 120V

Other

HID Replacement Range:

The WBLED18N can be used to replace 70W HID based on Standard Lumens.

California Title 24:

WBLED18N complies with 2013 California Title 24 building and electrical codes as a commercial outdoor fixture. See WBLED18N/PC for a model that complies as a commercial outdoor non-pole-mounted fixture. 30 Watt.



LIGHTING SUMMARY TABLE	
LUMINAIRES: RAB DLED6R12YY RECESSED CAN LIGHT	
RAB WBLED18N WALL SCONCE	
RAB SLIM 12N WALLPACK	
ZONING AREA: INSTITUTIONAL	
MOUNTING HEIGHT:	VARIABLE - SEE PLAN
MAX ILLUMINATION:	4.95 foot-candles
MIN ILLUMINATION:	0.05 foot-candles
AVG. ILLUMINATION:	0.85 foot-candles
UNIFORMITY RATIO (AVG/MIN):	17:1

LIGHTING LEVELS ARE BASED ON INTENDED ILLUMINATION AREAS ONLY AND ARE NOT REPRESENTATIVE OF THE ENTIRE LIGHTING GRID SHOWN ON THIS PLAN.

Date	Revision	By
These plans shall only be used for the purpose shown below.		
☒ Sketch/Concept	☐ Act 250 Review	
☐ Preliminary	☐ Construction	
☐ Final Local Review	☐ Record Drawing	
LANDS OF WILTSHIRE PROPERTIES, LLC.		
ELIZABETH'S PLACE		
20 FLETCHER PL., 128 & 132 COLCHESTER AVE.		
BURLINGTON, VT 05403		
LIGHTING PLAN		
Lamoureux & Dickinson Consulting Engineers, Inc.		

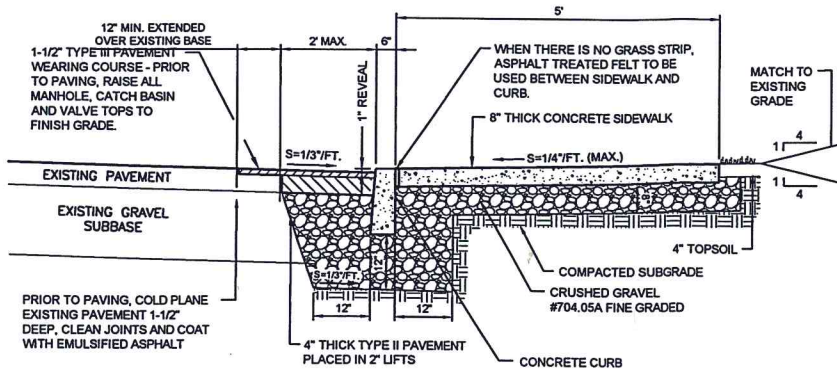
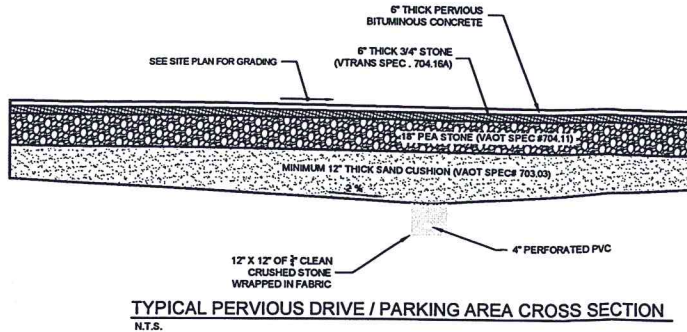
Project No. 15141
Survey KMR
Design DLH
Drawn DLH
Checked DJG
Date 12-7-15
Scale AS NOTED
Sheet number

GENERAL CONSTRUCTION NOTES

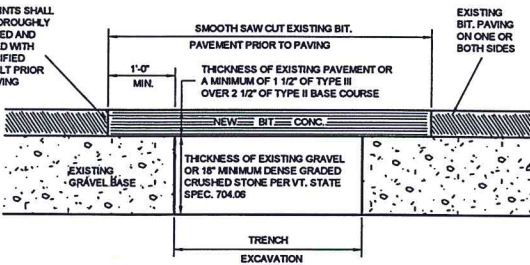
- ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH THE LATEST VERMONT AGENCY OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION 2008, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (2003 EDITION), THE CITY OF BURLINGTON PUBLIC WORKS SPECIFICATION REQUIREMENTS, AND THESE PLANS.
- THE CONTRACTOR SHALL CONTACT ALL UTILITIES BEFORE EXCAVATION TO VERIFY THE LOCATION OF ANY UNDERGROUND LINES. THE CONTRACTOR SHALL NOTIFY "DIGSAFE" AT 1-888-344-7233 (1-888-DIG-SAFE).
- UTILITIES INFORMATION SHOWN HEREON WERE OBTAINED FROM BEST AVAILABLE SOURCES AND MAY OR MAY NOT BE EITHER ACCURATE OR COMPLETE. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO ANY UTILITY, PUBLIC OR PRIVATE, SHOWN OR NOT SHOWN HEREON. THE CONTRACTOR SHALL CONNECT OR RECONNECT ALL UTILITIES TO THE NEAREST SOURCE THROUGH COORDINATION WITH UTILITY OWNER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEMOLITION AND REMOVAL OF ALL EXISTING SURFACES, SOILS, VEGETATION, PAVEMENT AND STRUCTURES NECESSARY TO CONSTRUCT THIS PROJECT UNLESS OTHERWISE NOTED ON THESE PLANS. THE CONTRACTOR SHALL REMOVE ALL EXCESS MATERIAL, DEBRIS AND TRASH FROM THE SITE UPON COMPLETION OF CONSTRUCTION, UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT THE DUST CREATED AS A RESULT OF CONSTRUCTION DOES NOT CREATE A NUISANCE OR A SAFETY HAZARD. WHERE AND WHEN DEEMED NECESSARY BY THE ENGINEER OR OWNER, THE CONTRACTOR SHALL BE REQUIRED TO WET SECTIONS OF THE CONSTRUCTION AREA WITH WATER, APPLY CALCIUM CHLORIDE OR SWEEP ASPHALT ROADS WITH A POWER BROOM AS DUST CONTROL.
- ANY SURFACES, LINES, OR STRUCTURES WHICH HAVE BEEN DAMAGED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO THE CONDITION AT LEAST EQUAL TO THAT IN WHICH THEY WERE FOUND IMMEDIATELY PRIOR TO THE BEGINNING OF OPERATIONS.
- CONSTRUCTION OBSERVATION AND CERTIFICATION IS OFTEN REQUIRED AS A CONDITION OF STATE AND LOCAL PERMITS. IT IS RECOMMENDED THAT CONSTRUCTION OF THE IMPROVEMENTS DETAILED ON THESE PLANS BE OBSERVED BY LAMOUREUX & DICKINSON CONSULTING ENGINEERS INC. (L&D) TO DETERMINE IF THE WORK IS BEING PERFORMED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS. L&D WAIVES ANY AND ALL RESPONSIBILITY AND LIABILITY FOR PROBLEMS THAT MAY ARISE FROM FAILURE TO FOLLOW THESE PLANS AND SPECIFICATIONS AND THE DESIGN INTENT THAT THEY CONVEY, ANY CHANGES MADE IN THE PLANS AND SPECIFICATIONS OR IN THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS WITHOUT L&D'S PRIOR KNOWLEDGE AND CONSENT, AND/OR FAILURE TO SCHEDULE OBSERVATION OF THE WORK AND TESTING IN PROGRESS.
- FOR ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY A MINIMUM OF ONE-WAY TRAFFIC SHALL BE MAINTAINED AT ALL TIMES. CONTINUOUS TWO-WAY TRAFFIC WILL BE REQUIRED AT NIGHT, DURING PEAK-HOURS, AND WHENEVER POSSIBLE DURING ACTUAL CONSTRUCTION ACTIVITIES. TEMPORARY CONSTRUCTION SIGNS AND TRAFFIC CONTROL SIGNS SHALL BE ERECTED BY THE CONTRACTOR IN ACCORDANCE WITH STATE AND CITY STANDARDS.
- TO ASSURE COMPLIANCE WITH THE PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER 24 HOURS IN ADVANCE OF STARTING ANY WORK, BEGINNING INSTALLATION OF ANY UTILITIES, BRINGING IN ANY NEW GRAVEL FOR THE NEW PAVED AREAS, PAVING, AND FINAL INSPECTION.
- TOPSOIL SHALL BE STOCKPILED, SEED,ED, AND MULCHED UNTIL REUSED. SILT FENCE SHALL BE PLACED AND STAKED CONTINUOUSLY AROUND THE DOWNSLOPE PERIMETER OF THE TOPSOIL PILES.
- HEALTHY EXISTING TREES AS SHOWN ON THE SITE PLAN TO BE SAVED SHALL BE PROTECTED BY THE CONTRACTOR.
- OPEN CUT AREAS SHALL BE MULCHED OUTSIDE OF ACTUAL WORK AREAS, AND SILT FENCE SHALL BE EMPLOYED TO CONFINE SHEET PILING AND RUNOFF TO THE IMMEDIATE OPEN AREA AS ORDERED BY THE ENGINEER.
- AT COMPLETION OF GRADING, SLOPES, DITCHES, AND ALL DISTURBED AREAS SHALL BE SMOOTH AND FREE OF POCKETS WITH SUFFICIENT SLOPE TO ENSURE DRAINAGE.
- ALL FILL SHALL BE PLACED IN 6 INCH LIFTS AND THOROUGHLY COMPACTED TO 95% OF MAXIMUM DENSITY AT OPTIMUM MOISTURE CONTENT AS DETERMINED BY ASTM D698 STANDARD PROCTOR, UNLESS OTHERWISE SPECIFIED.

WATER PIPING SPECIFICATIONS

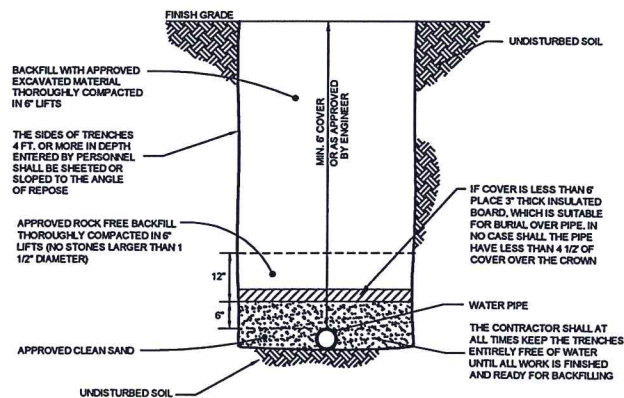
- INSTALLATION - PIPES, FITTINGS, AND ACCESSORIES SHALL BE CAREFULLY HANDLED TO AVOID DAMAGE. PRIOR TO THE DATE OF ACCEPTANCE OF THE PROJECT WORK BY THE OWNER, THE CONTRACTOR SHALL REPLACE ANY NEW PIPE OR ACCESSORY FOUND TO BE DEFECTIVE AT ANY TIME, INCLUDING AFTER INSTALLATION, AT NO EXPENSE TO THE OWNER. ALL INSTALLATION AND TESTING SHALL BE DONE IN ACCORDANCE WITH AWWA STANDARD C-600 AND ANSI SPECIFICATION A21.11. ALL PIPES SHOWING CRACKS SHALL BE REJECTED. IF CRACKS OCCUR IN THE PIPE, THE CONTRACTOR MAY, AT HIS OWN EXPENSE AND WITH THE APPROVAL OF THE ENGINEER, CUT OFF THE CRACKED PORTIONS AT A POINT AT LEAST TWELVE INCHES (12") FROM THE VISIBLE LIMITS OF THE CRACK AND USE THE SOUND PORTION OF THE PIPE. ALL PIPES AND FITTINGS SHALL BE CLEARED OF ALL FOREIGN MATTER AND DEBRIS PRIOR TO INSTALLATION AND SHALL BE KEPT CLEAN UNTIL THE TIME OF ACCEPTANCE BY THE OWNER. AT ALL TIMES, WHEN THE PIPE LAYING IS NOT ACTUALLY IN PROGRESS, THE OPEN ENDS OF THE PIPE SHALL BE CLOSED BY TEMPORARY WATERTIGHT PLUGS OR BY OTHER APPROVED MEANS. IF WATER IS IN THE TRENCH WHEN WORK IS RESUMED, THE PLUG SHALL NOT BE REMOVED UNTIL ALL DANGER OF WATER ENTERING THE PIPE HAS BEEN ELIMINATED. THE PIPE SHALL BE INSTALLED IN TRENCHES AT THE LINE AND GRADE SHOWN ON THE CONTRACT DRAWINGS. ANY DEFLECTION JOINTS SHALL BE WITHIN THE LIMITS SPECIFIED BY THE MANUFACTURER. ALL PIPING AND APPURTENANCES CONNECTED TO THE EQUIPMENT SHALL BE SUPPORTED SO THAT NO STRAIN WILL BE IMPOSED ON THE EQUIPMENT. IF THE EQUIPMENT MANUFACTURER'S SPECIFICATIONS INCLUDE THAT PIPING LOADS ARE NOT TO BE TRANSFERRED, THE CONTRACTOR SHALL SUBMIT CERTIFICATION OF COMPLIANCE. WHENEVER SEWERS CROSS UNDER WATERMAINS, THE WATERMAIN SHALL BE LAID AT SUCH AN ELEVATION THAT THE BOTTOM OF THE WATERMAIN IS AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER. THIS VERTICAL SEPARATION SHALL BE MAINTAINED FOR THAT PORTION OF THE WATERMAIN LOCATED WITHIN TEN FEET (10') HORIZONTALLY OF ANY SEWER IT CROSSES. THERE SHALL BE NO PHYSICAL CONNECTION BETWEEN THE DISTRIBUTION SYSTEM AND ANY PIPES, PUMPS, HYDRANTS, OR TANKS WHICH ARE SUPPLIED OR MAY BE SUPPLIED WITH WATER THAT IS, OR MAY BE, CONTAMINATED. IN INSTANCES WHERE THE USE OF DIFFERENT TYPES OF PIPE REQUIRE JOINING, THE CONTRACTOR SHALL FURNISH AND INSTALL ALL NECESSARY ADAPTERS. ALL TRENCHING SAFETY STANDARDS SHALL BE IN CONFORMANCE WITH ALL APPLICABLE STATE AND FEDERAL GUIDELINES AND AS SPECIFIED ON THE PLANS. THE CONTRACTOR SHALL, AT ALL TIMES, KEEP THE TRENCHES ENTIRELY FREE OF WATER UNTIL ALL WORK IS FINISHED AND READY FOR BACKFILLING. AFTER THE VARIOUS PIPELINES HAVE BEEN INSTALLED, THE TRENCHES AND OTHER AREAS TO BE FILLED SHALL BE BACKFILLED TO SUBGRADE WITH, WHEREVER POSSIBLE, MATERIAL EXCAVATED FROM THE TRENCH. NO BACKFILLING WILL BE ALLOWED UNTIL ANY CONCRETE MASONRY HAS SET SUFFICIENTLY, AS DETERMINED BY THE ENGINEER. ALL MATERIAL FOR BACKFILLING SHALL BE FREE OF ROOTS, STUMPS, AND FROST. MATERIALS USED FOR BACKFILLING TRENCHES SHALL BE FREE OF STONES WEIGHING OVER 30 POUNDS. NO STONES MEASURING OVER ONE AND ONE-HALF INCHES (1 1/2") IN THE LONGEST DIMENSION SHALL BE PLACED WITHIN ONE FOOT (1') OF THE PIPELINE BEING BACKFILLED. BACKFILL FOR ALL PIPELINES SHALL BE PLACED IN SIX INCH (6") LAYERS, EACH LAYER BEING THOROUGHLY COMPACTED TO NOT LESS THAN 95 PERCENT OF MAXIMUM DRY DENSITY AS DETERMINED BY THE AASHTO-T99 STANDARD PROCTOR. PARTICULAR PRECAUTIONS SHALL BE TAKEN IN THE PLACEMENT AND COMPACTION OF THE BACKFILL MATERIAL IN ORDER NOT TO DAMAGE THE PIPE OR STRUCTURE. THE BACKFILL SHALL BE BROUGHT UP EVENLY. ALL WATER LINES SHALL BE INSTALLED WITH A MINIMUM COVER DEPTH OF SIX (6") SURPLUS EXCAVATED MATERIALS NOT USED FOR BACKFILL SHALL BE DISPOSED OF IN A MANNER SATISFACTORY TO THE ENGINEER. ALL SURPLUS MATERIAL OR SOIL SHALL BE REMOVED PROMPTLY AND DISPOSED OF SO AS NOT TO BE OBJECTIONABLE TO ABUTTERS OR TO THE GENERAL PUBLIC.
- VALVE BOXES ARE TO BE INSTALLED ON ALL BURIED VALVES. THE BOXES SHALL BE CAST IRON WITH A MINIMUM FIVE AND ONE-FOURTHS INCH (5 1/4") DIAMETER AND LONG ENOUGH TO EXTEND FROM THE VALVE TO FINISHED GRADE. THE BOXES SHALL ENCLOSE THE OPERATING NUT AND STUFFING BOX OF THE VALVE. VALVE BOXES SHALL NOT TRANSFER LOADS INTO THE VALVE. COVERS SHALL BE CLOSE FITTING AND DIRT-TIGHT WITH THE TOP OF THE COVER FLUSH WITH THE TOP OF THE BOX RIM. COVERS SHALL BE MARKED "WATER" WITH AN ARROW INDICATING THE DIRECTION OF OPENING. VALVE BOXES SHALL BE THREE-PIECE SLIP-TYPE. THE CONTRACTOR SHALL PROVIDE A STABLE, TEMPORARY PVC MARKER APPROVED BY THE ENGINEER AT ALL GATE VALVES, CURB STOPS, AND AT THE END OF WATERLINES TO A POINT SIX INCHES (6") ABOVE FINISH GRADE. THE MARKER SHALL BE SEATED SECURELY INTO THE GROUND.
- DISINFECTION - CHLORINATION OF THE NEW SERVICE SHALL BE CONDUCTED ONLY AFTER THE SERVICE HAS BEEN FLUSHED AND A CLEAR STREAM IS OBTAINED AS DETERMINED BY THE ENGINEER. THE CONTRACTOR SHALL FURNISH ALL LABOR, EQUIPMENT, MATERIALS, AND TOOLS NECESSARY TO DISINFECT THE PIPE AND APPURTENANCES IN ACCORDANCE WITH THE AWWA STANDARD FOR DISINFECTING WATERMAINS, C-651, WITH THE EXCEPTION OF THE TABLET METHOD. THE METHOD OF DISINFECTION SHALL BE BY THE CONTINUOUS FEED METHOD UNLESS OTHERWISE APPROVED BY THE ENGINEER. AFTER FILLING, FLUSHING, AND THE ADDITION OF CHLORINE SOLUTION, THE FREE CHLORINE CONCENTRATION WITHIN THE PIPE SHALL BE AT LEAST 2.0 MG/L. THE CHLORINATED WATER SHALL REMAIN IN THE MAIN FOR A PERIOD OF AT LEAST 24 HOURS. AT THE END OF THIS PERIOD, THE TREATED WATER IN ALL PORTIONS OF THE MAIN SHALL NOT HAVE A RESIDUAL OF LESS THAN 10 MG/L OF FREE CHLORINE. ALL DISINFECTION SHALL BE PERFORMED UNDER THE SUPERVISION OF THE ENGINEER. THE DISINFECTION PROCESS SHALL BE DEEMED ACCEPTABLE ONLY AFTER (2) SAMPLES OF WATER FROM THE FLUSHED, DISINFECTED MAIN TAKEN BY THE ENGINEER AND TESTED AT AN APPROVED LABORATORY SHOW NO EVIDENCE OF BACTERIOLOGICAL CONTAMINATION. DISINFECTION SHALL CONFORM TO THE LATEST AWWA C-651 REVISION. THE PIPELINE AND APPURTENANCES SHALL BE MAINTAINED IN AN UNCONTAMINATED CONDITION UNTIL FINAL ACCEPTANCE. DISINFECTION SHALL BE REPEATED WHEN AND WHERE REQUIRED AT NO EXPENSE TO THE OWNER UNTIL FINAL ACCEPTANCE BY THE OWNER.
- FROST PROTECTION OF SHALLOW WATERLINES - WATERLINES WITH LESS THAN SIX FEET (6') OF COVER OVER THE CROWN, OR WHERE INDICATED ON THE PLANS, SHALL BE PROTECTED AGAINST FREEZING BY INSTALLATION OF THREE INCH (3") THICK STYROFOAM SM INSULATING SHEETS WITH A TOTAL WIDTH OF FOUR FEET (4') OR TWICE THE PIPE DIAMETER, WHICHEVER IS GREATER. THE SHEETS SHALL BE PLACED SIX INCHES (6") ABOVE THE CROWN OF THE MAIN AFTER COMPACTION OF THE SIX INCH (6") LIFT IMMEDIATELY ABOVE THE CROWN. CARE SHALL BE TAKEN BY THE CONTRACTOR DURING BACKFILL AND COMPACTION OVER THE STYROFOAM SHEETS TO PREVENT DAMAGE TO THE SHEETS. STYROFOAM SM SHEETS SHALL MEET THE COMPRESSIVE STRENGTH REQUIREMENTS OF ASTM D1621-73 AND SHALL BE AS MANUFACTURED BY DOW CHEMICAL COMPANY, MIDLAND, MICHIGAN, OR EQUIVALENT. IN NO CASE SHALL THE WATERLINES HAVE LESS THAN FOUR FEET (4') OF COVER OVER THE TOP OF THE PIPE.



TYPICAL CONCRETE SIDEWALK WITH DEPRESSED CONCRETE CURB SECTION
N.T.S.

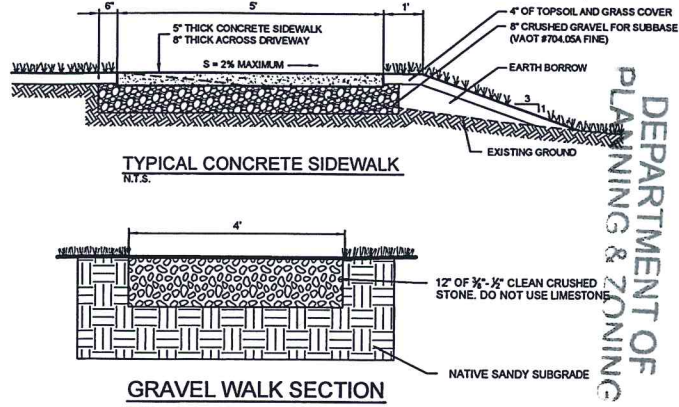


REPLACEMENT OF EXISTING BITUMINOUS PAVEMENT
N.T.S.



TYPICAL WATER TRENCH
N.T.S.

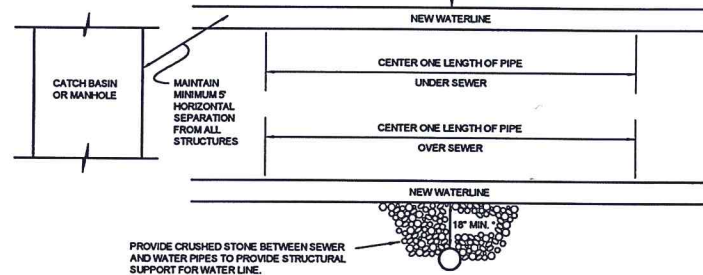
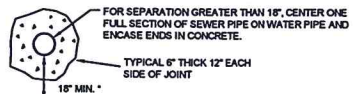
GRADATION REQUIREMENTS		
MATERIAL	SIEVE SIZE	PERCENT (%) PASSING
SAND BORROW AND CUSHION VT SPEC 703.03	2"	100 %
	1 1/2"	90-100 %
	1/2"	70-100 %
	#100	60-100 %
PEASTONE - VT SPEC 704.11	#4	0-20 %
	#200	0-8 %
DRAINAGE AGGREGATE VT SPEC 704.16A FINE	3/4"	100 %
	5/8"	90 TO 100%
	#4	0-5 %
	#8	0-5 %
CRUSHED GRAVEL FOR SUBBASE VT SPEC 704.05A FINE	2"	100 %
	1 1/2"	90-100%
	#4	30-60%
	#100	0-12%
DENSE GRADED CRUSHED STONE VT SPEC 704.06	#200	0-6 %
	3 1/2"	100 %
	3"	90-100%
	2"	75-100%
	1"	50-60%
	#4	30-60%
	#8	15-40%
	#200	0-6 %



TYPICAL CONCRETE SIDEWALK
N.T.S.



GRAVEL WALK SECTION
N.T.S.

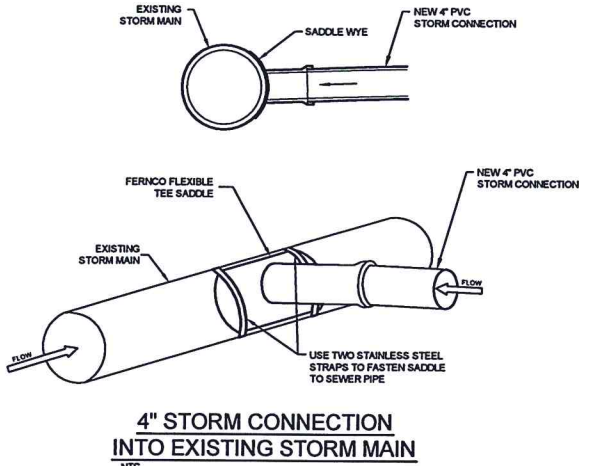


SEWER / WATER SEPARATION DETAIL FOR CROSSINGS
N.T.S.

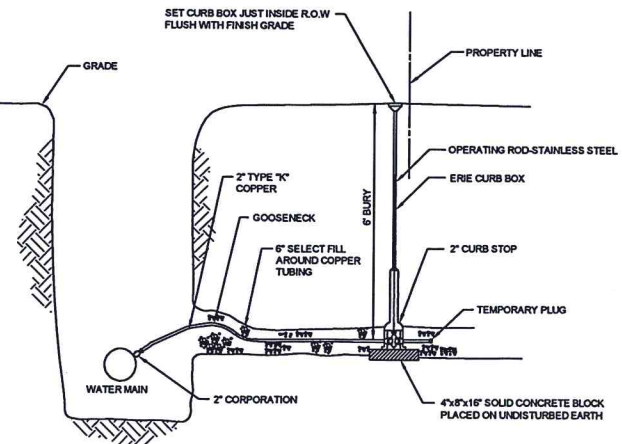
VERTICAL SEPARATION AT CROSSINGS

SEWERS CROSSING WATER MAINS SHALL BE LAID BENEATH THE WATER MAIN WITH AT LEAST 18" VERTICAL CLEARANCE BETWEEN THE OUTSIDE OF THE SEWER AND THE OUTSIDE OF THE WATER MAIN. WHEN IT IS IMPOSSIBLE OR IMPRACTICAL TO MAINTAIN THE 18" VERTICAL SEPARATION OR WHERE THE SEWER MUST BE LAID ABOVE THE WATER MAIN, THE FOLLOWING CRITERIA APPLY:

- THE CROSSINGS SHALL BE ARRANGED SO THAT ONE FULL LENGTH OF SEWER IS CENTERED ABOVE OR BELOW THE WATER LINE WITH SEWER JOINTS AS FAR AS POSSIBLE FROM WATER JOINTS.
- THE SEWER PIPE MUST BE CONSTRUCTED TO WATER MAIN STANDARDS FOR A MINIMUM DISTANCE OF 20 FEET EITHER SIDE OF THE CROSSING OR A TOTAL OF THREE PIPE LENGTHS, WHICHEVER IS GREATER.
- THE SECTION CONSTRUCTED TO WATER MAIN STANDARDS MUST BE PRESSURE TESTED TO MAINTAIN 50 PSI FOR 15 MINUTES WITHOUT LEAKAGE PRIOR TO BACKFILLING BEYOND ONE FOOT ABOVE THE PIPE, TO ASSURE WATER TIGHTNESS.
- WHERE A WATER MAIN CROSSES UNDER A SEWER, ADEQUATE STRUCTURAL SUPPORT SHALL BE PROVIDED FOR THE SEWER TO PREVENT DAMAGE TO THE WATER MAIN.



4" STORM CONNECTION
INTO EXISTING STORM MAIN
N.T.S.



INDIVIDUAL UNIT WATER SERVICE DETAIL
N.T.S.

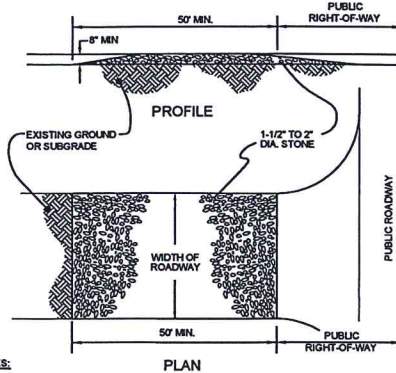
Date	Revision	By
These plans shall only be used for the purpose shown below:		
☐ Sketch/Concept	☐ Act 250 Review	
☐ Preliminary	☐ Construction	
☐ Final Local Review	☐ Record Drawing	
LANDS OF WILTSHIRE PROPERTIES, LLC. ELIZABETH'S PLACE 20 FLETCHER PL., 128 & 132 COLCHESTER AVE. BURLINGTON, VT 05403		
WATER, STORMWATER & SITE DETAILS & SPECIFICATIONS		Project No. 15141 Survey KMR Design DLH Drawn DLH Checked DJG Date 12-7-15 Scale AS NOTED Sheet number

TURF ESTABLISHMENT

ALL DISTURBED AREAS THAT DO NOT HAVE AN IMPERVIOUS SURFACE (PAVEMENT, SIDEWALKS, ROOFS) SHALL BE STABILIZED WITH SEEDING AND MULCHING PRIOR TO OCTOBER 1. ANY WORK PERFORMED AFTER SEPTEMBER 15 OF EACH YEAR SHALL BE STABILIZED WITH MULCH OR NETTING SUFFICIENT TO PREVENT EROSION AND SHALL BE IMMEDIATELY SEED AND REMULCHED AS SOON AS WEATHER PERMITS IN THE SPRING. PLACEMENT OF TOPSOIL, AND THE APPLICATION OF SEED, FERTILIZER, LIME (WHERE APPLICABLE), AND MULCH SHALL BE IN ACCORDANCE WITH THE FOLLOWING:

1. A MINIMUM OF 4" OF APPROVED TOPSOIL SHALL BE PLACED IN ALL AREAS. PLACEMENT OF TOPSOIL SHALL NOT BE DONE WHEN THE GROUND OR TOPSOIL IS FROZEN, EXCESSIVELY WET, OR OTHERWISE IN A CONDITION DETRIMENTAL TO THE WORK. FOLLOWING PLACEMENT OF TOPSOIL, THE SURFACE SHALL BE RAKED, ALL STONES, LUMPS, ROOTS, OR OTHER OBJECTIONAL MATERIAL SHALL BE REMOVED.
2. SEED MIXTURES SHALL CONFORM TO THE SEED MIX TABLE SHOWN ON THIS SHEET AND BE SPREAD UNIFORMLY IN ALL AREAS INDICATED ON THE PLANS AT THE SPECIFIED RATE. FOR SEEDING BETWEEN SEPTEMBER 1 AND OCTOBER 1, WINTER RYE SHALL BE OVERSEED AT AN APPLICATION RATE OF 100 POUNDS PER ACRE.
3. FERTILIZER SHALL CONFORM TO THE STANDARDS OF THE ASSOCIATION OF OFFICIAL AGRICULTURAL CHEMISTS AND BE APPLIED ONLY AFTER PERFORMING A SOIL TEST AND BE APPLIED BASED UPON SOIL DEFICIENCIES. LIME SHALL ONLY BE APPLIED AS NEEDED BASED UPON A SOIL pH TEST.
4. WITHIN 24 HOURS OF APPLICATION OF SEED, FERTILIZER AND LIME, THE SURFACE SHALL BE MULCHED WITH A RAY MULCH. MULCH SHALL BE SPREAD UNIFORMLY OVER THE AREA AT A MINIMUM RATE OF 2 TONS PER ACRE.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR A FULL GROWTH OF GRASS IN ALL DISTURBED AREAS TO BE RE-VEGETATED. VEGETATION GROWTH SHALL BE PERMANENT AND SUFFICIENT TO PREVENT EROSION OF THE UNDERLYING SOIL UNDER ALL CONDITIONS OF PRECIPITATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING AND CARING FOR SEEDING, MULCHED, AND AREAS OF ESTABLISHED VEGETATION UNTIL FINAL ACCEPTANCE OF THE WORK BY THE OWNER.

URBAN MIX GRASS SEED		
% BY WEIGHT	LBS. LIVE SEED PER ACRE	TYPE OF SEED
37.5	45	CREEPING RED FESCUE
31.25	37.5	KENTUCKY BLUEGRASS
31.25	37.5	WINTER HARDY, PERENNIAL RYE
100	120 # LIVE SEED PER ACRE	

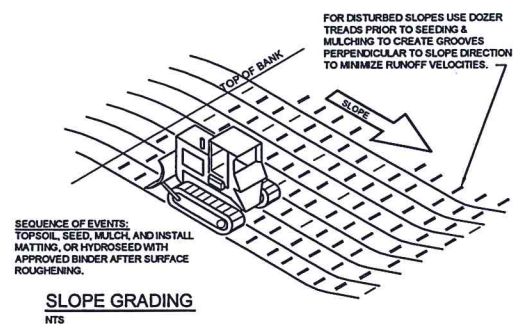


NOTES:

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

STABILIZED CONSTRUCTION EXIT

NTS

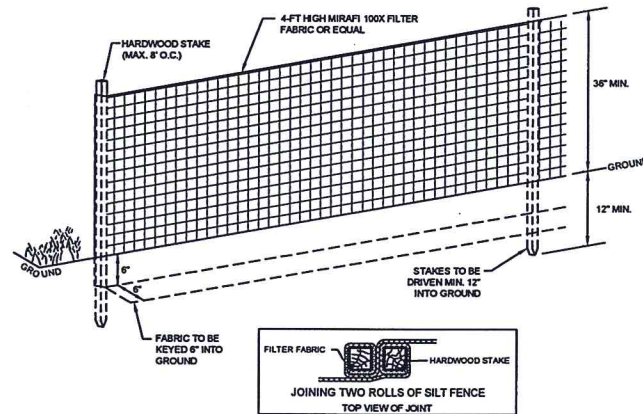


SLOPE GRADING

NTS

SOIL SPECIFICATIONS FOR PLANTING AREAS

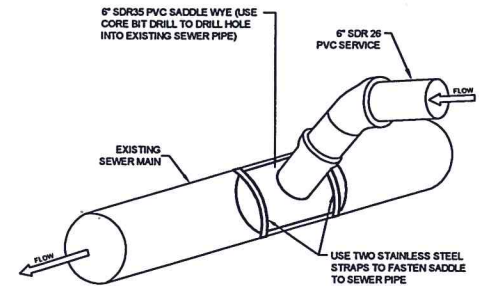
1. LANDSCAPE BACKFILL SHALL BE PREMIXED, CONSISTING OF APPROXIMATELY 50% TOPSOIL, 25% COMPOST, AND 25% NATIVE SOIL. IN CASES WHERE THE NATIVE SOIL MEETS THE TOPSOIL SPECIFICATION, THE PROPORTIONS OF NATIVE SOIL MAY BE ADJUSTED UP TO 70%.
2. ALL IMPORTED SOIL SHALL BE REASONABLY FREE FROM ROOTS, HARD CLAY, COARSE GRAVEL, STONES LARGER THAN TWO INCHES IN ANY DIMENSION, NOXIOUS WEEDS, TALL GRASS, BRUSH, STICKS, STUBBLE, AND ANY MATERIALS THAT WOULD BE DETRIMENTAL TO HEALTHY VEGETATIVE GROWTH.
3. COMPOST SHALL BE FREE OF WEED SEEDS, SHALL HAVE A LOOSE AND GRANULAR TEXTURE, SHALL POSSESS NO OBJECTIONABLE ODORS, AND SHALL NOT RESEMBLE THE RAW MATERIAL FROM WHICH IT WAS DERIVED.
4. TO ASSURE THE GROWTH OF TREES, SHRUBS, AND OTHER PLANTS, THE SOIL MUST NOT BE COMPACTED. ANY AREAS OF INADVERTENTLY COMPACTED SOIL WILL NEED TO BE DECOMPACTED USING A SUBSOILER, CHISEL PLOW, OR BY EXCAVATION AND REPLACEMENT WITH UNCOMPACTED SOIL. DO NOT DRIVE EQUIPMENT ON THE SOIL AFTER IT HAS BEEN PLACED OR DECOMPACTED. FINE GRADING AND PLANTING OF SPECIFIED LANDSCAPING MAY BE DONE USING LOW GROUND PRESSURE EQUIPMENT, IF THIS CAN BE ACHIEVED WITHOUT COMPACTING.
5. DO NOT STOCKPILE SOIL OR COMPOST IN WET OR MUDDY CONDITIONS. PROVIDE EROSION CONTROL TO PREVENT TRANSPORT OF SEDIMENT OR DUST AWAY FROM THE STORAGE AREA.



NOTES:

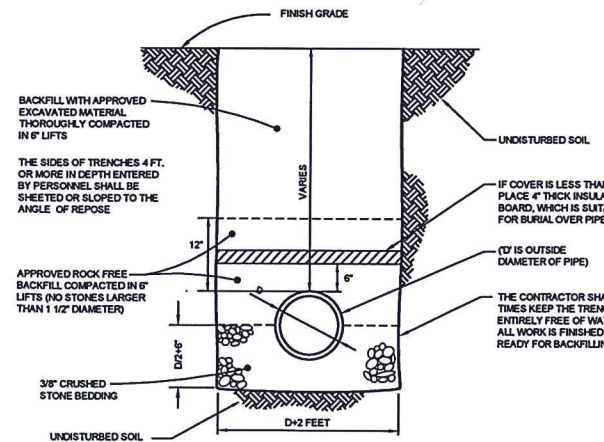
- 1) USE ONLY MANUAL METHODS OF INSTALLATION AND CLEANING WITHIN WETLAND AND BUFFER ZONE.
- 2) PRIOR TO BEGINNING OF CONSTRUCTION OR EARTH-MOVING, THE CONTRACTOR SHALL INSTALL A CONTINUOUS SILT FENCE AT THE LIMIT OF DISTURBANCE SHOWN ON THE SITE PLAN.
- 3) FROZEN MATERIAL SHALL NOT BE USED TO KEY IN THE BOTTOM OF THE SILT FENCE. IF NECESSARY, GRANULAR BORROW SHALL BE USED BY THE CONTRACTOR TO KEY IN THE SILT FENCE RATHER THAN FROZEN NATIVE MATERIAL.
- 4) THE CONTRACTOR SHALL INSTALL SILT FENCE AROUND THE PERIMETER OF TOPSOIL STOCKPILES AND AT OTHER LOCATIONS AS NEEDED.

TEMPORARY SILT FENCE



SANITARY SEWER CONNECTION INTO EXISTING SEWER MAIN

NTS



TYPICAL SANITARY & STORM SEWER TRENCH

NTS

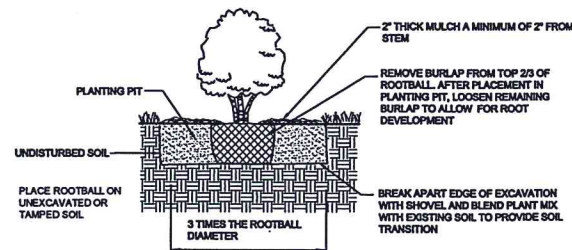
SANITARY & STORM SPECIFICATIONS

- 1) SANITARY AND STORM SEWER PIPES SHALL BE OF THE SIZE AND TYPE INDICATED ON THE PLANS. PVC PIPE SHALL BE SDR 35 CONFORMING TO ASTM D-3034, ASTM D-3032, AND ASTM F-477. CORRUGATED METAL PIPE SHALL CONFORM TO AASHTO M-190 FOR ACCURIP PIPE AND AASHTO M-246 TYPE B FOR POLYMER COATED STEEL PIPE. CORRUGATED POLYETHYLENE PIPE SHALL CONFORM TO AASHTO M-254, TYPE S (SMOOTH LINED).

LANDSCAPE SPECIFICATIONS

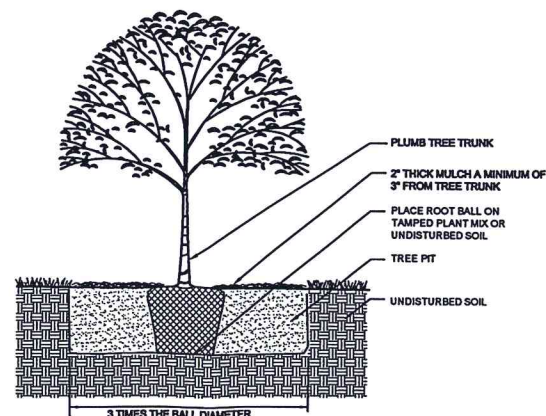
TREE AND SHRUB PLANTINGS

1. ALL PLANT MATERIALS SHALL CONFORM TO THE INTERNATIONAL SOCIETY OF ARBORICULTURE PRINCIPALS AND PRACTICES OF PLANTING TREES AND SHRUBS, AND THE MOST RECENT VERSION OF THE AMERICAN STANDARD FOR NURSERY STOCK - ANSI Z60.1.
2. CONTRACTOR SHALL STAKE ALL PLANT LOCATIONS AND THE ENGINEER SHALL APPROVE PRIOR TO INSTALLATION.
3. CONTRACTOR SHALL PROTECT LANDSCAPE PLANTS AT ALL TIMES FROM SUN AND DRYING WINDS. PLANTS THAT ARE TO BE TEMPORARILY STORED ON SITE UNTIL READY FOR INSTALLATION SHALL BE KEPT SHADED AND PROTECTED WITH SOIL, BARK MULCH OR OTHER ACCEPTABLE MATERIAL AND REGULARLY WATERED.
4. DURING INSTALLATION OF LANDSCAPE PLANTINGS, CONTRACTOR SHALL DETERMINE WHERE EXISTING UNDERGROUND UTILITIES ARE LOCATED TO AVOID INTERFERENCE.
5. STREET TREES TO ARRIVE FROM NURSERY WITH 6 FEET/2 METERS BETWEEN THE FINISHED GRADE AND THE FIRST TREE BRANCH.
6. DO NOT PRUNE THE TREES OR SHRUBS AT PLANTING. PRUNE ONLY DEAD OR CRUSHED ROOTS AND DEAD OR INJURED BRANCHES.
7. TREES SHALL HAVE A MINIMUM 50% LIVE CROWN RATIO.
8. EACH TREE AND SHRUB MUST BE PLANTED SUCH THAT THE ROOT FLARE AND MAIN ORDER ROOTS ARE VISIBLE AT THE TOP OF THE ROOT BALL. WHERE THE MAIN ORDER ROOTS ARE NOT VISIBLE, EXCESS SOIL SHALL BE REMOVED TO LOCATE THEM. PLANT TREES AND SHRUBS SO THAT THE MAIN ORDER ROOTS ARE AT FINISHED GRADE. DO NOT COVER THE TOP OF THE ROOT BALL WITH SOIL OR MULCH.
9. EXAMINE ENTIRE TREE AND SHRUB AND REMOVE ALL NURSERY TAGS, TREE WRAP, ROPE, STRING AND SURVEYOR TAPE PRIOR TO PLANTING TO PREVENT GIRDLING.
10. FOR ALL TREES AND SHRUBS: CUT AND REMOVE WIRE MESH BASKET. CUT AND REMOVE ROPE AND BURLAP WRAP FROM TOP 2/3 OF ROOTBALL AFTER PLACEMENT IN PLANTING PIT. LOOSEN REMAINING BURLAP TO ALLOW FOR ROOT DEVELOPMENT. IF THE TREE OR SHRUB HAS SYNTHETIC OR TREATED BURLAP, REMOVE IT ENTIRELY AFTER PLACING ROOT BALL IN PLANTING PIT.
11. BREAK APART EDGE OF EXCAVATION WITH SHOVEL AND BLEND PLANT MIX WITH EXISTING SOIL TO PROVIDE SOIL TRANSITION.
12. TREE PIT AREA SHALL HAVE A MINIMUM DEPTH OF 36". SHRUB PLANTING PIT SHALL HAVE A 24" MINIMUM DEPTH. THE TREE PIT AREA SHALL HAVE THE PLANT MIX SPECIFIED BELOW.
13. STAKING REQUIRED ONLY IN SITUATIONS WHERE TREES WILL BE SUBJECTED TO WINDY CONDITIONS AS DETERMINED BY THE ENGINEER. STAKES SHALL BE REMOVED BY THE CONTRACTOR AT THE END OF THE WARRANTY PERIOD.
14. PLANT MIX SHALL CONSIST OF THE FOLLOWING RATIO: 1/3 PART COMPOST, 2/3 PARTS TOPSOIL. PLANT MIX TO BE TESTED AND APPROVED FOR QUALITY BY ENGINEER PRIOR TO INSTALLATION. THE CORRECT GRADE OF COMPOST IS AVAILABLE FROM, BUT NOT LIMITED TO, THE FOLLOWING MANUFACTURERS: INTERVALE COMPOST PRODUCTS, VERMONT NATURAL PRODUCTS AND VERMONT COMPOST COMPANY.
15. FOLLOWING PLANTING, FERTILIZER AND MYCORRHIZAL FUNGI SHALL BE APPLIED TO TREES AND SHRUBS.
16. ONCE ALL LANDSCAPE PLANTINGS HAVE BEEN INSTALLED, PLACE A LIGHT LAYER OF HEMLOCK OR PINE BARK MULCH, MAXIMUM OF 2" THICK, ON PLANTING BEDS. NO DYED MULCH WILL BE ACCEPTED.
17. WATER ALL TREES AND SHRUBS THOROUGHLY ONCE PLANTED TO PULL SOILS AGAINST ROOT BALL AND SETTLE AIR POCKETS. ADDITIONAL SOIL MAY BE NEEDED; WATER AGAIN TO ENSURE COMPLETE COMPACTION. RE-SET SETTLED PLANTS TO PROPER GRADE AND POSITION. RESTORE ADJACENT MATERIAL AND REMOVE DEAD MATERIAL. THERE SHALL BE NO WATERING BERM INSTALLED AROUND PLANTS.
18. CORRECT WORK AS SOON AS POSSIBLE AFTER DEFICIENCIES BECOME APPARENT AND WEATHER PERMITS.
19. CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE OF ALL LANDSCAPE PLANTINGS AND SHALL INCLUDE PRUNING, CULTIVATING, WEEDING, WATERING, AND APPLICATION OF APPROPRIATE INSECTICIDES AND FUNGICIDES NECESSARY TO MAINTAIN PLANTS FREE OF INSECTS AND DISEASE DURING CONSTRUCTION AND WARRANTY UNTIL ACCEPTANCE. CONTRACTOR SHALL WATER ALL PLANTINGS DAILY.
20. ALL LANDSCAPE PLANTS SHALL BE GUARANTEED FOR A PERIOD OF TWO YEARS AFTER PLANTING.



SHRUB PLANTING DETAIL

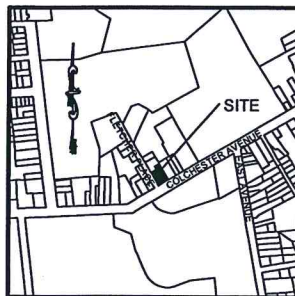
NTS



TREE PLANTING DETAIL

NTS

Date	Revision	By
	These plans shall only be used for the purpose shown below.	
☒	Sketch/Concept	☐ Act 250 Review
☐	Preliminary	☐ Construction
☐	Final Local Review	☐ Record Drawing
LANDS OF WILTSHIRE PROPERTIES, LLC.		
Project No. 15141		
Survey KMR		
Design DLH		
Drawn DLH		
Checked DJG		
Date 12-7-15		
Scale AS NOTED		
Sheet number 8		
ELIZABETH'S PLACE 20 FLETCHER PL., 128 & 132 COLCHESTER AVE. BURLINGTON, VT 05403 SEWER, LANDSCAPING & EROSION CONTROL DETAILS & SPECIFICATIONS Lamoureux & Dickinson Consulting Engineers, Inc. 14 Morse Drive, Essex, VT 05452		



LOCATION PLAN

NTS

NOTES:

1. THIS PLAT WAS COMPILED FROM FIELD SURVEYS AND RECORD RESEARCH INCLUDING THE USE OF THE FOLLOWING PLATS:
A. "BOUNDARY LINE ADJUSTMENT, M. ELIZABETH LANG AND MARTHA R. LANG, 138 COLCHESTER AVENUE, BURLINGTON, VERMONT." DATED 8-29-00, LAST REVISED 12-12-01, BY KREBS & LANSING CONSULTING ENGINEERS, INC.
B. "PROPOSED LAND EXCHANGE BETWEEN FLETCHER ALLEN HEALTH CARE, INC. AND THE UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE, BURLINGTON, VERMONT." DATED 6-20-01, BY VERMONT SURVEYING AND ENGINEERING, INC., AS RECORDED IN SLIDE 349-A OF THE CITY OF BURLINGTON LAND RECORDS.
C. "TRINITY COLLEGE, COLCHESTER AVENUE, BURLINGTON, VERMONT, COMPOSITE PLAT OF LANDS." DATED 8-27-90, BY DONALD L. HAMLIN CONSULTING ENGINEERS, AS RECORDED IN SLIDE 233-E OF THE CITY OF BURLINGTON LAND RECORDS.
D. "SKETCH OF LAND OF HERBERT A. DUFFEE, BURLINGTON, VT." DATED OCTOBER 1, 1902, BY A.R. DOW, C.E.
2. BEARINGS SHOWN ON THIS SURVEY ARE BASED ON GPS OBSERVATIONS RECORDED IN NOVEMBER, 2015.
3. THIS PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS AND/OR RIGHTS-OF-WAY.
4. A CLOSED TRAVERSE SURVEY WAS COMPLETED IN NOVEMBER, 2015. THE METHODS AND THE RESULTING ERROR OF CLOSURE MEET OR EXCEED THE MINIMUM PRECISION REQUIREMENTS FOR URBAN SURVEYS.
5. MONUMENTATION FOUND IS AS NOTED ON PLAN. IRON PIPES SET ARE 1" DIAMETER WITH A PLASTIC CAP.
6. THE RIGHT-OF-WAY FOR COLCHESTER AVENUE OF FIVE RODS (82.5') AND THE RIGHT-OF-WAY WIDTH OF 40' FOR FLETCHER PLACE ARE BASED ON THE PLAN REFERENCED IN NOTE 1D.

ROBERT K. & SUSAN G. BUTANI
N/F
VOL. 1095, PG. 778

FRANCIS J. & EDWARD B. VON TURKOVICH
N/F
VOL. 1157, PG. 487

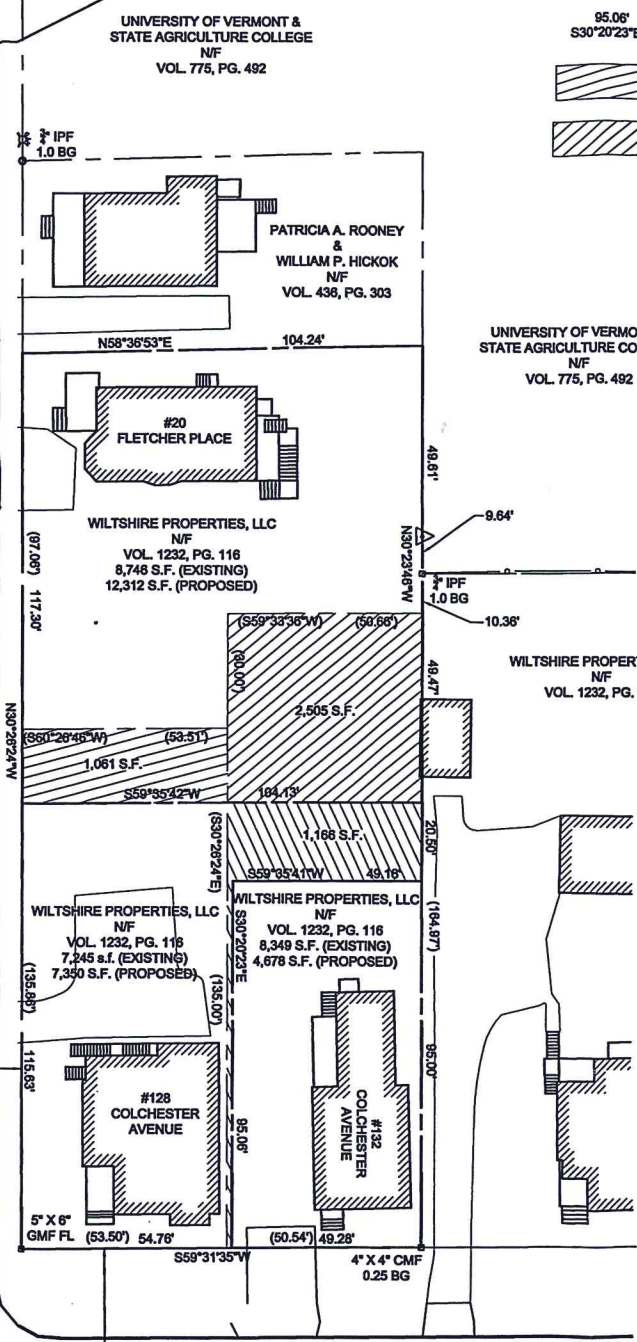
DAWN M. & THOMAS F. EDWARDS
N/F
VOL. 1016, PG. 758

1,039 S.F. PARCEL TO BE
CONVEYED FROM 128
COLCHESTER AVE.
PARCEL TO 20 FLETCHER
PLACE PARCEL

UNITED MINING & SALVAGE COMPANY, LLC
N/F
VOL. 1254, PG. 51

DANIEL J. & HOLLY TRAHAN
N/F
VOL. 436, PG. 303

FLETCHER PLACE



COLCHESTER AVENUE

FLETCHER ALLEN HEALTH CARE, INC.
N/F
VOL. 978, PG. 403

- LEGEND
- EXISTING PROJECT PROPERTY LINE
 - EXISTING PROPERTY LINE TO BE DISSOLVED
 - PROPOSED NEW PROPERTY LINE
 - ABUTTING PROPERTY LINE
 - BEARING AND DISTANCE FOR EXISTING PROPERTY LINE
 - BEARING AND DISTANCE FOR PROPOSED NEW PROPERTY LINE
 - AREA OF 128 COLCHESTER AVE. PROPOSED TO BE MERGED WITH 20 FLETCHER PLACE
 - AREA OF 132 COLCHESTER AVE. PROPOSED TO BE MERGED WITH 128 COLCHESTER AVE.

CERTIFICATION OF FIRE MARSHALL AS FOLLOWS:

"I, _____, FIRE MARSHALL, DO HEREBY CERTIFY THAT THE SUBJECT PLAT HAS BEEN EXAMINED BY ME AND FOUND TO COMPLY WITH THE FIRE PREVENTION REQUIREMENTS SET FORTH IN THIS CHAPTER GOVERNING PLATS OF SUBDIVIDED LAND ADOPTED BY THE CITY COUNCIL WITH THE FOLLOWING EXCEPTIONS:"

CITY FIRE MARSHALL

"I, _____, SUPERINTENDENT OF PARKS, DO HEREBY CERTIFY THAT THE SUBJECT PLAT HAS BEEN EXAMINED BY ME AND FOUND TO COMPLY WITH THE STREET PLANTING REQUIREMENTS AND PARK AREA REQUIREMENTS SET FORTH IN THIS CHAPTER GOVERNING PLATS OF SUBDIVIDED LAND ADOPTED BY THE CITY COUNCIL WITH THE FOLLOWING EXCEPTIONS:"

CITY SUPERINTENDENT OF PARKS

"I, _____, CITY ENGINEER, DO HEREBY CERTIFY THAT THE SUBJECT PLAT HAS BEEN EXAMINED BY ME AND FOUND TO COMPLY WITH THE ENGINEERING REQUIREMENTS SET FORTH IN THIS CHAPTER GOVERNING PLATS OF SUBDIVIDED LAND ADOPTED BY THE CITY COUNCIL WITH THE FOLLOWING EXCEPTION:"

"I, _____, CITY ENGINEER

APPROVED BY RESOLUTION OF THE CITY OF BURLINGTON PLANNING COMMISSION, VERMONT ON THE _____ DAY OF _____, 20____, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF CHAPTER 28 ENTITLED SUBDIVISION REGULATIONS OF THE BURLINGTON, VERMONT CODE OF ORDINANCES, SIGNED THIS _____ DAY OF _____, 20____ BY _____

WITNESS CHAIRMAN

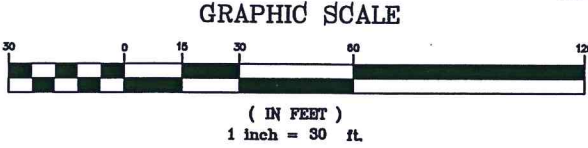
THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, CERTIFIES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND THAT ALL TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID.

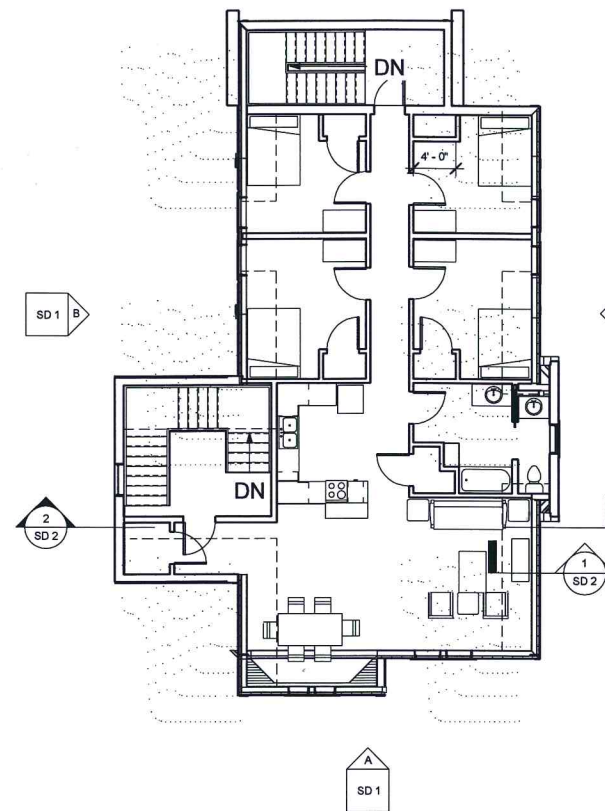
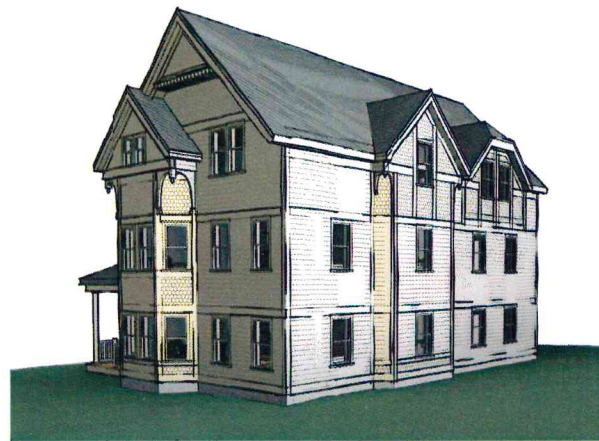
AGENT OWNER
DATE DATE

CITY CLERK'S OFFICE

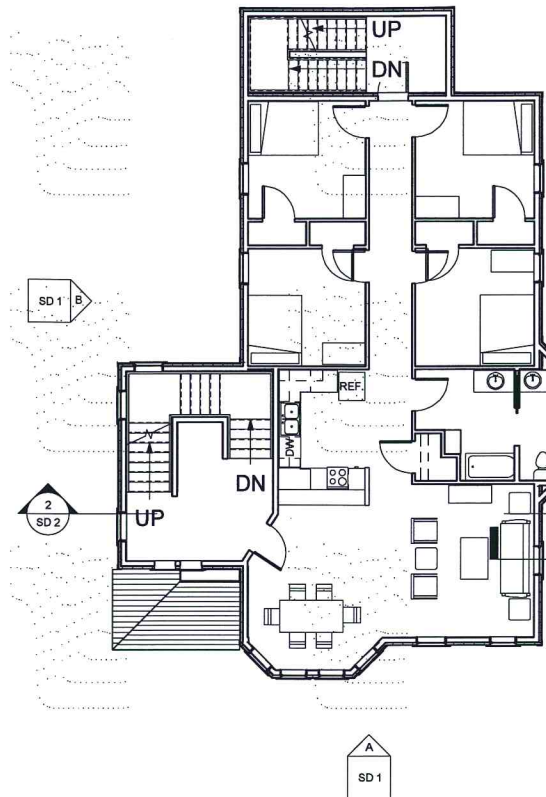
CITY OF BURLINGTON, VT.
RECEIVED FOR RECORD _____, 2018
AT _____ O'CLOCK _____ M., AND
RECORDED IN SLIDE # _____
ATTEST: _____ CITY CLERK

date	description	by
REVISIONS		
THESE PLANS WITH LATEST REVISIONS SHOULD ONLY BE USED FOR THE PURPOSE SHOWN BELOW.		
☒ SKETCH/CONCEPT	☐ ACT 250 REVIEW	PROJECT NO 15141 SURVEY JKR DESIGN - DRAWN DLH CHECKED DJG DATE 1-12-16 SCALE AS NOTED SHT. NO. PL
☐ PRELIMINARY	☐ CONSTRUCTION	
☐ FINAL LOCAL REVIEW	☐ RECORD DRAWING	
A PORTION OF LANDS OF WILTSHIRE PROPERTIES, LLC 20 FLETCHER PLACE AND 128 & 132 COLCHESTER AVENUE BURLINGTON, VERMONT		
BOUNDARY LINE ADJUSTMENT PLAT		
LAMOUREUX & DICKINSON Consulting Engineers, Inc. 14 Morse Drive Essex Junction, VT 05452 Tel: 802-878-4450		

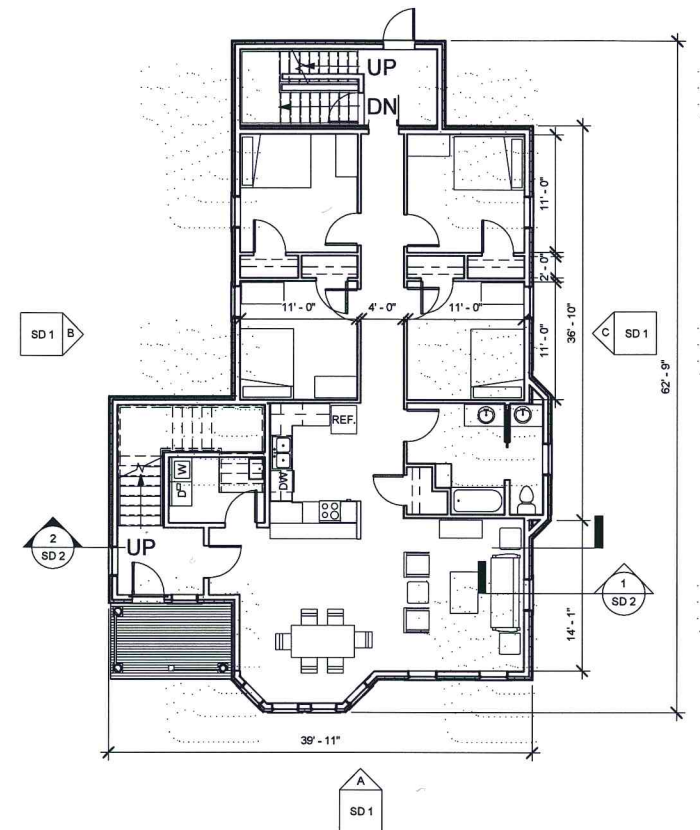




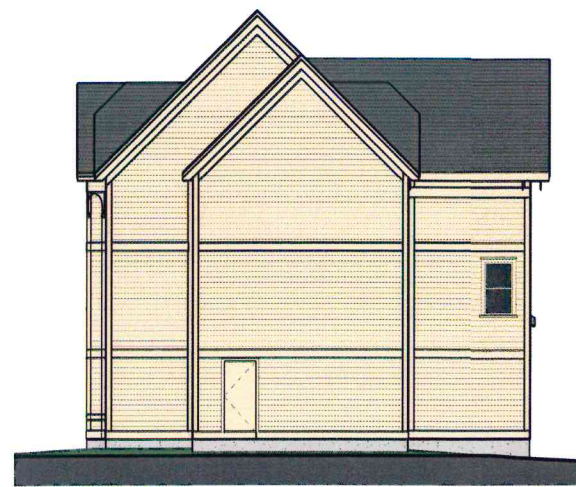
③ THIRD FLOOR
1/8" = 1'-0"
THIRD FLOOR GROSS AREA: 1880 SF



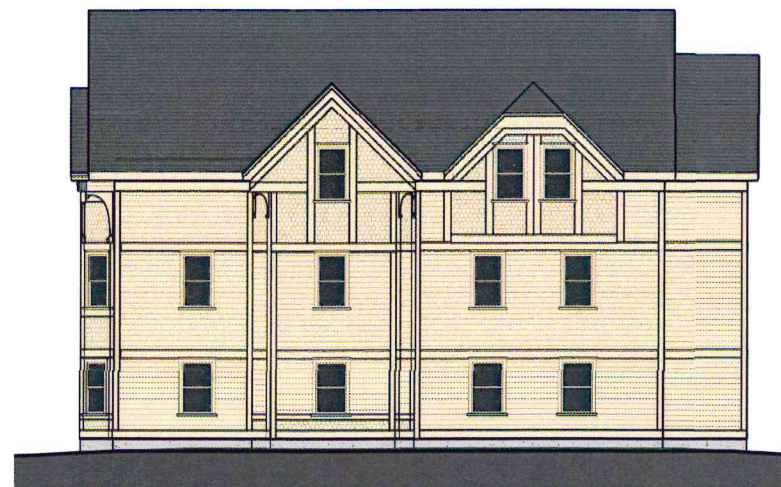
② SECOND FLOOR PLAN
1/8" = 1'-0"
SECOND FLOOR GROSS AREA: 1880 SF



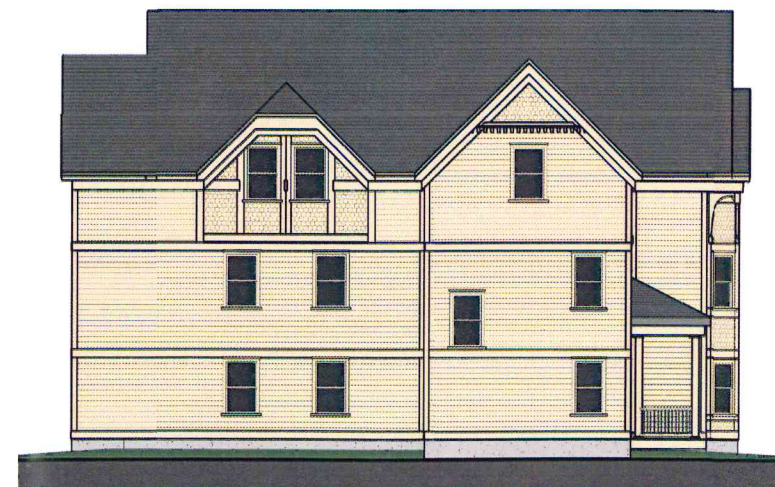
① FIRST FLOOR PLAN
1/8" = 1'-0"
FIRST FLOOR GROSS AREA: 1880 SF



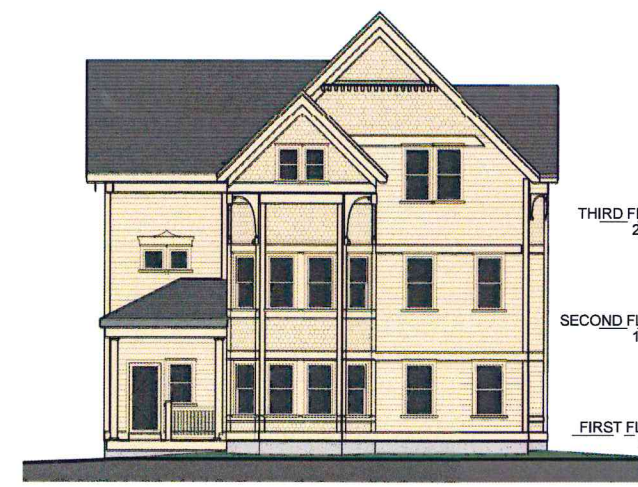
④ ELEVATION D
1/8" = 1'-0"



③ ELEVATION C
1/8" = 1'-0"



② ELEVATION B
1/8" = 1'-0"

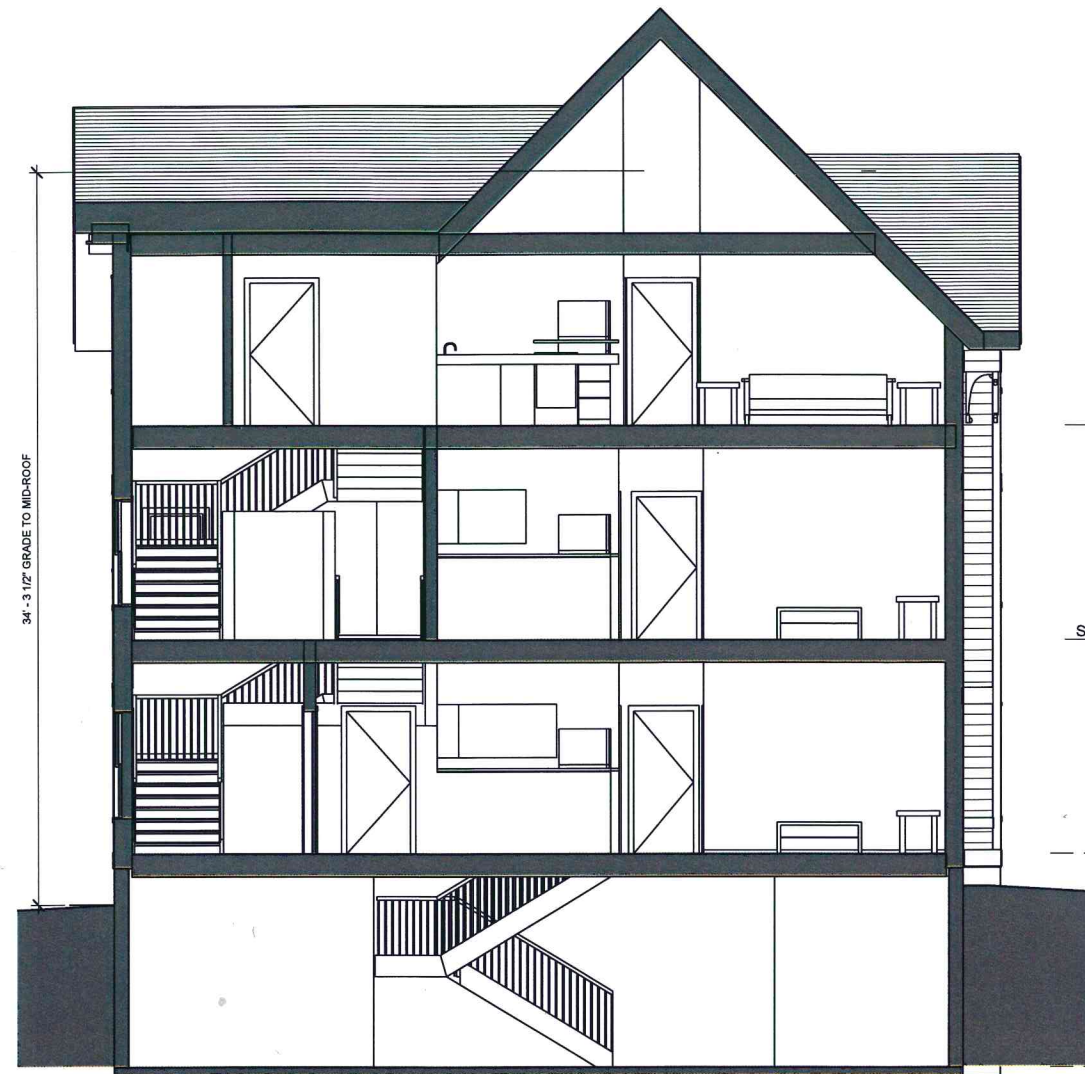


① ELEVATION A
1/8" = 1'-0"

ELIZABETH'S PLACE

SCHEMATIC PLANS AND ELEVATIONS

1/21/16



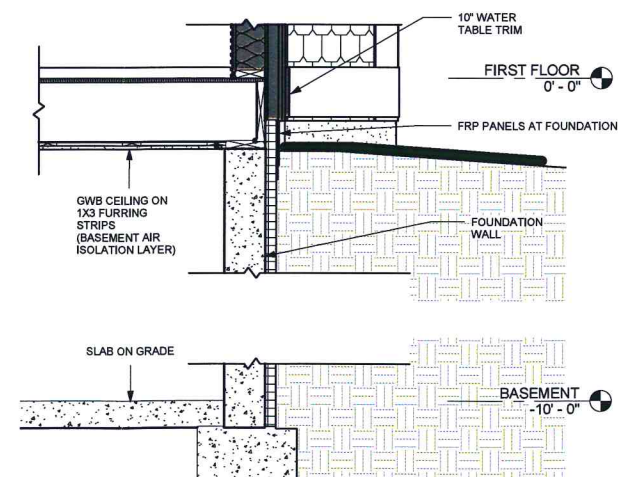
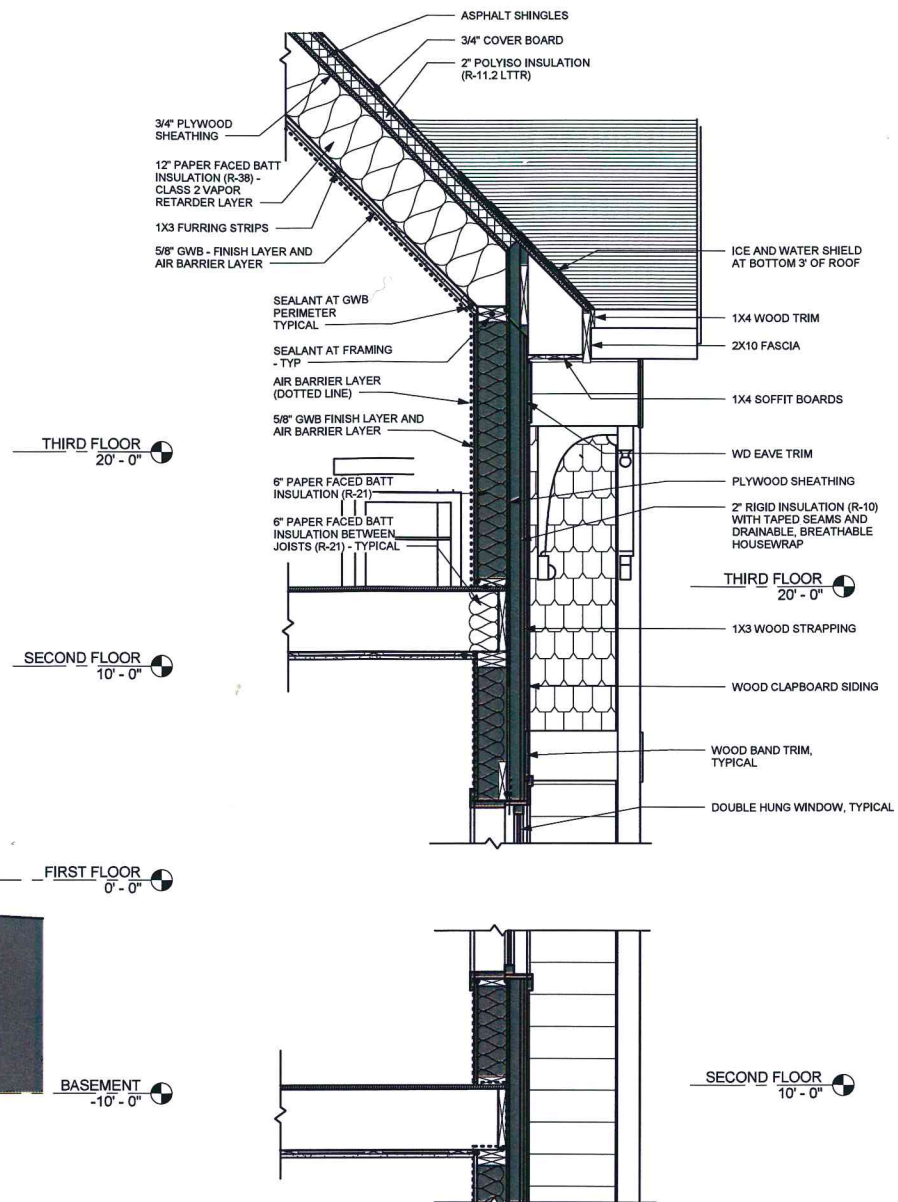
② BUILDING SECTION
1/4" = 1'-0"



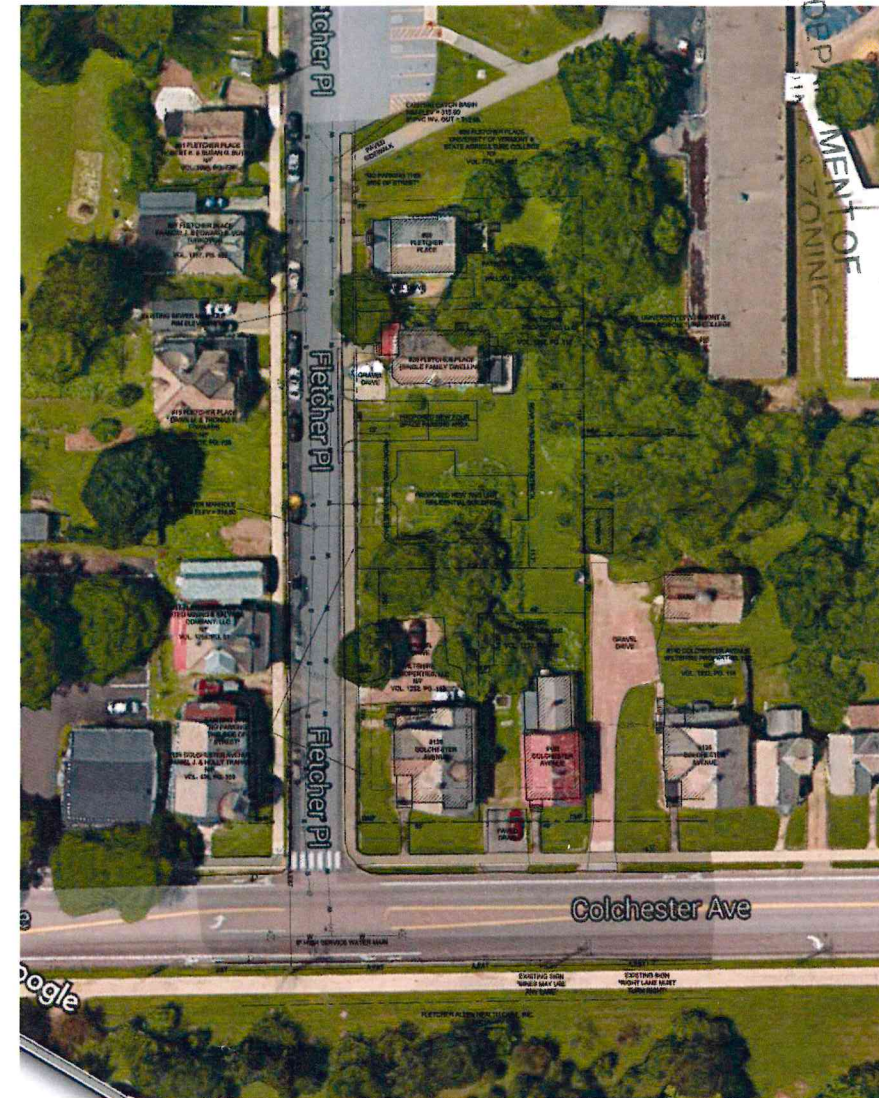
STREET VIEW A FROM FLETCHER PLACE

ELIZABETH'S PLACE

SECTIONS AND VIEWS



① TYPICAL WALL SECTION
3/4" = 1'-0"



AERIAL VIEW



STREET VIEW B FROM COLCHESTER AVENUE

RECEIVED

APR 27 2016

DEPARTMENT OF
PLANNING & ZONING

Susan G. Butani
Robert K. Butani
31 Fletcher Place
Burlington, VT 05401

April 26, 2016

VIA ELECTRONIC MAIL: sgustin@burlingtonvt.gov

Burlington Development Review Board
149 Church Street
Burlington, VT 05401

Re: **Martha Lang / Wiltshire Properties, LLC / 16-0814CA/CU, 20 Fletcher Place
Development Review Board Meeting May 3, 2016**

Dear Members of the Development Review Board:

Martha Lang, through her company Wiltshire Properties, requests approval to construct a triplex residential building on Fletcher Place purportedly to "... provide some much-needed residential units along the existing transit routes in the City" As we see it, there is a critical need in Burlington to provide more housing for working people and families, which the applicant's project does not address.

We are disappointed that the applicant has chosen to bypass the NPA with this project. Her appearance this past November was for a proposed project of a different type and location. It was not located on Fletcher Place and did not present the specter of increased noise, traffic and competition for parking to our Fletcher Place community.

Our initial concerns are focused on the increased traffic and parking competition that the Lang triplex will generate. Currently, parking on Fletcher Place is challenging because it is limited to one side of the street. There are spaces for about 20 cars, one of which is for handicapped parking. The Lang triplex appears to have 12 bedrooms with the likely possibility of introducing at least 12 more cars competing for parking. Any number of additional vehicles will create a hardship on Fletcher Place and its current residents.

To put this in perspective, the applicant's #20 Fletcher Place "single family" property houses at least 7 people. A majority of the occupants have cars which exceed the property's allotted 2 spaces.

In addition, what will become of the existing parking spaces on the applicant's #128 and #132 Colchester Ave. rental properties? Will any of them be impacted by a lot line adjustment? Will the number of parking spaces on these properties be reduced and, thereby, add to the parking problem on Fletcher Place?

Fletcher Place has many houses listed on the Vermont State Register of Historic Places. It is a small yet diverse and vibrant community. Additional housing on Fletcher Place could contribute to the current residential neighborhood and address Burlington's critical need for living space for working people and families. Examples of this can be seen by the conversion of #19 Fletcher Place to a triplex and the renovation of #37 Fletcher Place. The owners of these properties have provided pleasant and well-constructed rental units to working individuals who have brought stability and added to the sense of community of Fletcher Place. The applicant's triplex is unlikely to make such a contribution. In fact, as proposed, this triplex project could have a deleterious effect on the quality of life on Fletcher Place.

We appreciate your time and consideration of our concerns.

We request that our letter be posted on the Burlington Development Review Board's public website.

Sincerely,

Shwan Butani
Robert K. Butani

RECEIVED
APR 25 2016

DEPARTMENT OF
PLANNING & ZONING

April 24, 2016

RE: Martha Lang/ Wilshire Properties, 20 Fletcher Place: Comments/ Concerns

Dear Members of the Burlington Development Review Board:

We write to you as longtime residents of Fletcher Place. We have lived on this short dead-end street for 45 years and have enjoyed its character as a close knit neighborhood where residents of different backgrounds know one another and support each other over many years. It also retains an historic character: five of the homes are listed on the state's historic register. The street is just the sort of residential neighborhood Burlington desires to retain: healthy and well-integrated and yet adaptable to future housing needs-- that is, IF new projects take into account issues relating to infrastructure, traffic, residential density, and stability.

With these issues in mind, we write to you with concerns about the proposal to construct a new multi-unit structure --"Elizabeth's Place"-- in a vacant area next to 20 Fletcher Place. We first want to applaud the developer for offering an infill proposal which is sensitive to the historic architectural style of the rest of Fletcher Place. Not only is the proposed building attractively designed, but the developer has clearly made an effort to address issues of water diversion and run-off which have plagued the neighborhood for years. Attractive landscaping is also specified. The current proposal is detailed and respectful in a superficial way of the neighborhood character. This is the sort of building which we could welcome into the neighborhood.

Our reservations concern three problems: parking and traffic, a large and sudden increase in resident density, and an appeal to a transient population, largely students, living unsupervised and without a stake in the neighborhood.

As to parking and traffic, already for many years as the number of cars belonging to current residents has increased, we have found it increasingly difficult to park. The current proposal includes 12 new bedrooms, which could introduce well more than that number of cars. Even if the city requirement for off street parking places is met (which is not the case in the present proposal), the parking situation will become much more difficult. Traffic is a greater problem: it is often challenging and dangerous to turn left out of Fletcher Place and if the 79 unit VonTurkovich Development on the other side street were to be approved, access to Fletcher Place would often be almost impossible, especially with so many new cars on this very short block.

As to concerns about residential density and an appeal to a transient student population, a bit of background: While Fletcher Place is zoned Institutional, that designation does not, and has not, fit its historic and neighborhood character. In fact we may have inadvertently missed being more appropriately designated low residential like other similar streets such as Nash Place, Latham Court, and Case Parkway. However that may be, the fact is the current proposal is pitched primarily to service a function and responsibility more properly taken care of by the University. Failing to accommodate its students' housing needs, the University is essentially pushing off onto our neighborhood a very dense commercial residential function.

As to the problems that come with a number of packed-in unsupervised persons in the 18 to 21 age group, they are all well-known: noise...and especially noise late at night, serious drinking, disrespect for neighborhood decorum, trash, careless parking, and more. We refer to "packed-in unsupervised persons", understanding that there may well be more than four persons living in each

four bedroom unit. On the university campus within a dormitory setting, such an arrangement of four tiny bedrooms in a suite arrangement might work. But the developer proposes no onsite management authority or supervision.

And we might add that residential projects of the size and density of both the proposed 20 Fletcher Place and the VonTurkovich developments--- even within the scope and spirit of current zoning rules--, belong more properly to the Core Campus areas. We very much doubt that the university itself would propose such an increase in the unsupervised resident student population cheek by jowl with an existing historic neighborhood such as ours.

For these reasons, we urge the Development Review Board to work with the developer to scale back the number of likely new residents and cars likely to be added onto our small street. If such a scale back were achieved, we can see Elizabeth's Place becoming a welcome asset to our neighborhood and a model for infill housing throughout the city,

Thank you for your careful attention.

Brenda and Edwin Owre
43 Fletcher Place
Burlington, Vermont 05401

PS: Dear Mr. Gustin,

We would appreciate it if you would post this letter to the appropriate place on the DRB's website and agenda for the May 3 meeting. Thank you.

Scott Gustin

From: Patti Rooney <proonz@aol.com>
Sent: Sunday, February 21, 2016 1:58 PM
To: Scott Gustin
Cc: robert.butani@gmail.com; susan.butani@gmail.com; brenda.owre@gmail.com
Subject: REVISED***** PRIOR EMAIL DRAFT SENT IN ERROR - Martha Lang/Wilshire Properties, LLC/16-0814CA/CU

Our apologies, the previous email was in a rough draft form (several grammatical and spelling errors) and was sent without being edited. Please use this revised one -- Thank you.

February 21, 2016

Attn: Scott Gustin

Dear Members of the Design Advisory Board:

We are residents at 26 Fletcher Place and have lived on this street for over 26 years. All of a sudden we are being bombarded by a huge proposed housing project by Frank Von Turkovich across the street and now by Martha Lang's proposed housing project which is next door to us. Having lived here for so long we exactly know the issues and how they will impact our neighborhood.

We are already dealing with noise from a rental property next door and other rental houses on our street. College Students are on a different time schedule than families with loud decibels outside at 2:00 and 3:00 a.m. that wake us up with their drunken behavior. With students having friends visiting it adds extra traffic on our dead end street.

Martha will not have enough parking for a project of that size and it will take away any additional parking on our street. It stands now we never have parking when we have guests visiting our home. This limits our socializing and this problem will only get worse.

Renters/Students who live on this street have a relaxed sense of responsibility for trash. Yards are cluttered with junk, trash and recycling bins that get knocked over and it doesn't occur to them to pick it up.

We are also very concerned with the excavation for a building of this size which would displace the water tables in the area. We had never had any flooding in our yard or basement until the Fletcher Allen Hospital projects of the past few years. Now we have flooding in our basement and backyard that never existed when we first moved here in 1989. We know that with this project our yard and basement will be adversely affected as we are down hill from the project.

Our house is on the Vermont State Register of Historic Places and we don't want some unknown building that is designed for mass housing taking away from our beautiful historical home. There are also several other houses on our street that are in this registry. This house has been in our family for over four generations and it is shameful that we have to consider the possibility we would have to move.

Thank you for your time and consideration of our concerns. We request that this email is posted on the Burlington Design Advisory Board's public website.

Sincerely,

William P. Hickok
26 Fletcher Place
Burlington, Vermont 05401

Patricia A. Rooney



CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

DEVELOPMENT REVIEW BOARD STAFF REPORT

TO: Development Review Board

FR: Jeanne Francis, Assistant Zoning Administrative Officer, Code Compliance and Enforcement

DT: April 26, 2016

RE: Report on Appeal #16-0914AP; Appeal of a Administrative Officer's Zoning Notice of Violation (ZV # 300029) issued on February 22, 2016, for Permitting the occupancy of five (5) unrelated adults in a dwelling unit located in an RL zone inconsistent with the Comprehensive Development Ordinance (Article 13: Family Definition and Sec. 4.4.5(d)(5)(c). Unfinished attic constructed as habitable space without zoning approval (CDO Section 3.1.2.(b)(1)) for Premises Located at 17 Henry St, Burlington, Vermont

.....
Location: 17 Henry St, Burlington, Vermont

Tax Lot # 045-1-242-000

Appellant: Jill Boardman, Owner

Applicable Regulations: CDO Articles 2, 3, 4, 5, 12, and 24 V.S.A. §4451 and 4454

Appeal # 16-0914AP

Appeal: Sec. 12.2.2 Appeals of Administrative Officer Decisions

- **Appeal filed at the Planning/Zoning office on March 8, 2016, addressing all 5 requirements outlined under Sec. 12.2.2**

Name and address of appellant:

Jill Boardman
PO Box 1224
Stowe, VT 05672

Brief description of the property with respect to which the appeal is taken

17 Henry Street

Reference to the regulatory provisions applicable to that appeal

Sec. 4.4.5 (d) (5) (c) and 3.1.2 (b) (1)

DEVELOPMENT REVIEW BOARD CODE ENFORCEMENT REPORT

April 26, 2016

APPEAL: #16-0914AP: 17 Henry Street

Page 2 of 5

Relief requested by the appellant

Finding of no violation

Alleged grounds why such requested relief is believed proper under the circumstances

- ✓ No work has been done on the 3rd floor/attic since I purchased the property in 2010.
- ✓ There are 4 people living in the house.

- **Appellant Submittals**

Appellant did not submit any documentation with appeal.

- **City's Submittals**

- ✓ October 15, 2015, Notification to Appellant
- ✓ February 22, 2016, Notice of Violation
- ✓ Rental Registration Forms from 2003 to 2016
- ✓ Assessor's Records regarding use of Property from 1985 to 2015

Background Information:

- **Code Enforcement Zoning Files/Documentation:**

- State Registered Historical Structure
- August 31, 2002 – Written complaint – five Champlain College students occupying house; complaint unsubstantiated.
- ZP 10-0377CA: Replace all first and second floor windows with clad wood double pane windows and repair fascia – single family home.
- October 7, 2015, Code Enforcement Office received a complaint that more than 4 unrelated adults were occupying house located at Premises, within the RL zone, without zoning approval.
- October 15, 2015, Code Enforcement Office sent Owner notification of the complaint; Owner did not respond.
- February 22, 2016 Code Enforcement Office sent Owner notice of violation.
- March 8, 2016 Owner appealed notice of violation.

- **Code Enforcement Minimum Housing Records/Rental Registration Documentation*:**

- 2003 one unit, 6 bedrooms, 6 rental residents.
- March 19, 2004 then-Owner reported Premises was no longer rented
- 2005 – No documentation on file indicating Premises was a rental.
- 2006 – No documentation on file indicating Premises was a rental.
- Sept. 13, 2007 ownership transfer from Deborah Olsen to Jeffrey and Anya Bryam.
- 2008 – No documentation on file indicating Premises was a rental.
- 2009 – No documentation on file indicating Premises was a rental.
- April 19, 2010 Ownership transfer recorded in land records; Jill Boardman; Owner, Premises Owner-occupied.
- May 3, 2010 Rental Registration Forms submitted to Code Enforcement Office, asserting Rental

Information available in alternative media forms for people with disabilities.
For disability access information call (802) 865-7121 or (802) 863-0450 TTY.

An Equal Opportunity Employer

DEVELOPMENT REVIEW BOARD CODE ENFORCEMENT REPORT

April 26, 2016

APPEAL: #16-0914AP: 17 Henry Street

Page 3 of 5

Unit: Yes; #Fee Exempt: N/A; #Bedrooms: 5; #Residents 5; Functional Family: N/A; # Parking Spaces: 6; #Vehicles: 5. An inspection on May 2010 revealed, no tenants at the time; housing inspection May 4, 2010 deficiencies found and corrected July 16, 2016.

- April 7, 2011 Rental Registration Form submitted to Code Enforcement Office asserting “#Bedrooms: 5; #Residents: 4; #Parking Spaces: 6; #Vehicles: 4.
- March 28, 2012 Rental Registration Form submitted to Code Enforcement Office; Property Information Sheet was not included with registration.
- March 29, 2013 Rental Registration Form submitted to Code Enforcement Office asserting Rental Unit: Yes; #Bedrooms: 5; #Residents: 6; #Families: 1; #Unrelated: 6; #Functional Family: Yes; #Parking Spaces: 5; #Vehicles5.
- September 19, 2013 minimum housing inspection, deficiencies found and re-inspection property deficiencies rectified January 3, 2014.
- March 21, 2014 Rental Registration Form submitted to Code Enforcement Office asserting Rental Unit: Yes; #Bedrooms: 5; #Residents: 5; #Families: 1; #Unrelated: 5; Functional Family: Yes; #Parking Spaces: 5; #Vehicles: 5. March 2, 2015 Rental Registration Form submitted to Code Enforcement Office asserting Rental Unit: Yes; #Bedrooms: 5; #Residents: 5; #Families: 1; #Unrelated: 5; Functional Family: Yes; #Parking Spaces: 5; #Vehicles: 5.
- February 18, 2016 Rental Registration Form submitted to Code Enforcement Office.

*Although these Certificates are issued with a 3-year expiration date, our protocol is to conduct routine inspections of all units every 1 to 1.5 years. No notes in the files referring to living space in the attic.

- **Assessor's Records/Documentation:**

- 1985: 6 rooms, 3 bedrooms; attic unfinished, drawing 1st and 2nd floor.
- 1993 notes: observed attic unfinished, drawing 1st and 2nd floor
- 2005: Address Change: Owner's New Mailing Address--17 Henry St.
- 2005: 302 sf finished attic space; letter on file from then-Owner dated May 25, 2005 identifying Premises as owner-occupied single family which she purchased mid December 2004. Assessor's field inspector was not able to enter the house for observation.
- 2015: Assessors Web Page dated November 30, 2015: 1 unit – 9 rooms/3 bedrooms; Attic 502 sf; basement is not finished.

- **Building/Trade Permits**

- ✓ Building Permits 2003 - Present: New windows on 1st and 2nd floor and repair fascia. Repairs to porch, and repair to roofing.
- ✓ Electrical permits 2003 – Present for new boiler, install new meter and repair/replace outlets, dedicated circuit line for dishwasher, wiring CO, replace overhead power to garage,
- ✓ Mechanical/Plumbing 2003-Present: Replace old hot air furnace with new hot air furnace.

DEVELOPMENT REVIEW BOARD CODE ENFORCEMENT REPORT

April 26, 2016

APPEAL: #16-0914AP: 17 Henry Street

Page 4 of 5

Findings:

Issue #1: Permitting the occupancy of five (5) unrelated adults in a dwelling unit located in an RL zone inconsistent with the Comprehensive Development Ordinance (Article 13: Family Definition and Sec. 4.4.5(d)(5)(c)).

CDO Sec. 4.4.5(d)(5)(c) requires that, “[i]n all residential districts, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13....” Included within the definition of family is

“[n]o more than four unrelated adults and their minor children.”

By Owner’s own admission and statements from tenants, five (5) unrelated adults resided at the property during the fall of 2015.

Pursuant to evidence presented, statements from the Owner and the fifth tenant, the fifth tenant has moved out of the property and does not intend to return. Owner has informed fifth tenant that he may not resume residency at the property and has returned rent to him.

Issue #2: Unfinished attic constructed as habitable space without zoning approval (CDO Section 3.1.2.(b)(1))

CDO Sec. 3.1.2(b)(1) requires that: “...no development may be commenced within the city without a zoning permit issued by the administrative officer including but not limited to the following types of exterior and interior work...Increase in habitable living space (including, but not limited to, attic, bedroom, basement, garage, and winterizing or otherwise enclosing a porch).”

- No City zoning permits exist for conversion of the attic space at the property from unfinished to habitable.
- Assessor records reflect unfinished space from 1984 until at least 2005.
- 1993 Assessor’s field inspector makes a note s/he observed the attic was not finished, however, in 2005 then-owner sends in written letter attic is finished.
- From 2005 – Present, Assessor’s records show 302 sf of the attic is finished.
- Since 1984 Assessor’s records indicate there are 3 bedrooms at property which is consistent with 3 bedrooms on the 2nd floor.
- Zoning permits and consequently violations run with the property, not the owner. Owner’s statement that no work has been done on the 3rd floor/attic since her purchase in 2010 is irrelevant.

DEVELOPMENT REVIEW BOARD CODE ENFORCEMENT REPORT

April 26, 2016

APPEAL: #16-0914AP: 17 Henry Street

Page 5 of 5

Conclusion:

Based upon the above, the Code Enforcement Office respectfully requests the Board to find the following:

1. The Premises was in violation of the Comprehensive Development Ordinance (Article 13: Family Definition and Sec. 4.4.5(d)(5)(c)) by Permitting the occupancy of five (5) unrelated adults in a dwelling unit located in an RL zone. That violation is currently cured by the removal of the fifth tenant as well as the steps taken to prevent re-occurrence.
2. The Premises is in violation of Comprehensive Development Ordinance Section 3.1.2(b)(1) as unfinished attic space was converted to habitable space without zoning approval. Specific support for this finding:
 - Since 1984 Assessor's records indicate there are 3 bedrooms at property which is consistent with 3 bedrooms on the 2nd floor.
 - 1984 -2005 records show the attic is not unfinished.
 - 1993 Assessor's field inspector makes a note s/he observed the attic was not finished, however, in 2005 then-owner sends in written letter attic is finished.
 - From 2005 – Present Assessor's records show 302 sf of the attic is finished.
 - No municipal permits in City records to finish the attic for habitation use.

Recommendation:

Uphold issuance of Notice of Zoning Violation #300029 per the findings above.

Pursuant to finding 2 above, Code Enforcement asks the Board to condition Owner to remove habitable/finished attributes (attic space must revert to cold storage, including signage posted on the third floor access identifying it as cold storage) or obtain municipal approval for such conversion within twenty (20) days of Board's decision or enter into a settlement with the City to outline a timeline in which to come into compliance.



Department of Planning and Zoning

149 Church Street, City Hall

Burlington, VT 05401-8415

Phone: (802) 865-7188

Fax: (802) 865-7195

www.burlingtonvt.gov/pz

RECEIVED

MAR - 8 2016

DEPARTMENT OF
PLANNING & ZONING

Appeal of an Administrative Decision Request

Use this form to appeal any Administrative Decision or Notice of Violation - See Sec. 12.2.2 of the Zoning Ordinance.

SUBJECT LOCATION ADDRESS: 17 Henry St.

Subject Property Owner: Jill Boardman

Appellant: Jill Boardman

Agent/Representative: _____

Mailing Address: PO Box 1224

City, St, Zip: Stowe, VT 05672

Day Phone: 802-793-0223 Email: jboardman@marrisswitzer.

Appellant Signature: Jill Boardman

Date: 3/6/16

In order for your request to be considered complete, ALL of the following information must be provided, as applicable:

- ☐ The Appeal fee of \$250;
- ☐ Description of the decision under appeal; Notice of Zoning Violation
- ☐ Description of the property subject to the appeal; 17 Henry St.
- ☐ Reference to the regulatory provisions applicable to the appeal; Sec. 4.4.5(d)(5)(c) 3.1.2(b)
- ☐ Relief requested by the appellant; finding of no violation
- ☐ Alleged grounds why such requested relief is believed proper under the circumstances.
 - No work has been done on the 3rd floor/attic since I purchased the property in 2010
 - There are 4 people living in the house

Office Use Only:

Check No. 374

Amount Paid 250.00

Zoning Permit # 16-0914AP
NOV # 300029

Code Enforcement Office

Assessor Records

Property Summary

Parcel ID	045-1-242-000	Address	17 HENRY ST	Owner(s)	BOARDMAN JILL
SPAN Number	114-035-15785	Land Use	Single Family		
Mailing Address	17 HENRY ST, BURLINGTON, VT 05401				

Current Assessed Values

Total Value	\$290,500	Building Value	\$152,900	Land Value	\$132,900	Yard Items	\$4,700
-------------	-----------	----------------	-----------	------------	-----------	------------	---------

Current Property Taxes

Total	HS-131	Pct	Pct
Property	(https://secure.vermont.gov/hd/index#maincontent)	Business	Rental
Taxes			

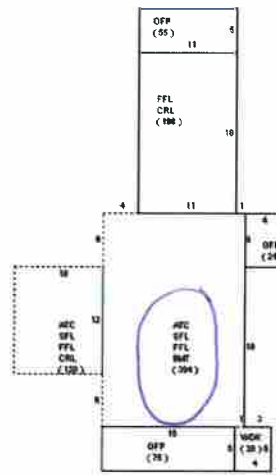
Most Recent Sales Information

Grantor	Sale Date	Sale Price	Book & Page
BYAM, JEFFREY P	4/15/2010	\$360,000	1099-417
WOOD OLSEN, DEBORAH	8/30/2007	\$349,500	1010-770
EAGLE, SCOTT	12/8/2004	\$297,900	898-481

Property Details

Grade	GOOD	Heat Type	HOT WATER	Heat Fuel	GAS
Acres	0.1125	Gross Area	2,586	Finished Area	1,508
Building Type	OLD STYLE	Year Built	1915	Units	1
Rooms	9	Bedrooms	3	Baths (Full/Half)	1 / 1
Zoning	RL	Foundation	BS	Depreciation	17.20 %

Sketched Areas



Card #	Area	Description	Gross Area	Finish Area
1	ATC	ATTIC W FINI	504	302
1	BMT	BASEMENT	384	0
1	CRL	CRAWL SPACE	318	0
1	FFL	1ST FLOOR	702	702
1	OFP	OPEN PORCH	154	0
1	SFL	2ND FLOOR	504	504
1	WDK	WOOD DECK	20	0

(<http://gis.burlingtonvt.gov/Assessor/SketchGif/5000/785001.gif>)

Image(s)



(<http://gis.burlingtonvt.gov/Assessor/Image/5000/785001.JPG>)

Location Map

Assessor's Record

Property Summary

Parcel ID	045-1-242-000	Address	17 HENRY ST	Owner(s)	BOARDMAN JILL
SPAN Number	114-035-15785	Land Use	Single Family		
Mailing Address	17 HENRY ST, BURLINGTON, VT 05401				

Current Assessed Values

Total Value	\$290,500	Building Value	\$152,900	Land Value	\$132,900	Yard Items	\$4,700
-------------	-----------	----------------	-----------	------------	-----------	------------	---------

Current Property Taxes

Total Property Taxes	HS-131 (https://secure.vermont.gov/hd/index#maincontent)	Pct Business	Pct Rental
----------------------	---	--------------	------------

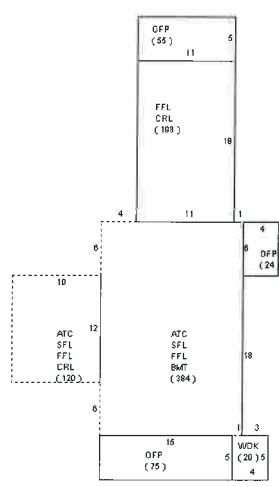
Most Recent Sales Information

Grantor	Sale Date	Sale Price	Book & Page
BYAM, JEFFREY P	4/15/2010	\$360,000	1099-417
WOOD OLSEN, DEBORAH	8/30/2007	\$349,500	1010-770
EAGLE, SCOTT	12/8/2004	\$297,900	898-481

Property Details

Grade	GOOD	Heat Type	HOT WATER	Heat Fuel	GAS
Acres	0.1125	Gross Area	2,586	Finished Area	1,508
Building Type	OLD STYLE	Year Built	1915	Units	1
Rooms	9	Bedrooms	3	Baths (Full/Half)	1 / 1
Zoning	RL	Foundation	BS	Depreciation	17.20 %

Sketched Areas



Card #	Area	Description	Gross Area	Finish Area
1	ATC	ATTIC W FINI	504	302
1	BMT	BASEMENT	384	0
1	CRL	CRAWL SPACE	318	0
1	FFL	1ST FLOOR	702	702
1	OFF	OPEN PORCH	154	0
1	SFL	2ND FLOOR	504	504
1	WDK	WOOD DECK	20	0

(<http://gis.burlingtonvt.gov/Assessor/SketchGif/5000/785001.gif>)

Image(s)



(<http://gis.burlingtonvt.gov/Assessor/Image/5000/785001.JPG>)

Location Map

17	HENRY ST, BURLINGTON
----	----------------------

OWNERSHIP

Owner 1: WOOD OLSEN DEBORAH

Owner 2:

Owner 3:

Street 1: 17 HENRY STREET

Street 2:

Town/City: BURLINGTON

State: VT

Postal: 05401

PREVIOUS OWNER

Owner 1: EAGLE - SCOTT

Owner 2: CROCKER - ABIGAIL M

Street 1: 17 HENRY STREET

Town/City: BURLINGTON

State: VT

Postal: 05401 3330

NARRATIVE DESCRIPTION

This Parcel contains 4900 SF of land mainly classified as Single Fam with a(n) OLD STYLE Building Built about 1915. Having Primarily ALUMINUM Exterior and SLATE Roof Cover, with 1 Units, 1 Baths, 1 HalfBaths, 0 3/4 Baths, 0 Rooms Total, and 0 Bedrooms.

OTHER ASSESSMENTS

Code	Description	Amount	Com. Int.
------	-------------	--------	-----------

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

Use Code	Building Value	Land Value	Legal Value	Other Value
R1	168,400	4900,000	132,900	301,300

Total Card	168,400	0.112	132,900	301,300
------------	---------	-------	---------	---------

Total Parcel	168,400	0.112	132,900	301,300
--------------	---------	-------	---------	---------

Source: OverRide	Total Value per SQ unit	Card: 299.98	Parcel: 299.98	Land Unit Type: SF
------------------	-------------------------	--------------	----------------	--------------------

Legal Description	User Acct	GIS Ref	GIS Ref	Insp Date
-------------------	-----------	---------	---------	-----------

		315875723901		
--	--	--------------	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

Parcel LUC: R1	Single Fam	Prime NB Desc: NORTH HILL S	Total: 132,940	Spl Credit	Total: 132,900
----------------	------------	-----------------------------	----------------	------------	----------------

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted.	Database: AssessPro	2012	2005
---	---------------------	------	------

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--



Patrio Properties

RAO: 1260

State Dist: 3-04

CAD: 550

SPAN: 114-038

Prior Id # 3:

BusUse:

RentallUse:

Prior Id # 3:

ASR Map:

Fact Dist:

Reval Dist:

Year:

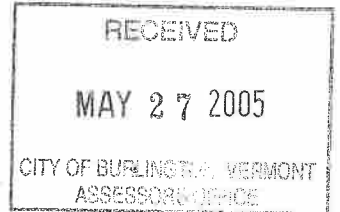
LandReason:

BlkReason:

Deborah W. Olsen

045-1-242-0

17 Henry Street
Burlington, VT 05401
802/865-7856 (home)
802/310-8592 (cell)
dwolsen@adelphia.net



May 25, 2005

City of Burlington
Assessors Office, Board of Assessors
149 Church Street
Burlington, VT 05401

To Whom it May Concern;

Please consider this as my request for a formal appeal before the Board of Assessors on the re-assessment of my owner-occupied, single family residence located at 17 Henry Street, Burlington, VT, which I purchased in mid-December of 2004.

Thank you for your assistance.

Sincerely,

Deborah W. Olsen

Deborah W. Olsen

PARCEL ID	045-1-242-000	045-1-242-000	044-2-072-000	043-3-086-000	045-1-295-000
ST NO	17	17	51	49	43
STREET	HENRY ST	HENRY ST	MONROE ST	WARD ST	ISHAM ST
SALE DATE	N/A	12/08/04	02/25/05	07/22/04	01/07/05
SALE PRICE	N/A	297900	300000	205000	280000
TIME ADJ	N/A	0	0	0	0
LAND USAGE	R1	R1	R1	R1	R1
LAND AREA	0.112	0.112	0.113	0.118	0.114
NEIGHBORHOOD	260	260	210	210	210
LAND ADJ	N/A	0	33100	32300	33000
BUILDING TYPE	OLD STYLE	OLD STYLE	OLD STYLE	OLD STYLE	OLD STYLE
GROSS AREA	2633	2633	3466	1912	3320
FINISHED AREA	1004.4	1004.4	1600	1228	1757.6
SIZE ADJ	1.59562	1.59562	1.10000	1.41433	1.16896
UNITS #	1	1	1	1	1
STORY HEIGHT	2.5	2.5	2.5	2	2.5
YEAR BUILT	1915	1915	1902	1996	1920
CONDITION	AV	AV	AV	AV	AV
GRADE	G	G	A	A-	A
ROOMS	0	0	0	0	0
BEDROOMS	0	0	0	0	0
BATHS	1	1	1	1	2
HALF BATHS	1	1	1	1	0
EXTERIOR WALLS	ALUMINUM	ALUMINUM	BRICK	VINYL	ALUMINUM
INTERIOR WALLS	PLASTER	PLASTER	PLASTER	DRYWALL	PLASTER
FLOOR TYPE	CARPET	CARPET	CARPET	CARPET	HARDWOOD
HEAT FUEL	GAS	GAS	GAS	GAS	GAS
HEAT TYPE	HOT WATER	HOT WATER	HOT AIR	HOT WATER	HOT AIR
AIR CONDITION	%				
CONSTRUCTION ADJ	1.0197	1.0197	1.060794	1.004	1.024799
BASEMENT GARAGES	0	0	0	0	0
FIREPLACES	0	0	0	0	0
SEFT VALUE	4900	4900	4942	5150	4980
BUILDING ADJ	N/A	0	12800	4200	7200
YARD ITEM ADJ	N/A	0	0	0	0
TOTAL ADJ	N/A	0	45900	36500	40200
RATING	N/A	90.50	81.50	81.20	81.10
ADJ SALE PRICE	N/A	\$297,900	\$345,900	\$241,500	\$320,200

INDICATED VALUE: \$301,300 MARKET ADJ COST: \$263,100 AVERAGE RATING: 83.57

1
 2
 3
 4
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60
 61
 62
 63
 64
 65
 66
 67
 68
 69
 70
 71
 72
 73
 74
 75
 76
 77
 78
 79
 80
 81
 82
 83
 84
 85
 86
 87
 88
 89
 90
 91
 92
 93
 94
 95
 96
 97
 98
 99
 100
 101
 102
 103
 104
 105
 106
 107
 108
 109
 110
 111
 112
 113
 114
 115
 116
 117
 118
 119
 120
 121
 122
 123
 124
 125
 126
 127
 128
 129
 130
 131
 132
 133
 134
 135
 136
 137
 138
 139
 140
 141
 142
 143
 144
 145
 146
 147
 148
 149
 150
 151
 152
 153
 154
 155
 156
 157
 158
 159
 160
 161
 162
 163
 164
 165
 166
 167
 168
 169
 170
 171
 172
 173
 174
 175
 176
 177
 178
 179
 180
 181
 182
 183
 184
 185
 186
 187
 188
 189
 190
 191
 192
 193
 194
 195
 196
 197
 198
 199
 200
 201
 202
 203
 204
 205
 206
 207
 208
 209
 210
 211
 212
 213
 214
 215
 216
 217
 218
 219
 220
 221
 222
 223
 224
 225
 226
 227
 228
 229
 230
 231
 232
 233
 234
 235
 236
 237
 238
 239
 240
 241
 242
 243
 244
 245
 246
 247
 248
 249
 250
 251
 252
 253
 254
 255
 256
 257
 258
 259
 260
 261
 262
 263
 264
 265
 266
 267
 268
 269
 270
 271
 272
 273
 274
 275
 276
 277
 278
 279
 280
 281
 282
 283
 284
 285
 286
 287
 288
 289
 290
 291
 292
 293
 294
 295
 296
 297
 298
 299
 300
 301
 302
 303
 304
 305
 306
 307
 308
 309
 310
 311
 312
 313
 314
 315
 316
 317
 318
 319
 320
 321
 322
 323
 324
 325
 326
 327
 328
 329
 330
 331
 332
 333
 334
 335
 336
 337
 338
 339
 340
 341
 342
 343
 344
 345
 346
 347
 348
 349
 350
 351
 352
 353
 354
 355
 356
 357
 358
 359
 360
 361
 362
 363
 364
 365
 366
 367
 368
 369
 370
 371
 372
 373
 374
 375
 376
 377
 378
 379
 380
 381
 382
 383
 384
 385
 386
 387
 388
 389
 390
 391
 392
 393
 394
 395
 396
 397
 398
 399
 400
 401
 402
 403
 404
 405
 406
 407
 408
 409
 410
 411
 412
 413
 414
 415
 416
 417
 418
 419
 420
 421
 422
 423
 424
 425
 426
 427
 428
 429
 430
 431
 432
 433
 434
 435
 436
 437
 438
 439
 440
 441
 442
 443
 444
 445
 446
 447
 448
 449
 450
 451
 452
 453
 454
 455
 456
 457
 458
 459
 460
 461
 462
 463
 464
 465
 466
 467
 468
 469
 470
 471
 472
 473
 474
 475
 476
 477
 478
 479
 480
 481
 482
 483
 484
 485
 486
 487
 488
 489
 490
 491
 492
 493
 494
 495
 496
 497
 498
 499
 500
 501
 502
 503
 504
 505
 506
 507
 508
 509
 510
 511
 512
 513
 514
 515
 516
 517
 518
 519
 520
 521
 522
 523
 524
 525

Meeting

$$\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$$

200

$$\lim_{n \rightarrow \infty} \frac{1}{n} \sum_{i=1}^n \frac{1}{x_i} = \frac{1}{\lim_{n \rightarrow \infty} \frac{1}{n} \sum_{i=1}^n x_i} = \frac{1}{\frac{1}{2}} = 2$$

10

$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$

$\frac{1}{2} \log \frac{1}{2}$

4

1. *Phragmites australis* (Cav.) Trin. ex Steud.

Figure 1



一、基本案情
 二、法律分析
 三、裁判要旨
 四、关联法条
 五、参考案例
 六、文书来源
 七、文书类型
 八、文书编号
 九、文书日期
 十、文书标题
 十一、文书正文
 十二、文书尾部
 十三、文书附件
 十四、文书落款
 十五、文书盖章
 十六、文书签字
 十七、文书日期
 十八、文书编号
 十九、文书标题
 二十、文书正文
 二十一、文书尾部
 二十二、文书附件
 二十三、文书落款
 二十四、文书盖章
 二十五、文书签字
 二十六、文书日期
 二十七、文书编号
 二十八、文书标题
 二十九、文书正文
 三十、文书尾部
 三十一、文书附件
 三十二、文书落款
 三十三、文书盖章
 三十四、文书签字
 三十五、文书日期
 三十六、文书编号
 三十七、文书标题
 三十八、文书正文
 三十九、文书尾部
 四十、文书附件
 四十一、文书落款
 四十二、文书盖章
 四十三、文书签字
 四十四、文书日期
 四十五、文书编号
 四十六、文书标题
 四十七、文书正文
 四十八、文书尾部
 四十九、文书附件
 五十、文书落款
 五十一、文书盖章
 五十二、文书签字
 五十三、文书日期
 五十四、文书编号
 五十五、文书标题
 五十六、文书正文
 五十七、文书尾部
 五十八、文书附件
 五十九、文书落款
 六十、文书盖章
 六十一、文书签字
 六十二、文书日期
 六十三、文书编号
 六十四、文书标题
 六十五、文书正文
 六十六、文书尾部
 六十七、文书附件
 六十八、文书落款
 六十九、文书盖章
 七十、文书签字
 七十一、文书日期
 七十二、文书编号
 七十三、文书标题
 七十四、文书正文
 七十五、文书尾部
 七十六、文书附件
 七十七、文书落款
 七十八、文书盖章
 七十九、文书签字
 八十、文书日期
 八十一、文书编号
 八十二、文书标题
 八十三、文书正文
 八十四、文书尾部
 八十五、文书附件
 八十六、文书落款
 八十七、文书盖章
 八十八、文书签字
 八十九、文书日期
 九十、文书编号
 九十一、文书标题
 九十二、文书正文
 九十三、文书尾部
 九十四、文书附件
 九十五、文书落款
 九十六、文书盖章
 九十七、文书签字
 九十八、文书日期
 九十九、文书编号
 一百、文书标题
 一百零一、文书正文
 一百零二、文书尾部
 一百零三、文书附件
 一百零四、文书落款
 一百零五、文书盖章
 一百零六、文书签字
 一百零七、文书日期
 一百零八、文书编号
 一百零九、文书标题
 一百一十、文书正文
 一百一十一、文书尾部
 一百一十二、文书附件
 一百一十三、文书落款
 一百一十四、文书盖章
 一百一十五、文书签字
 一百一十六、文书日期
 一百一十七、文书编号
 一百一十八、文书标题
 一百一十九、文书正文
 一百二十、文书尾部
 一百二十一、文书附件
 一百二十二、文书落款
 一百二十三、文书盖章
 一百二十四、文书签字
 一百二十五、文书日期
 一百二十六、文书编号
 一百二十七、文书标题
 一百二十八、文书正文
 一百二十九、文书尾部
 一百三十、文书附件
 一百三十一、文书落款
 一百三十二、文书盖章
 一百三十三、文书签字
 一百三十四、文书日期
 一百三十五、文书编号
 一百三十六、文书标题
 一百三十七、文书正文
 一百三十八、文书尾部
 一百三十九、文书附件
 一百四十、文书落款
 一百四十一、文书盖章
 一百四十二、文书签字
 一百四十三、文书日期
 一百四十四、文书编号
 一百四十五、文书标题
 一百四十六、文书正文
 一百四十七、文书尾部
 一百四十八、文书附件
 一百四十九、文书落款
 一百五十、文书盖章
 一百五十一、文书签字
 一百五十二、文书日期
 一百五十三、文书编号
 一百五十四、文书标题
 一百五十五、文书正文
 一百五十六、文书尾部
 一百五十七、文书附件
 一百五十八、文书落款
 一百五十九、文书盖章
 一百六十、文书签字
 一百六十一、文书日期
 一百六十二、文书编号
 一百六十三、文书标题
 一百六十四、文书正文
 一百六十五、文书尾部
 一百六十六、文书附件
 一百六十七、文书落款
 一百六十八、文书盖章
 一百六十九、文书签字
 一百七十、文书日期
 一百七十一、文书编号
 一百七十二、文书标题
 一百七十三、文书正文
 一百七十四、文书尾部
 一百七十五、文书附件
 一百七十六、文书落款
 一百七十七、文书盖章
 一百七十八、文书签字
 一百七十九、文书日期
 一百八十、文书编号
 一百八十一、文书标题
 一百八十二、文书正文
 一百八十三、文书尾部
 一百八十四、文书附件
 一百八十五、文书落款
 一百八十六、文书盖章
 一百八十七、文书签字
 一百八十八、文书日期
 一百八十九、文书编号
 一百九十、文书标题
 一百九十一、文书正文
 一百九十二、文书尾部
 一百九十三、文书附件
 一百九十四、文书落款
 一百九十五、文书盖章
 一百九十六、文书签字
 一百九十七、文书日期
 一百九十八、文书编号
 一百九十九、文书标题
 二百、文书正文
 二百零一、文书尾部
 二百零二、文书附件
 二百零三、文书落款
 二百零四、文书盖章
 二百零五、文书签字
 二百零六、文书日期
 二百零七、文书编号
 二百零八、文书标题
 二百零九、文书正文
 二百一十、文书尾部
 二百一十一、文书附件
 二百一十二、文书落款
 二百一十三、文书盖章
 二百一十四、文书签字
 二百一十五、文书日期
 二百一十六、文书编号
 二百一十七、文书标题
 二百一十八、文书正文
 二百一十九、文书尾部
 二百二十、文书附件
 二百二十一、文书落款
 二百二十二、文书盖章
 二百二十三、文书签字
 二百二十四、文书日期
 二百二十五、文书编号
 二百二十六、文书标题
 二百二十七、文书正文
 二百二十八、文书尾部
 二百二十九、文书附件
 二百三十、文书落款
 二百三十一、文书盖章
 二百三十二、文书签字
 二百三十三、文书日期
 二百三十四、文书编号
 二百三十五、文书标题
 二百三十六、文书正文
 二百三十七、文书尾部
 二百三十八、文书附件
 二百三十九、文书落款
 二百四十、文书盖章
 二百四十一、文书签字
 二百四十二、文书日期
 二百四十三、文书编号
 二百四十四、文书标题
 二百四十五、文书正文
 二百四十六、文书尾部
 二百四十七、文书附件
 二百四十八、文书落款
 二百四十九、文书盖章
 二百五十、<

[illegible]

Between 3

$$\begin{array}{r} 3 \overline{) 2594} \\ 9 \\ \hline 106 \end{array}$$

910075

102

[illegible]

2 floors

71 00
 72 00
 73 00
 74 00
 75 00
 76 00
 77 00
 78 00
 79 00
 80 00
 81 00
 82 00
 83 00
 84 00
 85 00
 86 00
 87 00
 88 00
 89 00
 90 00
 91 00
 92 00
 93 00
 94 00
 95 00
 96 00
 97 00
 98 00
 99 00
 100 00
 101 00
 102 00
 103 00
 104 00
 105 00
 106 00
 107 00
 108 00
 109 00
 110 00
 111 00
 112 00
 113 00
 114 00
 115 00
 116 00
 117 00
 118 00
 119 00
 120 00
 121 00
 122 00
 123 00
 124 00
 125 00
 126 00
 127 00
 128 00
 129 00
 130 00
 131 00
 132 00
 133 00
 134 00
 135 00
 136 00
 137 00
 138 00
 139 00
 140 00
 141 00
 142 00
 143 00
 144 00
 145 00
 146 00
 147 00
 148 00
 149 00
 150 00
 151 00
 152 00
 153 00
 154 00
 155 00
 156 00
 157 00
 158 00
 159 00
 160 00
 161 00
 162 00
 163 00
 164 00
 165 00
 166 00
 167 00
 168 00
 169 00
 170 00
 171 00
 172 00
 173 00
 174 00
 175 00
 176 00
 177 00
 178 00
 179 00
 180 00
 181 00
 182 00
 183 00
 184 00
 185 00
 186 00
 187 00
 188 00
 189 00
 190 00
 191 00
 192 00
 193 00
 194 00
 195 00
 196 00
 197 00
 198 00
 199 00
 200 00
 201 00
 202 00
 203 00
 204 00
 205 00
 206 00
 207 00
 208 00
 209 00
 210 00
 211 00
 212 00
 213 00
 214 00
 215 00
 216 00
 217 00
 218 00
 219 00
 220 00
 221 00
 222 00
 223 00
 224 00
 225 00
 226 00
 227 00
 228 00
 229 00
 230 00
 231 00
 232 00
 233 00
 234 00
 235 00
 236 00
 237 00
 238 00
 239 00
 240 00
 241 00
 242 00
 243 00
 244 00
 245 00
 246 00
 247 00
 248 00
 249 00
 250 00
 251 00
 252 00
 253 00
 254 00
 255 00
 256 00
 257 00
 258 00
 259 00
 260 00
 261 00
 262 00
 263 00
 264 00
 265 00
 266 00
 267 00
 268 00
 269 00
 270 00
 271 00
 272 00
 273 00
 274 00
 275 00
 276 00
 277 00
 278 00
 279 00
 280 00
 281 00
 282 00
 283 00
 284 00
 285 00
 286 00
 287 00
 288 00
 289 00
 290 00
 291 00
 292 00
 293 00
 294 00
 295 00
 296 00
 297 00
 298 00
 299 00
 300 00
 301 00
 302 00
 303 00
 304 00
 305 00
 306 00
 307 00
 308 00
 309 00
 310 00
 311 00
 312 00
 313 00
 314 00
 315 00
 316 00
 317 00
 318 00
 319 00
 320 00
 321 00
 322 00
 323 00
 324 00
 325 00
 326 00
 327 00
 328 00
 329 00
 330 00
 331 00
 332 00
 333 00
 334 00
 335 00
 336 00
 337 00
 338 00
 339 00
 340 00
 341 00
 342 00
 343 00
 344 00
 345 00
 346 00
 347 00
 348 00
 349 00
 350 00
 351 00
 352 00
 353 00
 354 00
 355 00
 356 00
 357 00
 358 00
 359 00
 360 00
 361 00
 362 00
 363 00
 364 00
 365 00
 366 00
 367 00
 368 00
 369 00
 370 00
 371 00
 372 00
 373 00
 374 00
 375 00
 376 00
 377 00
 378 00
 379 00
 380 00
 381 00
 382 00
 383 00
 384 00
 385 00
 386 00
 387 00
 388 00
 389 00
 390 00
 391 00
 392 00
 393 00
 394 00
 395 00
 396 00
 397 00
 398 00
 399 00
 400 00
 401 00
 402 00
 403 00
 404 00
 405 00
 406 00
 407 00
 408 00
 409 00
 410 00
 411 00
 412 00
 413 00
 414 00
 415 00
 416 00
 417 00
 418 00
 419 00
 420 00
 421 00
 422 00
 423 00
 424 00
 425 00
 426 00
 427 00
 428 00
 429 00
 430 00
 431 00
 432 00
 433 00
 434 00
 435 00
 436 00
 437 00
 438 00
 439 00
 440 00
 441 00
 442 00
 443 00
 444 00
 445 00

102

[illegible]

3/25/94 10

1000

[illegible]

10

Figure 1 displays a sequence of 16 small images arranged in a 4x4 grid, illustrating the stages of a bird's nest construction. The images show the progression from the initial egg-laying to the final completed nest, with various stages of material gathering and nest building.

07
3-
—
—
—
—

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

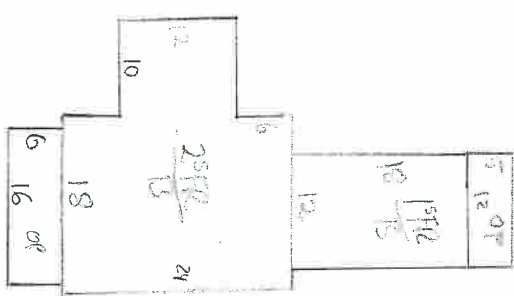
6 H

50X100

SUBP	GCN	LIVP	FRONTAGE	EFFECTIVE SIZE	DATE	ADJUSTMENT	ASSOC. PARCEL
01	0	01 L		4900			
02							
03							
04							
05							
06							

PROPERTY CHARACTERISTICS

07	STY	N	15	FOIN	615	21	FTY	ELINE	28	OCU	011
N	PERIMETER		E	GRADE WALLS			E	CANTH			
F	FEEDER		S	SLAB			S	SLAB			
A	ASBESTOS		P	PIERS			W	WOOD JOINT			
H	HIGHWAY										
C	CUR-DE-SAC										
P	PRIVATE										
08	STY	I 5	16	XFM	AV	22	BEIG	WAL			
I	IMPROVED		WD	WOOD							
U	UNPAVED		AV	ALUM/VINYL							
P	PROPOSED		AB	ASBESTOS							
N	NO FRONTAGE		GL	PLATE GLASS							
A	ALLEY		MT	STEEL							
			SC	STUCCO							
			CB	CONCRETE BLOCK							
			PC	POURED CONCRETE							
			BR	BRICK							
			ST	STONE							
			OT	OTHER							
09	UTIL	A	17	RETY	612	25	WFIN	PC			
A	ALL		GB	GALE			DW	DRYWALL			
W	LESS WATER		GB	GALE W/BORNER			PL	PLASTER			
S	LESS SEWER		HP	HIP			PB	FIBERBOARD			
G	LESS GAS		FL	FLAT			PN	PANELLING			
X	WTR & SWR		MIR	MANSARD			OT	OTHER			
Y	SWR & GAS		GM	GAMBREL							
Z	WTR & GAS										
E	ELEC. ONLY										
N	NONE										
10	TOPG	3	18	REFRY	5V	26	MVAC	WAL			
1	UNBUILT		AP	ASPHALT			RA	HOT AIR			
2	DETACHED		CO	COMPOSITION			FA	FORCED AIR			
3	SUITABLE		WS	WOOD SHINGLE			HW	HOT WATER			
4	EMERGING		SL	SLATE			ST	STEAM			
			TL	TILE			EL	ELECTRIC			
11	USO	I	MT	METAL			SH	SPACE HEAT			
P	POOR		AB	ASBESTOS			HP	HEAT PUMP			
F	FAIR		OT	OTHER			OT	OTHER			
T	TYPICAL						UR	UNHEATED			
B	BOLD		19	INSW			AC	CENTRAL AIR			
12	LOC1		20	INSR	Y	27	PLBG				
1	CORNER LOT						9	NONE			
2	WOODED LOT		Y	YES			1	WATER ONLY			
3	WATERFRONT		N	NO			2	SUBSTANDARD			
4	VIEW		U	UNDETERMINED			3	STANDARD			
13	STY	21									
N	NONE										
A	ATTACHED		46	1			Y	N	Y	N	
I	INTERIAL (1st)		47	2			Y	N	Y	N	
C	BASEMENT		48	3			Y	N	Y	N	
D	CARPORT										
	DETACHED										
16	GCAP	111	45	4			Y	N	Y	N	



02

BASE AREA	STORIES	WTYPE	ATTIC - BASEMENT - CRAWL
50			54 ASIZ
51			55 BSIZ
52			56 CSIZ
53			57 AFIN
54			58 BFIN
55			59 BREC
56			
57			
58			
59			
60			
61			
62			
63			
64			
65			
66			
67			
68			

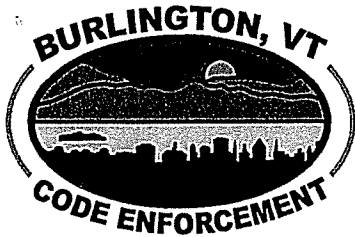
DATE: 11/11/11
R: 1
I: 1
C: 1
L.O.: 1
S: 1
R: 1
THIS SIGNATURE ONLY ACKNOWLEDGES A VISIT BY A DATA COLLECTOR. IT DOES NOT AGREE WITH THE ITEMS DESCRIBED HEREON.

[illegible]

SALE DATE	SALE PRICE	BOOK PAGE	SOURCE
1	0		

[illegible][illegible]

VALUE INDICATORS		CORV
COSI	35300 26.74	353
MRA	51800 39.24	35
CORPSAL	0 0.00	35
TASP	0 6.00	0



Scott Guston

CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849
Burlington, VT 05402-0849
VOICE (802) 863-0442
FAX: (802) 652-4221

NOTICE OF ZONING VIOLATION (NOV)

February 22, 2016

JILL BOARDMAN
PO BOX, 563 WEST SHAW HILL
STOWE VT 05672

Mailed Certified Mail 7013 3020 0001 6717 8084
And FIRST CLASS MAIL

NOTICE OF VIOLATION AT:
17 HENRY STREET, BURLINGTON, VT
TAX LOT #045-1-242-000

Zoning Violation# 30001

RECEIVED

MAR - 8 2016

Dear MS. BOARDMAN:

It has come to the attention of this office that zoning violations exist at 17 Henry Street, DEPARTMENT OF PLANNING & ZONING

Description of Violation: Permitting the occupancy of five (5) unrelated adults in a dwelling unit located in an ~~RL zone inconsistent~~ with the Comprehensive Development Ordinance (Article 13: Family Definition and Sec. 4.4.5(d)(5)(C)). Unfinished attic constructed as habitable space without zoning approval (CDO Section 3.1.2(b)(1)).

Burlington Comprehensive Development Ordinance (CDO) Article(s): 2, 3, 4, 5, 12, 13, and 24 VSA §4451, 4452.

Please be advised that violations of the CDO are subject to fines of up to two hundred dollars (\$200.00) for each day that a violation continues. You may submit an application to attempt correction of the violation, however, be advised application and filing fees are subject to a fee increase for permits required to correct a violation (see Violation Details Remedy Options #2 and CDO Section 2.7.8).

This correspondence serves as a formal notice of a zoning violation pursuant to 24 V.S.A §4451. You have seven (7) days from receipt of this notice to cure the referenced violation. Additional warnings for the violations are not required and will not be forthcoming. In the event that the violation is not cured or remedied as provided for in this notice, the City will pursue enforcement of the violation as provided for by law.

This NOV is a decision of the Assistant Zoning Administrative Officer/Code Enforcement, designee of the Burlington Zoning Administrator, and may be appealed to the Development Review Board in accordance with the provisions of CDO Sections 2.7.11 and 12.2.2 provided that such appeal is filed within fifteen (15) days of the date of this NOV, and accompanied by the appropriate fee, in accordance with Sec. 3.2.4(a) of the CDO. Appeal fee and complete application shall be filed with the City's Planning and Zoning Office (City Hall, 149 Church Street) by 4 pm on March 8, 2016; an appeal shall not be perfected until the fee is received.

If you have any questions, please call me at (802) 864-8518.

Sincerely,

Jean Francis

Assistant Zoning Administrative Officer/Code Enforcement
Enclosures: Violation Details

Jean Francis

Cc: Land Records for Tax Lot # 045-1-242-000

VIOLATION DETAILS

LOCATION: 17 HENRY STREET
DECISION DATE: February 22, 2016

**DEPARTMENT OF
PLANNING & ZONING**

VIOLATION DESCRIPTION: Permitting the occupancy of five (5) unrelated adults in a dwelling unit located in an RL zone inconsistent with the Comprehensive Development Ordinance (Article 13: Family Definition and Sec. 4.4.5(d)(5)(C)). Unfinished attic constructed as habitable space without zoning approval (Sec. 3.1.2(b)(1)).

FINDINGS: **Zoning Files/Documentation:**

- August 31, 2002 – Written complaint – five occupants; complaint unsubstantiated.
- October 7, 2015, Code Enforcement Office received a complaint that more than 4 unrelated adults were occupying house located at Premises, within the RL zone, without zoning approval.
- October 15, 2015, Code Enforcement Office sent Owner notification of the complaint; Owner did not respond.

Minimum Housing Records/Rental Registration Documentation:

- 2003 rental registration form indicates one unit, 6 bedrooms, 6 residents.
- March 19, 2004 then-Owner reported that the Premises is no longer rented.
- 2005 – No documentation on file indicating Premises as a rental.
- 2006 – No documentation on file indicating Premises as a rental.
- Sept. 13, 2007 ownership transfer.
- 2008 – No documentation on file indicating Premises as a rental.
- 2009 – No documentation on file indicating Premises as a rental.
- April 15, 2010 Ownership transferred to Deborah Olsen; Premises Owner-occupied.
- October 5, 2010 Rental Registration Forms submitted to Code Enforcement Office; form indicates 5 bedrooms, 5 residents, 5 unrelated, functional family – n/a, 6 parking spaces, 5 vehicles.
- April 6, 2011 Rental Registration Form submitted to Code Enforcement Office; form is incomplete but does indicate there are 5 bedrooms, 4 residents, 6 parking spaces, 4 vehicles.
- March 28, 2012 Rental Registration Form submitted to Code Enforcement Office; no information sheet submitted.
- March 29, 2013 Rental Registration Form submitted to Code Enforcement Office; form indicates 5 bedrooms, 6 residents, 1 family, 6 unrelated, functional family – yes, 5 parking spaces, 5 vehicles.
- March 21, 2014 Rental Registration Form submitted to Code Enforcement; form indicates 5 bedrooms, 5 residents, 1 family, 5 unrelated, functional family – yes, 5 parking spaces, 5 vehicles.
- March 2, 2015 Rental Registration Form submitted to Code Enforcement Office; form indicates 5 bedrooms, 5 residents, 5 unrelated, yes to functional family question, 5 parking spaces, 5 vehicles.

RECEIVED
MAR - 8 2016

DEPARTMENT OF
PLANNING & ZONING

Assessor's Records/Documentation:

- 1985: 6 rooms, 3 bedrooms
- 1993 notes: observed attic unfinished
- 2005: Address Change: Owner: New Mailing Address 17 Henry Street
- 2005: 302 sf finished attic space; letter on file from then-Owner dated May 2005 identifying Premises as owner-occupied single family which she purchased mid-December 2004.
- 2015: Assessors Web Page dated November 30, 2015: 1 unit – 9 rooms/3 bedrooms; Attic partially finished (302 sf); basement is not finished.

Conclusion:

August 2015: Complaint spoke with tenants and was told there were currently 4 roommates but a 5th would be joining them shortly.

December 8, 2015: Inspector spoke with two tenants who stated five people were currently living there.

City records indicate there has been a fluxuation with number of unrelated adults living at the Property since 2002, including owner occupied; there is also inconsistency with number of vehicles at the property. Assessor's records show, since 2005, the attic was constructed as living space without permits; prior to that records show the attic was uninhabitable. City records indicate there has been an inconsistent reporting for number of bedrooms at Premises – between 3 and 6.

**REMEDY
OPTIONS:**

Within seven (7) days from receipt of this notice you may cure the violation by:

- 1) – Removing the violations cited above: reduce number of unrelated adult tenants to 4 or less AND remove habitable space from attic. Premises shall be restored to its prior state, and informing the Code Enforcement Office that the violation has been removed so our office may verify compliance; or
- 2) - Obtaining approval from the City's Department of Planning and Zoning for after-the-fact approval for a Functional Family use and converting the attic to habitable space (permit application fee is doubled if complete application is submitted within seven days from receipt of the NOV, tripled if a complete application is submitted 7-15 days from receipt of the NOV, or triple plus \$75 per hour of Code Enforcement staff time (up to \$500) if a completed application is submitted after 15 days from date of NOV receipt). See CDO Section 2.7.8. **PLEASE NOTE:** If the zoning permit request is denied, the violation is NOT cured. Owner shall be required to remove the violation as noted in #1 above or request an agreement as noted in #3 below within five (5) business days from date of the permit denial to remedy the violation; or
- 3) - Entering into an Agreement with the City to extend deadlines in which to bring Premises into compliance with the City's ordinance (**administrative fees required**).

APPEAL RIGHTS: You have the right to appeal the administrative officer's decision that a zoning violation exists on your property to the Development Review Board in accordance with the provisions of Articles 2.7.11 and 12.2.2 of the CDO within fifteen (15) days from the date of this notice. The deadline for filing an appeal is 4 pm on March 8, 2016.

Submit a complete application with ZV# and appropriate fee to the Department of Planning and Zoning, accompanied by a memo stating the ZV#, the owner's name and address, a brief description of the property with respect to which the appeal is taken, a reference to the regulatory provisions applicable to that appeal, the relief you are requesting, and the alleged grounds why such relief is believed proper under the circumstances. *Failure to appeal constitutes admission that the violation exists, and the decision of the administrative officer shall be binding 24 V.S.A §4472(d).*

**REGULATION
CITATION:**

CDO Article(s): 2, 3, 4, 5, 12, 13, and 24 VSA §4451, 4452.

RECEIVED
MAR - 8 2016

DEPARTMENT OF
PLANNING & ZONING



CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 84
Burlington, VT 05402-084
VOICE (802) 863-044
FAX: (802) 652-422

**CITY OF BURLINGTON RENTAL HOUSING INSPECTION PROGRAM
CERTIFICATE OF COMPLIANCE**

RE: 17 Henry Street
Units: 1.0
Property Owner: Jill Boardman
PO Box 1224
Stowe, VT 05672

RECEIVED
MAR - 8 2016

DEPARTMENT OF
PLANNING & ZONING

This rental property is subject to periodic inspection under the City's Minimum Housing Standards Ordinance according to Chapter 18 of the City of Burlington Code of Ordinances.

This document certifies that the subject rental property is registered as required by the aforementioned ordinance, Sec. 18-18, and on 01/03/2014 was found to be in compliance with the standards of that ordinance.

It is a violation of Chapter 18 to rent housing without a current Rental Certificate of Compliance.

This permit expires on: 01/03/2017, or when a violation is noted at the property due to complaint or other inspection, or upon failure to respond to a request for inspection.

Note: Routine inspection of rental units by a Code Inspector may be scheduled once every 12 to 18 months.

Ted Miles
Housing Inspector

January 6, 2014

Folder RSN: 254888

Code Enforcement Office

Rental Registration Forms



City of Burlington, Vermont
Code Enforcement
645 Pine St
Burlington, VT 05401
PHONE: (802)863-0442
FAX: (802)652-4221



201515251

Owner Reference Information

RSN:180124
Name:BOARDMAN, JILL

Summary of Charges

Amount Due

Rental Registration Fee 100.00

See below for detail of charges

Total Amount Due by April 1, 2015

\$100.00

Please verify the property, number of units, and number of residential rental units

Inv #	Fee Date	Parcel ID	Certificate of Compliance Expiration	Fee Description	Location (Residential Units, Rental Units)	Amount Due
166102	02/20/15	045-1-242-000	01/03/17	Rental Registration Fee	17 HENRY STREET(1,1)	100.00
Total Due						\$100.00

If we do not receive your payment by April 1, 2015, you will owe a \$13.00 per property late fee. No exceptions will be made to this fee if payment is not RECEIVED at our office by April 1, 2015.

Submit this form and completed owner registration information sheets with check for the amount stated above. Make checks payable to:

Burlington Code Enforcement
645 Pine St
Burlington, VT 05401

I HAVE READ AND UNDERSTAND THE ATTACHED REGISTRATION INFORMATION AND INSTRUCTION SHEETS. THE INFORMATION PROVIDED IS TRUE AS OF THE DATE OF FILING AND I UNDERSTAND THAT I MUST SUPPLEMENT THE INFORMATION IMMEDIATELY IF IT CHANGES.

Authorized Owner/Agent Signature:

Jill M Boardman

Date:

3/21/15

RECEIVED #341

MAR 30 2015

\$100

BURLINGTON
CODE ENFORCEMENT



City of Burlington, Vermont
Code Enforcement
645 Pine St
Burlington, VT 05401
PHONE: (802)863-0442
FAX: (802)652-4221



000075841

Owner Reference Information

RSN:180124
Name:BOARDMAN, JILL

Summary of Charges	Amount Due
Rental Registration Fee	100.00
<i>See below for detail of charges</i>	
Total Amount Due by April 1, 2014	\$100.00

Please verify the property, number of units, and number of residential rental units

Inv #	Fee Date	Parcel ID	Certificate of Compliance Expiration	Fee Description	Location (Residential Units, Rental Units)	Amount Due
143941	01/24/14	045-1-242-000	01/03/17	Rental Registration Fee	17 HENRY STREET(1,1)	100.00
Total Due						\$100.00

If we do not receive your payment by April 1, 2014, you will owe a \$13.00 per property late fee. No exceptions will be made to this fee if payment is not RECEIVED at our office by April 1, 2014.

Submit this form and completed owner registration information sheets with check for the amount stated above. Make checks payable to:

Burlington Code Enforcement
645 Pine St
Burlington, VT 05401

I HAVE READ AND UNDERSTAND THE ATTACHED REGISTRATION INFORMATION AND INSTRUCTION SHEETS. THE INFORMATION PROVIDED IS TRUE AS OF THE DATE OF FILING AND I UNDERSTAND THAT I MUST SUPPLEMENT THE INFORMATION IMMEDIATELY IF IT CHANGES.

Authorized Owner/Agent Signature:

Jill M Boardman

Date: 3/1/14

RECEIVED
MAR 21 2014
BURLINGTON
CODE ENFORCEMENT

10

FILL IN INFORMATION

Note: The completion of this form does not preclude the enforcement of permit requirements by Zoning or other City Departments..



City of Burlington, Vermont
Code Enforcement
645 Pine St
Burlington, VT 05401
PHONE: (802)863-0442
FAX: (802)652-4221

Debra Dalton



000056061

Owner Reference Information

RSN:180124

Name:BOARDMAN, JILL

Summary of Charges

Amount Due

Rental Registration Fee

150.00

See below for detail of charges

Total Amount Due by April 1, 2013

\$150.00

Please verify the property, number of units, and number of residential rental units.

Inv #	Fee Date	Parcel ID	Certificate of Compliance		Fee Description	Location		Amount
			Expiration			(Residential Units. Rental Units)		
125369	11/06/12	045-1-242-000	07/07/13		Rental Registration Fee	17 HENRY STREET(1,1)		75
125398	11/06/12	045-1-242-000	07/07/13		Rental Registration Fee	17 HENRY STREET(1,1)		75

Total Due

\$150.00

If we do not receive your payment by April 1, 2013, you will owe a \$13.00 per property late fee. No exceptions will be made to this fee if payment is not RECEIVED at our office by April 1, 2013.

Submit this form and completed owner registration information sheets with check for the amount stated above. Make checks payable to

Burlington Code Enforcement

645 Pine St

Burlington, VT 05401

I HAVE READ AND UNDERSTAND THE ATTACHED REGISTRATION INFORMATION AND INSTRUCTION SHEETS. THE INFORMATION PROVIDED IS TRUE AS OF THE DATE OF FILING AND I UNDERSTAND THAT I MUST SUPPLEMENT INFORMATION IMMEDIATELY IF IT CHANGES.

Authorized Owner/Agent Signature:

Jill M. Boardman

Date:

3/26/13

RECEIVED

MAR 29 2013

BURLINGTON
CODE ENFORCEMENT

10

1

Note: The completion of this form does not preclude the enforcement of permit requirements by Zoning or other City Departments.



City of Burlington, Vermont
Code Enforcement
645 Pine St
Burlington, VT 05401
PHONE: (802)863-0442
FAX: (802)652-4221



Owner Reference Information

RSN:180124
Name:BOARDMAN, JILL

<u>Summary of Charges</u>	<u>Amount Due</u>
Rental Registration Fee	75.00
<i>See below for detail of charges</i>	Total Amount Due by April 1, 2012
	\$75.00

Please verify the property, number of units, and number of residential rental units.

Inv #	Fee Date	Parcel ID	Certificate of Compliance Expiration	Fee Description	Location (Residential Units, Rental Units)	Amount Due
111378	02/04/12	045-1-242-000	07/07/13	Rental Registration Fee	17 HENRY STREET(1,1)	75.00
						Total Due
						\$75.00

If we do not receive your payment by April 1, 2012, you will owe a \$13.00 per property late fee. No exceptions will be made to this fee if payment is not RECEIVED at our office by April 1, 2012.

Submit this form and completed owner registration information sheets with check for the amount stated above. Make checks payable to:

Burlington Code Enforcement
645 Pine St
Burlington, VT 05401

I HAVE READ AND UNDERSTAND THE ATTACHED REGISTRATION INFORMATION AND INSTRUCTION SHEETS. THE INFORMATION PROVIDED IS TRUE AS OF THE DATE OF FILING AND I UNDERSTAND THAT I MUST SUPPLEMENT THE INFORMATION IMMEDIATELY IF IT CHANGES.

Authorized Owner/Agent Signature:

Jill M. Boardman

Date: 3/26/12

RECEIVED

MAR 28 2012

BURLINGTON
CODE ENFORCEMENT



City of Burlington, Vermont
Code Enforcement
645 Pine St
Burlington, VT 05401
PHONE: (802)863-0442
FAX: (802)652-4221



000053111

Owner Reference Information

RSN:180124
Name:BOARDMAN, JILL

Summary of Charges

Amount Due

Rental Registration Fee 75.00

See below for detail of charges

Total Amount Due by April 1, 2011

\$75.00

Please verify the property, number of units, and number of residential rental units

Inv #	Fee Date	Parcel ID	Certificate of Compliance Expiration	Fee Description	Location (Residential Units, Rental Units)	Amount Due
99082	02/21/11	045-1-242-000	07/07/13	Rental Registration Fee	17 HENRY STREET(1,1)	75.00

Total Due

\$75.00

If we do not receive your payment by April 1, 2011, you will owe a \$13.00 per property late fee. No exceptions will be made to this fee if payment is not RECEIVED at our office by April 1, 2011.

Submit this form and completed owner registration information sheets with check for the amount stated above. Make checks payable to:

Burlington Code Enforcement
645 Pine St
Burlington, VT 05401

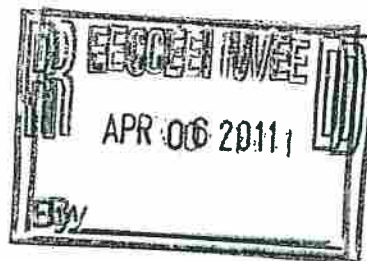
HAVE READ AND UNDERSTAND THE ATTACHED REGISTRATION INFORMATION AND INSTRUCTION SHEETS. THE INFORMATION PROVIDED IS TRUE AS OF THE DATE OF FILING AND I UNDERSTAND THAT I MUST SUPPLEMENT THE INFORMATION IMMEDIATELY IF IT CHANGES.

Authorized Owner/Agent Signature:

John Boardman

Date:

03/30/11



1100

1

Note: The completion of this form does not preclude the enforcement of permit requirements by Zoning or other City Departments..

**CODE ENFORCEMENT OFFICE**

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

2010

RENTAL UNIT REGISTRATION APPLICATION

- **Required Information:** If any of the required registration is missing from the print-out for your property, you may provide the information on this form. Please see accompanying notification packet for important information.
- **Note:** If you have sold your residential rental property, return form with name and address of new owner.

REQUIRED OWNER INFORMATION (if corporation attached information for president and registered agent; if partnership attached for registered agent & general partners):

Name: Jill Boardman
Street Address: 563 West Shaw Hill Road POB 1224
City, State, Zip: Stowe, VT, 05672
Date of Birth: 9/13/1958 (required unless corporation/ partnership)
Daytime Phone: (802) 793-0223 Email: jboardman@morrissswitzer.

* Is the owner/principal party on active military duty or expect to be active in the next 12 months?
(required) Circle: YES or (NO)

Local Manager: (must be located in Chittenden County Vermont and be either the owner, or an agent authorized to represent owner for compliance matters):

Name: Alana Izzo
Street Address: 17 Henry Street
City, State, Zip: Burlington, VT, 05401
Daytime Phone: (802) 793-5845 Email: amizzo@bsad.uvm.edu

Service of Process Contact: (owners who do not live in Chittenden County must designate an agent for receipt of legal documents; can be the same as local property manager):

Name: Alana Izzo
Street Address: 17 Henry Street
City, State, Zip: Burlington, VT, 05401
Daytime Phone: (802) 793-5845 Email: amizzo@bsad.uvm.edu

Emergency Contact: (all properties must have designated emergency contact person within Chittenden County Vermont; may be local property manager or service of process contact):

Name: Alana Izzo
Street Address: 17 Henry Street
City, State, Zip: Burlington, VT, 05401
Daytime Phone: (802) 793-5845 Email: amizzo@bsad.uvm.edu

List residential rental properties and also fill out an attached property information sheet for each rental property (attached added sheets if necessary):

1. 17 Henry Street
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

- List the total number of residential rental UNITS for above properties: 1
- Total Units x \$75.00/ per unit = \$75.00 TOTAL AMOUNT DUE.
- Duplex (*one unit is owner occupied*) x 50.00/ per rental unit = _____ TOTAL AMOUNT DUE.
- **If you are a new property owner a transfer of ownership fee of \$50.00 is required. This is one time fee and is for transferring records from the previous property owner to the current property owner. Please include this fee when registering your property.**

PROPERTY INFORMATION SHEET

PLEASE USE SEPARATE SHEET FOR EACH PROPERTY

2010

The following information is required by law. Please list your residential rental property with unit information below. If you own multiple properties, make separate copy of information sheet for each rental property.

I. ENTER PROPERTY ADDRESS: 17 Henry Street

II. LIST EACH UNIT NUMBER OR LETTER ON THE LINES BELOW. ↓	III. Fill in information for each unit as follows:								
	<u>Rental Unit?</u> Indicate if it's a rental unit. If not, insert "N"	<u>Fee Exempt ?</u> Indicate if fee exemption claimed (per information page) If yes insert "Y"	<u>Maximum number of Bedrooms</u>	<u>Maximum number of Residents</u>	<u>Maximum number of unrelated adults if more than four</u>	<u>Functional Family?</u> If number of unrelated adults is more than 4, is functional family claimed? If YES, insert "Y"	<u>Maximum number of on site parking spaces</u>	<u>Number of Vehicles used by residents</u>	<u>Accessibility</u> Is the unit accessible to persons with disabilities? (Optional to assist disabled citizens). If YES insert "Y"
	Yes	N/A	5	5	5	N/A	6	5	No.



CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849
Burlington, VT 05402-0849
VOICE (802) 863-0442
FAX: (802) 652-4221

TO: Development Review Board

FR: Jeanne Francis, Assistant Zoning Administrative Officer, Code Compliance and Enforcement

DT: March 6, 2016

RE: Report on Appeal #16-0845AP; Appeal of a Administrative Officer's Zoning Notice of Violation (ZV # 301663) issued on January 22, 2016, for Expansion of parking area without an approved zoning permit, for Premises Located at 75 Grant St, Burlington, Vermont

.....
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.

Location: 75 Grant St, Burlington, Vermont

Tax Lot # 044-4-121-000

Appellant: Kevin Lumpkin, Esq., representing appellant Priscilla Toomey

Applicable Regulations: CDO Articles 2, 3, 5, 12 and VSA §4551

Appeal # 16-0845 AP

Overview:

The Code Enforcement Office alleges that parking has expanded at the subject property without zoning permits. The appellant asserts that the parking has existed continuously for more than 15 years and cannot be enforced against.

Appeal: Sec. 12.2.2 Appeals of Administrative Officer Decisions

- Appeal filed at the Planning/Zoning office on February 8, 2015, addressing all 5 requirements outlined under Sec. 12.2.2

Name and address of appellant:

Priscilla Rassin Toomey, trustee of the Isabel Rassin Revocable Trust under trust agreement dated February 3, 1989 who resides at 44 Merriam Place, Bronxville, New York

Brief description of the property with respect to which the appeal is taken

The parking area referred to in the January 22, 2016 notice of violation is adjacent to the side porch on the west elevation of 75 Grant Street (ie. parking area is north of west porch steps).

Reference to the regulatory provisions applicable to that appeal
24 V.S.A. §4454(a) and CDO §5.3.2

Relief requested by the appellant

Appellant requests a decision from the DRB that Violation #301663 has existed in its current form for more than 15 years without change, alteration, or modification and thus it falls within 24 V.S.A. § 4454.

Alleged grounds why such requested relief is believed proper under the circumstances
Violation #301663 has existed in its current form for more than 15 years without change, alteration, or modification and thus falls within 24 V.S.A. § 4454.

Appellant Submittals

- Notice of Appeal
- Lease Agreement dated 4th of February 2010
- Wheeler Affidavit
- Toomey Affidavit
- Lessor Affidavit dated February 7, 2015
- Photo of construction vehicle removing gravel from property

City's Submittals

- ZP 15-1405NA
- Photos (see attached)
- Aerial Photos
- Google Earth Images

Background Information:

- City Assessor Office records indicate Property use is a 4 unit residential building in a RH zone. 0.1734 acres, year built 1910, gross area 5,281, finished area 3,184 11 rooms, 5 bedrooms, 5 baths (prior to 2015 Assessor's records show only 10 rooms but confirm the 5 bedrooms and 5 baths). The attic not finished. There are two bedrooms in the basement 1505 sf.
- Code Enforcement Office: Housing Inspection records indicate property has 4 units, 11 bedrooms (with the exception of 2004 there are 6 bedrooms). Code records indicate two units on the first floor and two units on the 2nd floor. Does not appear to be any units in the basement. In 2004 records indicate there is one 1 bedroom, two 2 bedrooms, and one 3 bedroom units. In 2003 records indicate there are 2 parking spaces.
- Planning/Zoning Office does not have any historic zoning permits for this property; other than the recent Non-applicability permit issued in 2015 for the west porch repair.
- Public Works records indicate two electric permits and one mechanical permit.
- November 17, 2015 Code street patrol revealed gravel being dumped and spread at Property. Immediately followed up with a Notification Letter; no response. On January 12, 2016 property manager Curt Wheeler phoned the office to say the gravel would be removed and parking

north of the stairs leading to the open porch on the west elevation was “grandfathered”. Mr. Wheeler was instructed to submit supporting documentation for his claim, however, the documentation did not support use of the parking for a continuous 15-year period; violation upheld, Owner appealed notice of violation. Owner has indicated she would request “stabilized use” determination from the Assistant Administrative Officer/Principal Planner.

State Statutes

24 V.S.A. § 4451 Enforcement Penalties

No action may be brought under this regulation unless the alleged offender has had warning of at least seven days' to cure the violation.

Notification letter mailed on November 17, 2015 and a Certified Notice of Violation was mailed on January 22, 2016; certified letter outlined options in which to cure the violation and of possible fines. .

24 V.S.A. § 4454 Enforcement; limitations

(a) ... if the action, injunction, or other enforcement proceeding is instituted within 15 years from the date of the alleged violation first occurred and not thereafter, ... The burden of proving the date the alleged violation first occurred shall be on the person against whom the enforcement action is instituted.

Appellant is bringing appeal under 24 V.S.A. 4454 Enforcement; limitations, however, has not successfully proven the violation has existed for a consistent period of 15+ years (in same location, same dimensions).

Comprehensive Development Ordinance (CDO)

Article 2. Enforcement

Sec. 2.7.5 Observation or Complaints of Violations

... that have been taken.

The observation of a violation on the part of the administrative officer shall be considered an investigation, and the alleged violator may be issued a notice of zoning violation or a municipal civil complaint ticket.

City Official observed gravel poured over existing area (north of side porch), increasing parking area without zoning approval. Upon investigation the City found the gravel was unpermitted and there was an inconsistent use of parking in this area over the years; appellant removed the majority of the

gravel, however, there are still sparse gravel patches. Gravel was also added west of the driveway a property that is also owned by Appellant; majority of that gravel was also removed.

Article 3. Applications, Permits, and Project Review

Sec. 3.1.2 Zoning Permit Required

Except for that development which is exempt from a permit requirement under Sec. 3.1.2(c) below, no development may be commenced within the city without a zoning permit issued by the administrative officer including but not limited to the following types of exterior and interior work:

(a) Exterior Work:

3. Change of use or expansion of use...
5. Alterations, changes, or modifications to building lots or sites related to site improvements, including, but not limited to, increased lot coverage.
6. Excavation or fill related to site improvements...
12. New or expanded parking areas, driveways, and walkways. Including paving existing gravel surfaces...
16. Site improvements...
20. ...

Under Sec. 3.1.2. (a) of the CDO, expansion of the parking area requires a zoning permit; Appellant has failed to obtain zoning approval for expanding the parking.

Article 5 Citywide General Standards

Article 5, Part 3: Non-Conformities

Sec. 5.3.2 "Bianchi" controlled uses, structures, and lots.

Although not subject to enforcement action pursuant to Article 2, uses, structures, and lots which are deemed to be controlled by the Bianchi decision, and the subsequent enactment of 24 VSA Sec. 4454, shall be considered violations that are not considered legal to any extent and shall in no event be granted the consideration or allowances of nonconforming structures, uses, and lots. Thus, no change, alteration, enlargement, and reestablishment after discontinuance for more than sixty (60) days or reconstruction after an occurrence or event which destroys at least 50% of the structure in the judgment of the city's building inspector shall be permitted, except to a conforming use, structure, or lot.

Appellant has indicated the alleged violation of "increased parking area" at Property has continuously existed for a period equal to or greater than 15 years, however, documentation submitted by Appellant is inconclusive; burden of proof is upon the Appellant. Documents do not coincide with City records that indicate parking has been sporadic over the years and not consistent. The 15'x19'x2' concrete pad south of driveway appears to be the foundation for an old garage that was removed, but the City has no supporting documentation. The driveway tailors off in-line with the concrete pad which is shown in Aerial photos (both present and prior) and supports the City's belief that this pad was intended for parking for this property (3-4 spaces for a 5 bedroom structure; one additional space has been created off the cement pad [under grown trees], but there is no evidence as to the length

time the space has existed or when it was created). Evidence concludes parking has been creeping into the area north of the side step over the years and Appellant was trying to cement the area as parking when gravel was placed over this area.

Article 12. Appeals, Conditional Uses, Variances

Sec. 17.1.3 (a). The appeal submission is complete. A brief description of the property with respect to which the appeal is taken, a reference to the regulatory provisions applicable to that appeal, the relief requested by the appellant and the alleged grounds why such requested relief is believed proper under the circumstances have been filed.

Code Enforcement Officer conducted a routine street patrol on November 16, 2015 and noticed construction trucks spreading gravel over the area north of side steps but did not notice a "Z" (red 11x14 card notifying interested parties that a zoning permit had been obtained); Officer recalled a recent visit to the property, September 22, 2015, and at that time a gravel area was not evidenced. Upon return to the office Officer verified there was no permit associated with placing gravel at the Property. On November 17, 2015 Code Enforcement Office issued a notification letter to Owner informing Appellant of an increase in parking area without zoning approval; Appellant did not respond to letter; a notice of violation followed on January 22, 2016

Findings:

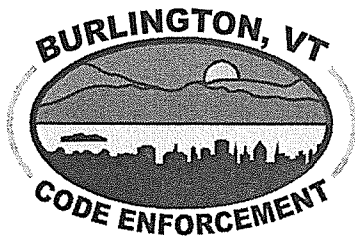
- June 24, 2015, Planning/Zoning Office issued a Non-Applicability Zoning Permit to "repair porch and side bay windows, replace rotted wood, replace end gable with same trim, replace cellar entrance same, replacing in-kind". Attached photos show no gravel or parking along the porch (north of existing driveway) where parking is occurring now and gravel has replaced the grass (hereinafter referred to "area in question" and noted in photos below).
- July 22, 2014 site visit to property for an unrelated matter disclosed no gravel or parking in area in question (see attached photo).
- September 21, 2015, site visit to property revealed no gravel or parking in area in question (see attached photo).
- November 16, 2015, site visit to property revealed gravel and parking within area in question (see attached photo).
- November 17, 2015 Code Enforcement Office issued Owner a notification letter informing them of a possible zoning violation – *expansion of new parking area without an approved zoning permit*; Owner never responded to the notification letter.
- Aerial photos from 2000, 2004, 2013 and (May) 2015 does not disclose any gravel or parking within area in question (with the exception of 2000 there is one car). 2015 Aerial does disclose evidence of some grass within area in question.

- There are no records of any approved municipal permit granting Appellant permission to replace grass north of the side porch with gravel or to change use to a parking lot. Evidence shows that there is a 15'/19'x20' concrete area that aligns with the existing driveway that has been used for parking for the 5 bedroom structure since 2000.
- On January 22, 2016 the City of Burlington issued a notice of violation to Appellant for expanding the parking area north of the side porch without zoning approval. Description of the violation (along with photos), remedies, and appeal rights were included with the notice.
- On January 27, 2016, property manager Kurt Wheeler responded to the notice of violation asserting that *the area has always been used as parking*. It was explained to Mr. Wheeler that the Owner was given an opportunity to argue a "stabilized use" after receipt of the notification letter in November and Owner chose not to respond. Our office found sufficient evidence for an expanded parking violation at property and proceeded enforcement with the issuance of a Notice of Violation. A decision regarding stabilizing a use must come from the Administrative Officer and should have been requested after receipt of the Notification Letter.
- On February 4, 2016 communication was exchanged with Appellant's attorney, Kevin Lumpkin. Attorney Lumpkin provided the City with Affidavits, leases, and a photo showing construction equipment removing gravel from property.
- On February 8, 2016 Appellant filed a complete appeal application with the City's zoning office.
- After internal discussion between Code Enforcement, Planning & Zoning, and the City Attorney's Office, on February 18, 2016 a communication was emailed to Attorney Lumpkin reiterating that the City finds there is ample evidence to pursue an expanded parking violation at the property. Attorney Lumpkin responded, on behalf of his client, they would file a "stabilized use" request, but would continue with their appearance before DRB; to date, a "stabilized use" request has not been made.
- As of today, property remains in violation. Although gravel has been removed, parking continues north of the side porch without zoning approval.

Summary

In summary, Appellant placed gravel north of the side porch and expanded the existing parking area without zoning approval. The City has researched its records and found no permits on file to increase the parking area. The gravel placed within the area north of the side porch has been removed; however, parking continues in this area without zoning approval. We reviewed the Appellant's submittal of leases and affidavits, but the information provided is insufficient in proving a violation does not exist on property. Investigation included extensive review of Aerial photos from 2000 up to 2013. Google Earth images of the Property were used that includes today's date and history of the property provided by Google Earth. Findings conclude there is evidence of some grass within the area in question and there is no consistent parking north of the side porch during these years. There is, however, evidence of consistent parking on the concrete pad located south of the driveway that aligns with the driveway.

Code Enforcement Office requests the Development Review Board to uphold their decision that an expanded parking violation exists north of the side porch of Property and condition Appellant to remove the parking within 30 days from date of their decision. Further we request that the board require restoration of greenspace (lawn) the "expanded parking area" from side porch to the sidewalk and align with the existing driveway. In addition, Code Enforcement recommends that a barrier be constructed (to be reviewed and approved by Planning/Zoning – permit may be required) around the area to prohibit future use of area as parking.

**CODE ENFORCEMENT OFFICE**

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442**FAX: (802) 652-4221****NOTICE OF ZONING VIOLATION (NOV)**

January 22, 2016

Mailed Certified Mail 7013 3020 0001 6717 8091
And FIRST CLASS MAILPRISCILLA R. TOOMEY
44 MERRIAM PLACE
BRONXVILLE, NY 10708CITY TRUST OF
BRIDGEPORT CT
44 MERRIAM PL
BRONXVILLE, NY**NOTICE OF VIOLATION AT:**
75 GRANT STREET, BURLINGTON, VT
TAX LOT #044-4-121-000

Zoning Violation# 301663

Dear Owners,

It has come to the attention of this office that zoning violations exist at above address.**Description of Violation:** Expansion of parking area without an approved zoning permit See attached photos.

Burlington Comprehensive Development Ordinance (CDO) Article(s): 2, 3, 5, 12, and 24 VSA §4451.

Please be advised that violations of the CDO are subject to fines of up to two hundred dollars (\$200.00) for each day and each violation that a violation continues. You may attempt correction of violations by submitting a zoning application, however, application and filing fees are subject to a fee increase (see Violation Details Remedy Options #2 and CDO Section 2.7.8).This correspondence serves as a formal notice of a zoning violation pursuant to 24 V.S.A §4451. You have seven (7) days from receipt of this notice **to cure the referenced violation**. Additional warnings for the violation are not required and will not be forthcoming. In the event that the violation is not remedied as provided for in this notice, the City will pursue enforcement of the violation as provided for by law.This NOV is a decision of the Zoning Enforcement Officer, designee of the Burlington Zoning Administrator, may be appealed to the Development Review Board in accordance with the provisions of CDO Sections 2.7.11 and 12.2.2 provided that such appeal is filed within fifteen (15) days of the date of this NOV January 22, 2016, and accompanied by the appropriate fee in accordance with Sec. 3.2.4(a) of the CDO. Appeal fee and complete application shall be filed with the City's Planning and Zoning Office (City Hall, 149 Church Street) by **4 pm on February 6, 2016 (offices are closed on the 6th so appeal will be accepted on the 8th)** an appeal shall not be perfected until the fee is received.

If you have any questions, please call me at (802) 864-8518.

Sincerely,

Jeanne Francis
Assistant Zoning Administrative Officer/
Code Compliance and Enforcement
Enclosures: Violation Details

Cc: Land Records for Tax Lot # 044-4-121-000

VIOLATION DETAILS

LOCATION: 75 GRANT STREET

DECISION DATE: January 21, 2016

VIOLATION DESCRIPTION: Expansion of parking area without an approved zoning permit See attached photos.

FINDINGS:

- June 24, 2015, Planning/Zoning Office issued a Non-Applicability Zoning Permit to “repair porch and side bay windows, replace rotted wood, replace end gable with same trim, replace cellar entrance same, replacing in-kind”. Attached photos show no gravel or parking along the porch (north of existing driveway) where parking is occurring now and gravel has replaced the grass (hereinafter referred to “area in question” and noted in photos below).
- July 22, 2015, site visit to property revealed no gravel or parking in area in question.
- September 21, 2015, site visit to property revealed no gravel or parking in area in question.
- November 16, 2015, site visit to property revealed gravel and parking in area in question.
- Aerial photos from 2000, 2004, 2013 and (May) 2015 do not show any gravel or parking in area in question (with the exception of 2000 there is one car). 2015 Aerial does show some evidence of grass in area in question.
- City records do not show issuance of any permit to replace grass area with gravel or to make area in question a parking lot; parking lot is located in the rear.
- November 17, 2015 Code Enforcement Office issued Owner a notification letter informing them of a possible zoning violation – *expansion of new parking area without an approved zoning permit*; Owner never responded to the notification letter.
- As of today, property remains in violation. Gravel has not been removed, parking continues in area in question without zoning approval.

REMEDY OPTIONS: Within seven (7) days from receipt of this notice you may cure the violation by:

1) – Removing the gravel and parking noted above, restore the lawn, and placing a barrier (to be reviewed and approved by Planning/Zoning Office) around area in question. **Owner MUST inform the Code Enforcement Office upon completion so our office may verify compliance; or**

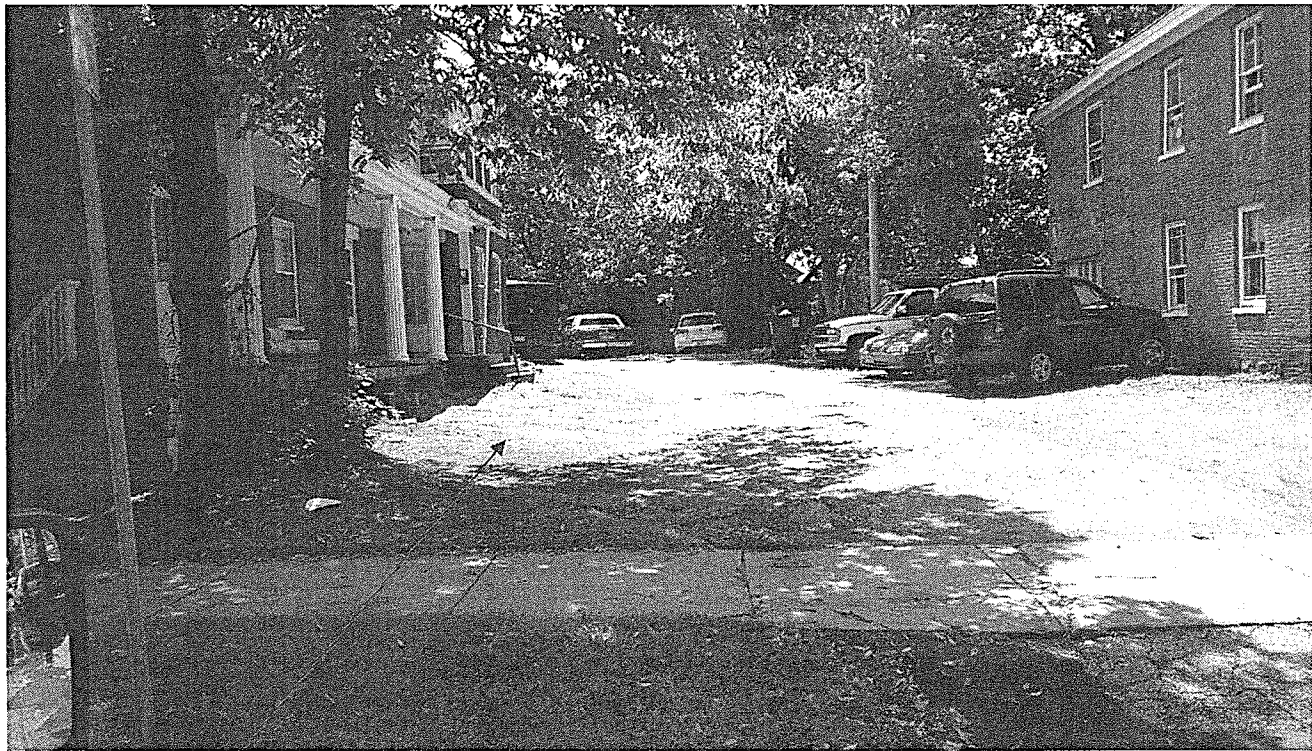
2) - Obtaining approval from the City’s Department of Planning and Zoning for an after the fact project of adding gravel to area in question and permitting parking in area in question (permit application **fee is doubled** if complete application is submitted within seven days from receipt of the NOV, **tripled** if a complete application is submitted 7-15

days from receipt of the NOV, or triple plus \$75 per hour of Code Enforcement staff time (up to \$500) if a completed application is submitted after 15 days from date of NOV receipt). See CDO Section 2.7.8. **PLEASE NOTE:** If the zoning permit request is denied, the violation is **NOT** cured. Owner shall be required to remove the violation as noted in #1 above or request an agreement as noted in #3 below within five (5) business days from date of the permit denial to remedy the violation; **or**

3) - Entering into an Agreement with the City of Burlington to extend deadlines in which to bring property into compliance with the City's ordinance (**administrative fees required**).

APPEAL RIGHTS: You have the right to appeal the enforcement officer's decision that a zoning violation exists on your property to the Development Review Board in accordance with the provisions of Articles 2.7.11 and 12.2.2 of the CDO within fifteen (15) days **from the date of this notice**. **The deadline for filing an appeal is 4 pm on February 6, 2016.** Submit a complete application with ZV# and appropriate fee to the Department of Planning and Zoning, accompanied by a memo stating the ZV#, the owner's name and address, a brief description of the property with respect to which the appeal is taken, a reference to the regulatory provisions applicable to that appeal, the relief you are requesting, and the alleged grounds why such relief is believed proper under the circumstances. *Failure to appeal constitutes admission that the violation exists, and the decision of the enforcement officer shall be binding 24 V.S.A §4472(d).*

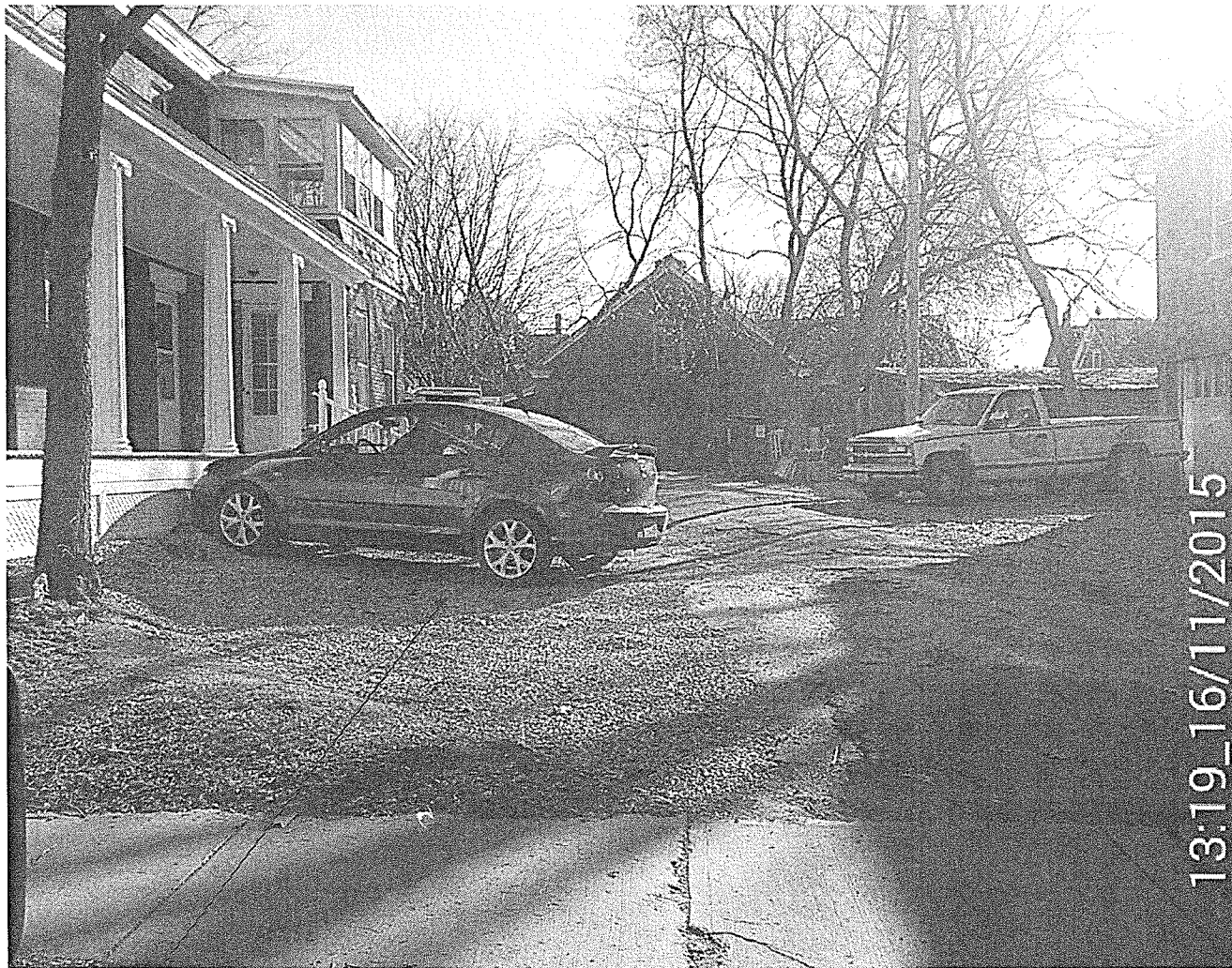
REGULATION CDO Article(s): 2, 3, 5, 12 and 24 VSA §4451
CITATION:



July 22, 2015 area in question, north of existing driveway.



Area in question; north of existing driveway.



Area in question; north of existing driveway.

SHEEHEY FURLONG & BEHM
PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

DAVID T. AUSTIN
R. JEFFREY BEHM
DEBRA L. BOUFFARD
IAN P. CARLETON
ARLINE P. DUFFY
MICHAEL G. FURLONG
KEVIN A. LUMPKIN
DIANE M. MCCARTHY
OWEN J. MCCLAIN
RENEE L. MOBBS
CRAIG S. NOLAN
JAMES W. SPINK
PETER H. ZAMORE

PAUL D. SHEEHEY (1919-2004)

GATEWAY SQUARE
30 MAIN STREET
POST OFFICE BOX 66
BURLINGTON, VERMONT 05402
TELEPHONE (802) 864-9891
FACSIMILE (802) 864-6815
www.sheeheyvt.com

Via Hand Delivery
February 8, 2016

City of Burlington
Department of Planning and Zoning
149 Church St
Burlington, VT 05401

Re: Zoning Violation # 301663

To Whom it May Concern:

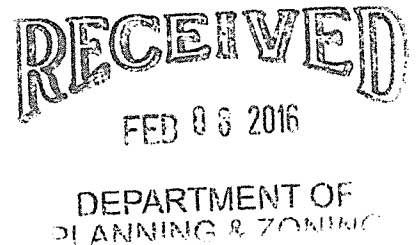
Please find enclosed a Notice of Appeal in the above-referenced matter, together with a check in the amount of \$250.00, representing this applicable filing fee.

Sincerely yours,

SHEEHEY FURLONG & BEHM P.C.

Kevin A. Lumpkin
Kevin A. Lumpkin, Esq.

Enclosure



**CITY OF BURLINGTON
DEVELOPMENT REVIEW BOARD**

**In re Appeal of
75 Grant Street NOV**

)
)

Zoning Violation # 301663

NOTICE OF APPEAL

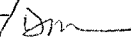
Pursuant to 24 V.S.A. § 4452 and Sections 2.7.11 and 12.2.2 of the Burlington Comprehensive Development Ordinance (CDO), Appellant Priscilla Rassin Toomey, trustee of the Isabel Rassin Revocable Trust under trust agreement dated February 3, 1989, with an address of 44 Merriam Place, Bronxville, New York hereby appeals the Notice of Zoning Violation issued on January 22, 2016 for the property located at 75 Grant Street in Burlington, Vermont (Zoning Violation # 301663.)

The notice of violation alleges “[e]xpansion of parking area without an approved zoning permit” in violation of CDO Articles 2, 3, 5, 12, and 24 V.S.A. § 4451. The parking area refers to area adjacent to the side porch on the west side of 75 Grant Street. That area has been used for parking continuously and openly, without change, moderation, enlargement, or discontinuation, for almost thirty years. Thus, any alleged violation is unenforceable under 24 V.S.A. § 4454(a) and CDO § 5.3.2.

The notice of violation also makes reference to gravel that was recently laid over the parking area; that gravel is in the process of being removed.

Dated at Burlington, Vermont this 8th day of February, 2016.

SHEEHEY FURLONG & BEHM P.C.

By: Kevin A. Lumpkin / 
Kevin A. Lumpkin, Esq.
30 Main Street, 6th Floor
Burlington, VT 05401
(802) 864-9891
klumpkin@sheeheyvt.com

Attorneys for Appellant

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
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *AD*
DATE: May 3, 2016
RE: 16-0958SP; 316-322 Flynn Avenue

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: NMU Ward: 5

Owner/Applicant: G&C Properties / 316 Flynn, LLC

Request: Sketch Plan review of project to remove deli building and residence and to replace with four story mixed use building with thirty apartments and two commercial spaces with associated parking lot.

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 9 (Inclusionary and Replacement Housing)

Background Information:

The applicant is requesting sketch plan review of a proposed mixed use building and associated parking. The existing corner market building will be demolished along with the detached triplex and redemption center.

A similar but smaller development was approved for this property in May 2015. That approval included deli and office space and 9 new residential units. The existing triplex was to be retained. As proposed, the project will expand to include two commercial spaces and 30 apartments. The triplex will be demolished.

The Design Advisory Board reviewed this sketch plan on April 12, 2016 and recommended improving the building's ground floor; specifically, strengthening its pedestrian interface and distinguishing it from the upper stories.

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Section 3.5.6 (a) Conditional Use Review Standards

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

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

The proposed development will be served by municipal water and sewer. Sufficient capacity is available; however, written confirmation from the Department of Public Works will be required. A state wastewater permit will also be needed prior to construction.

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

The subject property and the properties on the southwest and southeast corners of the Pine Street/Flynn Avenue intersection are zoned as Neighborhood Mixed Use (NMU). This zoning designation that was done several years ago better reflects the mixed use character of these properties and enables greater flexibility for their redevelopment. Champlain Elementary School (and the RL zone) abuts the subject property to the north. Single family homes lie to the east and south. Mixed uses are present to the west. As now proposed, the development is of a larger scale but remains contextually appropriate to its surroundings. This mixed use development is consistent with the intent of the NMU zone.

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

The proposed mixed use building includes residential and commercial space. It is not expected to generate nuisance impacts greater than those typically generated by other permitted uses in this mixed use zone.

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

No traffic information has been provided for this sketch plan review. Anticipated trip generation numbers and impacts on the Flynn Avenue / Pine Street intersection as related to existing conditions will be required as part of a formal permit application.

and,

5. *The utilization of renewable energy resources;*

Alternative energy measures are not incorporated into this proposal. No part of this request prohibits the use of wind, solar, water, geothermal or other renewable energy resource.

and,

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

No identified conflicts. Required building and/or life safety codes will be under the review of the building inspector.

(b) Major Impact Review Standards

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

Little stormwater information is included in the sketch plans. The applicants have noted that stormwater management will basically be the same as previously approved. The stormwater system will collect runoff and treat it prior to infiltration or discharge. Stormwater management is especially important on this property due to its location adjacent to Englesby Brook. Details on stormwater volumes and rates will be required with a formal permit application. The stormwater management plan will be subject to review and approval by the Conservation Board and Stormwater Administrator. No significant air or noise pollution is anticipated.

2. Have sufficient water available for its needs;

See Sec. 3.5.6 (a) 1.

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

See Sec. 3.5.6 (a) 1.

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;

An erosion prevention and sediment control plan in compliance with Chapter 26, Wastewater, Stormwater, & Pollution Control will be required. It will be subject to review and approval by the Conservation Board and Stormwater Administrator.

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.

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

With 30 apartments, the residential component is moderately intense. No significant impacts on the city's educational services are expected. Impact fees will be paid to help offset what impacts there are.

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

The proposed development will generate additional impacts on city services; however, those impacts can be mitigated by payment of impact fees.

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;

See Sec. 6.2.2.

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 development brings about greater intensity and diversity of development consistent with the rezoning of this area to NMU. The project is not expected to have an undue adverse effect on the city's present or future growth patterns or on its public services and facilities.

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

The sketch plans conceptually show initial compliance with the MDP, as per the following:

The project will result in additional mixed use development within this mixed use zone (pg. I-2, Land Use Policies).

The proposed development lies within the radius of the neighborhood activity center centered at the Flynn Avenue/Shelburne Street intersection (pg. I-29, Future Land Use Map - Centers for Growth and Development).

The development will implement measures to improve the quality and quantity of stormwater runoff leaving the site and entering Englesby Brook (pg. II-12, Natural Environment Action Plan).

The proposed commercial space is small in scale, consistent with that typically found in neighborhood mixed use areas (pg. VI-2, City Policies).

The project will comply with the city's current energy efficiency standards (pg. VIII-1, City Policies).

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 development will bring additional housing to the city and will diversify the housing stock in the neighborhood. No undue adverse impacts on the city's present or projected housing needs are anticipated.

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

Minimal anticipated impacts on the city's park and recreation needs are anticipated. Payment of impact fees will help offset such impacts.

(c) Conditions of Approval:

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

The proposed residential/commercial building is unlikely to generate offsite noise or glare substantial enough to require mitigation.

2. Time limits for construction.

No time limits for construction have been specified in this sketch plan submission. Without specifying otherwise, the zoning permit approval would be valid for 2 years (1 year to start construction and another year to finish). In light of the nearby residential properties, hours of construction must be specified and may be limited by the Development Review Board.

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

Hours of operation need not be specified for the residential use. The commercial uses are not specified and may be subject to restrictions on hours of operation if they are conditional uses. See the above criterion for hours of construction.

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

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

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

See recommended conditions of approval.

Article 4: Maps & Districts

Sec. 4.4.2, Neighborhood Mixed Use Districts:

(a) Purpose

(2) Neighborhood Mixed Use (NMU)

The Neighborhood Mixed Use District is intended to preserve and enhance historically commercial areas while reinforcing the compact scale and development patterns within the city's older neighborhoods. Uses are intended to provide neighborhood oriented goods and services and employment opportunities within walking or biking distance of residential neighborhoods. The proposed commercial uses are not specified but are at least small in scale consistent with the intent of the district. The location of the proposed development is well within walking or biking distance of residential areas and other employers.

(b) Dimensional Standards & Density

FAR in the NMU zone is limited to 2.0. The subject property is 26,424 sf (with 16,420 sf in the NMU zone). No FAR information is included in the sketch plans. Such information will be needed as part of the permit application.

Maximum permissible lot coverage is 80% in the NMU zone and 35% in the RL zone. No lot coverage information is included in the sketch plans, but it appears to be similar to the prior proposal (71% in NMU and 42% in RL). Lot coverage information will be needed as part of the permit application.

The subject property is a corner lot, and therefore, contains two front yards and two side yards. There is no rear yard for the purposes of setback requirements.

The property straddles two zoning districts. The 15' NMU district setback is not required for this pre-existing lot. This particular section of the NMU zone requires a 10' minimum front yard setback from the street curb. The proposed structure complies with this setback.

Lastly, the front yard setback in the RL portion of the property is based on the average setback of neighboring buildings, +/- 5'. In this case, there is only one neighboring building in the RL zone – Champlain Elementary School. The school is set back far from the road and would result in an impossible setback for the RL portion of the property. As proposed, the reconstructed parking lot would remain nonconforming relative to the front yard setback, but the degree of nonconformity would not increase.

Within the NMU zone, the maximum building height is 35', and the minimum is 20'. Buildings shall be at least 2 stories. The proposed building height is unclear in the reduced-size elevation plans. It is 4 stories. Exact height must be clear in the permit application.

(c) Permitted & Conditional Uses

Multifamily residential development is a permitted use in the NMU zone. The commercial uses are not specified and must be upon permit application.

(d) District Specific Regulations

See Article 9 below for height increase relative to inclusionary zoning requirements.

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

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

(4) Requirements

The proposed development lies partially within the 100' buffer zone along Englesby Brook. The emphasis of this subsection is on protection of riparian corridors and on stormwater management. The proposed development, including its stormwater management system, will be subject to review and approval by the Conservation Board and the Stormwater Administrator.

(d) District Specific Regulations: Wetland Conservation Zone

(6) Criteria for Review

The property lies within 100' of wetlands included in the city's wetlands map. As a result, review under this subsection is required. No information pertaining to the wetlands review criteria have been provided and will be required with a formal permit application. As proposed, impacts appear to be essentially the same as previously approved. Review and approval of this new proposal by the Conservation Board will be required.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.2 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable in the NMU zone or on a parcel of less than 2 acres in the RL zone.

Sec. 5.2.5, Setbacks

See Sec. 4.4.2 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.2 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.2 (b) above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

Outdoor lighting is proposed, but details have not been provided. A full lighting plan will be needed with the formal submittal.

Sec. 5.5.3, Stormwater and Erosion Control

Stormwater will be collected and treated prior to discharge into Englesby Brook. The stormwater management system and erosion control plan will require review and approval by the Conservation Board and Stormwater Administrator per Chapter 26.

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

Important natural features onsite include Englesby Brook and associated wetlands. In light of this waterway's impaired status, construction site erosion control measures and post-construction stormwater management are particularly important. The actual footprint of development onsite appears to remain unchanged. Review and approval of erosion control and stormwater management measures by the Conservation Board and the Stormwater Administrator will be required upon permit application.

(b) Topographical alterations

The site is generally flat and will remain so. Some grading work is proposed; however, it will not substantially alter the existing topography of the site.

(c) Protection of important public views

There are no designated view sheds from or through the property.

(d) Protection of important cultural resources

The proposed development site has no known archaeological resources.

(e) Supporting the use of alternative energy

The utilization of alternative energy is not included in the project plans. With ample solar exposure, future utilization of rooftop solar is encouraged.

(f) Brownfield sites

The property is not an identified brownfield.

(g) Provide for nature's events

See Sec. 5.5.3 for stormwater management.

The front entries into the building are sheltered under a canopy. The rear entries will be sheltered as well. Ample room remains onsite for seasonal snow storage.

(h) Building location and orientation

Placement of the proposed building is essentially consistent with that of the existing building. The new structure will be set to the street corner while still observing the required setback from the curb. Any encroachments into the street right-of-way will require an encumbrance permit from the City Council in consultation with the Department of Public Works. The primary façade faces Pine Street and contains a well-defined central entrance and street-level shop front. The Flynn Avenue façade contains no entrance but continues with the fenestration and canopy facing Pine Street. The

ground level of the proposed building is not significantly differentiated from the upper stories. Such differentiation is recommended and can be achieved easily with different exterior cladding. This criterion specifically calls for special attention for the ground level with the intent of improving the building's pedestrian interface.

(i) Vehicular access

Vehicular access will continue to be provided from both Flynn Avenue and Pine Street, albeit in better defined form.

(j) Pedestrian access

Steps and a new front walkway will connect the front building entries to the public sidewalk. Grading will enable direct connection of the new walkway to the Flynn Avenue sidewalk. Steps will connect to the Pine Street sidewalk. The previously approved project included reconstruction of the public sidewalk. Whether that is included now is unclear. If it is to be reconstructed, review and approval by the Department of Public Works will be required. The sketch plans show discontinuous public sidewalks across the two driveways. The concrete sidewalks must be continued across each driveway.

(k) Accessibility for the handicapped

No handicap accessibility details are included in the sketch plans. The 2012 Vermont Access Rules require that all of the proposed dwelling units be "adaptable." It is the applicant's responsibility to comply with all applicable ADA requirements.

(l) Parking and circulation

Reconstructed surface parking is placed to the side and underneath the building. The existing streetfront pavement will be removed and replaced with the new building and associated walkway and stairs. The building mass screens some of the parking from the street. Where the building is elevated above the parking, there is no screening. This criterion requires screening of this street-level parking with landscaping, public art, or other design amenities. Better yet, the parking could be more fully enclosed by the building.

Dimensionally, the parking spaces and back-up distances are smaller than the standard. Proposed parking spaces are just 18' deep, whereas 20' is the standard. Back-up length for the 90-degree parking spaces is just 20,' whereas the standard for such spaces is 24.' While some dimensional flexibility is allowed under the standards of Article 8, the applicant must demonstrate that the proposed layout will be functionally adequate. The sketch plans show no safe and unobstructed route, physically separated between vehicles and pedestrians, connecting pedestrians to the building entries or public sidewalk. Such route must be provided.

Exposed surface parking is limited enough (just 8 spaces) that shade trees are not required. Additional landscaping should be installed at the northwestern corner of the parking lot to provide screening from the street.

The sketch plans depict indoor and outdoor bike parking spaces. Additional details relative to type and number of bike parking spaces will be required upon permit application.

(m) Landscaping and fences

The sketch plans contain little in the way of landscaping details. Some lawn plantings are noted, and that is it. Permit application plans must contain more fully developed landscaping plans. As noted before, additional emphasis should be placed on screening the parking from the street. No new fencing is evident.

(n) Public plazas and open space

No public plazas or open space are included in this proposal.

(o) Outdoor lighting

Little outdoor lighting information is included in the sketch plans. Fixture locations appear to be noted outside the doorways. Upon permit application, fixture cutsheets and lighting levels will be needed as well.

(p) Integrate infrastructure into the design

All utility lines must be buried. No ground-mounted mechanical equipment is included in the proposal. A trash and recycling enclosure will be provided at the northeast corner of the parking area. No enclosure details have been provided and must be included in the permit application. The dumpster must be set on a concrete pad.

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

While the proposed building is significantly larger than that in the prior proposal, it is not out of context with other existing buildings in the area, particularly along Pine Street to the north. The proposed building is very similar in appearance to other recently constructed apartment buildings: boxy and angular with some variation in exterior color and building plane to break up perceived mass. There is no differentiation at the ground level except where the building is elevated on poles above the parking. Improvement is needed. While not an especially tall building, greater distinction is needed for the ground level – to strengthen its pedestrian interface and to separate it from the upper stories. More than half of the building is hoisted in the air on columns. While fundamentally this arrangement can work, its appearance from the street is awkward and contradictory to presenting an active and inviting face to the street. Ground level parking under the building is acceptable. The exterior building walls should be extended across most or all of the perimeter of the parking (of course leaving voids for garage entries). Instead of windows, grated openings could be used for ventilation. Doing so would provide greater continuity and strength to the building's ground level.

2. Roofs and Rooflines

The proposed building includes varying roof planes on each of the separate building components. Most have a slight pitch. While unusual in the neighborhood, this arrangement works with the overall design of the building.

3. Building Openings

The proposed building exhibits two fenestration patterns, both of which are consistent with the overall appearance of the building. The ground level fenestration presents as that of a shop front while the upper stories incorporate a fenestration pattern more consistent with an

apartment building. Fenestration throughout is appropriately scaled and suited to its intended purpose. The front entries are embellished with projecting awnings over the doorways.

(b) Protection of important architectural resources

The existing building is not historic, nor is it eligible for listing on an historic register. Its demolition will have no adverse impact on Burlington's architectural resources.

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

As proposed, the building employs physical step-backs of its façade along Pine Street and Flynn Avenue to break up its perceived mass. The front entries are defined with shop front fenestration and awnings overhead. As noted above, there is relatively little that distinguishes the street level of this building from the upper stories. Greater street level detail is needed. This criterion spells out a number of options such as varying building materials, architectural features, and recessed entries.

(e) Quality of materials

No building materials are specified in the sketch plans, but the elevation drawings imply that the structure will be clad entirely in corrugated metal siding with metal coping along the roof edges. This material is acceptable for new construction; however, as noted above, a different material along the ground level should be used. Window, roofing, and awning materials are not noted. All exterior building materials must be specified in the permit application.

(f) Reduce energy utilization

The building will be required to comply with current state and city energy efficiency standards. The multi-unit, mixed use structure will be inherently more energy efficient than multiple detached structures.

(g) Make advertising features complimentary to the site

No signage is depicted in the sketch plans. The applicant is advised to consider a sign band or at least the placement of parallel signs on the building.

(h) Integrate infrastructure into the building design

The sketch plans depict no exterior mechanicals, rooftop or otherwise. If exterior mechanicals are proposed, they must be depicted and fully screened for permit review.

(i) Make spaces safe and secure

Building entries appear to be illuminated, but details are needed as noted above. An intercom system for residents is encouraged. Adherence to applicable building codes will be required.

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The proposed mixed-use building is located in the Shared Use parking district. The 30 proposed apartments require 30 parking spaces (1 space/unit). Required parking for the commercial uses cannot be determined until the uses are specified. As proposed, 33 parking spaces will be provided.

Sec. 8.2.5, Bicycle Parking Requirements

No bike parking details have been provided. The proposed 30 residential units will require 8 long term bicycle parking spaces and 3 short term bicycle parking spaces. Bike parking requirements for the commercial uses cannot be determined until the uses are specified.

Article 9: Inclusionary and Replacement Housing

Sec. 9.1.5, Applicability

As 30 new residential units are proposed, inclusionary units must be provided. The standard requirement is 15% inclusionary – in this case 5 units. No information on inclusionary units has been provided and must be upon permit application.

Sec. 9.1.12, Additional Density and Other Development Allowances

This development is subject to the inclusionary housing requirements of Article 9. As a result, it is entitled to an additional 0.5 FAR and 10' height per Table 9.1.13-1 *Density/Intensity Allowance Table*. The additional building bulk must be set back 10' along the street façade. The sketch plans depict a building with a 4th story (i.e. an additional 10' height) set back from the lower stories. As noted previously, exact FAR and height numbers will be needed upon permit application.

Burlington Development Review Board
c/o Planning and Zoning Department
City Hall
Burlington VT 05401

RECEIVED
APR 26 2016

DEPARTMENT OF
PLANNING & ZONING

April 25, 2016

Re: Redevelopment Proposal Pine Street Deli Property, corner of Flynn Av and Pine St

Dear DRB Members:

We are writing to express our concerns about the proposed redevelopment of the Pine Street Deli property by its owners, the Alvanos family, and Redstone. We will be out of town and unable to attend the sketch plan hearing scheduled for May 3rd, but wish to go on record as interested parties to this process. We have a clear view of the property from the front windows of our home at 61 Ferguson Av. We use the streets, sidewalks and crosswalks at this location every day. While we are generally supportive of the redevelopment of this property, we believe the current proposal is unreasonable in scope, size and neighborhood impacts. Some of our concerns are as follows:

- Four stories is out of scale for our neighborhood. There are only a few three story buildings within a half mile of this location, but no four story buildings nearby. The building will tower over the neighboring single story ranch house on Flynn Av and leave it in total shade during much of the afternoon. Four stories is out of keeping with the two-story quadplex on the opposite side of Pine, the two-story duplex on the opposite side of Flynn, the nearby two-story Howard Center complex, and the many one and two story residences that predominate in this neighborhood. The height of the historic and iconic St. Anthony's Church is not a fair comparison to the proposed building's height. Please limit this building to no more than three stories.
- The applicants stated at the Ward 5 NPA meeting that the zoning requires 39 parking spaces for the proposed 30 housing units and two commercial spaces. This requirement is unrealistically low given the lack of street parking or other public parking near this property. The applicants indicated their site plan only includes 33 parking spaces and that they would be seeking a waiver of the parking requirement for six spaces. No waiver should be granted - this development must provide for the full (and still inadequate) number of parking spaces required by the ordinance.
- The cantilevered design of this building is interesting and somewhat pleasing to the eye. However, we understand that the cantilevered second story over the Flynn Av driveway access will only be 10 feet high and unable to accommodate delivery and moving trucks. We have heard that the applicants will seek a designated loading zone in front of the neighboring single story house on Flynn. It will be an undue burden to eliminate two parking spaces on Flynn given the limited parking available to residents and their visitors to serve this new development. The cantilevered design may work for parking spaces, but should not be allowed to limit truck access to the site over either driveway.
- We understand that the garbage dumpster is located in an area that makes it difficult to service when the parking lot is full, and that this truck may need to back out onto Pine St given the limited clearance of the cantilevered Flynn Av driveway. This should not be permitted - no vehicles should be forced to attempt to back out of this property onto the very busy Pine St.

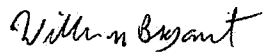
- Planning professionals have long used a standard of ten vehicle trips per day per residential unit. 30 apartments would therefore be reasonably expected to generate 300 vehicle trips per day from this property. This could easily be a net increase in traffic from this property of as many as 200 to 300 vehicle trips per day. The intersection is already dangerous and overloaded.

- The proposed design includes a roof deck for use of the tenants. The developers state these units will be intended to serve young professionals and the small size of the units (mostly studio and one bedroom apartments) is consistent with that concept. It is not too hard to imagine that this deck will cause noise issues as people tend to celebrate warm weather evenings late into the night. There should be no roof deck, and if there is it should have a 10:00 p.m. curfew.

- The developers explained to the Ward 5 NPA meeting that a survey had revealed that the school district owned land on the south side of Englesby Brook which the Pine Street Deli had been using for years as part of its back parking/loading area. It was stated that the school board had recently sold this land to the Alvanos family. What an embarrassing and short-sighted action on the part of school officials if this is indeed the case. Englesby Brook is considered an impaired waterway and considerable public and private investment has been made to clean it up. Now the public can once again enjoy safe swimming at Blanchard Beach. If the south side of the brook is still owned by the school district, it should be kept as a vegetative buffer zone - sell it to the City or Lake Champlain Committee instead of selling to facilitate an oversized development on an undersized lot. If the land has already been transferred, then the DRB must not exacerbate this very poor public policy decision - you must assure that a vegetative buffer be included as part of the stormwater treatment system for this development which will otherwise be almost entirely impervious surfaces.

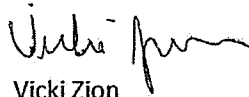
The current Pine Street Deli proposal is out of scale with our neighborhood and should be denied as now proposed. Please send the developers back to the drawing board to return with a more reasonable and right-sized proposal.

Sincerely,



William Bryant

and



Vicki Zion



175 Grant St









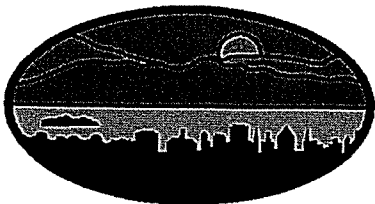
75 Grant St



75 Grant St







**ZONING REQUEST DENIAL
CERTIFICATE OF APPROPRIATENESS**

City of Burlington, Vermont
Department of Planning and Zoning

Application Date: 02/29/2016

Appeal Expiration Date: 03/25/2016

Project Location: 100-102 NORTH UNION STREET

District: RM

Owner: Gary W. Laplant

Ward: 2C

Address: 44 Birch Lane
Milton, VT 05468

Tax ID: 044-3-226-000

Project Type: Residential - Renovation/Facade

Project Description: Convert 200 sq ft of existing attached shed to living space.

Construction Cost:	\$10,000	Lot Size (Sq Ft):	5,261
Net New Habitable Sq Ft:	200.00	Net New # of Housing Units:	0
Existing % Lot Coverage:	0.00	Existing # of Parking Spaces:	0
Proposed % Lot Coverage:	0.00	Proposed # of Parking Spaces:	0
Net New % Lot Coverage:	0.00	Required # of Parking Spaces:	0

Zoning Permit #: 16-0888CA

Decision By: Administrative

Level of Review: 1

Decision: Denied

See Reasons for Denial

Decision Date: March 10, 2016

Project File: NA

Zoning Administrative Officer

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on March 25, 2016.

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$80.00	Yes	Date Paid: _____
Development Review Fee:	\$0.00	NA	Check # _____
Impact Fee:	Not Applicable		

Building Permit Required: **Not Applicable**

Received by: _____

Date: _____
mailed 3/10/16



Department of Planning and Zoning

149 Church Street, City Hall

Burlington, VT 05401-8415

Phone: (802) 865-7188

Fax: (802) 865-7195

www.burlingtonvt.gov/pz

RECEIVED

FEB 23 2016

DEPARTMENT OF
PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 100-102 North Union Street

PROPERTY

OWNER*: Josh Tyrowicz-Cohen

*If condominium unit, written approval from the Association is also required

APPLICANT: SAME

POSTAL ADDRESS: 42 Fairmount St

CITY, ST, ZIP: Burlington VT 05401

DAY PHONE: 802-522-0526

EMAIL: joshdtc@gmail.com

SIGNATURE:

[Signature]
I am the owner. In addition, I do authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.

POSTAL ADDRESS: _____

CITY, ST, ZIP: _____

DAY PHONE: _____

EMAIL: _____

SIGNATURE: _____

Description of Proposed Project: Convert 200 sq ft of existing attached shed to living space

Existing Use of Property: ☐ Single Family ☒ Multi Family: # 2 Units ☐ Other: _____

Proposed Use of Property: ☐ Single Family ☒ Multi Family: # 2 Units ☐ Other: _____

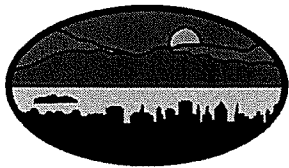
- Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled? Yes ☐ No ☒
(If yes, the Vermont Residential Building Energy Standards (VRBES) apply. Visit the P&Z Office, Public Service Board or PSB website for details)
- Will 400 sq ft or more of land be disturbed, exposed and/or developed? Yes ☐ No ☒
(If yes, you will need to submit the 'Erosion Prevention and Sediment Control Plan' questionnaire, with a site plan)
- For Single Family & Duplex, will total impervious area be 2500 sq ft or more? Yes ☐ No ☒
(If yes, you will need to submit the 'Stormwater Management Plan' questionnaire, with a site plan)
- Are you proposing any work within or above the public right of way? Yes ☐ No ☒
(If yes, you will need to receive prior approval from the Department of Public Works)

Estimated Construction Cost (value)*: \$10,000 -

(*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only: Zone: RM Eligible for Design Review? 4 Age of House 1870 Lot Size 5261
Type: SN ☐ AW ☐ FC ☐ BA ☐ COA 1 ☒ COA 2 ☐ COA 3 ☐ CU ☐ MA ☐ VR ☐ HO ☐ SP ☐ DT ☐ MP ☐
Check No. 1285 Amount Paid \$80. Zoning Permit # 16-0888CA



City of
Burlington, Vermont
149 Church Street

Zoning Permit - COA Level I – Reasons for Denial

ZP #: 16-0888CA

Tax ID: 044-3-226-000

Issue Date: March 10, 2016

Decision: Denied

Property Address: 100-102 NORTH UNION STREET

Description: Convert 200 sq ft of existing attached shed to living space.

Reasons for Denial:

1. **Section 5.2.5 Setbacks**

(b) **Exceptions to Yard Setback Requirements:**

4. **Accessory Structures and Parking Areas.**

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

The proposed parking plan on the submitted site plan does not meet the required 5' minimum side yard setback. **Adverse finding.**

2. Scaled plan appear inaccurate (site plan scales lot width as 61'; tax maps identify lot width as 56.32'). No survey was provided to confirm parking adequacy or required setbacks on the parcel.

Adverse finding.

3. **Article 5, Part 3: Non-Conformities**

The applicant has not satisfactorily demonstrated that the parking plan as illustrated on the submitted site plan has previous zoning approval, or been in existence continuously for more than 15 years and therefore may lawfully continue subject to the provisions of this part.

4. Analysis of photographic documentation illustrates parking over property boundary lines. A property owner secured Zoning Permit 11-0343FC "to keep people from crossing drive;" providing confirmation of the problem and an attempt to cease the practice. **Adverse finding.**



Department of Planning and Zoning

149 Church Street, City Hall

Burlington, VT 05401-8415

Phone: (802) 865-7188

Fax: (802) 865-7195

www.burlingtonvt.gov/pz

RECEIVED

MAR - 8 2016

DEPARTMENT OF
PLANNING & ZONING

Appeal of an Administrative Decision Request

Use this form to appeal any Administrative Decision or Notice of Violation - See Sec. 12.2.2 of the Zoning Ordinance.

SUBJECT LOCATION ADDRESS: 17 Henry St.

Subject Property Owner: Jill Boardman

Appellant: Jill Boardman

Agent/Representative: _____

Mailing Address: PO Box 1224

City, St, Zip: Stowe, VT 05672

Day Phone: 802-793-0223 Email: jboardman@morrisswitzer.com

Appellant Signature: Jill Boardman

Date: 3/6/16

In order for your request to be considered complete, ALL of the following information must be provided, as applicable:

- ☐ The Appeal fee of \$250;
- ☐ Description of the decision under appeal; Notice of Zoning Violation
- ☐ Description of the property subject to the appeal; 17 Henry St.
- ☐ Reference to the regulatory provisions applicable to the appeal; Sec. 4.4.5(d)(5)(b) 3.1.2(b)
- ☐ Relief requested by the appellant; finding of no violation
- ☐ Alleged grounds why such requested relief is believed proper under the circumstances.
 - No work has been done on the 3rd floor/attic since I purchased the property in 2010
 - There are 4 people living in the house

Office Use Only:

Check No. 374

Amount Paid 250.00

Zoning Permit # 16-0914AP
NOV # 30029

Code Enforcement Office

2016 Rental Registration Form

2016

The following information is required by law. Please list your residential rental property with unit information below.

17 Henry St

4

 $\frac{2Y}{N}$ [illegible]

Code Enforcement Office

2003-Present Zoning + Trade Permits

[illegible]

Code Enforcement Office

Zoning Enforcement Documents



CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849
Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

October 15, 2015

JILL BOARDMAN
17 HENRY ST
BURLINGTON VT 05401

RE: 17 Henry Street Burlington, Vermont

Dear Owners,

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

- **Occupying structure with more than four unrelated adults in an RL zone, inconsistent with the Far Definition of the Zoning Ordinance.**

Our office has initiated an investigation regarding the complaint(s), however, as of this date; a final determination not been made. Should you have any information that you believe will be useful to us during our investigation, please submit it to the Code Enforcement Office, **in written form, within the next ten (10) business days**.

This is your opportunity to provide information to refute the allegation(s) prior to our issuance of a formal determination and possibly a Notice of Violation. Information that may be helpful includes, but is not limited to, the following:

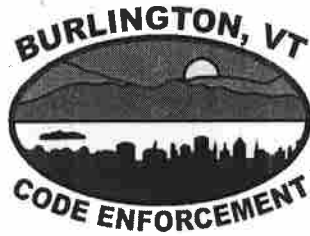
- Permits which document that the condition that is alleged to be in violation has been approved by the City.
- Photographs of the property and/or other documents (both current and historical with verifiable dates) demonstrate the alleged violation does not exist, has been remedied, or has existed for more than 15 years.
- Affidavits from yourself and other persons who are aware of facts relevant to the allegation(s) that testify to the that the alleged violation does not exist, has been remedied, or has existed for more than 15 years.

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

Should you have questions, please don't hesitate to call me at 863-0442.

Sincerely,

Jeanne Francis, Zoning Specialist

**CODE ENFORCEMENT OFFICE**

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442**FAX: (802) 652-4221****NOTICE OF ZONING VIOLATION (NOV)**

February 22, 2016

Mailed Certified Mail 7013 3020 0001 6717 8084
And FIRST CLASS MAILJILL BOARDMAN
PO BOX, 563 WEST SHAW HILL
STOWE VT 05672**NOTICE OF VIOLATION AT:**
17 HENRY STREET, BURLINGTON, VT
TAX LOT #045-1-242-000

Zoning Violation# 300029

Dear MS. BOARDMAN:

It has come to the attention of this office that zoning violations exist at 17 Henry Street.**Description of Violation:** Permitting the occupancy of five (5) unrelated adults in a dwelling unit located in an RL zone inconsistent with the Comprehensive Development Ordinance (Article 13: Family Definition and Sec. 4.4.5(d)(5)(C)). Unfinished attic constructed as habitable space without zoning approval (CDO Section 3.1.2(b)(1)).

Burlington Comprehensive Development Ordinance (CDO) Article(s): 2, 3, 4, 5, 12, 13, and 24 VSA §4451, 4452.

Please be advised that violations of the CDO are subject to fines of up to two hundred dollars (\$200.00) for each day that a violation continues. You may submit an application to attempt correction of the violation, however, be advised application and filing fees are subject to a fee increase for permits required to correct a violation (see Violation Details Remedy Options #2 and CDO Section 2.7.8).

This correspondence serves as a formal notice of a zoning violation pursuant to 24 V.S.A §4451. You have seven (7) days from receipt of this notice to cure the referenced violation. Additional warnings for the violations are not required and will not be forthcoming. In the event that the violation is not cured or remedied as provided for in this notice, the City will pursue enforcement of the violation as provided for by law.

This NOV is a decision of the Assistant Zoning Administrative Officer/Code Enforcement, designee of the Burlington Zoning Administrator, and may be appealed to the Development Review Board in accordance with the provisions of CDO Sections 2.7.11 and 12.2.2 provided that such appeal is filed within fifteen (15) days of the date of this NOV, and accompanied by the appropriate fee, in accordance with Sec. 3.2.4(a) of the CDO. Appeal fee and complete application shall be filed with the City's Planning and Zoning Office (City Hall, 149 Church Street) by **4 pm on March 8, 2016**; an appeal shall not be perfected until the fee is received.

If you have any questions, please call me at (802) 864-8518.

Sincerely,

Assistant Zoning Administrative Officer/Code Enforcement
Enclosures: Violation Details

Cc: Land Records for Tax Lot # 045-1-242-000

VIOLATION DETAILS

LOCATION: 17 HENRY STREET

DECISION DATE: February 22, 2016

VIOLATION DESCRIPTION: Permitting the occupancy of five (5) unrelated adults in a dwelling unit located in an RL zone inconsistent with the Comprehensive Development Ordinance (Article 13: Family Definition and Sec. 4.4.5(d)(5)(C)). Unfinished attic constructed as habitable space without zoning approval (Sec. 3.1.2(b)(1)).

FINDINGS: Zoning Files/Documentation:

- August 31, 2002 – Written complaint – five occupants; complaint unsubstantiated.
- October 7, 2015, Code Enforcement Office received a complaint that more than 4 unrelated adults were occupying house located at Premises, within the RL zone, without zoning approval.
- October 15, 2015, Code Enforcement Office sent Owner notification of the complaint; Owner did not respond.

Minimum Housing Records/Rental Registration Documentation:

- 2003 rental registration form indicates one unit, 6 bedrooms, 6 residents.
- March 19, 2004 then-Owner reported that the Premises is no longer rented.
- 2005 – No documentation on file indicating Premises as a rental.
- 2006 – No documentation on file indicating Premises as a rental.
- Sept. 13, 2007 ownership transfer.
- 2008 – No documentation on file indicating Premises as a rental.
- 2009 – No documentation on file indicating Premises as a rental.
- April 15, 2010 Ownership transferred to Deborah Olsen; Premises Owner-occupied.
- October 5, 2010 Rental Registration Forms submitted to Code Enforcement Office; form indicates 5 bedrooms, 5 residents, 5 unrelated, functional family – n/a, 6 parking spaces, 5 vehicles.
- April 6, 2011 Rental Registration Form submitted to Code Enforcement Office; form is incomplete but does indicate there are 5 bedrooms, 4 residents, 6 parking spaces, 4 vehicles.
- March 28, 2012 Rental Registration Form submitted to Code Enforcement Office; no information sheet submitted.
- March 29, 2013 Rental Registration Form submitted to Code Enforcement Office; form indicates 5 bedrooms, 6 residents, 1 family, 6 unrelated, functional family – yes, 5 parking spaces, 5 vehicles.
- March 21, 2014 Rental Registration Form submitted to Code Enforcement; form indicates. 5 bedrooms, 5 residents, 1 family, 5 unrelated, functional family – yes, 5 parking spaces, 5 vehicles.
- March 2, 2015 Rental Registration Form submitted to Code Enforcement Office; form indicates 5 bedrooms, 5 residents, 5 unrelated, yes to functional family question, 5 parking spaces, 5 vehicles.

Assessor's Records/Documentation:

- 1985: 6 rooms, 3 bedrooms
- 1993 notes: observed attic unfinished
- 2005: Address Change: Owner: New Mailing Address 17 Henry St.
- 2005: 302 sf finished attic space; letter on file from then-Owner dated May 25, 2005 identifying Premises as owner-occupied single family which she purchased mid-December 2004.
- 2015: Assessors Web Page dated November 30, 2015: 1 unit – 9 rooms/3 bedrooms; Attic partially finished (302 sf); basement is not finished.

Conclusion:

August 2015: Complaint spoke with tenants and was told there were currently 4 roommates but a 5th would be joining them shortly.

December 8, 2015: Inspector spoke with two tenants who stated five people were currently living there.

City records indicate there has been a fluxuation with number of unrelated adults living at the Property since 2002, including owner occupied; there is also inconsistency with number of vehicles at the property. Assessor's records show, since 2005, the attic was constructed as living space without permits; prior to that records show the attic was uninhabitable. City records indicate there has been an inconsistent reporting for number of bedrooms at Premises -- between 3 and 6.

**REMEDY
OPTIONS:**

Within seven (7) days from receipt of this notice you may cure the violation by:

- 1) – Removing the violations cited above: reduce number of unrelated adult tenants to 4 or less **AND** remove habitable space from attic. **Premises shall be restored to its prior state, and informing the Code Enforcement Office that the violation has been removed so our office may verify compliance; or**
- 2) - Obtaining approval from the City's Department of Planning and Zoning for after-the-fact approval for a Functional Family use and converting the attic to habitable space (permit application **fee is doubled** if complete application is submitted within seven days from receipt of the NOV, **tripled** if a complete application is submitted 7-15 days from receipt of the NOV, **or triple plus \$75 per hour of Code Enforcement staff time (up to \$500)** if a completed application is submitted after 15 days from date of NOV receipt). See CDO Section 2.7.8. **PLEASE NOTE:** If the zoning permit request is denied, the violation is **NOT** cured. Owner shall be required to remove the violation as noted in #1 above or request an agreement as noted in #3 below within five (5) business days from date of the permit denial to remedy the violation; **or**
- 3) - Entering into an Agreement with the City to extend deadlines in which to bring Premises into compliance with the City's ordinance (**administrative fees required**).

APPEAL RIGHTS: You have the right to appeal the administrative officer's decision that a zoning violation exists on your property to the Development Review Board in accordance with the provisions of Articles 2.7.11 and 12.2.2 of the CDO within fifteen (15) days from the date of this notice. **The deadline for filing an appeal is 4 pm on March 8, 2016.**

Submit a complete application with ZV# and appropriate fee to the Department of Planning and Zoning, accompanied by a memo stating the ZV#, the owner's name and address, a brief description of the property with respect to which the appeal is taken, a reference to the regulatory provisions applicable to that appeal, the relief you are requesting, and the alleged grounds why such relief is believed proper under the circumstances. *Failure to appeal constitutes admission that the violation exists, and the decision of the administrative officer shall be binding 24 V.S.A §4472(d).*

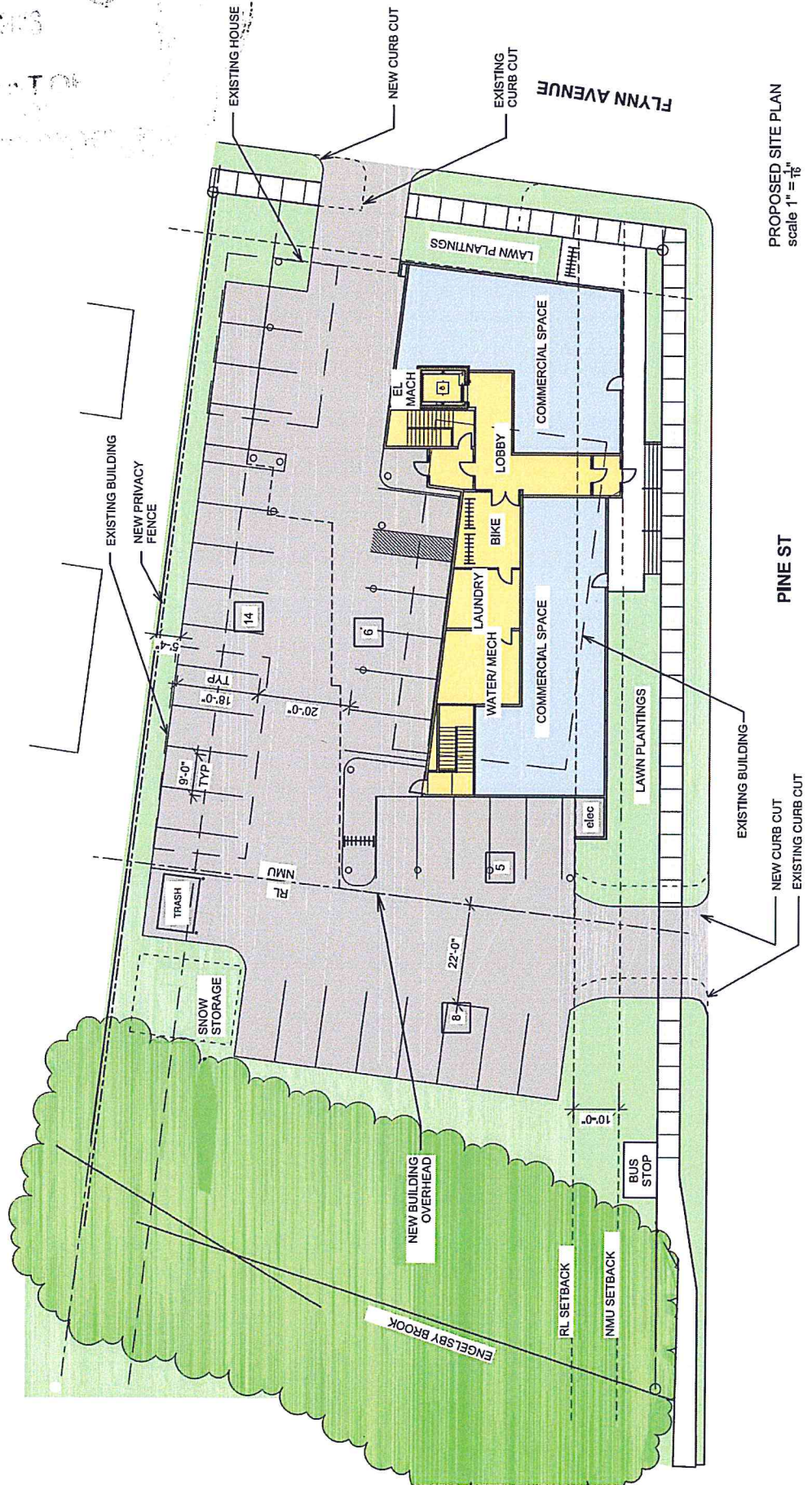
**REGULATION
CITATION:**

CDO Article(s): 2, 3, 4, 5, 12, 13, and 24 VSA §4451, 4452.

RECEIVED

MAR 17 1983

DEPARTMENT OF
PLANNING



PINE & FLYNN - SITE PLAN

MAR 17 2016

DEPARTMENT OF
PLANNING & ZONING

SAC Properties
 310 Flynn Ave.
 Huntington West
 Los Angeles Police
 Bk. 1151, Pg. 4
 16,420 54 F1
 10008 of 110
 July 28, 1970

any potential security risk and if significant information is not reported, the FBI may be unable to identify and investigate a threat to national security.

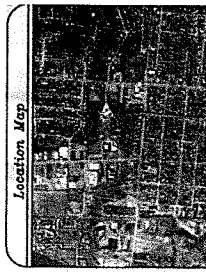
RE OATH, 162111 • UNITED STATES

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft

[illegible]

FLYPINE & FLYNN – EXISTING CONDITIONS



	AcreS				
Federal	56,893.57				100%
Port Artn.	1,175.94		2.1%	acre	2.1%
Copied Town	13,570.1		23.9%	acre	23.9%
Belling Army	6,713.57		11.8%	acre	11.8%
Total Incorp'd	77,443.18		13.6%	acre	13.6%
Unincorp'd	21,450.39		37.7%	acre	37.7%

LEGEND

- [illegible]

References

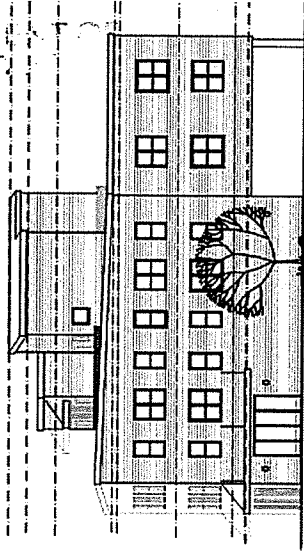
1. Property located at the corner of Main Street, S.W. and 1st Street, S.W. in the City of Portland, Oregon, and recorded in Vol. 112, Pg. 51 of the Multnomah County Records.
2. Trust of Irving - IRVING TRUST, LLC by GAC Expediently LLC.
3. Property Survey Plot - GAC Expedient, LLC by GAC Expedient, LLC dated 11/17/12, was released 7/17/13.
4. Property located at the corner of Main Street, S.W. and 1st Street, S.W. in the City of Portland, Oregon, and recorded in Vol. 112, Pg. 51 of the Multnomah County Records.



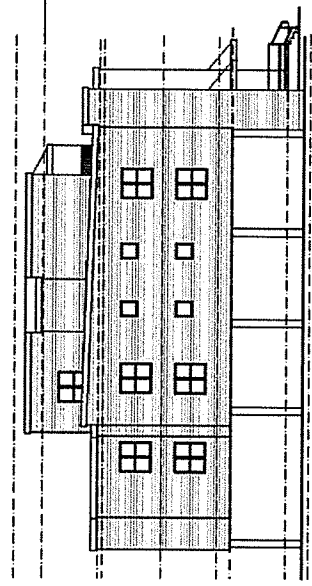
K2CL

MAR 17 1991

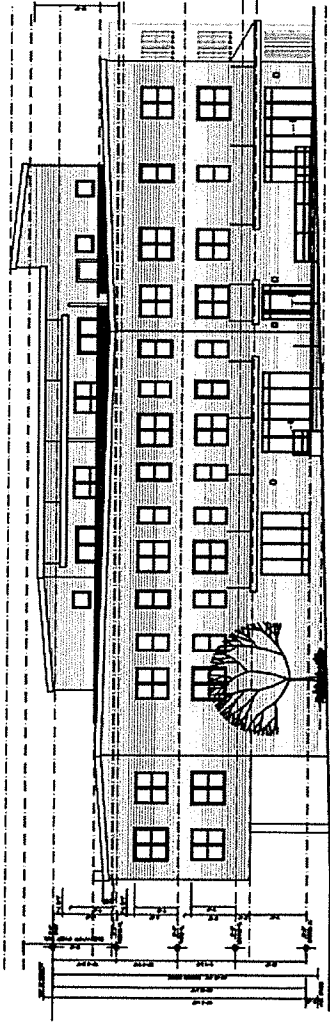
DEPARTMENT OF
PLANNING & ZONING



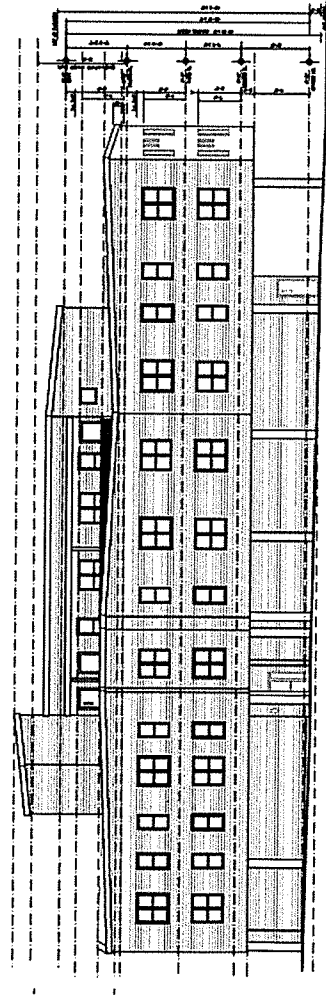
SOUTH



NORTH



WEST



EAST

PLACE
MAR 17 2013
DEPARTMENT OF
PLANNING & ZONING

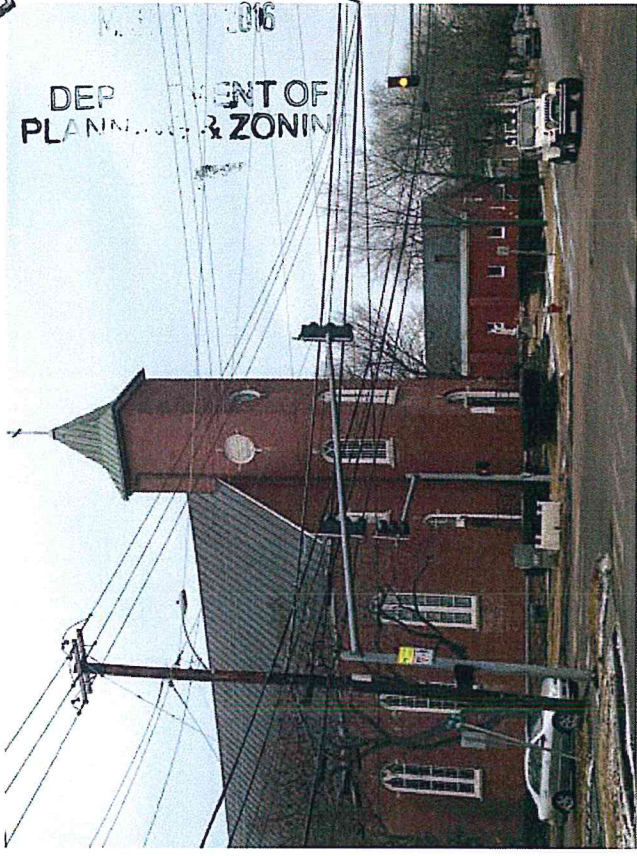


LINCOLN BROWN ILLUSTRATION

PINE & FLYNN - VIEW LOOKING NORTHEAST

REVIEW

DEPARTMENT OF
PLANNING & ZONING



PINE & FLYNN - CONTEXT IMAGES

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

Fax (802) 865-7195

Austin Hart
Brad Rabinowitz
Jonathan Stevens
Alexandra Zipparo

Israel Smith
AJ LaRosa
Geoff Hand

Wayne Senville, (Alternate)
Jim Drummond, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday May 3, 2016, 5:00 PM

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

Minutes

Board Members Present: Brad Rabinowitz, Jonathan Stevens, Israel Smith, Geoff Hand, AJLaRosa, Ali Zipparo, Wayne Senville

Board Members Absent: Austin Hart

Staff Members Present: Scott Gustin, Mary O'Neil, Ryan Morrison, Anita Wade

I. Agenda

II. Communications

Supplemental communication packet:

Request from applicant for 75 Grant St. for a continuance.

Request from appellant for 100-102 North Union St for a continuance.

The appellant of 17 Henry St. has withdrawn the appeal.

III. Minutes

IV. Consent Agenda

1. **16-0962CU; 36 Conger Ave (RL-W, Ward 5S) Sam Gardner**
Change from single family to duplex. (Project Manager, Mary O'Neil)

B.Rabinowitz – asks applicant if he has reviewed staff report and recommendations.

S.Gardner - everything looks good.

B.Rabinowitz – Board treats this as a consent item. No interested parties to speak on this item.

J.Stevens – motion to grant the permit and adopt staff findings and recommendations.

I.Smith – seconds the motion.

Board Vote: 7-0-0

2. **16-1056SD; 1 Main St (DW/DW-PT, Ward 3C) Main Street Landing Company**
Subdivision of lot into two parcels. (Project Manager, Ryan Morrison)

B.Rabinowitz – Board will treat this item as a consent.

M.Moulton – okay with staff comments.

J.Stevens – motion to grant applicants' permit and adopt staff findings and recommendations.

G.Hand – seconds the motion.

Board Vote: 7-0-0

V. Public Hearing

1. **16-0888CA; 100-102 North Union St (RM, Ward 2C) Josh Typrowitz-Cohen**
Appeal of administrative denial to convert 200 sq. ft. of existing attached shed to living space.
(Project Manager, Mary O'Neil)

M.O'Neil – applicant requested a deferral until June 7th

B.Rabinowitz – discussion for date certain?

AJ.LaRosa – questioned what other items are scheduled for June 7th

MO'Neil - do not have the schedule in hand. Able to move this item to two week or beyond.

A.J.LaRosa - asked to move this to another date certain.

J.Stevens - are we adding an item to a long agenda or did the applicant confer with staff?

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).

Printed on 100% Recycled Paper

M.O'Neil – applicant has asked for a future date for time to prepare.

G.Hand - motion to continue to June 7th

I.Smith - seconds the motion.

Board Vote: 7-0-0

3. 16-0814CA/CU; 20 Fletcher Place (I, Ward 1E) Wiltshire Properties

Construction of three unit residential building with associated drive and parking.
(Project Manager, Scott Gustin)

W.Senville – walked by project property and noticed there was no zoning signage displayed and that it was displayed on an adjoining property. Is this proper notice for this public hearing?

S.Gustin – there was a defect in public hearing notification. Proper notice information was given to the applicant, who was asked to display this notice on the property site for 15 days.

B.Rabinowitz – when should there be a public hearing?

S.Gustin – notice needs to be posted on the property for at least 15 days. It may be advisable to defer this public hearing.

A.Zipparo – was the posting placed on the property?

S.Gustin – it was not posted on property.

W.Senville – public notice is essential and we do not want to ignore it and we do not want to inconvenience people who would like to speak.

B.Rabinowitz – should the applicant be asked to come back for another hearing?

A.Zipparo – if there are 2 presentations it seems unfair. Keeping it open seems the simplest way by setting a date certain.

B.Rabinowitz – the public could make testimony tonight and not have to come back again?

J.Stevens - people could then speak at both hearings.

A.Zipparo - makes sense for public hearing to be postponed or continued.

S.Gustin - notice has been provided in other formats, but it is still incumbent upon the applicant to post the subject property.

Discussion among Board members and staff as to possible dates of postponement.

G.Hand – motion to defer item for a public hearing on July 5th.

A.Zipparo – seconds the motion.

W.Senville – asks for those present to speak to leave written comments if they cannot make the July 5th hearing.

B.Rabinowitz – asks for public written comments to be sent to the Board.

Board Vote: 6-0-1

4. 16-0914AP; 17 Henry St (RL, Ward 1E) Jill Boardman

Appeal of zoning violation for 5 unrelated adults in a dwelling unit located in an RL zone and unfinished attic constructed as habitable space. (Project Manager, Jeanne Francis)

B.Rabinowitz – this item is withdrawn. No one is here for this.

S.Gustin - appellant withdrew the application.

5. 16-0845A; 75 Grant St (RH, Ward 2C) Priscilla R Toomey

Notice of Appeal of zoning violation #301663 relative to parking.
(Project Manager, Jeanne Francis)

B.Rabinowitz – this is a request to postpone the public hearing.

K.Lumpkin – attorney for the applicant. A zoning application was approved by staff and presently anticipate going through the 15 day appeal period. Once this happens, it can be dismissed, since it was accepted by staff.

S.Gustin – this can be postponed indefinitely without a date certain, because it is expected to be an approved zoning permit once the appeal period is over.

G.Hand - motion to postpone the public hearing indefinitely to a date certain.

W.Senville - seconds the motion.

Board Vote: 7-0-0

VI. Sketch Plan

1. 16-0958SP; 316-322 Flynn Ave (NMU, Ward 5S) G and S Properties LLC

Sketch plan review of project to remove deli building and residence and to replace with four story mixed use building with thirty apartments and two commercial spaces with associated parking lot. (Project Manager, Scott Gustin)

A.J.LaRosa and G.Hand recused from this item.

M.Alavanos - owner of the deli. Has previously asked for the redevelopment of Pine and Flynn property. In 2009, we approached the Planning Commission who determined the zoning as neighborhood mixed use. In 2012, we submitted plans to city for a new building which includes a 24 unit mixed used. This was scaled down and for economic feasibility and then turned to Eric Hoekstra for assistance.

E.Hoekstra - a partner at Redstone. Gives slide presentation and mentions how he has worked with Planning Commission and City Council to rezone the area when originally it was zoned residential low density near the intersection. Discussed change in curb cuts, footprints of buildings, parking, and floor plan; bike racks short and long term, car share possibilities.

Stormwater plan is similar to previously approved plan and what was previously approved.

Parking spaces are smaller constrained by the site, but plan was previously approved by Board.

A.Zipparo – asked about handicap spaces placed according to ADA guidelines.

E.Hoekstra – yes.

B.Rabinowitz - how is this divided up between residence and other uses?

E.Hoekstra - shared use spaces by residents and retail is possible. There are 33 parking spaces with one space per apartment. Three spaces will cover commercial, but may need a waiver for another three spaces with the total requirement being 38 spaces. Spoke regarding facades inclusionary zoning, heights and materials. Met with DAB and will meet with the NPA 5.

DAB was supportive in massing and scale and density and parking and requested more differentiation between commercial and residential. Some NPA comments were favorable and others were concerned about scale, traffic and parking. Will be doing traffic analysis for NMU intense use. Will exceed bike parking requirements. Living arrangements are for studios, one bedroom, and two bedrooms.

B.Rabinowitz - good project for site. Asked for the elevations of the site. The biggest concern is pedestrian access is concern for safety and access and driving through the site.

W.Senville - is parking covered or open?

E.Hoekstra – both.

W.Senville – what are the boundaries?

E.Hoeskstra – delineates property lines.

W.Senville – will three buildings be demolished?

E.Hoeskstra – yes.

J.Stevens – rendering of the proportions. Is it possible for a building that's more interesting?

E.Hoekstra - going for modern simplicity.

I.Smith - do not have a problem with scale and density, but the details need more work. Agree with the DAB. May want to improve the top layer. The ground floor is dark with no sense of commercial space. Not making good use of corner lot site. Window patterning could change or present different expression?

W.Senville – is the canopy for protection or decorative?

E.Hoekstra - decorative, since don't know what uses will be for the commercial. The commercial footage is less than before. The two spaces of 1500 commercial space each side.

B.Rabinowitz – does the zoning permit differentiate between commercial and residential?

S.Gustin – yes.

A.Zipparo – questions on siding.

E.Hoekstra – it will be cement board siding.

B.Rabinowitz – opening for the public to speak.

M.Cregis - questions about mixed use in area. A lot of room for compromise. Twenty apartments sounds good. Bad area for accidents, trucks, air quality. A four story is too much. Need open space. Don't like the design. Concern for emergency vehicles and service vehicles.

L.Ribbecke - said he sent letter to Board. Feels this project is much larger and there will be losers for residents on Flynn Ave. May lose property value, gain more traffic, but feels it could go forward if it was more modest. Major point is the dangerous intersection for the school, young children, and families. Has lived there since 1984 with 3 fatal accidents.

C.Ginger - site is visible from front windows. Concern about the density parking and traffic. Would like to see what will happen and how traffic will be managed with City market going in on Flynn Ave.

A.Zipparo - are you concerned about traffic volume, pedestrian safety and accidents?

C.Ginger - concerned about the movement around the school with a lot of school children.

A.Damrosch - mom with 2 kids. Likes the idea of living with more density and housing, allowing more people getting around. Presently head of car share VT, which serves the neighborhood and feels this is a great project.

B.Rabinowitz - could you provide data as we look at these kinds of projects?

A.Zipparo - are the people who use cars residents?

A.Damrosch - benefit is the same. Can look at the ratios.

B.Rabinowitz - we need to look at specific properties.

A.Damrosch - we are in need of affordable housing. This feels like it will meet the demand.

Houses in this area are small and this project looms. Not opposed to the project, but need to know how it will be for the neighborhood and city. Opposed to parties on the roof.

J.Van Driesche - with Local Motion, Burlington says the areas' needs are met by biking and driving. Presently, people may want to rent and buy affordable housing and others are moving out of town. Feel losing friends and proximity living within town. Pertaining to pedestrian and bike safety it is not the volume, but speed of traffic and intensity. Adding more cars is not necessarily a problem for bikers and walkers since relative safety improves with this intensive use. Walk/bike master plan calls for bike lanes through Pine and Flynn. If adopted by City Council, it will provide good bike parking, opportunity to live on the street with bike access. Redstone is a business member of locomotion and has positive impact with projects dependent upon city for bike and walk.

M.Spaulding - part of technical review committee. Want to understand property agreement between the school and Redstone.

J.Hendley - lives next to Howard Center and hoped for expansion of store/deli. Disappointed deli might go away. Seems large for scale with the apartments. Ideal for families to be near the school and to have apartments. Concerned about traffic and lines of traffic waiting and pollution from traffic.

B.Rabinowitz - sense of scale, number of units and perception of scale are concerns.

A.Zipparo - would like to see more 2 and 3 bedroom units rather than 1 bedroom.

E.Hoekstra - talked with traffic consultant about preliminary increase being 0.5% as negligible. Safety improvements with curb cuts away from the intersection. Has been through the technical review.

I.Smith - questions plans presented in the packet and those presented this evening.

E.Hoekstra - the rendering displayed for tonight's meeting is correct.

I.Smith - rendering in packet is incorrect?

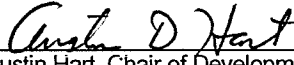
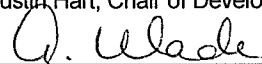
E.Hoekstra - yes.

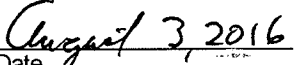
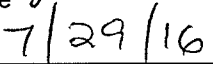
B.Rabinowitz - Meeting adjourned at 6:29 pm.

No deliberative session held after this meeting.

VII. Other Business

VIII. Adjournment


Austin Hart, Chair of Development Review Board

A.Wade, Planning & Zoning Clerk


Date August 3, 2016

Date 7/29/16

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/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.