

Burlington Development Review Board

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

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



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, May 2, 2023, 5:00 PM

PUBLIC HEARING NOTICE

In Person (at 645 Pine Street) Meeting

- 1. ZAP-23-2; 410 North Street (RL, Ward 1E) Eva Wendeborn / Scott Goodwin**
Appeal of zoning administrative denial (ZP-23-80) to convert existing single family home with detached ADU to a duplex.
- 2. ZAP-23-3; 25 Oakledge Road (RL-W, Ward 5S) 25 Oakledge Drive Realty, LLC / Marisha Taylor / Ellie Tretola**
Appeal of zoning administrative denial (ZP-23-52) to modify driveway layout.
- 3. ZAP-23-4; 71-73 Peru Street (RH, Ward 3C) Damon Lane**
Appeal of zoning administrative denial (ZPW-23-18) to replace wooden windows with vinyl casement windows.
- 4. ZP-23-141; 80 Archibald Street (RM, Ward 2C) Martha Ahmed / Ishmael Ahmed**
Cannabis home occupation.

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

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

Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

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

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

William Ward, Director
Theodore Miles, Code Compliance Officer
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Vacant, Permit Administrator



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: May 2, 2023

RE: ZAP-23-3; 25 Oakledge

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: ZAP-23-3

Location: 25 Oakledge

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

Parking District: Neighborhood

Date application accepted: March 30, 2023

Applicant/ Owner: Ellie Tretola (Trudell Consulting Engineers / Nate Carr, Churchill

Landscaping / 25 Oakledge Drive Realty, LLC; Marisha Taylor

Request: Appeal of an administrative denial of ZP-23-52; Driveway layout modification to accommodate parking for residence.

Background:

- **Zoning Permit 21-0340CA;** bury powerlines along private road and install/replace lighting fixtures. October 2020.
- **Zoning Permit 18-0535CA / ZP17-819 OG;** adding skylights, replacing roof over front entry, replacing windows into the shed. December 2017.
- **Zoning Permit 16-1361CA / 16-401 OG;** addition of one window. June 2016.
- **Zoning Permit 16-1285CA;** install exterior access stairway with associated landscaping. May 2016.
- **Zoning Permit 14-1116AW / ZP14-315 OG;** install mechanized retractable awning over deck area. June 2014.
- **Zoning Permit 12-1257CA;** finish existing empty space above mudroom. Interior work only. July 2012.
- **Zoning Permit 12-1068CA;** expand existing deck and install permanent stairs. May 2012.
- **Zoning Permit 12-0142CA;** construct addition for enclosed swimming pool. September 2011.

- **Zoning Permit 10-0204CA**; Lot Line Adjustment with 0 Oakledge (Lot 11). September 2009.
- **Zoning Permit 09-571CA**; combine lots 16.5 and 17 into one lot, consisting of 3.2 acres. March 2009.
- **Zoning Permit 08-662CA**; 24' x 27' heated addition with 5' connector at south elevation. April 2008.
- **Zoning Permit 06-781CA**; construct 7 x 16' connector between potting shed and main house. Construct 4' wide addition to potting shed, install windows, and convert to studio. Add 13' x 16' to existing garden shed. June 2006.
- **Zoning Permit 04-593**; replace existing windows with larger windows. May 2004.
- **Zoning Permit 02-382**; Lot line adjustment for Lot 17- Oakledge Manor. March 2002.

Overview: 25 Oakledge is an existing single family home. The applicant requested alteration of the existing, three pronged driveway, replacing it with an arched access drive with a parking area in front (east) of the home. Staff met with the applicant February 21, 2023 to discuss options. No further revisions were made to the plan.

The application was denied March 22, 2023 based on non-conformity to Front Yard Parking prohibitions. The appeal was filed March 30, 2023, and is therefore timely.

Recommended motion: Deny appeal and uphold administrative denial, per the following Findings:

I. Findings

Article 4: Zoning Maps and Districts

Article 4.4.5 Residential Districts

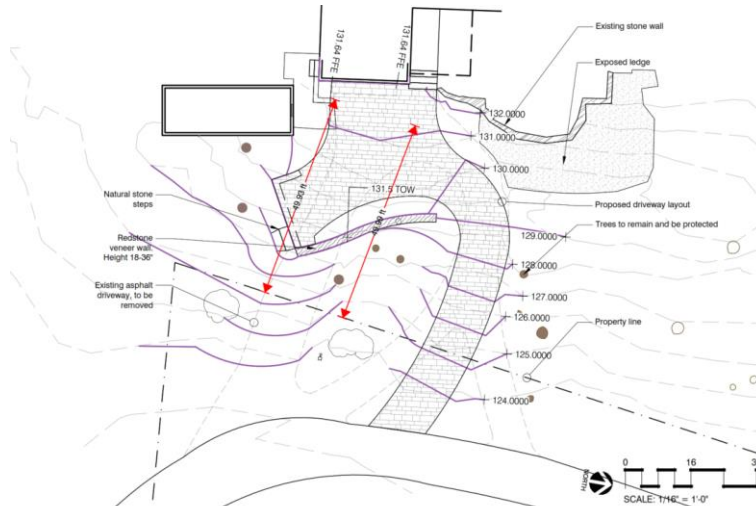
(a) Purpose:

*The Residential Districts are intended to control development in residential districts in order to create a safe, livable, and pedestrian friendly environment. They are also intended to create an inviting streetscape for residents and visitors. Development that places emphasis on architectural details and form is encouraged, where primary buildings and entrances are oriented to the sidewalk, and historic development patterns are reinforced. **Parking shall be placed either behind, within, or to the side of the structures**, as is consistent with the district and/or the neighborhood. Building facades designed for parking shall be secondary to the residential aspect of a structure.*

The proposed revisions to the access drive at 25 Oakledge Road place a parking area immediately in front of the residential structure, outside of the driveway. Parking is required to be behind, within or to the side of structures. **Adverse finding.**

Table 4.4.5-3 Residential District Dimensional Standards

Footnote 7: For properties in the WRL and WRM zones with frontage along Lake Champlain or the Winooski River, the front yard setback shall not be required to exceed 50' in any event. The calculated front yard setback of 50', based on the submitted driveway plan:



The proposed parking area is within the required Front Yard Setback. See Section 8.1.12 (b), below. **Adverse finding.**

Article 6: Development Review Standards

Section 6.2.2 Review Standards

(l) Parking and Circulation:

*To the extent possible, parking should be **placed at the side or rear** of the lot and screened from view from surrounding properties and adjacent public rights of ways.*

The driveway layout includes a parking area in front of the principal structure; in conflict with this standard. It is entirely possible to organize the new drive access without the front yard parking area, even if only by retaining the current southerly access lane. **Adverse finding.**



Submitted existing conditions site plan. Note multi-path driveway.

Article 8: Parking

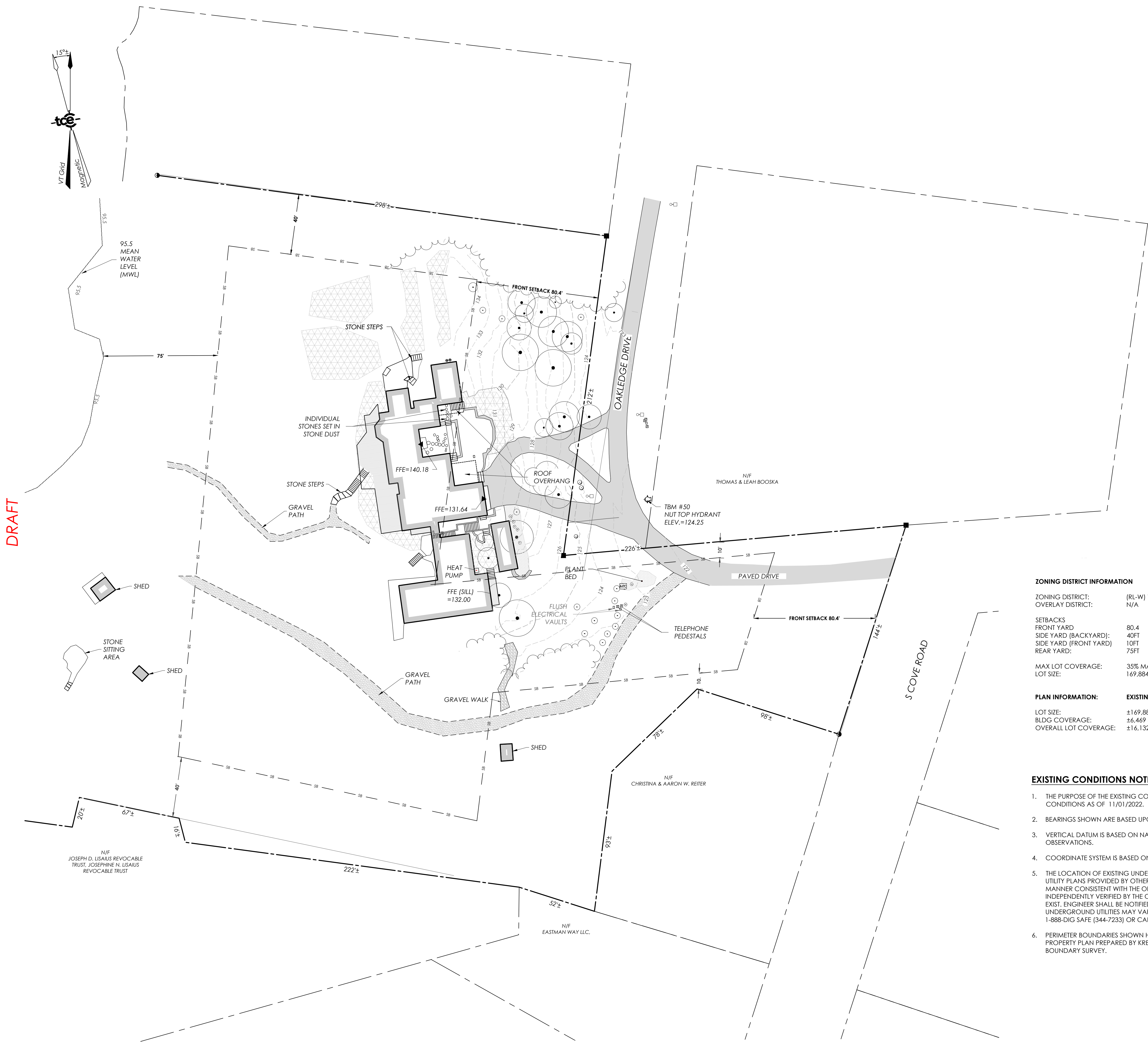
Section 8.1.12 Limitations, Location, Use of Facilities:

(b) Front Yard Parking Restricted and Residential Driveways:

*Parking spaces in all residential zoning districts shall be located to the **side or rear** of the principal residential structure. **Parking spaces shall not be located within a front yard setback** except within a driveway and **located to the side or rear** of the principal structure.*

As proposed, the reconfigured driveway introduces parking space(s) within the Front Yard Setback (see illustration above), and in front of the residential structure; contradictory to the standard of Section 8.1.12 (b). **Adverse finding.**

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



ZONING DISTRICT INFORMATION

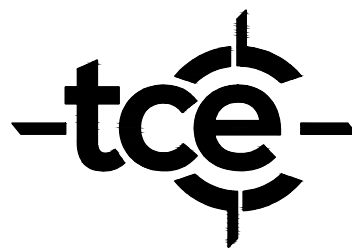
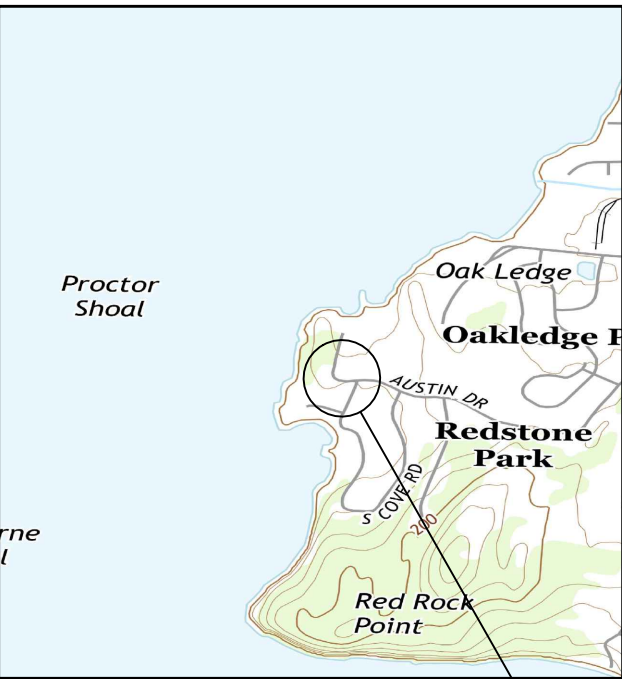
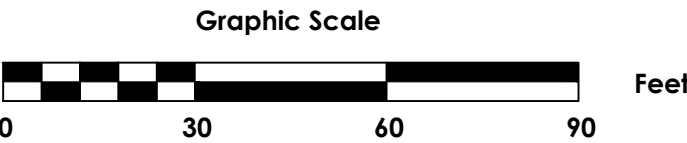
ZONING DISTRICT:	(RL-W) WATERFRONT RESIDENTIAL
OVERLAY DISTRICT:	N/A
SETBACKS	
FRONT YARD	80.4
SIDE YARD (BACKYARD):	40FT
SIDE YARD (FRONT YARD)	10FT
REAR YARD:	75FT
MAX LOT COVERAGE:	35% MAX
LOT SIZE:	169.884SF

PLAN INFORMATION:

EXISTING	
LOT SIZE:	±169,884 SF / 3.90 AC
BLDG COVERAGE:	±6,469 SF / .15 AC OR ±3.8%
OVERALL LOT COVERAGE:	±16,132 SF / .37 AC OR ± 9.49%

EXISTING CONDITIONS NOTES:

- THE PURPOSE OF THE EXISTING CONDITIONS PLAN IS TO DEPICT READILY APPARENT PERTINENT EXISTING CONDITIONS AS OF 11/01/2022.
- BEARINGS SHOWN ARE BASED UPON VERMONT GRID NORTH USING VTVRS CORS STATION.
- VERTICAL DATUM IS BASED ON NAVD88 (GEOID 18). A CARLSON BRX7 RTK GPS UNIT WAS EMPLOYED FOR THESE OBSERVATIONS.
- COORDINATE SYSTEM IS BASED ON VERMONT STATE PLANE (U.S. SURVEY FEET).
- THE LOCATION OF EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS SHOWN ARE BASED ON RESEARCH, UTILITY PLANS PROVIDED BY OTHERS, AND/OR SURFACE EVIDENCE ENCOUNTERED AND WERE OBTAINED IN A MANNER CONSISTENT WITH THE ORDINARY STANDARD OF PROFESSIONAL CARE AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE DESIGN ENGINEER. ADDITIONAL UTILITIES NOT SHOWN MAY EXIST. ENGINEER SHALL BE NOTIFIED IF ANY DISCREPANCIES ARE ENCOUNTERED. ACTUAL LOCATION OF UNDERGROUND UTILITIES MAY VARY. DIGSAFE MUST BE CONTACTED PRIOR TO ANY EXCAVATION. CALL 1-888-DIG SAFE (344-7233) OR CALL 811.
- PERIMETER BOUNDARIES SHOWN HEREON ARE BASED ON PHYSICAL EVIDENCE FOUND IN THE FIELD AND A PROPERTY PLAN PREPARED BY KREBS & LANSING FOR MARISHA TAYLOR. THIS PLAN DOES NOT CONSTITUTE A BOUNDARY SURVEY.



ENGINEERING • SURVEY
PLANNING • ENVIRONMENTAL
478 BLAIR PARK ROAD | WILLISTON, VERMONT 05495
802.879.6331 | WWW.TCEVT.COM

Revisions	No.	Description	Date	By
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Parcel ID: 056-2-007.000 Span: 114-035-19196

Use of These Drawings

1. Unless otherwise noted, these Drawings are intended for preliminary planning, coordination with other disciplines or utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such or marked approved by a regulatory authority.

2. By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable parties/disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction.

3. Owner and Architect, are responsible for final design and location of buildings shown, including an area measured a minimum five (5) feet around any building and coordinating final utility connections shown on these plans.

4. Prior to using these plans for construction layout, the user shall contact TCE to ensure the plan contains the most current revisions.

5. These Drawings are specific to the Project and are not transferable. As instruments of service, these drawings, and copies thereof, furnished by TCE are its exclusive property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, they shall be brought to the attention of TCE immediately.

6. It is the User's responsibility to ensure this copy contains the most current revisions.

DRAFT

For Permitting Only

Project Title

Church Hill
Landscapes
25 Oakledge Drive
Burlington, VT 05401

Sheet Title

Overall Existing
Conditions Plan

Date:	02/02/2023
Scale:	1" = 30'
Project Number:	22-337
Drawn By:	EKT
Project Engineer:	
Approved By:	LET
Field Book:	370

C1-01

February 2, 2023



Mary O'Neil, AIC, Principal Planner
Permitting and Inspections, Zoning Division
City of Burlington
645 Pine Street, Ste. A
PO Box 849
Burlington, VT 05402

RE: 22-337 Church Hill Landscapes– Zoning Permit Application
25 Oakledge Drive – Driveway Modification

Dear Mary,

Trudell Consulting Engineers (TCE) is submitting this application for a Zoning Permit on behalf of the applicant, Marisha Taylor to approve a revised driveway layout and associated site features located at 25 Oakledge Drive Burlington, VT.

The project proposes to remove the existing driveway to be replaced with a new driveway layout. The site currently has three existing curb cuts that will be consolidated into one curb cut. A new wall is proposed along the south and east and new planting beds are proposed, see Proposed Driveway Layout Plan by David Grist.

The online project permit questionnaire was completed through the City's permitting site, and indicated the following permits are required and are being concurrently prepared: See below for a list of submission documents included for this application.

- Zoning Permit (Online)
- Cover Letter (This document)
- Small project EPSC Form
- Photo Sheet
- Property Owner Consent Form
- Plans
 - o C1-01 Existing Conditions by TCE, 24 x 36
 - o Proposed Driveway Layout Plan by David Grist, 11 x 17
 - o EPSC Plan by TCE, 11 x 17
- Fee Check Of \$657.50 (Mailed separately)

If you have any questions or need additional information, please do not hesitate to reach out to the site contractor Nate Carr at Church Hill Landscapes, Inc. P: 802-425-5222
E: Nate@churchhilllandscapes.com or me at P: 631-682-4440 E: ellie.tretola@tcevt.com.

Sincerely,
Ellie Tretola
Landscape Designer
Trudell Consulting Engineers

25 Oakledge, Appeal description:

I am appealing the Zoning Administrator's denial of permit ZP-23-52 on behalf of Marisha Taylor, 25 Oakledge Drive. The project Mrs. Taylor is seeking to have approved is intended to reroute her driveway, and in the process remove 700 feet of paved surface. The area that would be removed is to be planted with trees and shrubs. Both efforts are consistent with City goals of reducing impervious surfaces and replacing that area with vegetation to reduce stormwater runoff. Increasing pervious surface and removing paving in the Waterfront Residential District can only have a positive effect on the lake. The circular nature of her driveway will be replaced with a turnout so that she can back out of her garage. The new configuration reduces the number and extent of curb cuts for driveway access from three to one, reduces the amount of impervious surface, and will restrict, not enable, additional parking at her residence.



City of
Burlington, Vermont
645 Pine Street

Zoning Permit – Reasons for Denial

ZP #: 23-52

Tax ID:

Issue Date: March 22, 2023

Decision: Denied

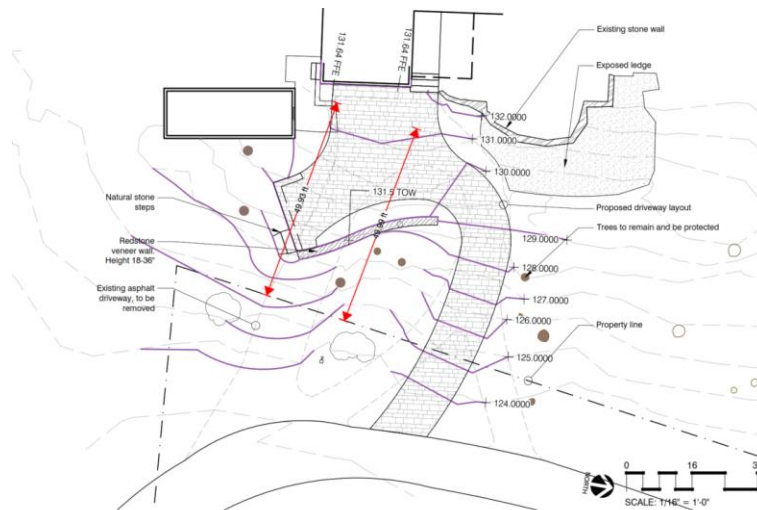
Property Address: 25 Oakledge Drive

Description: Driveway layout modification to accommodate parking for residence.

Reasons for Denial:

Table 4.4.5-3: Residential District Dimensional Standards, Footnote 7: *For properties in the WRL and WRM zones with frontage along lake Champlain or the Winooski River, the front yard setback shall not be required to exceed 50' in any event.*

The calculated front yard setback of 50', based on the submitted driveway plan:



Section 8.1.12 Limitations, Location, Use of Facilities:

(b) Front Yard Parking Restricted and Residential Driveway:

Parking spaces in all residential zoning districts shall be located to the side or rear of the principal residential structure. Parking spaces shall not be located within a front yard setback except within a driveway and located to the side or rear of the principal structure.

As proposed, the reconfigured driveway introduces parking space(s) within the Front Yard Setback (see illustration above), and in front of the residential structure; contradictory to the standard of Section 8.1.12 (b).

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board within 15 days after the decision date per Sec. 12.2.2, *Appeals of Administrative Officer Decisions*. Appeals may be filed online at [burlingtonvt.viewpointcloud.com/categories/1098](https://www.burlingtonvt.viewpointcloud.com/categories/1098) or in-person at 645 Pine Street, Burlington, Vermont.

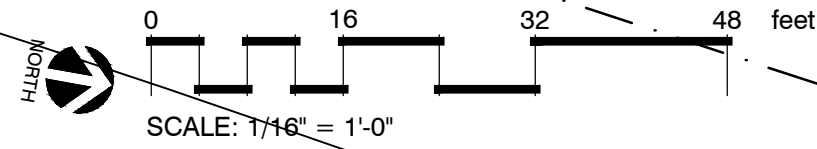
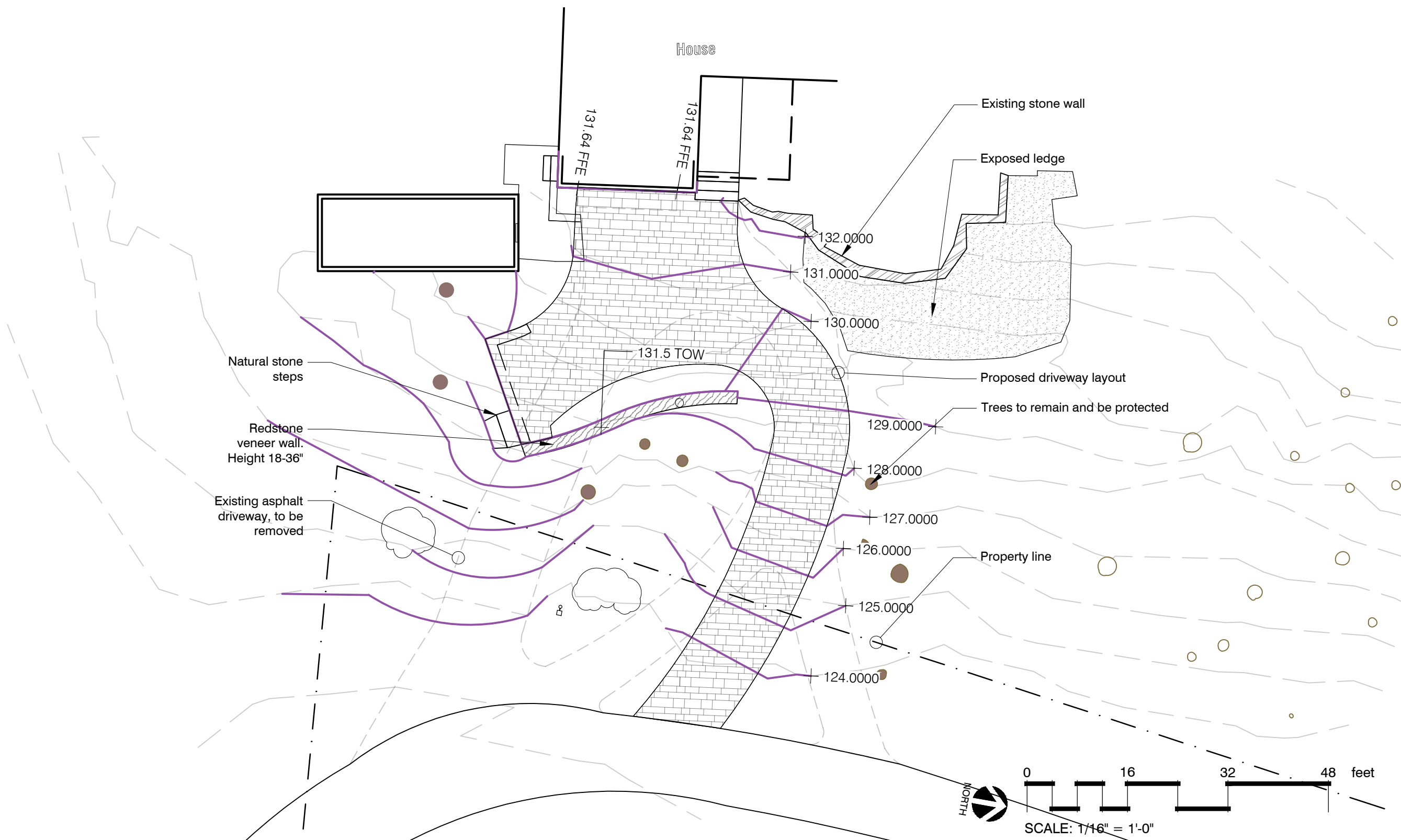
<https://www.burlingtonvt.gov/DPI/Appealing-a-Zoning-Decision>



1 Looking west at the front yard



2 Looking southeast at the project driveway



David Grist, designer
802 825 5261 | davidgrist@me.com
portfolio: davidgrist.myportfolio.com

25 OAKLEDGE--2/21/2023

Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

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

Telephone: (802) 865-7188

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William Ward, Director
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Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Celeste Crowley, Permit Administrator



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: May 2, 2023
RE: ZAP-23-2; 410 North 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: ZAP-23-2

Location: 410 North Street

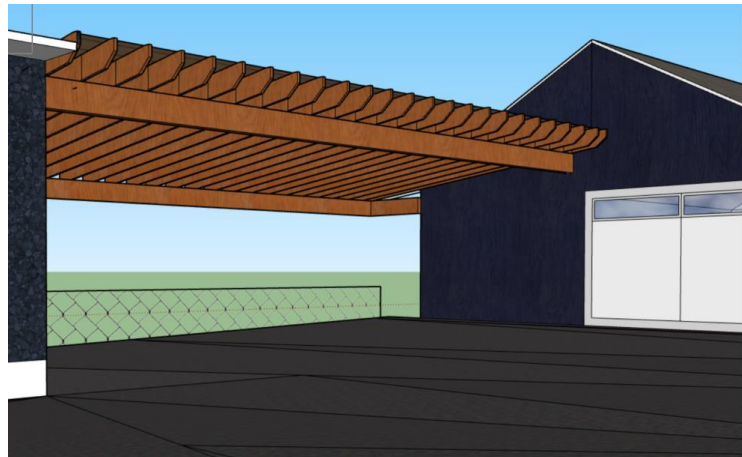
Zone: RL **Ward:** 1E

Parking District: Neighborhood

Date application accepted: March 29, 2023

Applicant/ Owner: Scott Goodwin

Request: Appeal of ZP-23-80: Administrative denial to convert existing single family home with detached ADU/garage to a duplex via roof extension. Administratively denied March 20, 2023.



Background:

- **Zoning Permit 18-483 (ZP18-1216CA);** Raise the roof height of the garage/ADU; add/remove windows, add walkway and patio. July 2018.
- **Zoning Permit 18-0807CA;** add screened porch to the rear of the garage; change siding on the previously approved garage addition from stucco to board and batten, add fence in rear yard. April 2018.
- **Zoning Permit 17-0792CA/CU;** Add a 165 sf addition onto accessory dwelling unit. May 2017.
- **Zoning Permit 16-1225CA/CU;** Finish garage interior to be accessory dwelling unit; add parking space. January 2017.
- **Non-applicability of Zoning Permit Requirements 15-0683NA;** create a third bedroom out of a former living room. No increase in foot print or in living space. December 2014.

Overview: 410 North Street was approved for a detached accessory dwelling unit in January 2017 with a partial conversion of a detached garage. The applicant made an application to connect the existing single family home to the garage/ADU via a pergola-style structure and deem the connected buildings a duplex, which would relieve the obligation of owner-occupancy required of an ADU. The application was administratively denied March 20, 2023. The applicant filed an appeal March 29, 2023; within the required 15 day appeal period and therefore timely.

Recommended motion: Deny appeal and uphold administrative decision to deny ZP 23-80 per the following Findings.

I. Findings

Article 4: Zoning Maps and Districts

Section 4.4.5 Residential Districts

(a) Purpose

The Residential Districts are intended to control development in residential districts in order to create a safe, livable, and pedestrian friendly environment. They are also intended to create an inviting streetscape for residents and visitors. Development that places emphasis on architectural details and form is encouraged, where primary buildings and entrances are oriented to the sidewalk, and historic development patterns are reinforced. Parking shall be placed either behind, within, or to the side of structures as is consistent with the district and/or the neighborhood. Building facades designed for parking shall be secondary to the residential aspect of a structure.

1. *Residential low density (RL) district is intended primarily for low-density residential development in the form of single detached dwellings and duplexes. This district is typically characterized by a compact and cohesive residential development pattern reflective of the respective neighborhoods' development history.*

Table 4.4.5-3 Residential District Dimensional Standards

Zoning District RL	Max lot coverage 35%	Front setback	Side setback	Rear setback	Height 35' max.
		Ave of 2 adjacent lots on both sides +/- 5'	10% of lot width or ave. of side yard setback of 2 adjacent lots on both sides	25% of lot depth	
410 North Street	ZP18-1216CA 30.73% Proposed 30.73%	No change	Connecting structure approx.. 1.3' from property line. 10% of lot width is 2.7'.	No change.	Pergola proposed at 8'

			Application defines “eaves” presumably to meet exemption from required setbacks. See Section 5.2.5 (b) 2. and definition of Eave, below.		
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Adverse finding for side yard setback.

Article 5: Citywide General Regulations

Section 5.2.5 Setbacks

See Table 4.4.5-3, above. Side yard setback is either 10% of lot width, or the average of side yard setback of 2 adjacent lots on both sides. There is only one adjacent on the west (406 North Street), but two on the east (412 and 418 North Street.) Using aerial imagery, side yard setbacks are estimated at:

406 North St. – 0

412 North Street – 13.7’

418 North Street – 11.6’

Average **8.43’.**

The proposed roof connector is approximately **1.3’** from the west property line. It does not satisfy the “averaging” method to meet the required side yard setback.

Utilizing the 10% of lot width method, the required side yard setback is $.10 \times 27.44 = 2.74’$.

The proposed new structure does not meet that setback calculation either.

It is assumed that the applicant is seeking the identified **Exemption from Setbacks**. See **Section 5.2.5 (b) 2.** below.

Adverse finding for Side Yard Setbacks.

Article 5: Citywide General Regulations

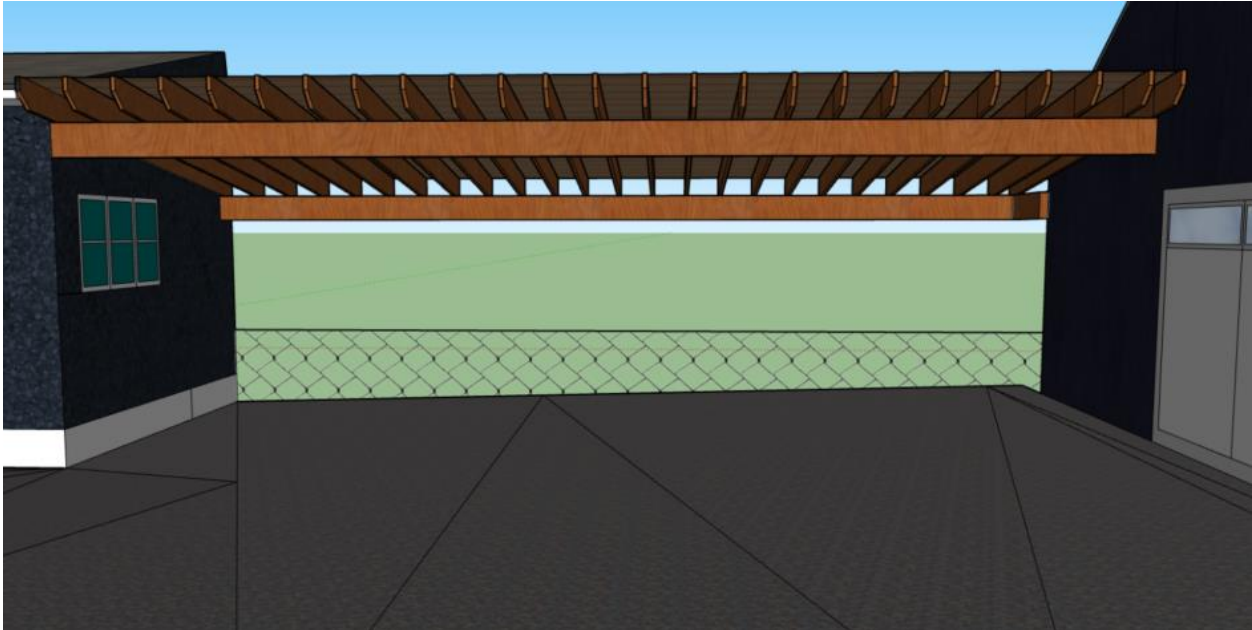
Section 5.2.5 Setbacks

(b) Exceptions to Yard Setback Requirements

2. *Building and Site features. Eaves, sills, roof overhangs, cornices, steps to first floor entries, walkways, ramps for the disabled, fences, walls, and similar building and site features may project into a required yard setback.*

The proposed connector is a set of parallel roof joists, presenting rafter tails which extend into the required side yard setback. A minimum 2.7’ setback is required, 10% of the lot width at the point of the development. They are poised approximately 1.3’ from the side property line.

Rafter tails do not meet the definition of Eave (see below), and as a largely open structure, not a solid or boxed roof overhang.



Adverse finding for interpretation as Eave. The roof is not a solid plane, but the exposed and projecting rafter tails might be determined to be a “roof overhang.” This interpretation is at the discretion of the DRB.

The structure may find difficulty in securing a building permit with the proximity to a property line, as shelters for vehicles typically include consideration of combustability; requiring greater setbacks to meet life safety code. The applicant is encouraged to consult a building official.

Article 8: Parking

No change is proposed to the number or location of parking. The applicant has provided a revised site plan that suggests vehicles may back up onto the neighboring parcel (SP-2). The property deed is attached that provides for a 10’ easement 95’ in depth for the shared driveway. The allowance does not include utilization of the neighbor’s parking area, and this application will not consider utilization of another parcel.

No change to parking; however applicant may not utilize the neighbor’s parcel as suggested in the submitted plan.

Article 13: Definitions

Section 13.1.2

For the purpose of this ordinance certain terms and words are herein defined as follows:

*Unless defined to the contrary in Section 4303 of the Vermont Planning and Development Act as amended, **or defined otherwise in this section**, definitions contained in the building code of the City of Burlington, Sections 8-2 and 13-1 of the Code of Ordinances, as amended, incorporating*

the currently adopted edition of the American Insurance Association's "National Building Code" and the National Fire Protection Association's "National Fire Code" shall prevail.

Both of the terms *Eave* and *Duplex* are defined within Article 13. The application narrative makes use of the FEMA building code, which is not warranted under the preamble to this Article. The definitions in Article 13 prevail; no other reference is required.

Adverse finding for utilization of other government code to define *Duplex*.

Eave: The edge of the roof which overhangs the face of an exterior building wall and, normally, projects beyond the side of a building; performing the primary function of the roof in throwing water clear of the exterior building walls.

The rafter tails do not meet the definition of Eave, as there are no exterior building walls and/or side of the building. **Adverse finding, no exemption from Setbacks.**

Duplex: A single structure containing two (2) separate dwelling units, regardless of the type of construction. For purposes of this ordinance a single-family detached structure with an accessory apartment shall not be considered a duplex.

410 North Street is currently a single family home with a detached garage/ADU. Zoning Permit 23-80 proposed to connect the two buildings with a pergola-style structure with parking underneath. The new structure does not substantively transform the two detached buildings into one ("a single structure") and therefore does not meet the meaning or intent of the definition of "duplex" per Article 13. **Adverse finding.**

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City of
Burlington, Vermont
645 Pine Street

Zoning Permit – Reasons for Denial

ZP #: 23-80

Tax ID:

Issue Date: March 20, 2023

Decision: Denied

Property Address: 410 North Street

Description: Convert existing single family home with detached ADU to a duplex via roof extension.

Reasons for Denial:

Article 13: Definition of Duplex:

A single structure containing two (2) separate dwelling units, regardless of the type of construction. For purposes of this ordinance a single family detached structure with an accessory apartment shall not be considered a duplex.

The existing configuration is a single family detached structure with a detached Accessory Dwelling Unit. This application seeks to create a “duplex” by connecting the two structures with a pergola-like roof over an existing parking area, which does not meet the definition of a “single structure containing two (2) separate dwelling units.”

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board within 15 days after the decision date per Sec. 12.2.2, *Appeals of Administrative Officer Decisions*. Appeals may be filed online at [burlingtonvt.viewpointcloud.com/categories/1098](https://www.burlingtonvt.viewpointcloud.com/categories/1098) or in-person at 645 Pine Street, Burlington, Vermont. <https://www.burlingtonvt.gov/DPI/Appealing-a-Zoning-Decision>

To whomever it may concern,

This letter is intended to give my intent and reasoning to add a covered garage structure that would connect my main dwelling to my accessory dwelling garage at 410 North Street Burlington Vermont. There are multiple reasons for my request that I will outline below.

The first reason for my request is related to improving snow removal for cars parked in my parking area on my property. Currently I have nowhere to push snow without damaging my neighbor's fence and therefore have the hardest time plowing in the winter. A covered garage would not require me to shovel this area reducing the amount of snow to be plowed in this difficult area.

The second reason for my request is that by combining my accessory structure with the main dwelling. It would make the property a duplex rather than a single family with an accessory dwelling. This would make it easier for me to add more housing space in Burlington with my current property.

About 2 years ago, I had very preliminary discussions with the zoning department and the building inspector about how to do this by adding a roof structure addition. We talked about how joining the two buildings would make the unit a duplex and how making a garage structure between them would work but no one had a definitive definition about what constitutes a structure. To understand better, I researched the definition of what constitutes a structure starting in the Burlington zoning ordinance. With further research I believe the plan attached meets all criteria to turn my current configuration into a duplex for the following reasons:

1. Burlington zoning regulations, as Sec. 13.1.2 Definitions says, "For the purpose of this ordinance certain terms and words are herein defined as follows: Unless defined to the contrary in Section 4303 of the Vermont Planning and Development Act as amended, or defined otherwise in this section, definitions contained in the building code of the City of Burlington, Sections 8-2 and 13-1 of the Code of Ordinances, as amended, incorporating the currently adopted edition of the American Insurance Association's "National Building Code"; and the National Fire Protection Association's "National Fire Code"; shall prevail.
2. Therefore deferring to the definition of the Fema national building code, their definition of a structure says, "A building with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site"

Assuming my interpretation of these regulations are correct, my proposed structure has two rigid walls and a secured roof that is affixed to a permanent site, so therefore it would constitute as a structure by the Burlington zoning ordinance.

Furthermore please note joining the two buildings into a duplex meets the requirements for a duplex as described below:

1. The parking dimensions are not changing or being restricted, so the property will still meet the minimum parking spaces for a duplex. The vertical clearance is 8' which is also above the minimum standard.

2. The lot area is 10,950 SF, which is greater than the 10,000 SF required area from increasing from a single family to a duplex.
3. Since the lot frontage is the same for single family and a duplex, I am not increasing the degree of non-conformity. Please note that I am aware this may trigger the need for conditional use approval.

If any of my assumptions are incorrect or if I'm missing any ordinances or standards, please let me know, as I'm happy to figure out solutions or go to the board if required.

Sincerely,
Scott Goodwin

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS THAT I, MARGARET GAYLE GOODWIN, of the Town of Williston, County of Chittenden and State of Vermont, GRANTOR, in consideration of ten dollars and other good and valuable consideration paid to my full satisfaction by **SCOTT A. GOODWIN**, of the City of Burlington, County of Chittenden and State of Vermont, GRANTEE, by these presents do freely **GIVE, GRANT, SELL, CONVEY and CONFIRM** unto the said Grantee, **SCOTT A. GOODWIN**, and his heirs and assigns, forever, a certain parcel of land situated in the City of Burlington, County of Chittenden and State of Vermont, described as follows, viz:

Being all and the same land and premises conveyed to Scott A. Goodwin and Margaret Gayle Goodwin by Warranty Deed of Suzanne Bette and Sarah Sears dated May 2, 2016 and recorded in Volume 1305, Pages 633-634 of the Burlington Land Records, more particularly described as follows:

A lot of land on the northerly side of North Street with all buildings thereon, the dwelling house thereon being known and designated as No. 410 North Street. Said land has a frontage on said street of 27.44 feet, more or less, an easterly line, in two segments, of 328 feet, more or less and a rear or northerly line of 33.2 feet, more or less and a westerly line of 327.9 feet, more or less.

This conveyance also includes a right of way for pedestrians and vehicles over a strip of land ten feet in width adjacent to the easterly line of the above bounded property and extending northerly from the northerly line of North Street for a distance of 95 feet.

Reference is hereby made to the above mentioned instruments, the records thereof and the references therein contained in further aid of this description.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, **SCOTT A. GOODWIN**, and his heirs and assigns, to their own use and behoof forever;

And I the said Grantor, for myself and my heirs, executors and administrators, do covenant with the said Grantee, and his heirs and assigns, that until the ensealing of these presents I am the sole owner of the premises, and have good right and title to convey the same in manner aforesaid, that they are **FREE FROM EVERY ENCUMBRANCE**; except as aforesaid.

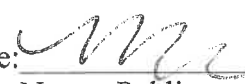
And I hereby engage to **WARRANT AND DEFEND** the same against all lawful claims whatsoever, except as aforesaid.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 13th day of June 2019.

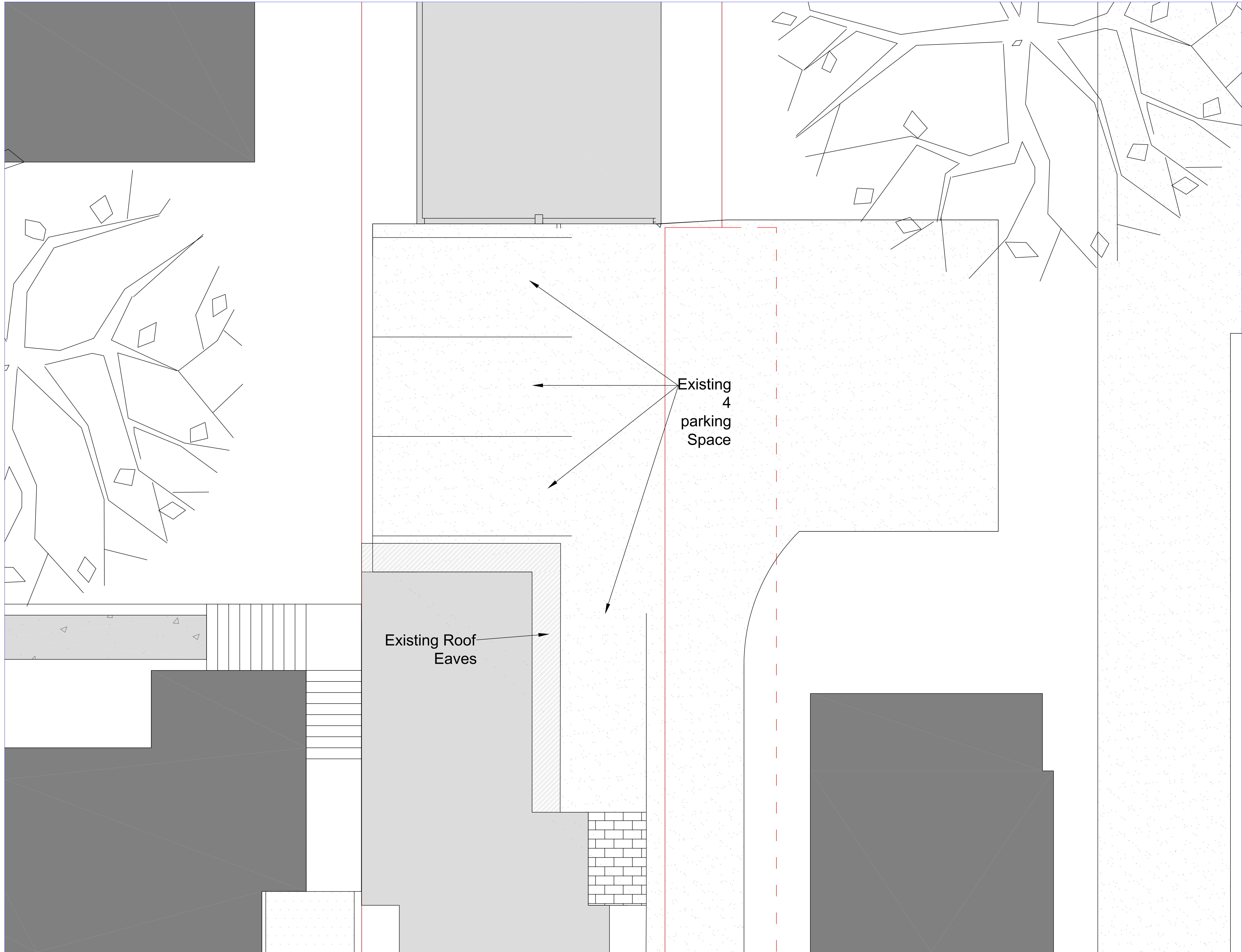

MARGARET GAYLE GOODWIN

STATE OF VERMONT
CHITTENDEN COUNTY, SS.

At South Burlington, Vermont this 13th day of June 2019, **MARGARET GAYLE GOODWIN** personally appeared, and acknowledged this instrument, by her sealed and subscribed, to be her free act and deed.

Before me: 
Notary Public
Commission Expires: January 31, 2021
Commission No. 0010578

Marcy Brigham
Notary Public
State of Vermont
Comm. Expires 1/31/2021
Commission #: 0010578



General Notes

410 North
Street
Garage
Addition

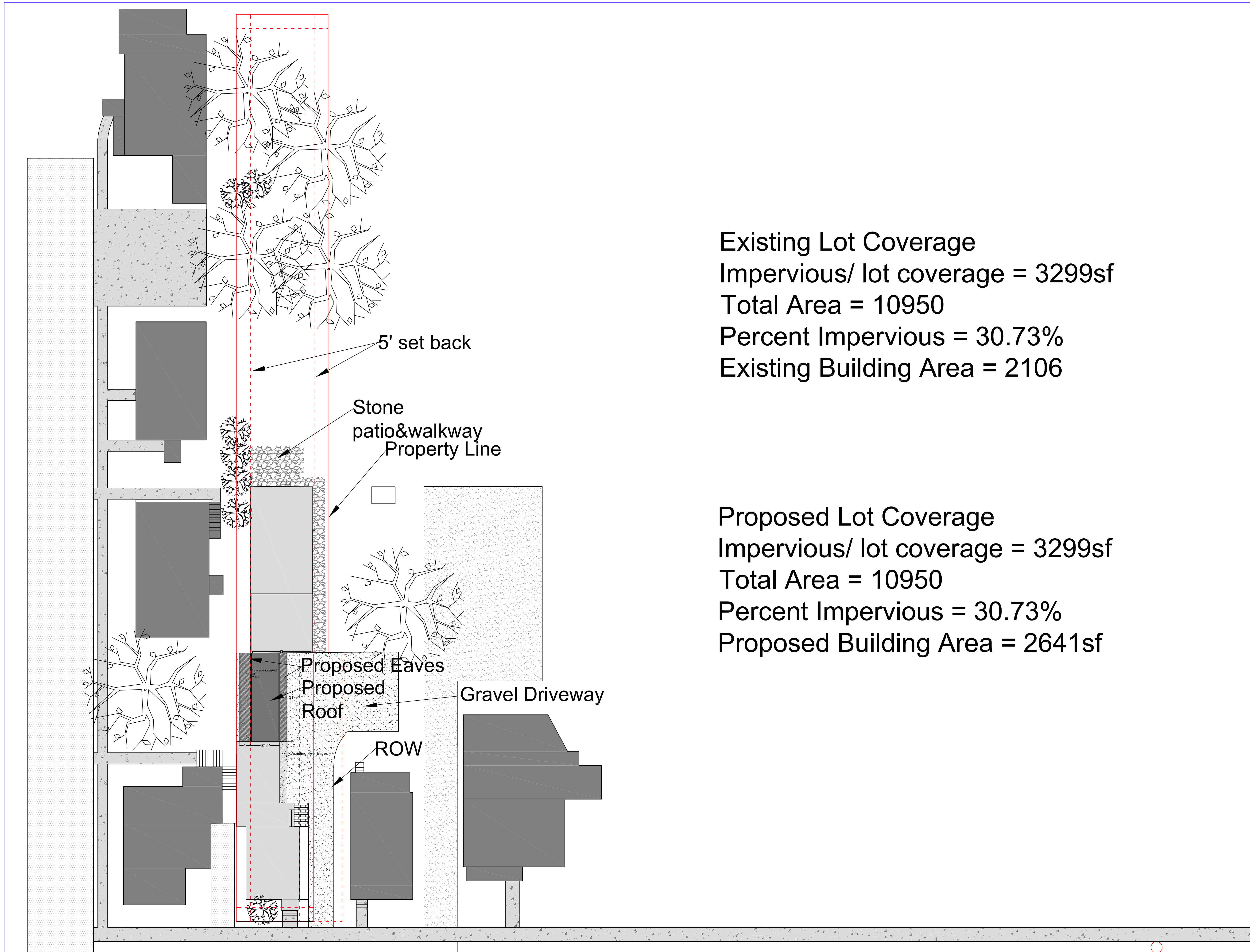
Permit Set

No.	Revision/Issue	Date

Firm Name and Address
Scott Goodwin
Owner

Project Name and Address
Existing Site Plan

Project	Sheet
Date 3/3/23	EX-1
Scale 1/4" = 1'	



Existing Lot Coverage
Impervious/ lot coverage = 3299sf
Total Area = 10950
Percent Impervious = 30.73%
Existing Building Area = 2106

Proposed Lot Coverage
Impervious/ lot coverage = 3299sf
Total Area = 10950
Percent Impervious = 30.73%
Proposed Building Area = 2641sf

General Notes

410 North Street Garage Addition

Permit Set

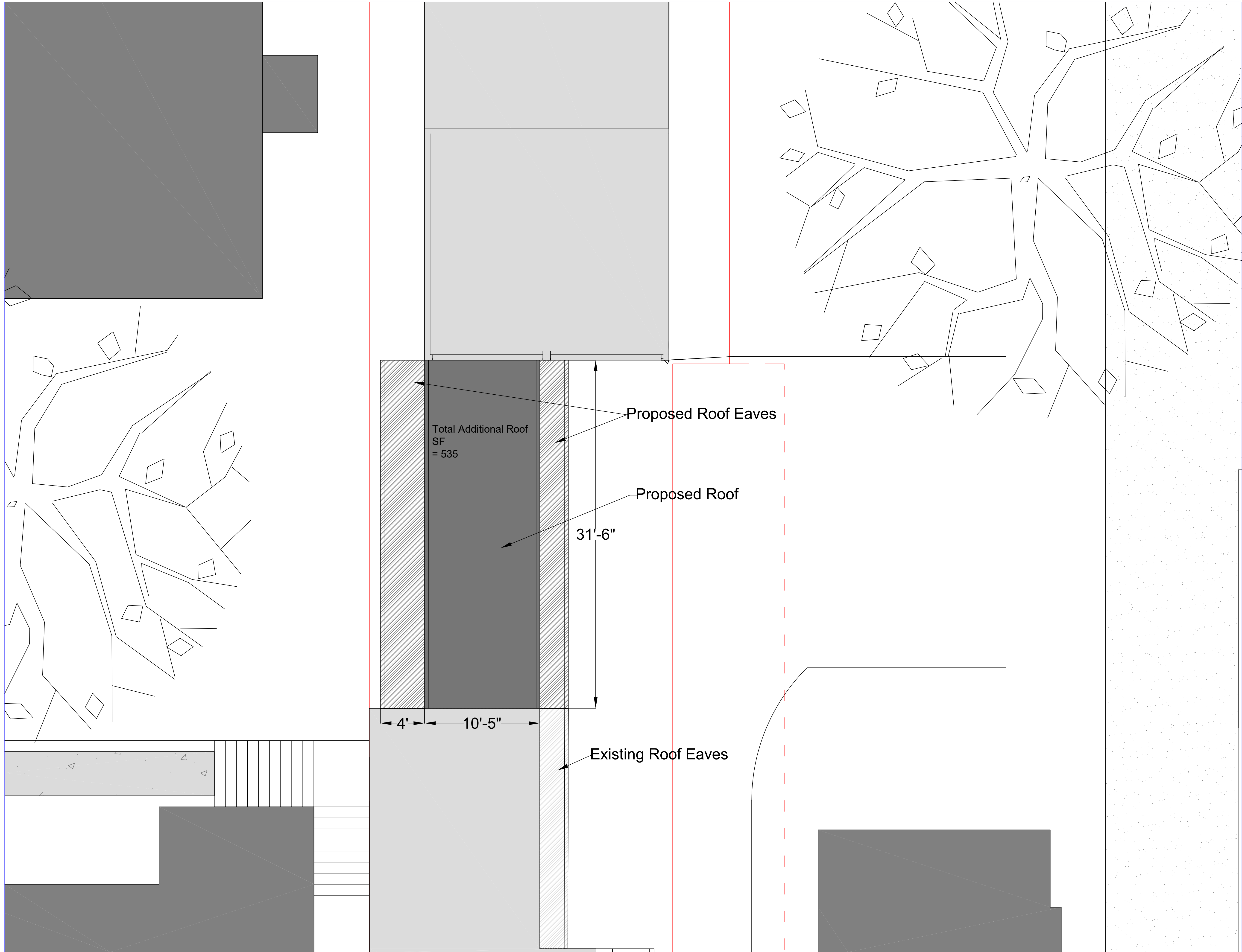
No.	Revision/Issue	Date

Firm Name and Address
Scott Goodwin
Owner

Project Name and Address
Proposed Site Plan

Project	Sheet
Date 3/3/23	SP-2
Scale 1/16" = 1'	





General Notes

410 North
Street
Garage
Addition

Permit Set

No.	Revision/Issue	Date

Firm Name and Address

Scott Goodwin
Owner

Project Name and Address

Proposed Site Plan

Project	Sheet
Date 3/3/23	SP-1
Scale 1/4" = 1'	



General Notes		
410 North Street Garage Addition Permit Set		
No.	Revision/Issue	Date
Firm Name and Address Scott Goodwin Owner		
Project Name and Address Southeast Elevation		
Project		Sheet
Date		
Scale		

A-1

General Notes		
410 North Street Garage Addition Permit Set		
No.	Revision/Issue	Date
Firm Name and Address Scott Goodwin Owner		
Project Name and Address Aerial Elevation		
Project Date Scale		Sheet A-2

General Notes

410 North Street Garage Addition

Permit Set

No.	Revision/Issue	Date

Firm Name and Address

Scott Goodwin
Owner

Project Name and Address

North East Elevation

Project	A-3
Date	
Scale	

General Notes		
410 North Street Garage Addition Permit Set		
No.	Revision/Issue	Date
Firm Name and Address Scott Goodwin Owner		
Project Name and Address East Elevation		
Project Date Scale		Sheet A-4

Department of Permitting and Inspections

Zoning Division

645 Pine Street

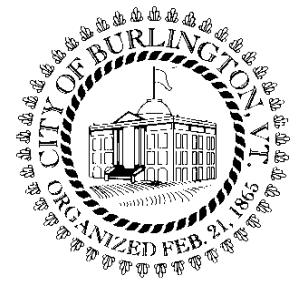
Burlington, VT 05401

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

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

William Ward, Director
Theodore Miles, Code Compliance Officer
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Vacant, Permit Administrator



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: May 2, 2023

RE: ZP-23-141; 80 Archibald 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: 23-141

Location: 80 Archibald Street

Zone: RM **Ward:** 2C

Parking District: Neighborhood

Date application accepted: March 31, 2023

Applicant/ Owner: Martha Ahmed / Ishmael Ahmed

Request: Establish Cannabis home occupation

Background:

- **Zoning Permit 08-610CA;** replace eleven windows with new aluminum clad wooden windows. No change in dimensions. April 2008.
- **Zoning Permit 85-416;** enclose existing porch. Materials to match existing horizontal siding. Windows – screen/storm combination. September 1985.

Overview:

The applicant proposes to utilize 54 sf. in the basement to cultivate, dry and package Cannabis flower. As this proposed home occupation is not among the identified uses eligible for administrative review, Conditional Use review by the DRB is required.

While this zoning application is reviewed under the home occupation standards of the Comprehensive Development Ordinance, the State of Vermont administers regulations specifically for commercial cannabis operations. The applicant is in the process of submitting an application to the State Cannabis Control Board, the Local Cannabis Control Commission, and had preliminary review by the Water Resources Division.

Recommended motion: Conditional Use approval with conditions, per the following Findings and Conditions:

I. Findings

Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

The administrative officer is authorized to deny all zoning permits or certificates of occupancy for any property with an uncorrected zoning violation (i.e. notice of zoning violation and/or municipal complaint ticket has been issued and is not under appeal.) The administrative officer is also authorized to deny all zoning permits for any property with an expired zoning permit without a final certificate of occupancy.

Instead of withholding or denying a zoning permit, the administrative officer may grant such permit subject to the condition that the uncorrected zoning violation is corrected or the expired zoning permit is closed out with a final certificate of occupancy. Such actions shall take place before the issuance of a final certificate of occupancy on the new permit.

There remains an open Zoning permit (ZP08-112 (OG) / 08-610CA) that requires a Certificate of Occupancy, the applicant must close out this permit prior to issuance of a CO for this request.

Affirmative finding as conditioned.

Article 3: Applications, Permits and Project Reviews

Section 3.5.6 Review Criteria

(a) Conditional Use Review Standards

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

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

The proposed home occupation will likely entail additional demands on municipal water and sewer serving the property. The applicant has commenced review by the Water Resources Division; a letter of capacity will be a condition of approval. **Affirmative finding as conditioned.**

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

The proposed home occupation is accessory to a residential use within a residential zoning district. The neighborhood is characterized by a range of residential (single family, duplex, triplex, apartments) and mixed use structures. The home occupation is proposed entirely within the structure, and occupying 54 sf. in the basement. No clients will come to the premises, and only the resident will be engaged in its activity. The applicant has indicated that no venting is proposed. The home occupation is not anticipated to have any perceptible impacts on the character of the area. From the Comprehensive Plan:

- Explore and expand approaches to promote and support locally-owned and controlled small businesses, including home occupations and social entrepreneurs, that serve both city-wide needs and surrounding neighborhoods. [planBTV: Comprehensive Plan, P. 48, 5.8] **Affirmative finding.***

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

From Burlington's Building official:

The only area that may or may not be a factor is smell depending on if venting to the outside or not. Permits and inspections will confirm that the space meets the VT Fire & Building Safety Code requirements for this use specific to NFPA 101 The Life Safety Code and the 2018 NFPA 1 The Fire Code, Chapter 34, Cannabis Cultivation and Manufacturing. Once they receive their CO, the VT CCB will have purview of their rules governing the operation.

From the Fire Marshal:

Fire hazard- yes there is a potential for this depending on how the grow operation is conducted along with chemical hazards.

Smell, heat, humidity along with glare from grow lights are also possible. As a single family home smell would most likely be the only concern to neighbors.

Noise from fans is possible- again depending on how the grow operation is conducted.

The applicant has responded that no ventilation is included. The Building official will determine requirements for compliance with VT Fire and Building Safety Code, including electrical and ventilation for the specific use. **Affirmative finding as conditioned.**

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

The applicant lives at the property and will be the sole employee. No clients will come to the premises. As a result, no additional traffic impacts associated with the home occupation are anticipated. **Affirmative finding.**

and

5. *The utilization of renewable energy resources;*

Nothing within the application will preclude the use of wind, solar, 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.*

Cannabis cultivation is subject to licensing from the State of Vermont and review by Burlington's Cannabis Control Commission. Additional local trades' permits may be warranted as well. **Affirmative finding as conditioned.**

(b) Major Impact 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;*
There are no identified impacts. No exterior venting is proposed. **Affirmative finding.**
 2. *Time limits for construction.*
No construction is proposed. The home occupation will utilize grow lights and fans. If any electrical or plumbing improvements are necessary for the operation, appropriate trades permits will be required. See above comments from the Building official and Fire Marshal. **Affirmative finding as conditioned.**
 3. *Hours of operation and/or construction to reduce the impacts on surrounding properties.*
As a home occupation is proposed to occur entirely within the existing residence by the resident, hours of operation may remain continuous. As no employees or clients will come to the property, and the activity is entirely within the residence, specific limitations on hours of operation are not necessary. **Affirmative finding.**
 4. *That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions;*
Any request for enlargement or alteration of the home occupation will be reviewed under the regulations in effect at the time of application. **Affirmative finding.**
- 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 are identified. Any additional conditions are at the discretion of the DRB.

Article 4: Maps and Districts

Section 4.4.5 Residential Districts

(a) Purpose

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

The property is located within the RM zone. Presently, the single family home is consistent with this intent. Insofar as home occupations are expressly enabled by statute and the CDO and that as proposed this one will be imperceptible from the outside, it can be found consistent with the intent of this district. **Affirmative finding.**

(b) Dimensional Standards and Density

No dimensional standards or density will be affected by this application. Not applicable.

(c) Permitted and Conditional Uses

The proposed home occupation is subject to conditional use review. See Section 3.5.6, above.

Affirmative finding.

Article 5: Citywide General Regulations

Part 4: Special Use Regulations

Section 5.4.6 Home Occupations

Pursuant to the requirements of 24 VSA 4412 (4), it is the intent of these regulations to provide for the use of a minor portion of a dwelling unit for a home occupation and to ensure compatibility with other permitted uses and with the residential character of the neighborhood. Such a home occupation must clearly be secondary or incidental to the principal residential use, and so located and conducted that the average neighbor, under normal circumstances, would not otherwise be aware of its existence.

(b) Conditional Use Review

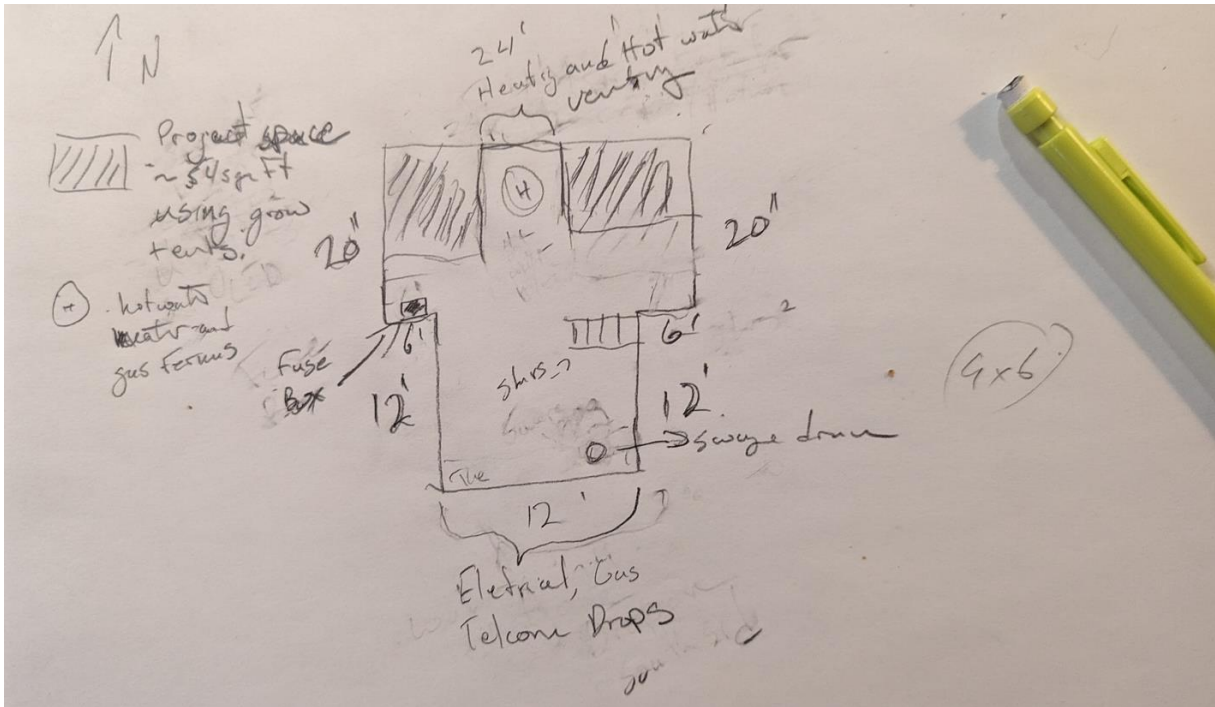
All home occupations not otherwise eligible for administrative approval above shall require review and approval by the DRB pursuant to the requirements of Article 3, Part 5. In addition to the conditional use criteria, the following criteria must be met for any home occupation:

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

*The home occupation will be conducted entirely by the resident of the property, who will be the sole employee. **Affirmative finding.***

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

*The proposed area of the home occupation is 54 sf; < 35% of the floor area of the structure. **Affirmative finding.***



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

The application proposes the use of tenting, LED lights and fans on timers. As noted by the Building Official, Permits and inspections will confirm that the space meets the VT Fire & Building Safety Code requirements for this use specific to NFPA 101 The Life Safety Code and the 2018 NFPA 1 The Fire Code, Chapter 34, Cannabis Cultivation and Manufacturing. **Affirmative finding as conditioned.**

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

No outside storage is proposed. **Affirmative finding.**

5. There shall be no exterior evidence of the conduct of a home occupation except for:

- A. Occasional garage/lawn/yard type sales (up to twice a year not to exceed two (2) days each); and
- B. One non-illuminated attached parallel sign that shall not exceed two (2) square feet. No other signs shall be permitted.

There will be exterior evidence of the home occupation; no signs are proposed. **Affirmative finding.**

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

As noted, no exterior employees will be engaged, and no customers or clients will come to the property. The resident is the sole employee of the home occupation. No additional traffic or parking demand is anticipated. **Affirmative finding.**

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

As noted previously, local trades permits may be necessary for the interior grow operation per applicable codes. No exterior ventilation is proposed. **Affirmative finding.**

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

As proposed, the home occupation will be fully enclosed within the existing structure, and have no evidence of its presence. No change to the residential character of the district is anticipated. **Affirmative finding.**

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

The home occupation questionnaire indicates no trucks or deliveries will be associated with the use. **Affirmative finding.**

10. *With the exception of one delivery per day, as specified in subparagraph (9), no more than one (1) commercial vehicle shall be allowed on the premises at any one time;*

No trucks or deliveries will be associated with the home occupation. No commercial vehicles are proposed. **Affirmative finding.**

and

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

Cannabis flower produced on site will be sold to licensed retailers, other growers, and manufacturer in compliance with state approval. No retail sales will occur at the residence. **Affirmative finding.**

(c) Exclusions:

Home occupations shall not include commercial stables or kennels, veterinary clinics, or similar establishments.

The proposed home occupation does not fall within the exclusions noted above.
Not applicable.

(d) Revocation:

Approval of a home occupation may be revoked by the DRB in accordance with the following provisions:

- 1. Noncompliance. Upon receipt of notification or evidence of noncompliance with conditions of approval or evidence of error or misrepresentation, the DRB may schedule a public hearing to consider the revocation or modification of approval for a home occupation;*
- 2. Notice. The administrative officer shall duly warn such public hearing and give notice to the applicant, abutters, and other interested parties;*
- 3. Public Hearing. The DRB shall hold a public hearing to hear cause as to why the approval of the home occupation should not be revoked. The DRB shall render its decision in accordance with the conditional use time limitations set forth in Article 3, Part 5; and*
- 4. Errors. The burden of providing complete and accurate information shall be the sole responsibility of the applicant. Any error or misrepresentation may result in voiding or modification of the approval for a home occupation.*

The standards of revocation of a home occupation are provided to the applicant for informational purposes. Noncompliance with the conditions of the approval or errors in information may result in revocation of the home occupation approval. **Affirmative finding as conditioned.**

Section 5.5.1 Nuisance Regulations

See Sec. 3.5.6 (a) 3. above.

II. Conditions of Approval

1. A letter of adequate water and sewer capacity issued by the Water Resources Division, if determined to be necessary, shall be provided **prior to release of the zoning permit**.
2. Cannabis cultivation is subject to licensing from the State of Vermont and approval by Burlington's Cannabis Control Commission. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Permitting and Inspections, as well as other permit(s) as may be required, and shall meet all energy efficiency codes as required.
3. Any expansion of the home occupation or alteration or construction to conduct the home occupation shall require the applicant to return to the DRB for review under the standards in effect at that time.
4. The home occupation shall be conducted solely by resident occupant. The proposal does not include additional, non-resident employees.
5. There shall be no outside storage of any kind related to the home occupation.
6. No exterior signage is included with this approval.

7. Delivery of products and materials related to the home occupation by vehicles other than automobiles shall occur no more than once per day.
8. Noncompliance with the conditions of the approval or errors in information may result in revocation of the home occupation approval.
9. 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.



Department of Permitting and Inspections

645 Pine Street
Burlington, VT 05401-8415
Phone: (802) 865-7188
www.burlingtonvt.gov/dpi

Home Occupation Application Questionnaire

Use this checklist for all applications for a home occupation - See Sec. 5.4.6 of the Zoning Ordinance. This questionnaire is provided to summarize details and is required to accompany a zoning permit application form and required fee (for either administrative approval or conditional use review).

Please note:

1. The specific requirements for home occupations can be found in Section 5.4.6 of the Comprehensive Development Ordinance which is available in its entirety on our website at www.burlingtonvt.gov/PZ
2. A 'Business Personal Property Registration Form' may be required to be submitted to the Assessors Office. This form is available at www.burlingtonvt.gov/assessor/businesses

Name of Business Proposed: Verdant Wisdom LLC

Type of Business Proposed: Cannabis Cultivation

Provide a detailed description of the proposed Home Occupation such as: activities involved; materials and equipment used; quantities of materials and equipment stored on-site; methods of operation; hours of operation. This may be done on a separate piece of paper and attached.

Please respond to the following:

1. How many persons will be involved or employed in the conduct of the proposed Home Occupation:
Residents of premises: 1 Others Total Number 1
2. What type of product will be produced, serviced, or repaired in the conduct of your Home Occupation? (For example: repair of clocks or watches, making jewelry, etc.). Explain:
Cannabis Flower
3. Describe any alterations to the home or premises that might be required to facilitate your Home Occupation:
None
4. Describe what rooms will be used in the conduct of the Home Occupation and how these rooms will be used. (For example: garage will be used to store supplies; or den will contain desk and file cabinets, etc.). Indicate the gross floor area(s) that will be used in the conduct of the Home Occupation. Indicate the total gross floor areas of your house and include any accessory structure(s) to be used for the Home Occupation, (Ex. Garage).
Basement will be used ~ 54 ft² for growing, drying, and packaging. Work will be done in grow tents.
5. Describe the mechanical and/or electrical equipment that will be necessary to conduct your business activity:
lights and fans - LED lights and fans on timers
6. Describe how, where and in what amounts the material, supplies and/or equipment related to your Home Occupation will be displayed or stored:
Sold to licensed retailers, other growers, and manufacturers in compliance with applicable laws, rules and regulations.

PLEASE TURN OVER

7. Will people come to your home to obtain any product or utilize any service connected with the proposed Home Occupation activity? Yes _____ No X
If yes, please explain in detail: _____

8. Are any signs necessary or proposed relative to the Home Occupation?
Yes _____ No X
If yes, you are required to file for a Sign Permit. An application form can be obtained at the Planning and Zoning Department or on our website.
9. If trucks or other equipment will be used in your Home Occupation, where will they be parked or stored?
N/A
10. Will the Home Occupation involve the use of commercial vehicles for delivery of materials to or from the premises? Yes _____ No X
If yes, please explain: _____

11. How many parking spaces will be provided for the home occupation? none
Where will they be located? Indicate parking spaces on a site plan of this property as part of your application submission.
12. Is your proposed Home Occupation in conformance with the conditions, covenants and restrictions pertaining to your property? Yes X No _____
We suggest checking your deed for conditions, covenants and restrictions.

I have read and understand 'Sec 5.4.6 Home Occupations' under the City of Burlington Comprehensive Development Ordinance and believe that to the best of my knowledge my proposed Home Occupation would not violate any portion of said Ordinance:

Applicant's Signature: [Signature]

Date: 3/30/23

Property Owner's Signature: [Signature]

Date: 03/30/2023

Burlington Development Review Board

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

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



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, May 2, 2023, 5:00 PM

AGENDA

In Person (at 645 Pine Street) Meeting

I. Agenda

II. Communications

III. Minutes

IV. Public Hearing

- 1. ZAP-23-2; 410 North Street (RL, Ward 1E) Eva Wendeborn / Scott Goodwin**
Appeal of zoning administrative denial (ZP-23-80) to convert existing single family home with detached ADU to a duplex.
- 2. ZAP-23-3; 25 Oakledge Road (RL-W, Ward 5S) 25 Oakledge Drive Realty, LLC / Marisha Taylor / Ellie Tretola**
Appeal of zoning administrative denial (ZP-23-52) to modify driveway layout.
- 3. ZP-23-141; 80 Archibald Street (RM, Ward 2C) Martha Ahmed / Ishmael Ahmed**
Cannabis home occupation.
- 4. ZAP-23-4; 71-73 Peru Street (RH, Ward 3C) Damon Lane**
Appeal of zoning administrative denial (ZPW-23-18) to replace wooden windows with vinyl casement windows (deferral is requested). (Project Manager, Scott Gustin)

V. Certificate of Appropriateness

- 1. ZP-23-116; 1093 North Avenue (RCO-RG, Ward 4N) City DPW Parks & Recreation Department / Max Madalinski**
Proposed construction of pause place at Leddy Park Arena including associated site improvements. (Project Manager, Garret King)

VI. Adjournment

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

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

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

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Department of Permitting & Inspections

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

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Permit Technician
Ted Miles, Code Compliance Officer
vacant, DPI Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: May 2, 2023
RE: ZAP-23-4; 71-73 Peru 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: RH Ward: 3C

Owner/Applicant: Damon Lane

Request: Appeal of zoning administrative denial (ZPW-23-18) to replace wooden windows with vinyl casement windows.

The appellant has requested deferral of this matter until the May 16, 2023 DRB meeting. Staff supports this deferral request.

Department of Permitting & Inspections

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

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Permit Technician
Ted Miles, Code Compliance Officer
Vacant, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Garret King
DATE: May 16, 2023
RE: ZP-23-116; 1093 North 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: RCO-RG Ward: 4N

Owner/Applicant: Burlington DPW Parks and Recreation Department/ Max Madalinski

Request: Construct pause place at Leddy Park Arena; remove and replace asphalt path with asphalt, construct concrete oval at intersection, concrete pad and exercise equipment; construct bioretention basin.

Applicable Regulations:

Article 4 (Zoning Maps and Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards), Article 7 (Signs).

Background Information:

The applicant wants to repave existing walkways and add additional paved areas that will include fitness equipment and a rest area along the bike path. Lighting, signage, bike rack, and landscaping is proposed around the area. A bioretention area will be created running along the bike path in the swale that currently exists. The scope of the work is limited to the area around the bike path and current walkway leading to Leddy arena.

This development is a municipal parks project and, therefore, is subject to only limited zoning review per 24 VSA, Sec. 4413, *Limitations on municipal bylaws*. This application may be reviewed only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements.

The Conservation Board reviews this application on May 1, 2023. Recommendations of that Board will be noted at the Development Review Board meeting.

Zoning Permit history

- Zoning Permit# 21-0560CA: Install electric gate on 2 x 2 concrete pad along Leddy park road
- Zoning Permit# 20-0994CA: Reconstruction of tennis courts and paving of existing pathways. Replacement of court lighting and poles. Removal of squash/handball courts.
- Zoning Permit# 20-0650CA: Install new scoreboard

- Zoning Permit# 20-0172CA: Build 4-bay building adjacent to existing building and add above ground fueling depot with tanks
- Zoning Permit# 13-1231CA: Excavate existing field surface, install sand fill, add topsoil, install infield, install swales.
- Zoning Permit# 18-0749SN: Installation of three rules and regulations signs at Leddy Park in association with master sing plan 18-0620MP
- Zoning Permit# 10-1148CA: Seasonal mobile food cart beside Leddy Arena
- Zoning Permit# ZP-08-527: Installing 3 ground water monitoring wells.
- Zoning Permit# ZP-07-375: Install two ballfield team dugouts at the softball field
- Zoning Permit# ZP-03-663: Expansion of existing athletic field complex by 40 ft x 400 ft and expansion of existing parking lot by 45 ft x 240 ft and the installation of other landscaping

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

I. Findings

Article 4: Maps & Districts

Sec. 4.4.6

(a) Purpose

(3) Conservation (RCO-C)

The Conservation District is intended to preserve the function, integrity and health of the city's significant natural communities and features, both land and water, in their natural state for scientific, ecological, wildlife, educational or scenic purposes. The conservation District may contain passive recreational opportunities where such activates are compatible with the protection of natural features. The resurfacing of existing paths and the new addition of fitness equipment along with landscaping fits within the character of this district. **(Affirmative finding)**

(b) Dimensional Standards & Density

Current lot coverage is 14.2% and the proposed project will add an additional 3,150 sf to the lot coverage, changing the total lot coverage to 14.31%. The new additional coverage is below the maximum of 15% coverage. All other dimensional and density metrics will not change with the change in use. The visible changes to the property will consist of two new paved areas and other landscaping features. The pause area at the bike path will get an updated sign. The new larger paved area will have workout equipment. The new changes will not significantly change the standards or density. **(Affirmative finding)**

(c) Permitted & Conditional Uses

Implementing additional recreational opportunities is a permitted use for the district and fits with the current uses that are in the park. See above. **(Affirmative finding)**

(d) District Specific Regulations

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.2 (b).

Sec. 5.2.4, Buildable Area Calculation

See Sec. 4.4.2 (b).

Sec. 5.2.5, Setbacks

See Sec. 4.4.2 (b).

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.2 (b).

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.2 (b).

Sec. 5.5.1, Nuisance Regulations

With the exercise equipment set up at the pause place a slight increase in noise can be expected. The increase in noise is not expected to cause any additional nuisance to the rest of the park or to the natural environment with the new additions. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting

New lighting is noted in the proposal with the installation of three new light poles. The walkway lighting will stay under the limit of 2 foot-candles as well as the distribution limit of 0.5 foot-candles with full cut off lighting mounted to new posts. The proposed lighting will conform to lighting standards of sec. 5.5.2 (2), no lighting currently exists in this part of the property. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

An erosion prevention and sediment control plan will have to be submitted for review by the city's Stormwater Program administrator. **(Affirmative as conditioned)**

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

Proposed work along the bike path within Leddy Park is outside of the lakeshore buffer and will include the creation of additional trees and stormwater improvements that will help protect the natural area. **(Affirmative finding)**

(b) Topographical alterations

Not applicable per 24 VSA, Sec. 4413.

(c) Protection of important public views

Not applicable per 24 VSA, Sec. 4413.

(d) Protection of important cultural resources

Not applicable per 24 VSA, Sec. 4413.

(e) Supporting the use of alternative energy

Not applicable per 24 VSA, Sec. 4413.

(f) Brownfield sites

Not applicable per 24 VSA, Sec. 4413.

(g) Provide for nature's events

Not applicable per 24 VSA, Sec. 4413. The city's stormwater standards under Chapter 26 continue to apply.

(h) Building location and orientation

Not applicable per 24 VSA, Sec. 4413.

(i) Vehicular access

Not applicable per 24 VSA, Sec. 4413.

(j) Pedestrian access

Not applicable per 24 VSA, Sec. 4413.

(k) Accessibility for the handicapped

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

(l) Parking and circulation

(Not applicable)

(m) Landscaping, fences, and retaining walls

Significant landscaping of various trees, shrubs, grasses, perennials and boulders are proposed around the area where the repaving and new construction is proposed. All proposed species are native or regional. **(Affirmative finding)**

(n) Public plazas and open space

The new rest areas are designed to provide active amenities for the public while keeping landscaping and hardscape aspects that keep the natural feel of the park. Lighting will help provide public safety to allow pedestrians to feel safe even at night. **(Affirmative finding)**

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

(Not applicable)

Article 7: Signs

Sec. 7.3.2 Applicability

The application has several proposed signs that comply with the previously approved master sign plan for City parks and bike path info ZP-18-17. The new signs will consist of 3 different signs, one is a standard yard sign, another as a map kiosk, and the last as a post. **(Affirmative finding)**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, both the erosion prevention and sediment control plan and the stormwater management plan shall be reviewed and approved by the stormwater administrator.
2. Hours of construction shall be limited to M-F 7:00 am to 5:30 pm, with Saturday hours restricted to interior work. No work on Sundays.
3. 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.
4. Standard permit conditions 1-15.

Contract Plans

Issued for	Bid Documents
Date Issued	January 13, 2023

City of Burlington
Parks, Recreation
& Waterfront
64 Pine Street
Burlington, Vermont



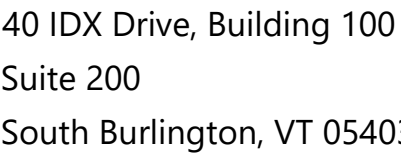
Burlington Greenway Rehabilitation Leddy Pause Place

Sheet Index

No.	Drawing Title
LA-0.00	General Notes and Abbreviations
LA-0.01	Overall Existing Conditions / Demolition Plan
LA-0.02	Existing Conditions / Demolition Plan
LA-1.00	Overall Layout Plan
LA-1.01	Layout Plan
LA-1.02	Layout Plan
LA-2.00	Overall Grading Plan
LA-2.01	Grading Plan
LA-2.02	Grading Plan
LA-2.03	Grading Plan
LA-3.00	Landscape Details
LA-3.01	Landscape Details
LA-3.02	Landscape Details
LA-3.03	Landscape Details
LA-4.00	Overall Planting Plan
LA-4.01	Planting Plan
LA-4.02	Planting Plan
LA-4.03	Planting Details
LA-5.00	Lighting Plan
LA-5.01	Lighting Details
C-1.00	Overall EPSC & Stormwater Management Plan Plan
C-1.01	EPSC & Stormwater Management Plan
C-1.02	EPSC & Stormwater Management Plan
C-1.03	EPSC & Stormwater Management Plan
C-1.04	EPSC & Stormwater Management Plan
C-2.00	EPSC - Details
C-2.01	Stormwater Details

CONSTRUCTION IS TO BE CARRIED ON IN ACCORDANCE WITH THESE PLANS AND THE VTRANS STANDARD SPECIFICATIONS FOR CONSTRUCTION DATED 2018, INCLUDING ALL SUBSEQUENT REVISIONS AND SUCH REVISED SPECIFICATIONS AND SPECIAL PROVISIONS AS ARE INCORPORATED IN THESE PLANS, UNLESS NOTED OTHERWISE.





58049.00



 0 15 30 60 Feet

**Burlington Greenway
Rehabilitation
Leddy Pause Place**

Burlington, Vermont

No.	Revision	Date	Appvd.

Designed by LET/MKW	Checked by MKW
Issued for	Date January 13, 2023

Drawing Title

**Overall Existing Conditions
and Demolition Plan -
Leddy Park**

Drawing Number

LA-0.01

Project Number
58049.00



No	Revision	Date	Apprvd.

Designed by _____ Checked by _____

LET/MKW MKW

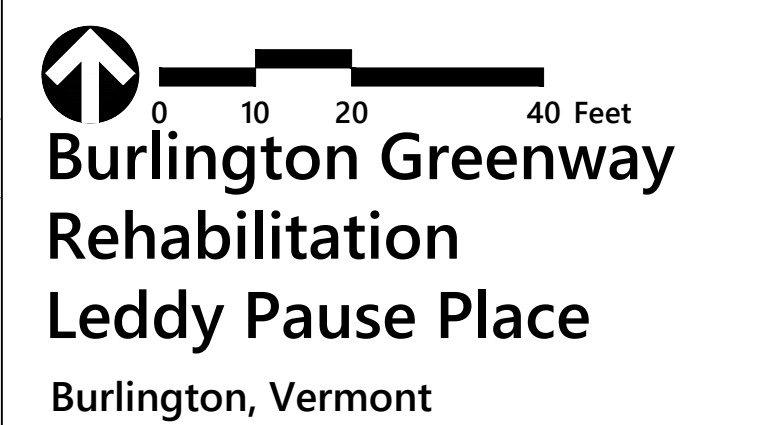
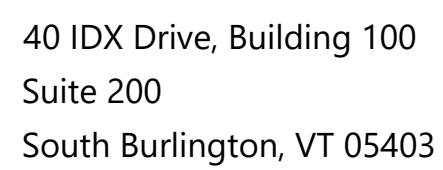
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Bid Set

January 13, 2023

Drawing Number

Project Number
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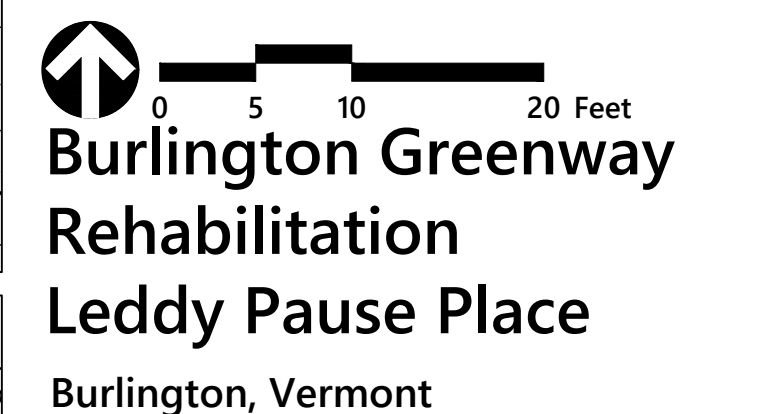
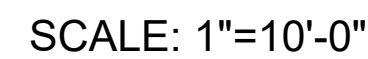
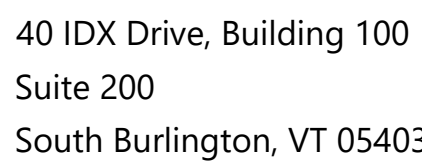


Drawing Title

Overall Layout Plan

LA-1.00

Project Number
58049.00

[illegible]

Drawing Title

Layout Plan

LA-1.01

C
LA-3.00

ISOLATION JOINT
@STRUCTURES

TRASH AND RECYCLING RECEPTACLE
INSTALLED BY BPRW, N.I.C.

LEDDY ARENA UPPER LEVEL ENTRANCE

G
LA-3.00

CONCRETE PAVING

C
LA-3.02

SPECIAL PROVISION
(BIKE RACK - 6ea.)

A
LA-3.02

SPECIAL PROVISION
(BIKE TUNING STATION)

LEDDY ARENA LOWER LEVEL ENTRANCE

EXISTING CHAIN LINK
FENCE TO REMAIN

EXISTING ASPHALT PAVING

D
LA-3.00

ASPHALT PAVING

EXISTING CATCH BASIN

B
LA-3.02

28" OAK
LANDSCAPE BOULDER

E
LA-3.00

STONE SHOULDER

E
LA-3.00

STONE SHOULDER

D
LA-3.00

ASPHALT PAVING

EXISTING DRAINAGE SWALE

EXISTING STORM DRAIN

EXISTING ACCESS PATH



0 5 10 20 Feet

Burlington Greenway Rehabilitation Leddy Pause Place Burlington, Vermont

No. Revision Date Apprd.

Designed by LET/MKW Checked by MKW

Issued for Bid Set Date January 13, 2023

Drawing Title
Layout Plan

Drawing Number

LA-1.02

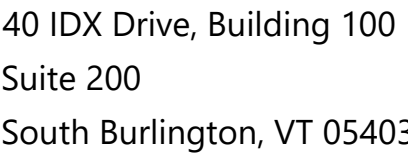
Project Number

58049.00



40 IDX Drive, Building 100
Suite 200
South Burlington, VT 05403

vhb.com

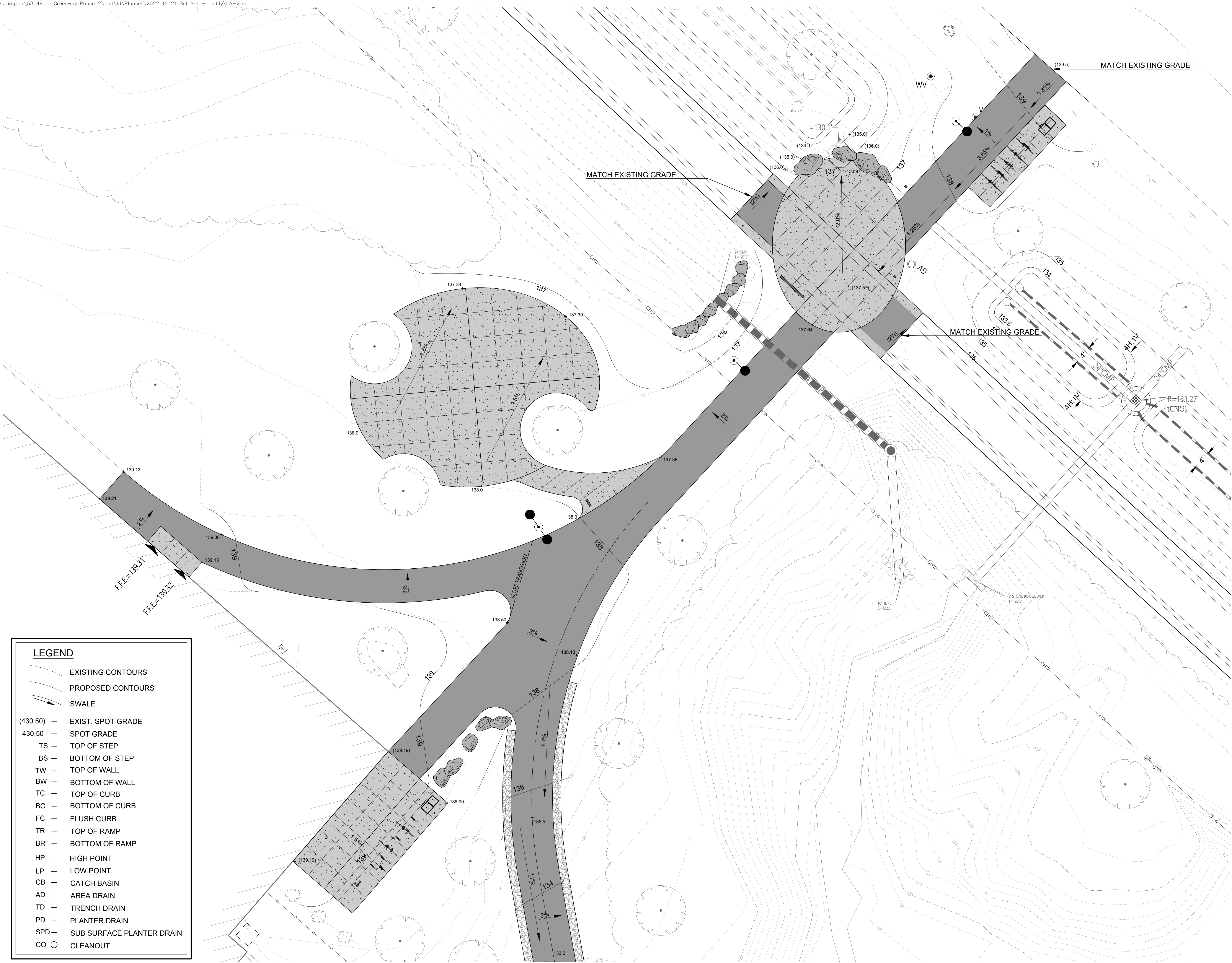


Overall Grading Plan

Drawing Number

LA-2.00

Project Number
58049.00



LEGEND

EXISTING CONTOURS

PROPOSED CONTOURS

SWALE

(430.50) + EXIST. SPOT GRADE

430.50 + SPOT GRADE

TS + TOP OF STEP

BS + BOTTOM OF STEP

TW + TOP OF WALL

BW + BOTTOM OF WALL

TC + TOP OF CURB

BC + BOTTOM OF CURB

FC + FLUSH CURB

TR + TOP OF RAMP

BR + BOTTOM OF RAMP

HP + HIGH POINT

LP + LOW POINT

CB + CATCH BASIN

AD + AREA DRAIN

TD + TRENCH DRAIN

PD + PLANTER DRAIN

SPD+ SUB SURFACE PLANTER DRAIN

CO ○ CLEANOUT

0 5 10 20 Feet

Burlington Greenway
Rehabilitation
Leddy Pause Place
Burlington, Vermont

No.	Revision	Date	Apprd.

Designed by
LET/MKW

Checked by
MKW

Issued for
Bid Set

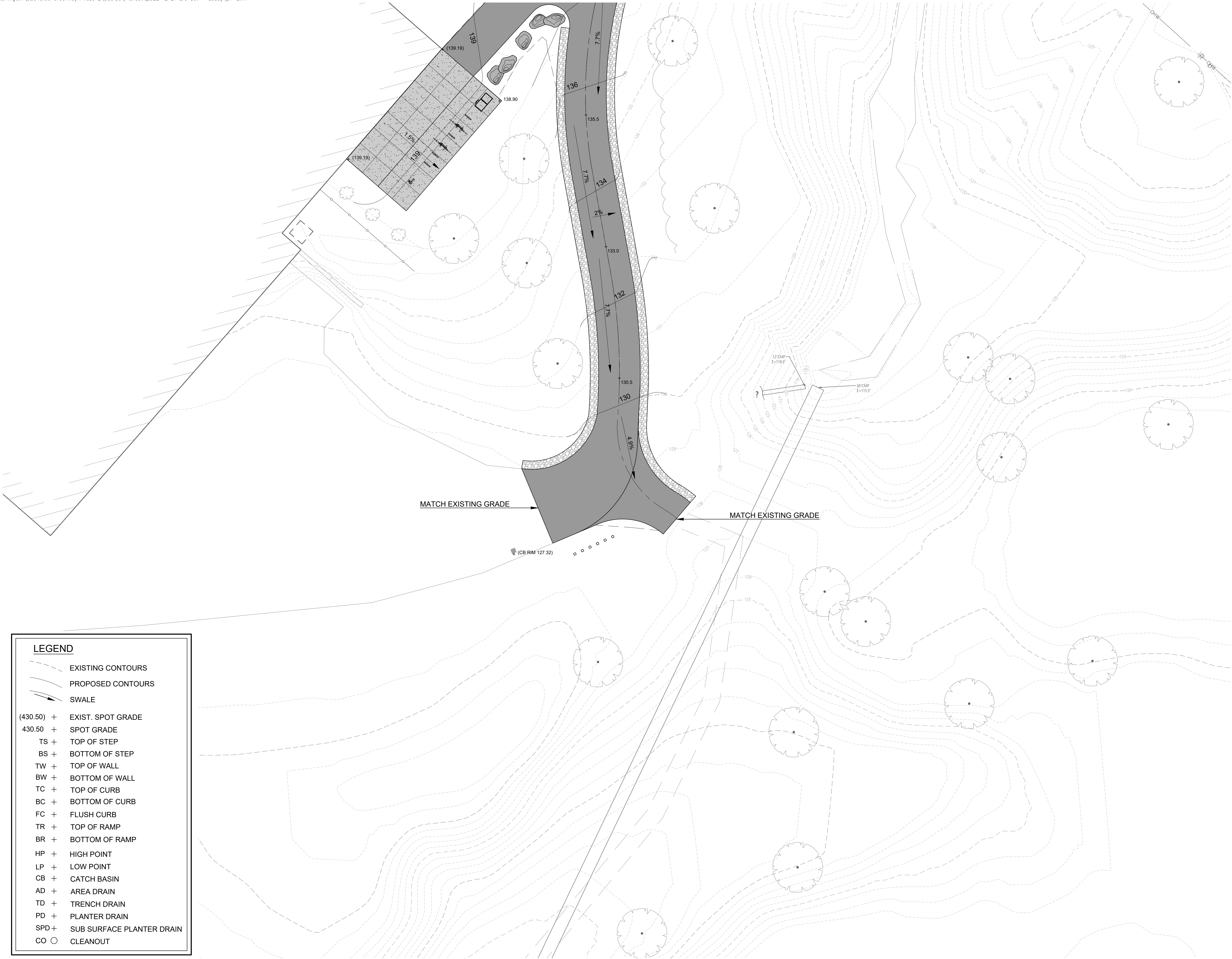
Date
January 13, 2023

Drawing Title

Grading Plan

Drawing Number

LA-2.01



LEGEND

 EXISTING CONTOURS

 PROPOSED CONTOURS

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430.50 + SPOT GRADE

TS + TOP OF STEP

BS + BOTTOM OF STEP

TW + TOP OF WALL

BW + BOTTOM OF WALL

TC + TOP OF CURB

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PD + PLANTER DRAIN

SPD+ SUB SURFACE PLANTER DRAIN

CO  CLEANOUT



0 5 10 20 Feet

Burlington Greenway
Rehabilitation
Leddy Pause Place
Burlington, Vermont

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Issued for Bid Set Date January 13, 2023

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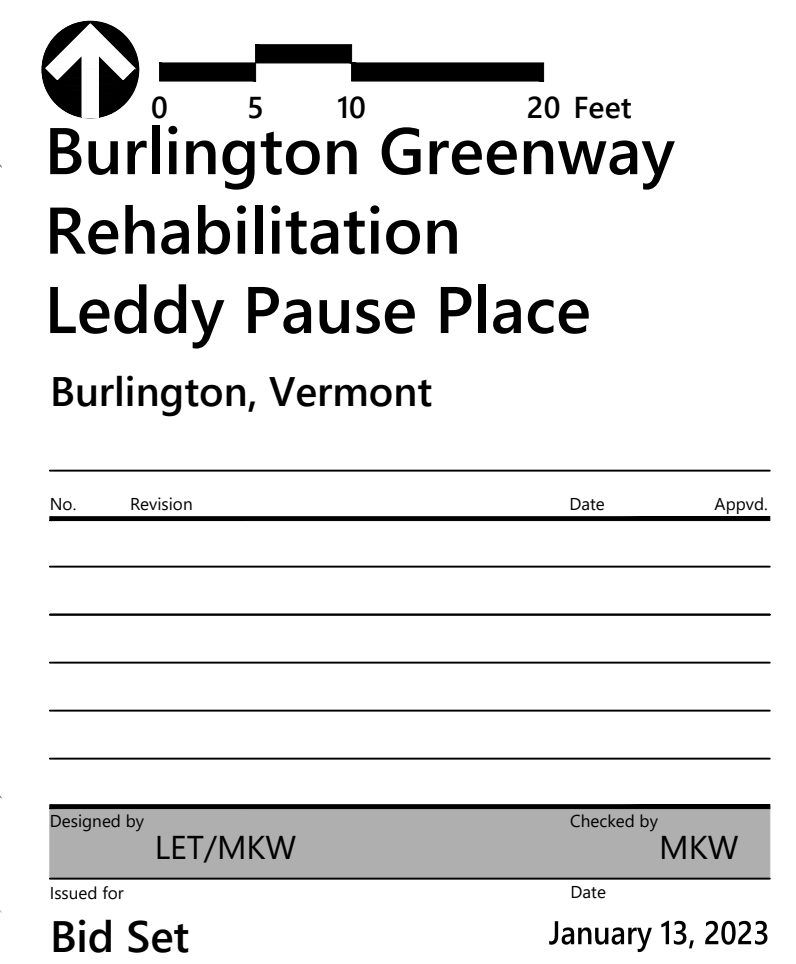
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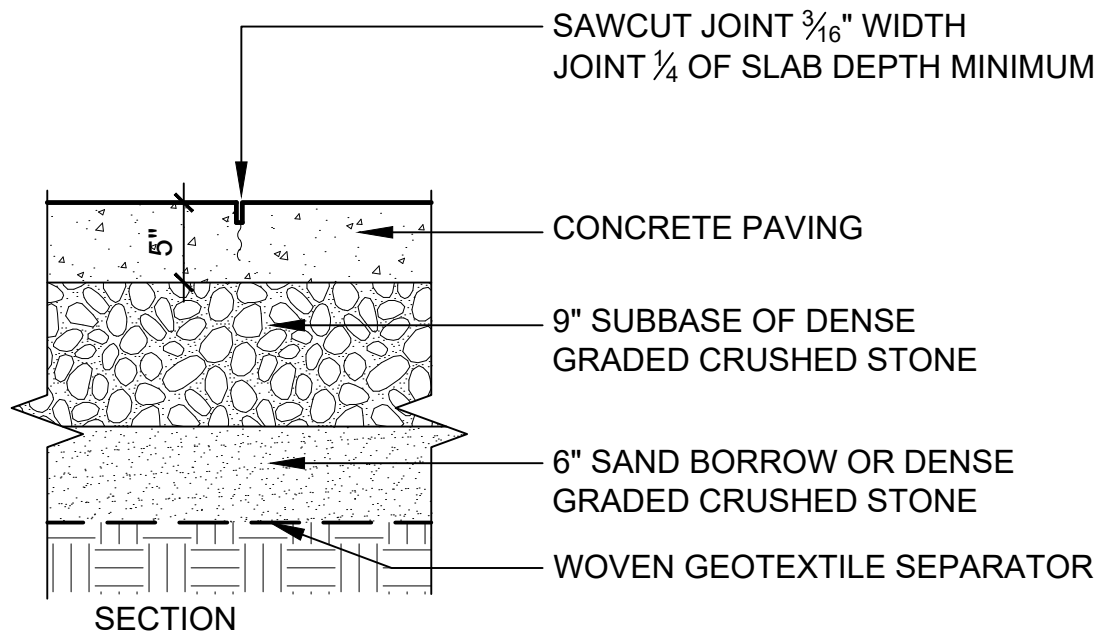
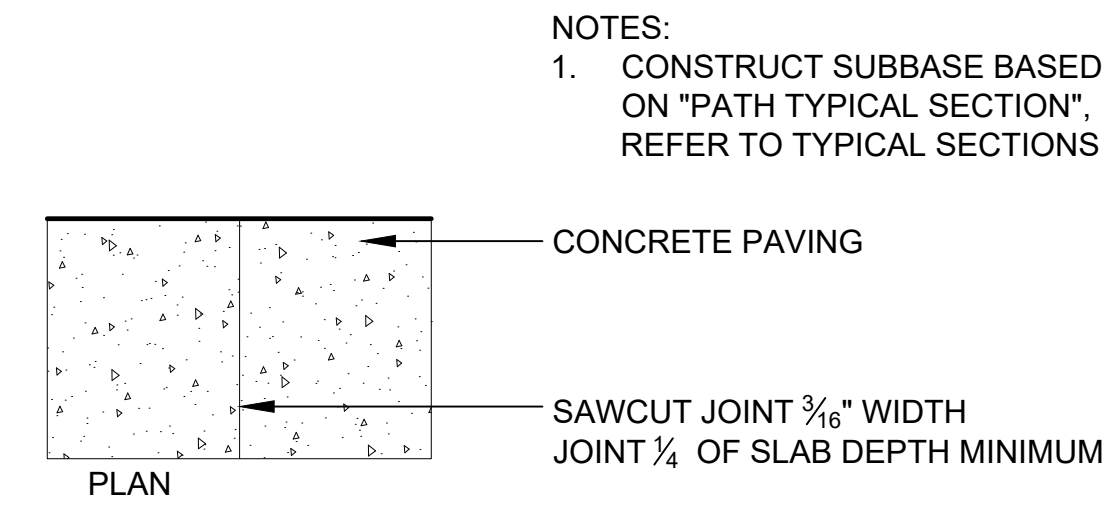
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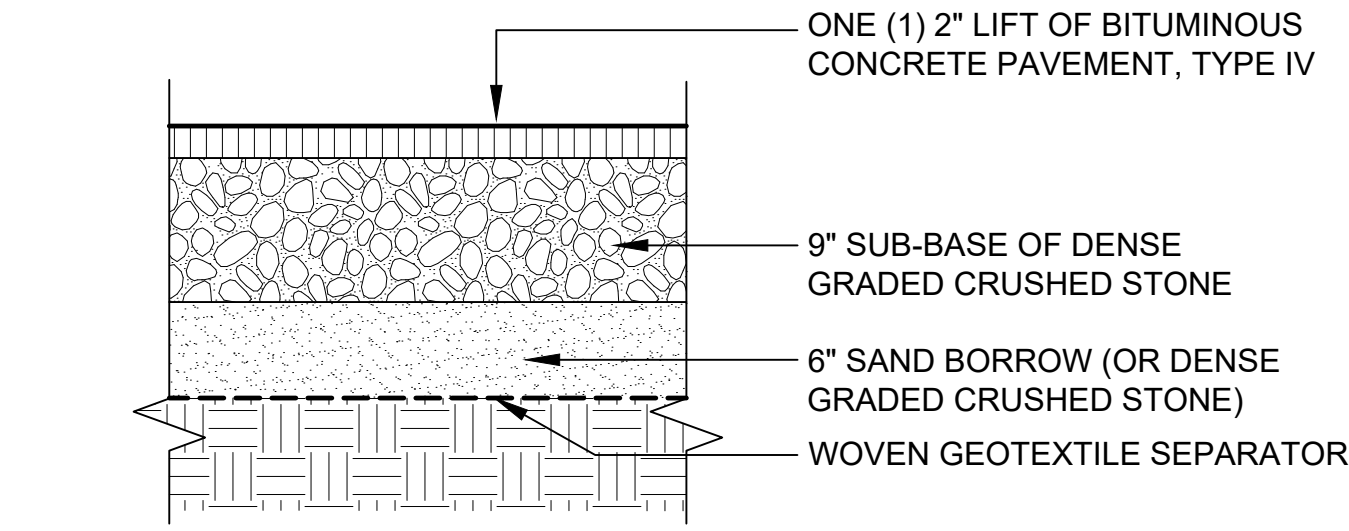
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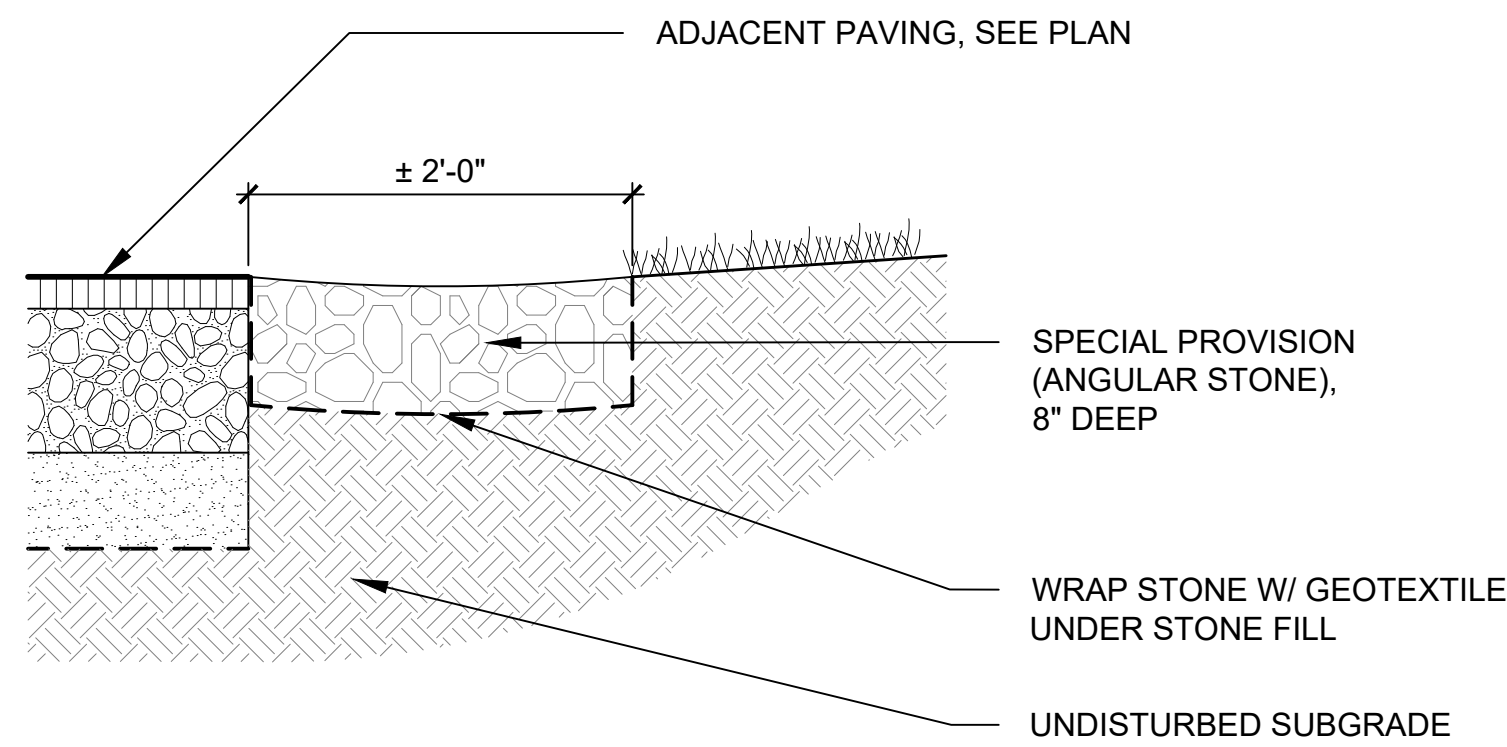
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Project Number	58049.00



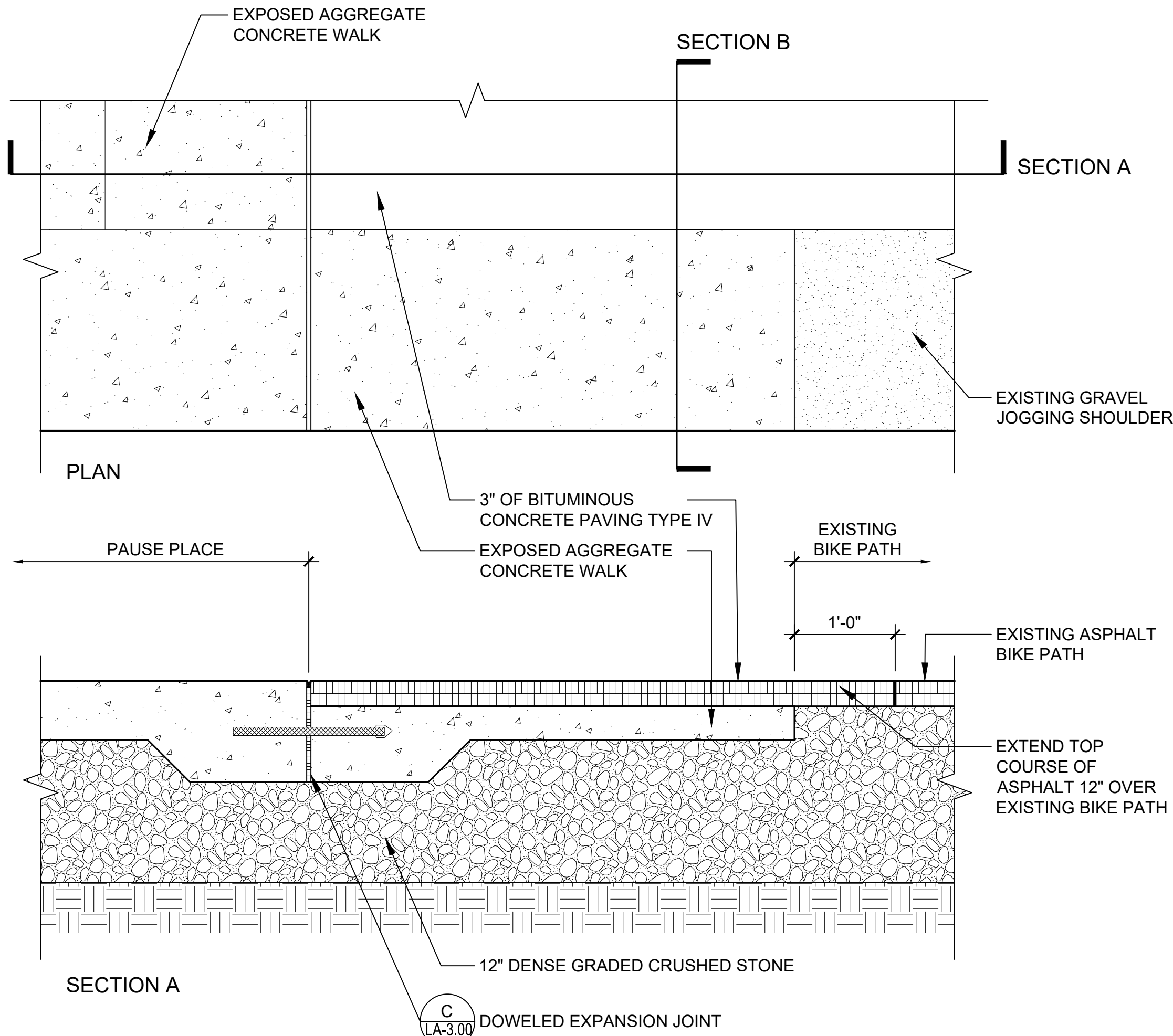
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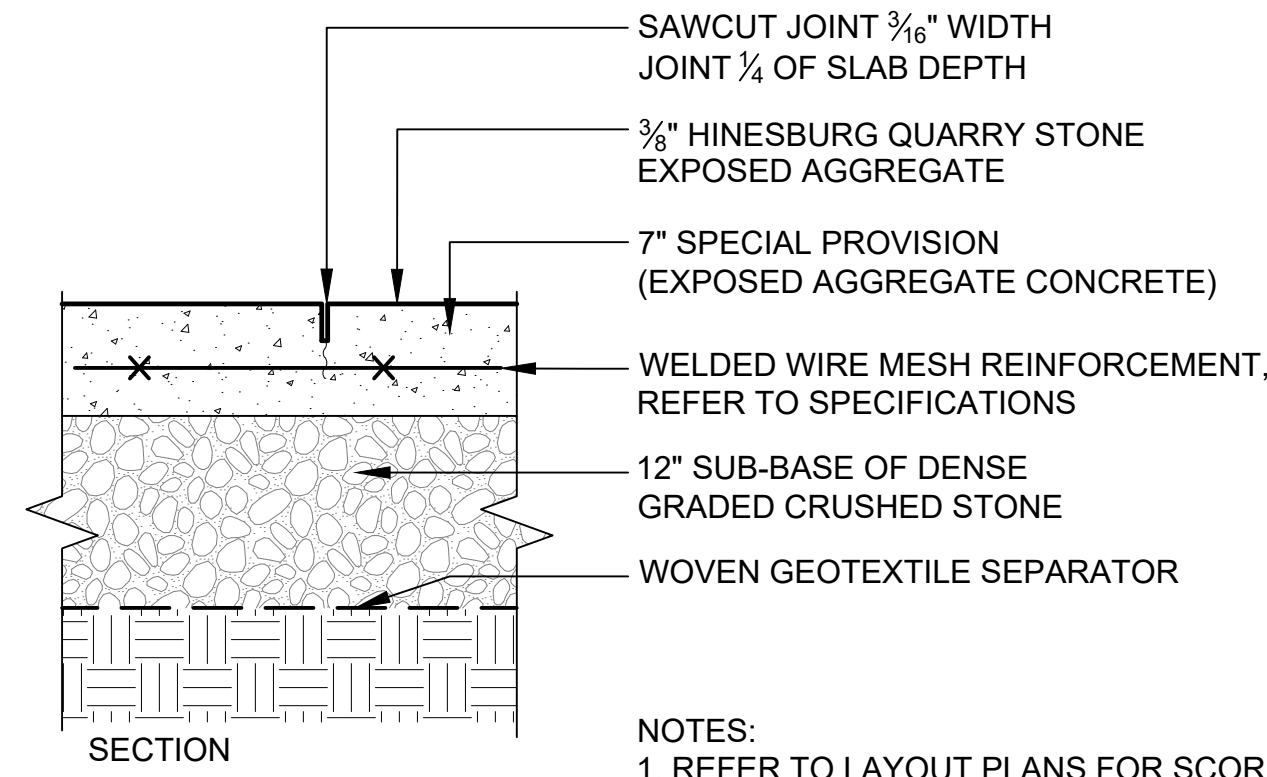
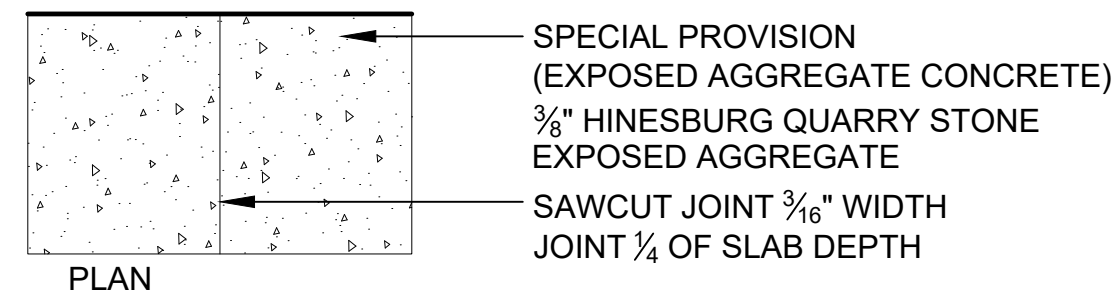
D ASPHALT PAVING
SCALE 1" = 1'-0"



E STONE SHOULDER
N.T.S.

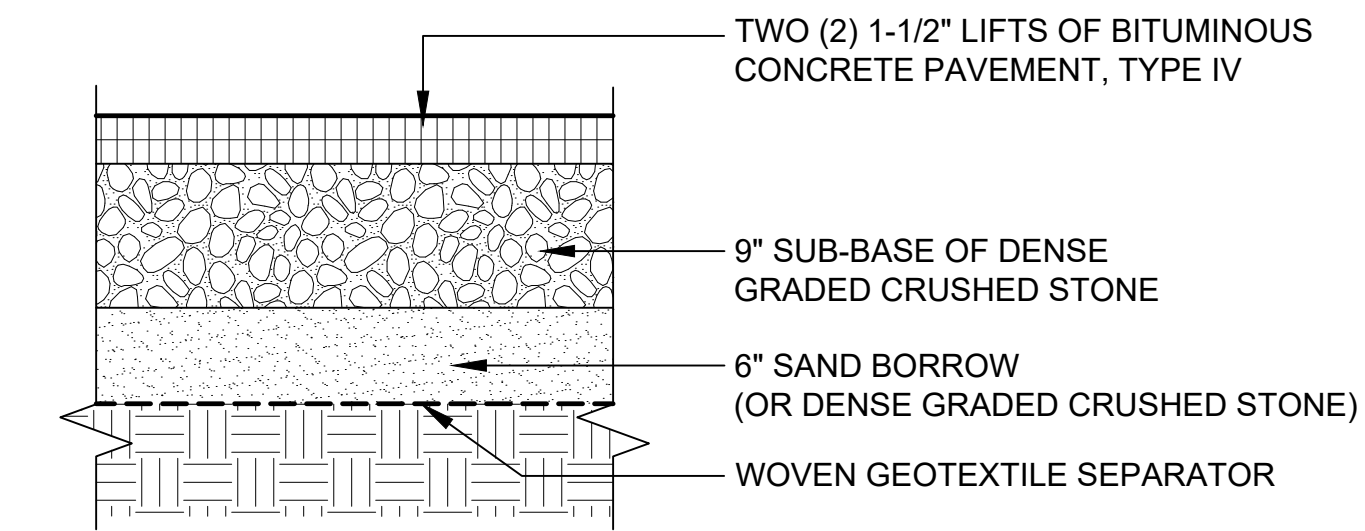


F BIKE PATH TRANSITION
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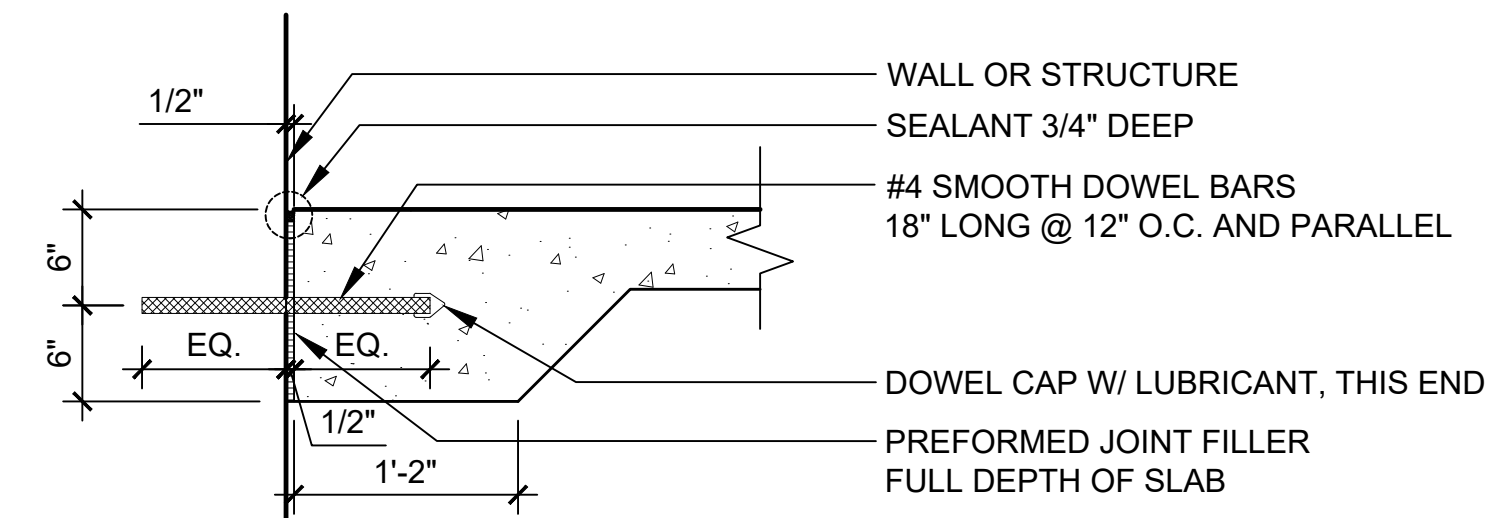


NOTES:
1. REFER TO LAYOUT PLANS FOR SCORING PATTERNS
2. APPLY A CONCRETE SEALER TO ALL EXPOSED
AGGREGATE WALK SURFACES, INCIDENTAL TO SPECIAL PROVISION
(EXPOSED AGGREGATE CONCRETE)
3. SAWCUT JOINTS IN EXPOSED AGGREGATE CONCRETE SHALL BE
INCIDENTAL TO SPECIAL PROVISION (EXPOSED AGGREGATE CONCRETE)

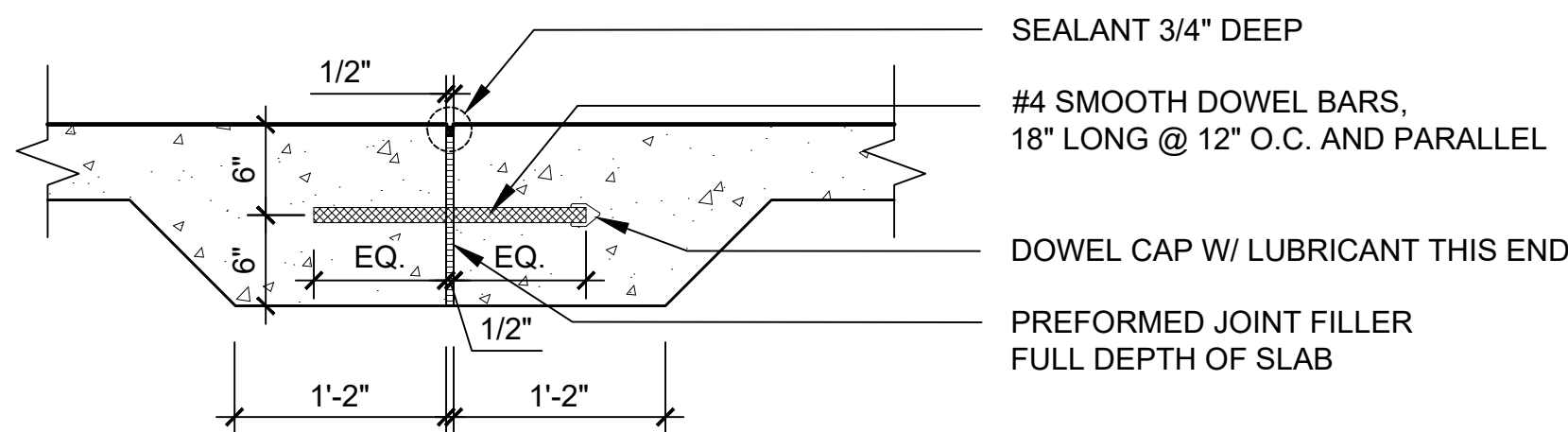
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B ASPHALT PAVING - BIKE PATH
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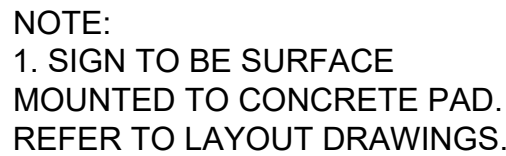
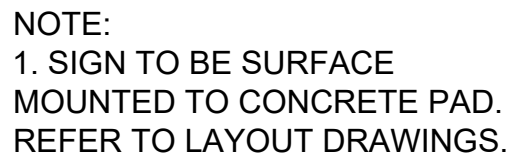


ISOLATION JOINT @ STRUCTURES



DOWELED EXPANSION JOINT

C JOINTS - CONCRETE PAVEMENT
SCALE 1" = 1'-0"


$$\frac{3}{4}'' = 1'-0''$$

$$\frac{3}{4}'' = 1'-0''$$

Burlington, Vermont

Designed by	Checked by
LET/MKW	MKW

Bid Set

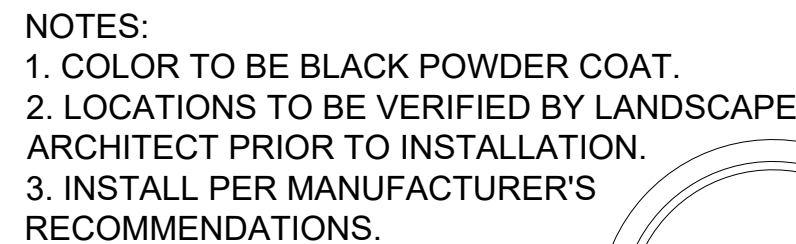
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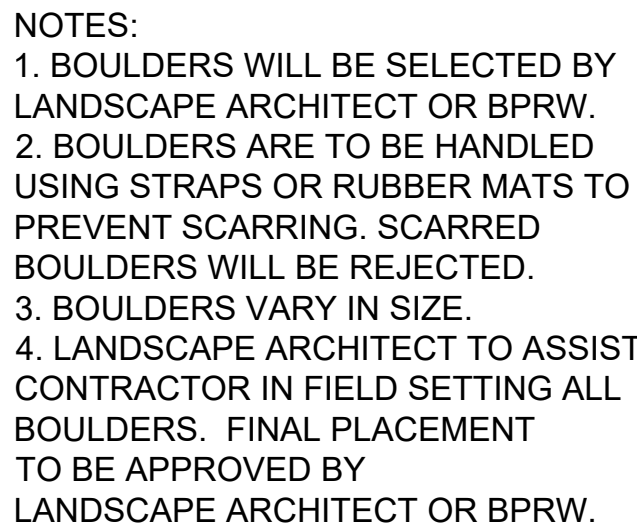
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Drawing Number

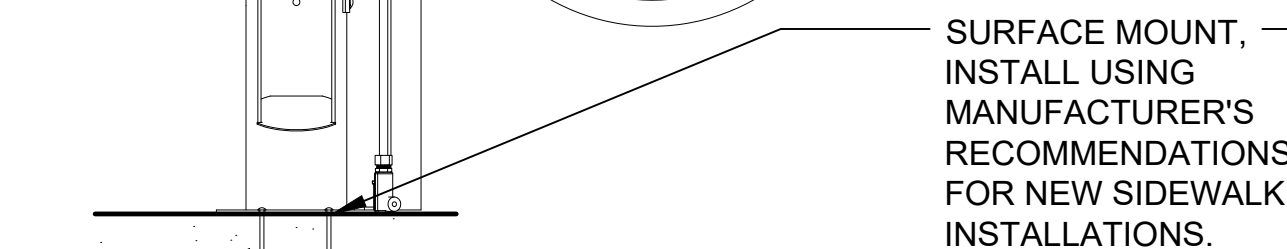
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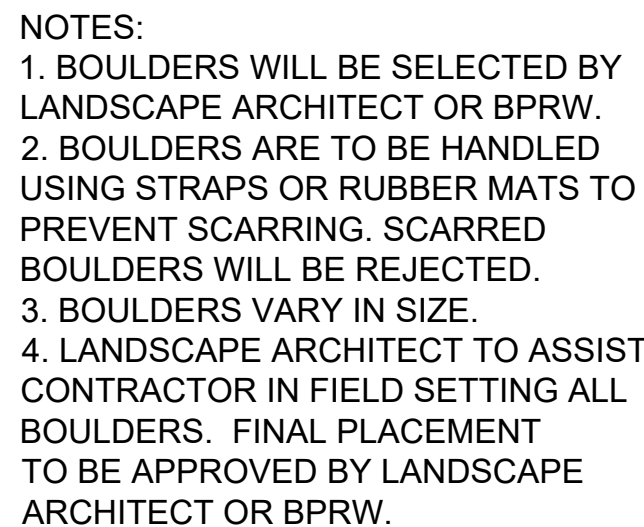
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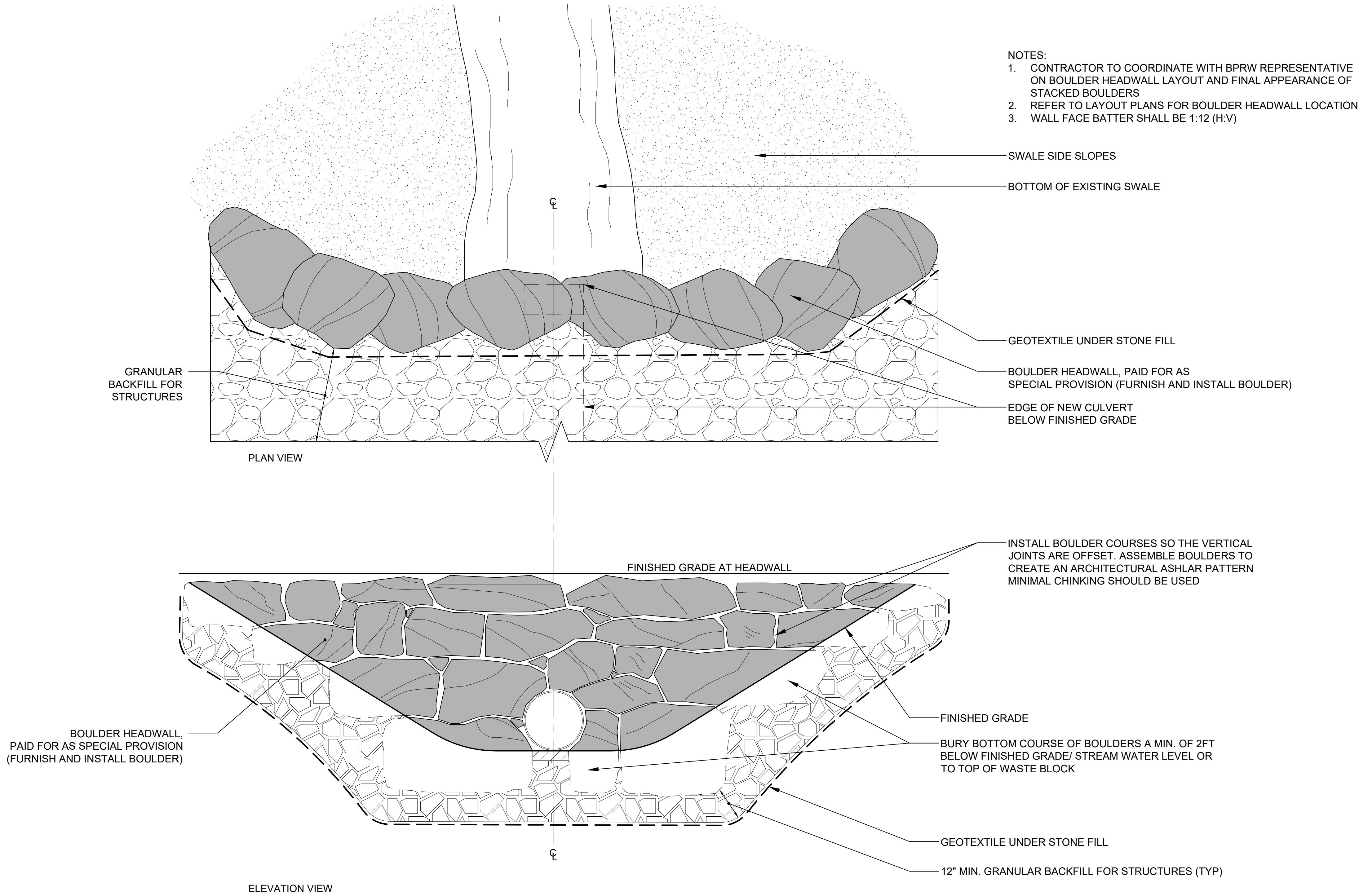


SCALE 1" = 1'



D

Landscape Details



**Burlington Greenway
Rehabilitation
Liddy Pause Place**
Burlington, Vermont

No.	Revision	Date	Appvd.

Designed by	LET/MKW	Checked by	MKW
Issued for		Date	January 13, 2023

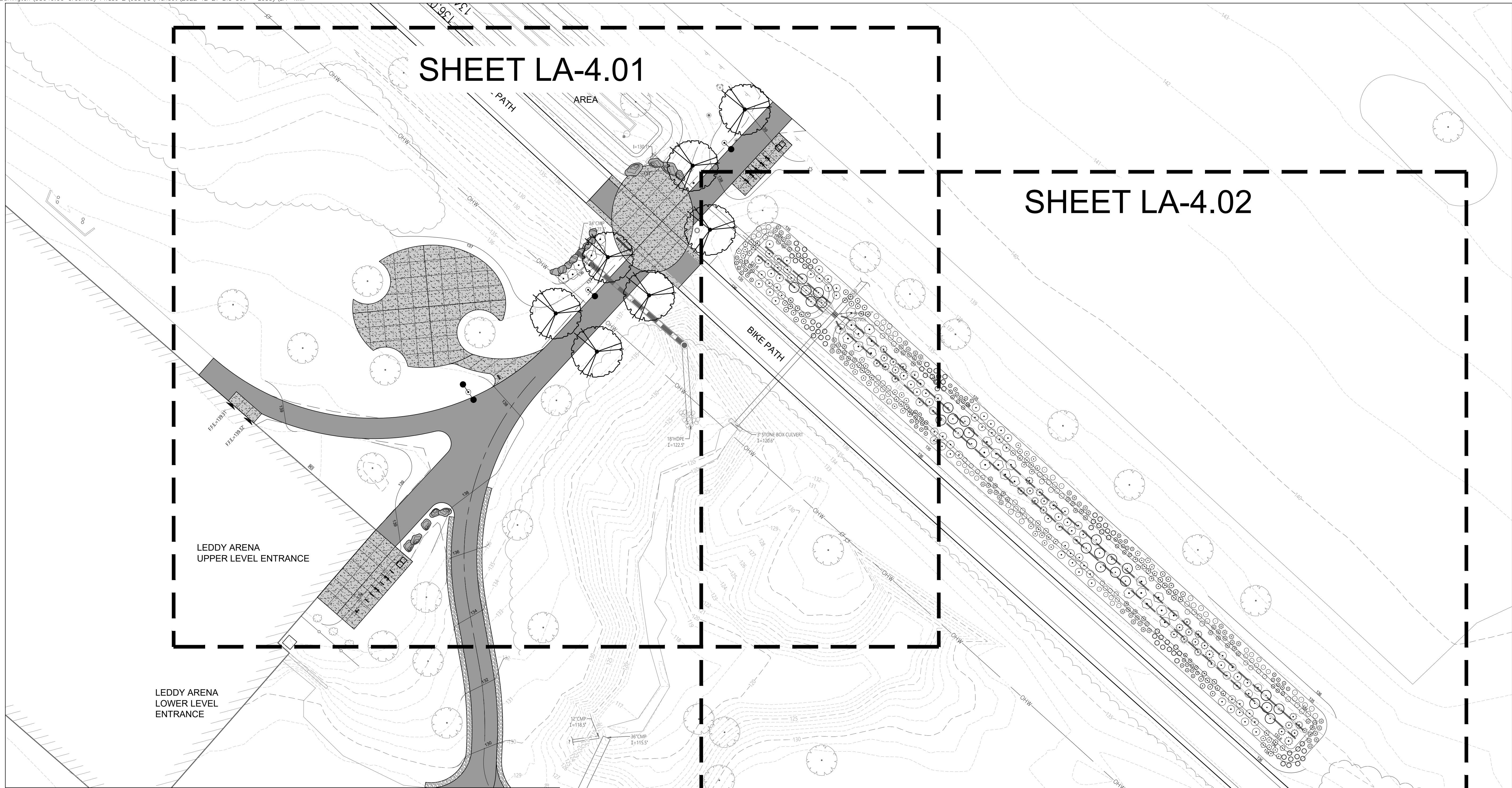
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Landscape Details

Drawing Number

LA-3.03



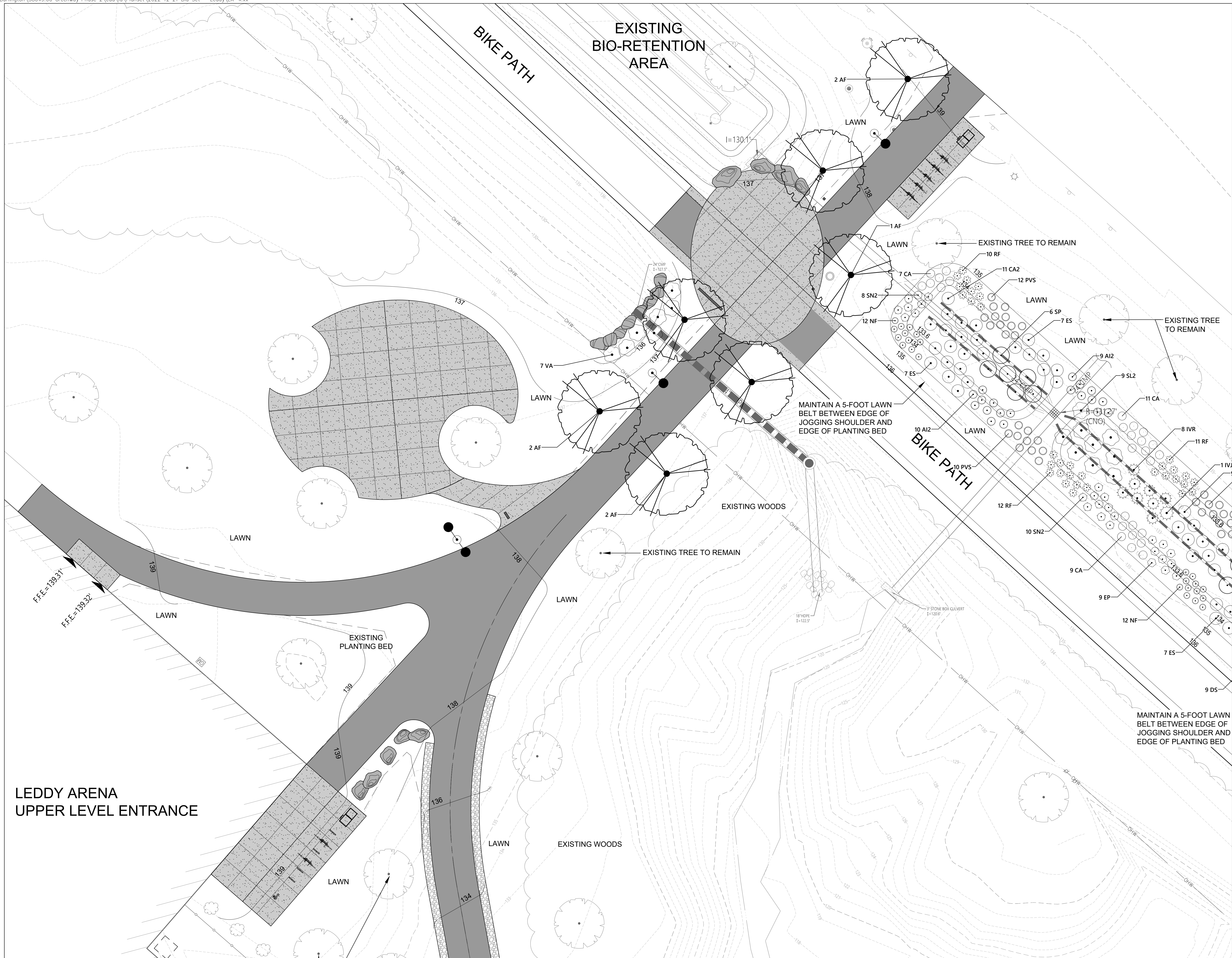
**Burlington Greenway
Rehabilitation
Leddy Pause Place
Burlington, Vermont**

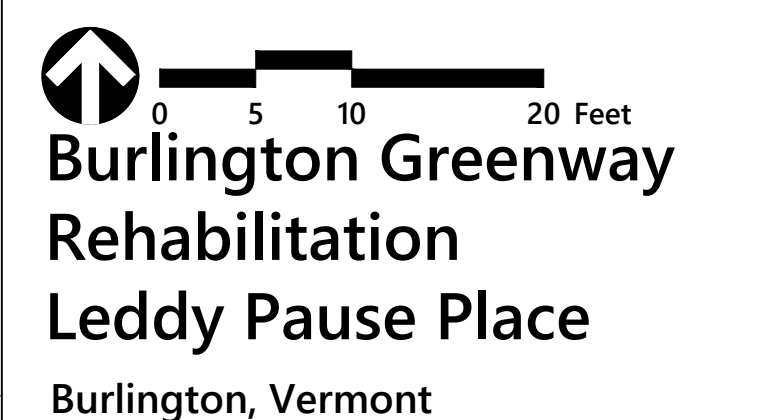
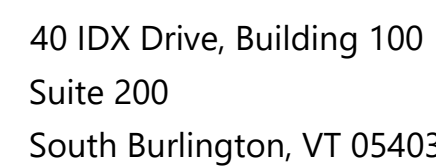
<u>DECIDUOUS TREES</u>		<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
AF	7		Acer x freemanii 'Sienna'	Sienna Glen Maple	2 1/2' - 3" CAL.
<u>SHRUBS</u>		<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
CA2	39		Cornus stolonifera 'Arctic Fire'	Arctic Fire Dogwood	18 - 24" SPD
IVJ	4		Ilex verticillata 'Jim Dandy'	Jim Dandy Winterberry	18 - 24" SPD
IVR	39		Ilex verticillata 'Red Sprite'	Red Sprite Winterberry	18 - 24" SPD
SP	26		Salix discolor	Pussy Willow	24 - 30" SPD
SL2	25		Spiraea latifolia	Meadow-Sweet	18 - 24" SPD
VA	7		Viburnum trilobum	American Cranberrybush	18 - 24" SPD
<u>ORNAMENTAL GRASSES</u>		<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
CA	31		Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	2 GAL.
DS	31		Deschampsia cespitosa 'Schottland'	Schottland Hair Grass	2 GAL.
PVS	66		Panicum virgatum 'Shenandoah'	Shenandoah Switch Grass	2 GAL.
<u>PERENNIALS</u>		<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
AI2	39		Asclepias incarnata	Swamp Milkweed	1 GAL., 24" o.c.
NP	30		Echinacea purpurea	Coneflower	1 GAL, 18" o.c.
ES	49		Eupatorium purpureum	Joe Pye Weed	1 GAL, 30" o.c.
EF	67		Nepeta x faassenii	Catmint	1 GAL, 24" o.c.
RF	89		Rudbeckia fulgida 'Goldsturm'	Goldsturm Black-eyed Susan	1 GAL.
SN2	38		Salvia x superba 'May Night'	May Night Meadow Sage	1 GAL.

Notes:

1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES FOUND IN THE PLANTING PLANS. IF ANY DISCREPANCIES ARE FOUND, LANDSCAPE ARCHITECT SHOULD BE NOTIFIED IMMEDIATELY.
2. FINAL LAYOUT AND PLACEMENT OF ALL PLANT MATERIAL TO BE APPROVED BY THE LANDSCAPE ARCHITECT.
3. CONTRACTOR IS RESPONSIBLE TO SEED ALL DISTURBED AREAS ACCORDING TO THE SPECIFICATIONS AND LAWN DETAILS.
4. REFER TO PLANT MATERIAL INSTALLATION DETAILS AND SPECIFICATIONS.
5. IF THE LANDSCAPE CONTRACTOR PROPOSES A SUBSTITUTE PLANT SPECIES, ALL SUBSTITUTES NEED TO BE APPROVED BY THE LANDSCAPE ARCHITECT OR BPRW IN WRITING PRIOR TO ORDERING.
6. FOR SOIL BACKFILL IN THE BIO-RETENTION AREAS, REFER TO SPECIFICATIONS AND DETAILS.
7. ORNAMENTAL GRASSES SHALL BE PAID FOR UNDER ITEM 656.41 "PERENNIALS."

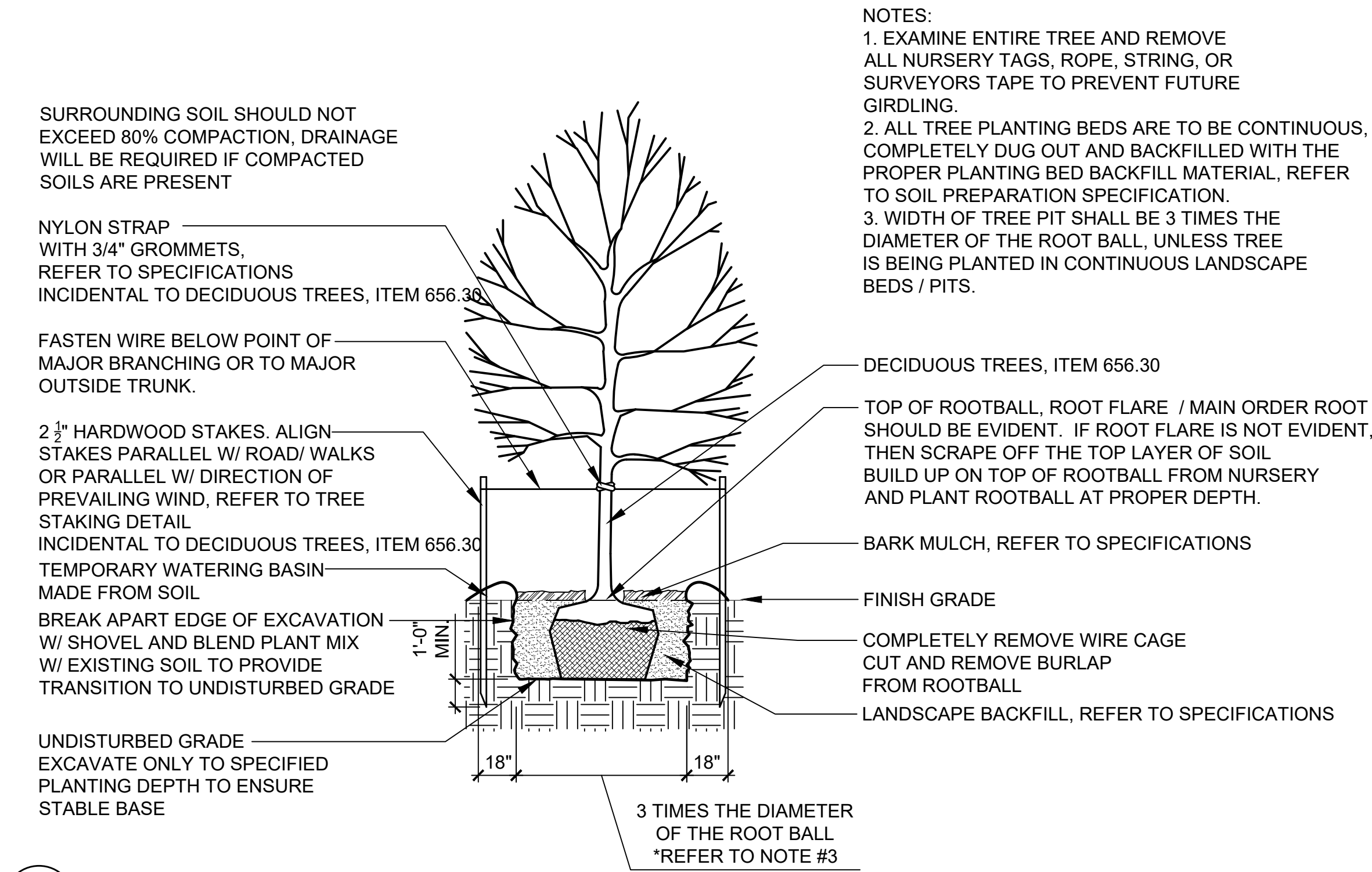
Planting Plan





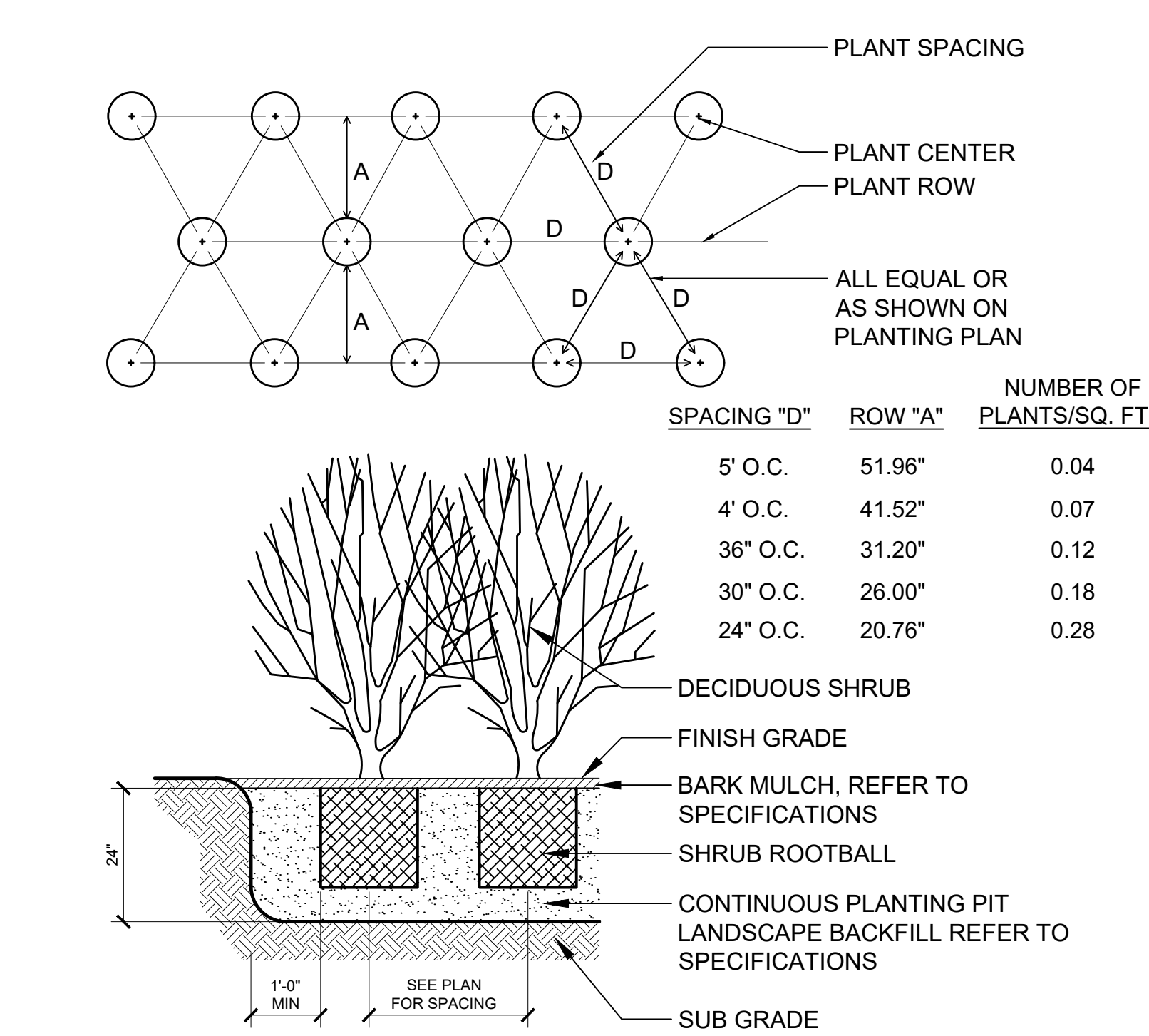
Planting Plan

LA-4.02



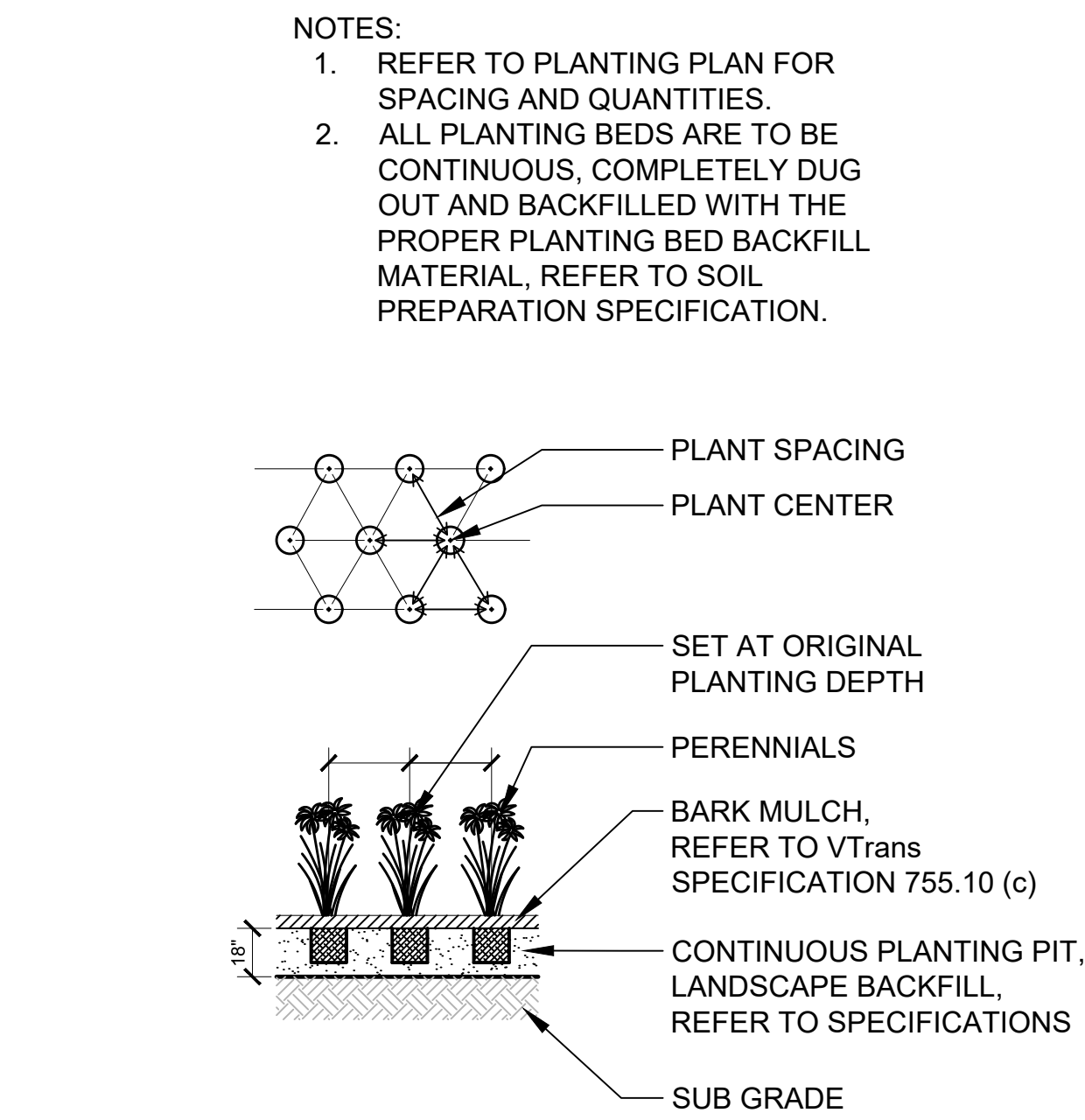
A TREE PLANTING

SCALE 1/4" = 1'-0"



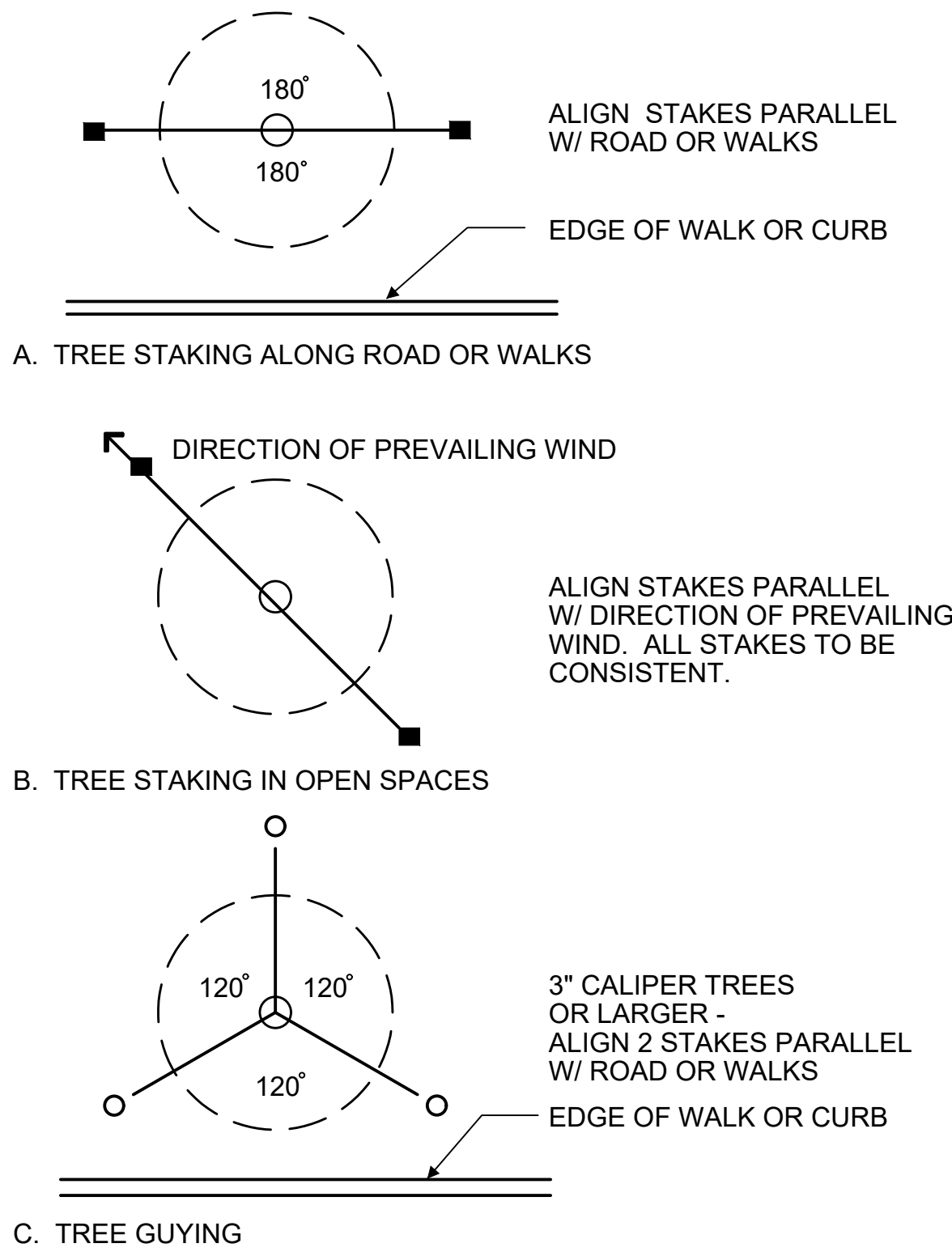
B SHRUB PLANTING

SCALE: 1/2" = 1'-0"



C PERENNIAL PLANTING

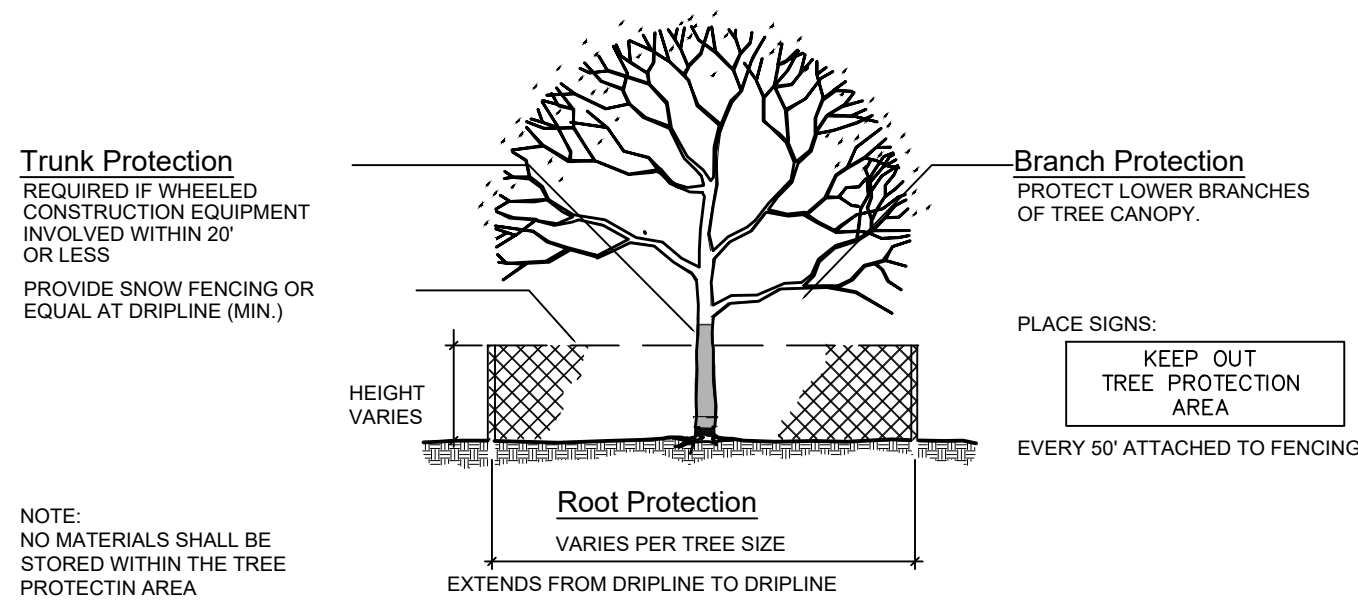
N.T.S.



D TREE STAKING LAYOUT

NO SCALE

p-stake.dwg



TREE PROTECTION NOTES

1. ALL TREES TO BE PROTECTED AND PRESERVED SHALL BE PER DETAIL. GROUPING OF MORE THAN ONE TREE MAY OCCUR.
2. TREES TO BE PROTECTED AND PRESERVED SHALL BE IDENTIFIED ON THE TRUNK WITH WHITE SURVEY TAPE.
3. TO PREVENT TREE ROOT SMOTHERING, SOIL STOCKPILES, SUPPLIES, EQUIPMENT OR ANY OTHER MATERIAL SHALL NOT BE PLACED OR STORED WITHIN A TREE DRIPLINE OR WITHIN 15 FEET OF A TREE TRUNK, WHICHEVER IS GREATER.
4. TREE ROOTS SHALL NOT BE CUT UNLESS CUTTING IS UNAVOIDABLE.
5. TRENCHES SHALL BE HAND DUG WITHIN THE DRIPLINE IN AREAS WHERE ROOTS TWO INCHES IN DIAMETER AND GREATER ARE PRESENT, OR WHEN IN CLOSE PROXIMITY TO LOW BRANCHING TREES. WHENEVER POSSIBLE, ROOTS TWO INCHES OR GREATER IN DIAMETER SHALL BE TUNNELED OR BORED UNDER AND SHALL BE COVERED TO PREVENT DEHYDRATION.
6. WHEN ROOT CUTTING IS UNAVOIDABLE, A CLEAN SHARP CUT SHALL BE MADE TO AVOID SHREDDING OR SMASHING. ROOT CUTS SHOULD BE MADE BACK TO A LATERAL ROOT. WHENEVER POSSIBLE, TREE ROOTS SHOULD BE CUT BETWEEN LATE FALL AND BUD OPENING. WHEN ROOT ENERGY SUPPLIES ARE HIGH AND CONDITIONS ARE LEAST FAVORABLE FOR DISEASE CAUSING AGENTS. EXPOSED ROOTS SHALL BE COVERED IMMEDIATELY TO PREVENT DEHYDRATION. ROOTS SHALL BE COVERED WITH SOIL OR BURLAP AND KEPT MOIST.
7. WATERING OF PROTECTED TREES IN WHICH ROOTS WERE CUT SHALL BE PROVIDED BY THE CONTRACTOR.
8. AUGER TUNNELING RATHER THAN TRENCHING SHOULD BE USED FOR UTILITY PLACEMENT WITHIN DRIPLINE OR TREE.
9. FENCING MATERIAL SHALL ENCIRCLE ANY TREE WHOSE OUTER DRIPLINE EDGE IS WITHIN 20 FEET OF ANY CONSTRUCTION ACTIVITIES.
10. FENCING MATERIAL SHALL BE BRIGHT, CONTRASTING COLOR, DURABLE, AND A MINIMUM OF FOUR FEET IN HEIGHT.
11. FENCING MATERIAL SHALL BE SET AT THE DRIPLINE OR 15 FEET FROM TREE TRUNK, WHICHEVER IS GREATER, AND MAINTAINED IN AN UPRIGHT POSITION THROUGHOUT THE DURATION OF CONSTRUCTION ACTIVITIES.
12. ANY GRADE CHANGES (SUCH AS THE REMOVAL OF TOPSOIL OR ADDITION OF FILL MATERIAL) WITHIN THE DRIPLINE SHOULD BE AVOIDED FOR EXISTING TREES TO REMAIN. RETAINING WALLS AND TREE WELLS ARE ACCEPTABLE ONLY WHEN CONSTRUCTED PRIOR TO GRADE CHANGE.

E TREE PROTECTION

SCALE: NTS

p-tree-pro.dwg

**Burlington Greenway
Rehabilitation
Leddy Pause Place
Burlington, Vermont**

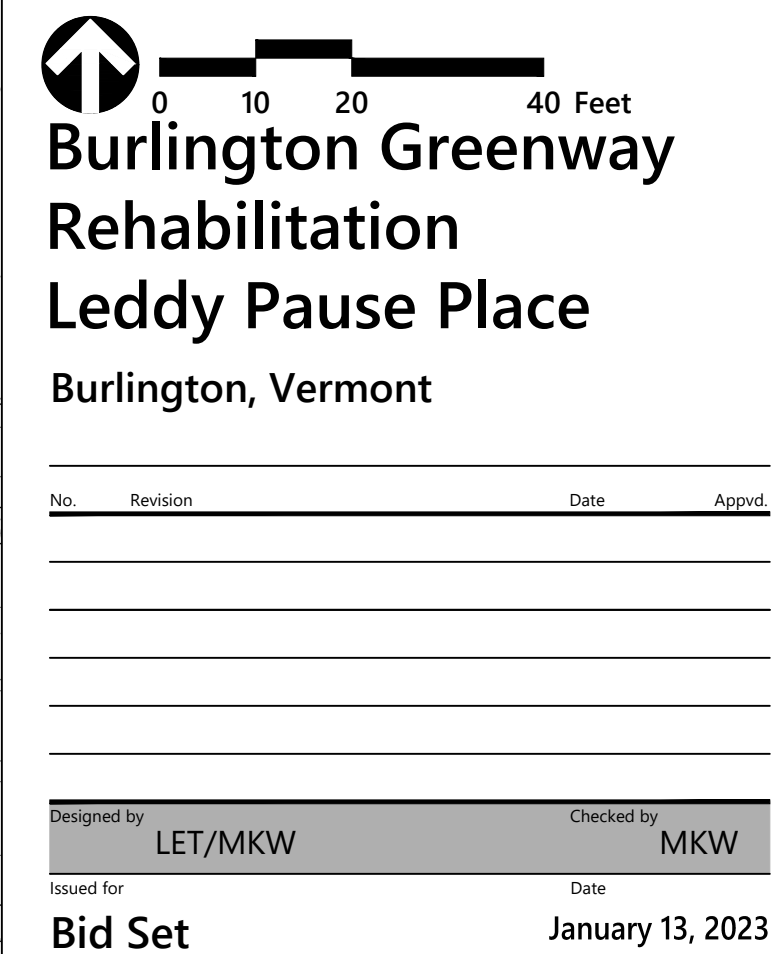
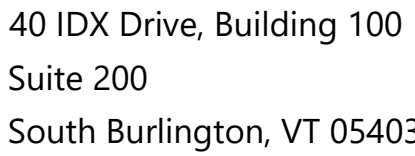
No.	Revision	Date	Apprd.
Designed by		Checked by	
Issued for		Date	
Bid Set		January 13, 2023	

Drawing Title

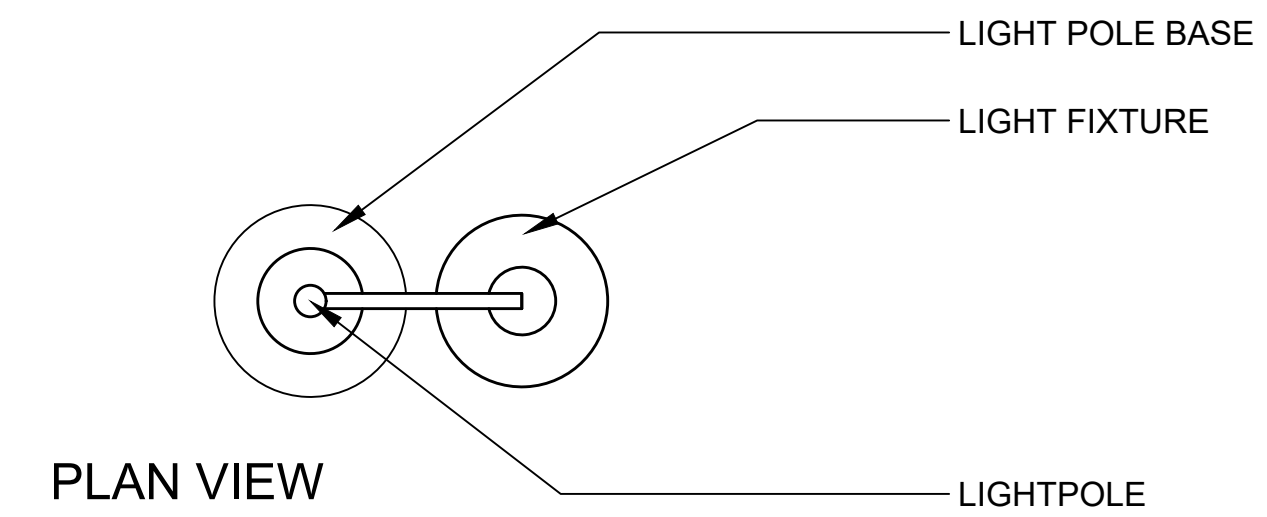
Planting Details

Drawing Number

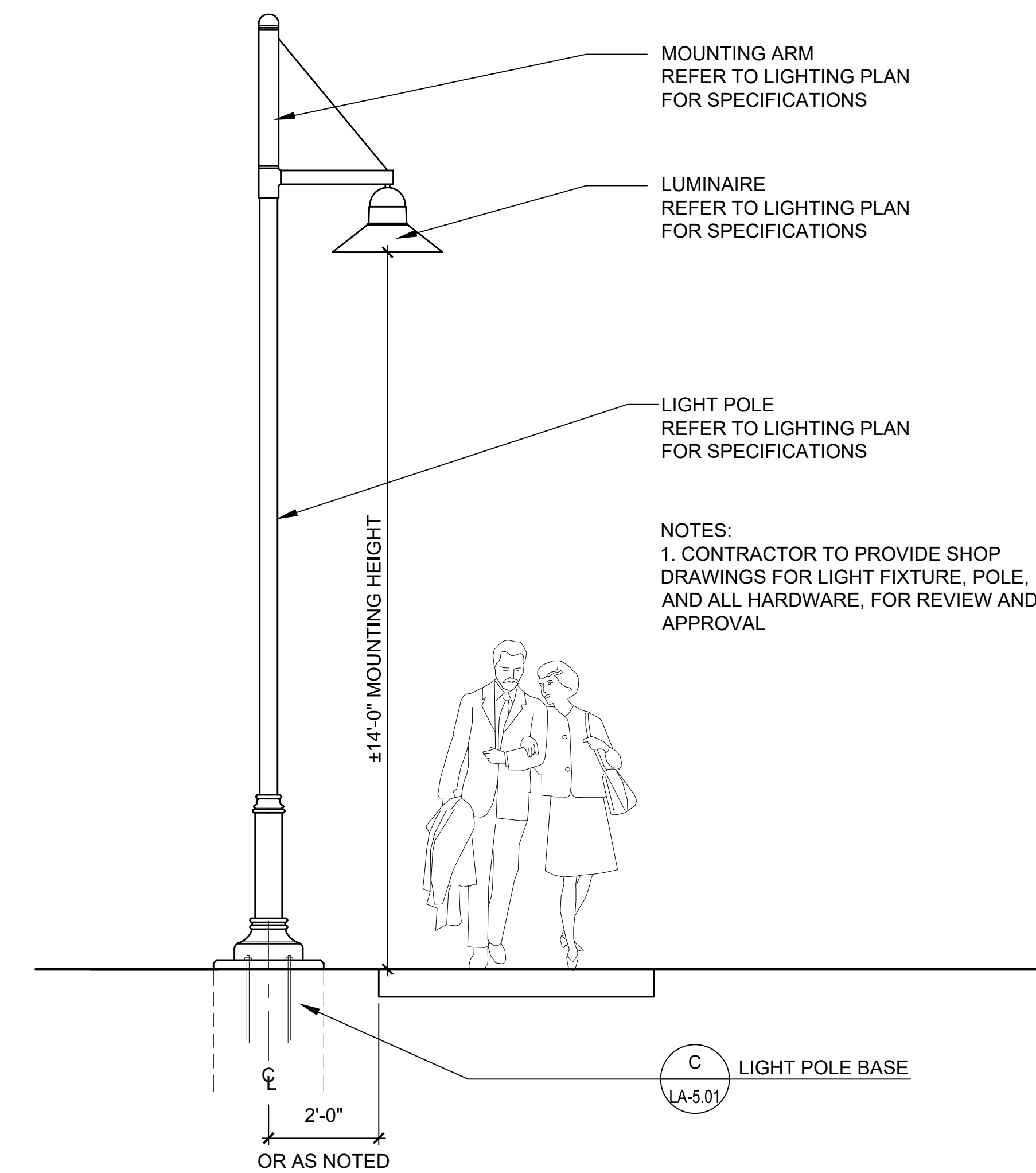
LA-4.03



Fixture A Manufacturer: Architectural Area Lighting Fixture: UCM2 - Universe Medium 2.0 Configuration: Single Hood: Straight, No Luminous Element Optics: Type III Lamp: 36 Watt LED - 4,000K 450ma Microcore Equiv. Lens: Flat, Clear Options: GFI w/ waterproof cover Pole: DB6-4R15'-2" (16' cut to size at factory, wall thickness TBD based on EPA) Mounting Arm: SLA17 Pole Color: BLS-Black Gloss Smooth	Fixture B Manufacturer: Architectural Area Lighting Fixture: UCM2 - Universe Medium 2.0 Configuration: 2@180 degrees Hood: Straight, No Luminous Element Optics: Type III Lamp: 36 Watt LED - 4,000K 450ma Microcore Equiv. Lens: Flat, Clear Options: GFI w/ waterproof cover Pole: DB6-4R15'-2" (16' cut to size at factory, wall thickness TBD based on EPA) Mounting Arm: SLA17-2 Pole Color: BLS-Black Gloss Smooth
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- NOTES:
1. CONTRACTOR TO PROVIDE SHOP
DRAWINGS FOR LIGHT FIXTURE, POLE,
AND ALL HARDWARE, FOR REVIEW AND
APPROVAL



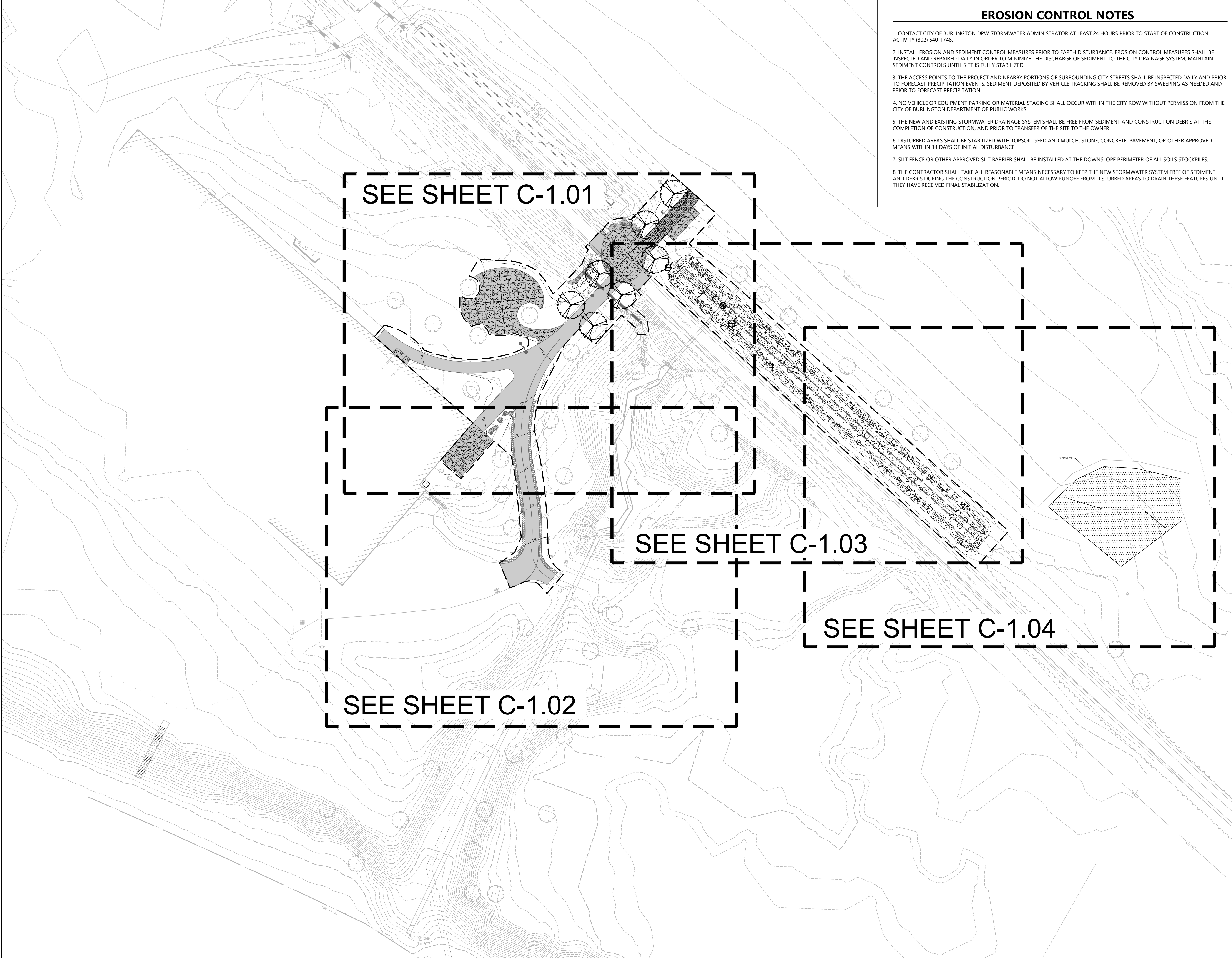
A LIGHT FIXTURE - (Fixture A)
SCALE 1/2" = 1'-0"

[illegible]

Drawing Number

LA-5.01

Project Number
58049.00



EROSION CONTROL NOTES

1. CONTACT CITY OF BURLINGTON DPW STORMWATER ADMINISTRATOR AT LEAST 24 HOURS PRIOR TO START OF CONSTRUCTION ACTIVITY (802) 540-1748.
2. INSTALL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO EARTH DISTURBANCE. EROSION CONTROL MEASURES SHALL BE INSPECTED AND REPAIRED DAILY IN ORDER TO MINIMIZE THE DISCHARGE OF SEDIMENT TO THE CITY DRAINAGE SYSTEM. MAINTAIN SEDIMENT CONTROLS UNTIL SITE IS FULLY STABILIZED.
3. THE ACCESS POINTS TO THE PROJECT AND NEARBY PORTIONS OF SURROUNDING CITY STREETS SHALL BE INSPECTED DAILY AND PRIOR TO FORECAST PRECIPITATION EVENTS. SEDIMENT DEPOSITED BY VEHICLE TRACKING SHALL BE REMOVED BY SWEEPING AS NEEDED UNTIL PRIOR TO FORECAST PRECIPITATION.
4. NO VEHICLE OR EQUIPMENT PARKING OR MATERIAL STAGING SHALL OCCUR WITHIN THE CITY ROW WITHOUT PERMISSION FROM THE CITY OF BURLINGTON DEPARTMENT OF PUBLIC WORKS.
5. THE NEW AND EXISTING STORMWATER DRAINAGE SYSTEM SHALL BE FREE FROM SEDIMENT AND CONSTRUCTION DEBRIS AT THE COMPLETION OF CONSTRUCTION, AND PRIOR TO TRANSFER OF THE SITE TO THE OWNER.
6. DISTURBED AREAS SHALL BE STABILIZED WITH TOPSOIL, SEED AND MULCH, STONE, CONCRETE, PAVEMENT, OR OTHER APPROVED MEANS WITHIN 14 DAYS OF INITIAL DISTURBANCE.
7. SILT FENCE OR OTHER APPROVED SILT BARRIER SHALL BE INSTALLED AT THE DOWNSLOPE PERIMETER OF ALL SOILS STOCKPILES.
8. THE CONTRACTOR SHALL TAKE ALL REASONABLE MEANS NECESSARY TO KEEP THE NEW STORMWATER SYSTEM FREE OF SEDIMENT AND DEBRIS DURING THE CONSTRUCTION PERIOD. DO NOT ALLOW RUNOFF FROM DISTURBED AREAS TO DRAIN THESE FEATURES UNTIL THEY HAVE RECEIVED FINAL STABILIZATION.



40 IDX Drive, Building 100
Suite 200
South Burlington, VT 05403



**Burlington Greenway
Rehabilitation
Phase 2 Pause Places**
Burlington, Vermont

No.	Revision	Date	Apprd.

Designed by	TAS	Checked by	MKW
Issued for	Bid Set	Date	January 13, 2023

Drawing Title
**Overall Sheetting Plan -
Leddy Park**

Drawing Number

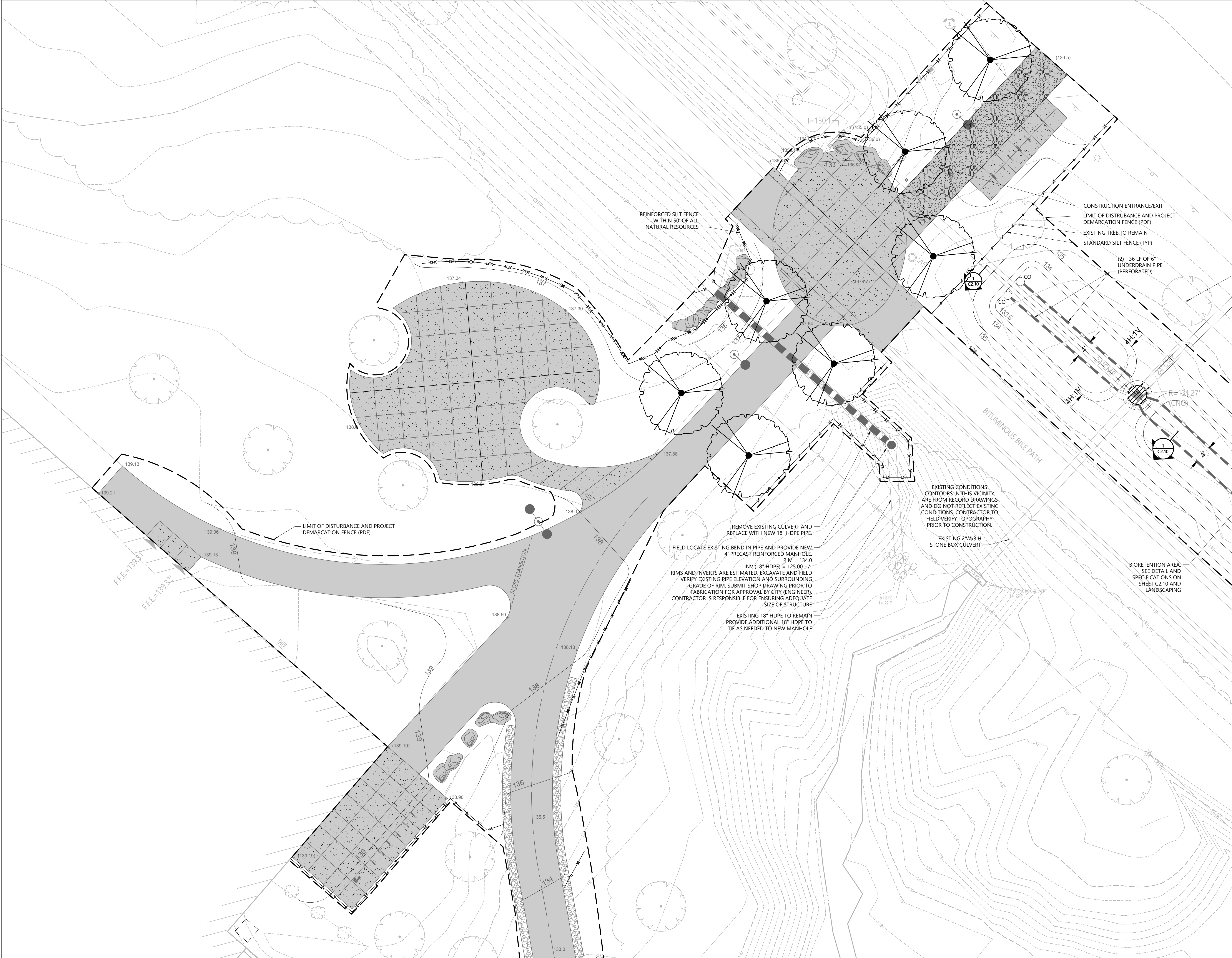
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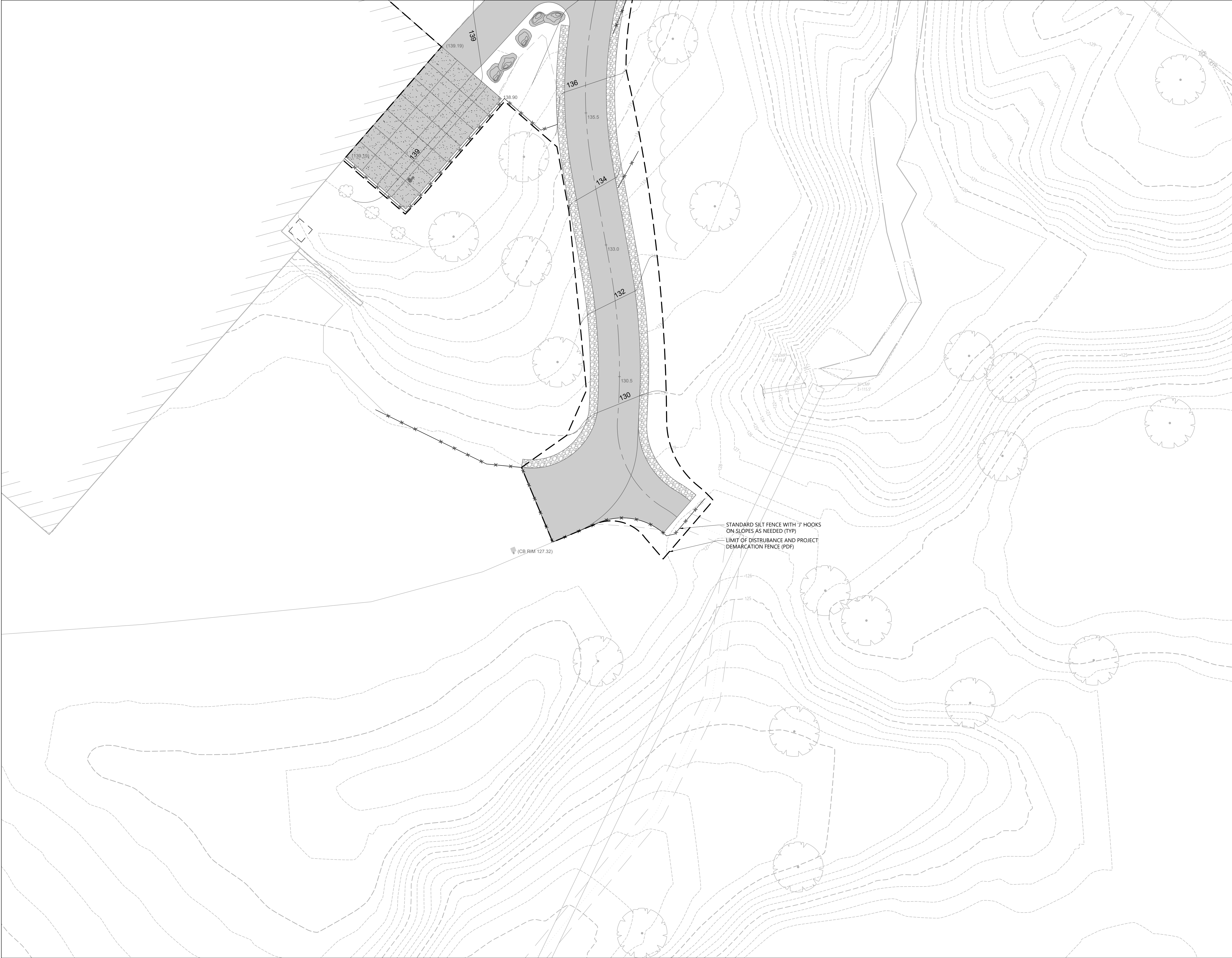
Sheet 1 of 7

Project Number
58049.00

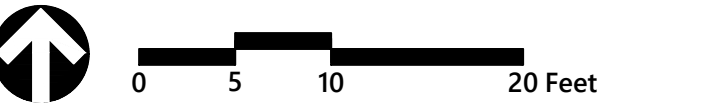


40 IDX Drive, Building 100
Suite 200
South Burlington, VT 05403





Saved Thursday, January 12, 2023 2:26:07 PM JDUBE Plotted Friday, January 13, 2023 4:13:53 PM Jeff Dube



**Burlington Greenway
Rehabilitation
Phase 2 Pause Places**
Burlington, Vermont

No.	Revision	Date	Appr'd.

Designed by	TAS	Checked by	MKW
Issued for	Bid Set	Date	January 13, 2023

Drawing Title

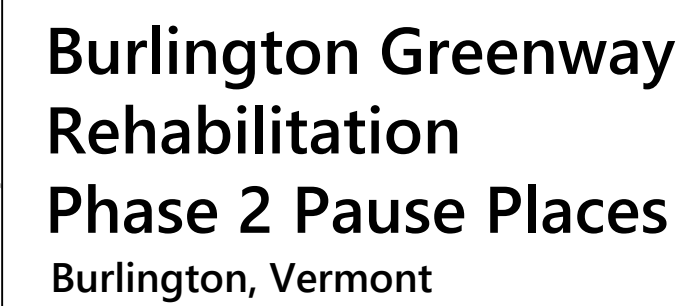
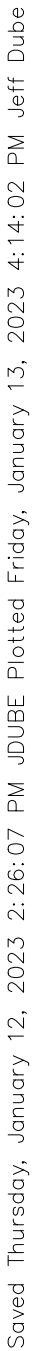
**EPSC & Stormwater
Management Plan -
Leddy Park**

Drawing Number

C-1.02

Sheet 3 of 7

Project Number
58049.00



EPSC & Stormwater Management Plan - Leddy Park

C-1.03

Project Number
58049.00

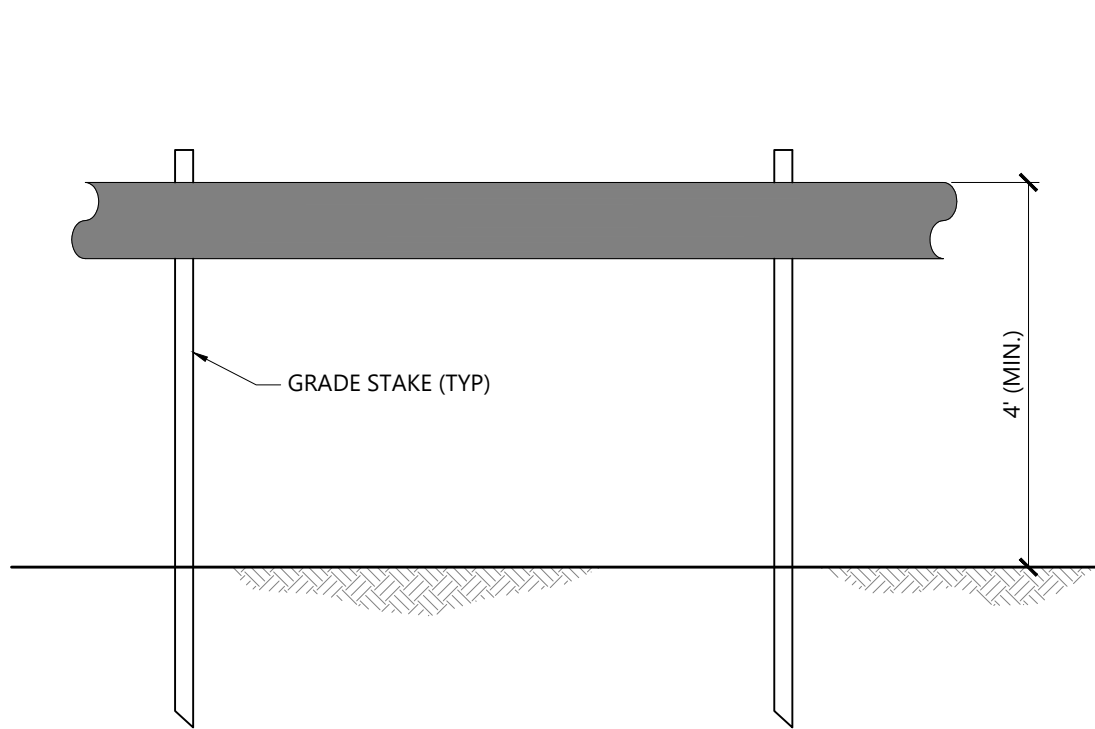


Drawing Title

EPSC & Stormwater Management Plan - Leddy Park

C-1.04

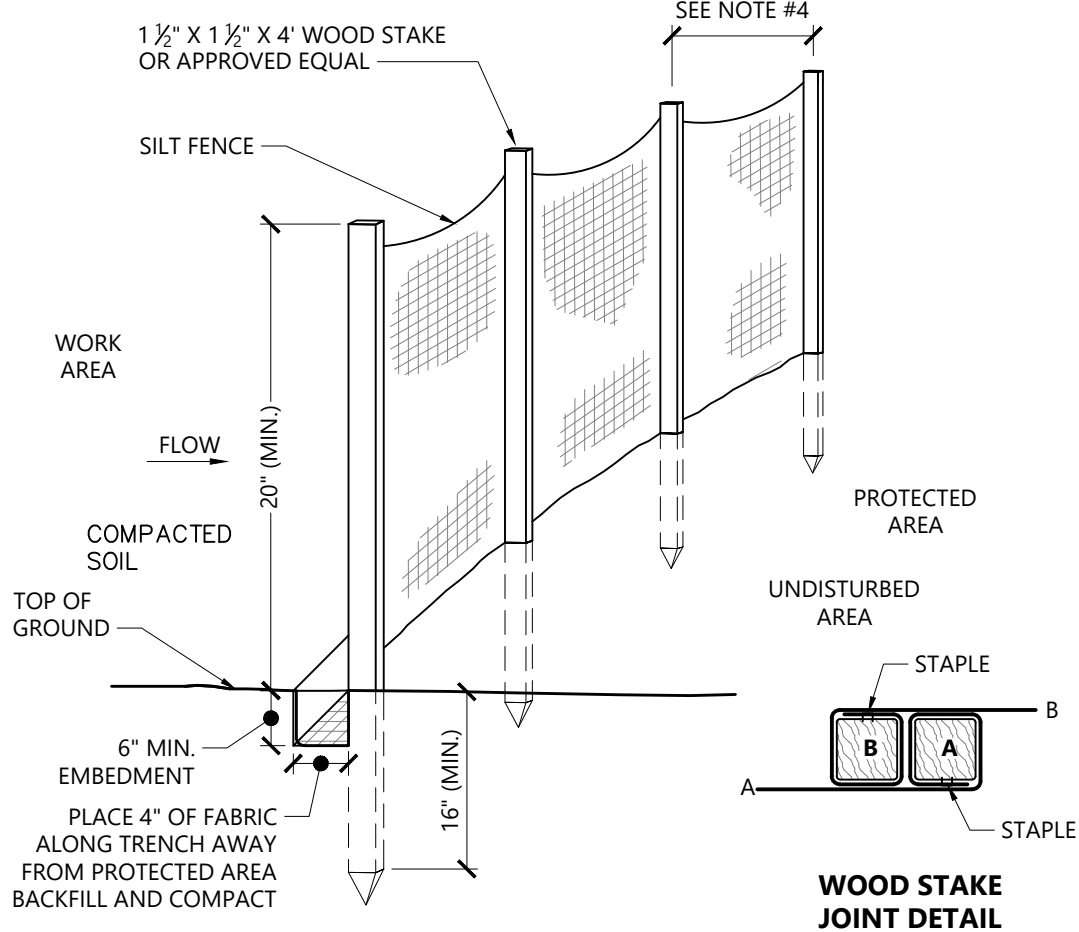
Project Number
58049.00



NOTES

1. BARRIER MESH TAPE OR ROPE SHALL BE INSTALLED ALONG THE PERIMETER OF THE PROJECT AREA TO DEMARCATÉ THE LIMIT OF DISTURBANCE. NO EARTHWORK OR STORAGE OF MATERIALS SHALL BE CONDUCTED BEYOND THIS LIMIT WITHOUT PRIOR APPROVAL FROM THE OSPC.
2. USE 3" ORANGE BARRIER MESH TAPE OR 1/2" YELLOW POLYPROPYLENE ROPE.
3. WITHIN 50' OF WATER RESOURCE AREAS, USE 2-3 ROWS OF TAPE OR ROPE. BEYOND 50' OF WATER RESOURCE AREAS USE 1 ROW OF TAPE OR ROPE.
4. TAPE OR ROPE MAY BE FASTENED TO STAKES, TREES, OR OTHER APPROPRIATE FIXED OBJECTS.
5. PROJECT DEMARCATION SHALL NOT CROSS ACTIVE ACCESS ROUTES (E.G. ROADS). PROJECT DEMARCATION MAY CROSS RESOURCES AREAS WITH EXCEPTION OF LARGER WATER BODIES WHERE IT IS NOT FEASIBLE OR ADVISABLE.
6. PROJECT DEMARCATION SHALL REMAIN IN PLACE AND BE MAINTAINED/REPLACED AS NEEDED UNTIL FINAL STABILIZATION IN THE AREA HAS BEEN ACHIEVED.

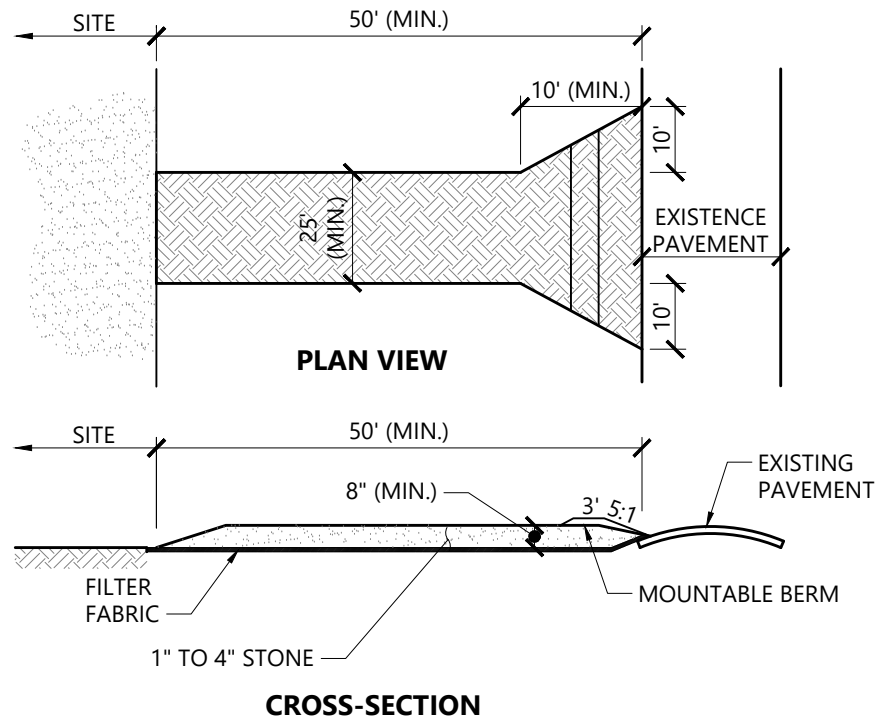
Project Demarcation Fence (Barrier Mesh Tape or Rope) 08/16
N.T.S. Source: VHB LD_VT



NOTES

1. WOVEN WIRE FENCE REINFORCEMENT IS REQUIRED WITHIN 50 FT UPSLOPE OF RECEIVING WATERS.
2. WHERE REQUIRED FENCE SHALL BE WOVEN WIRE, MIN. 14 GAUGE WITH A 6" MESH OPENING SHALL BE USED.
3. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N OR APPROVED EQUIVALENT.
4. POST SPACING FOR WIRE BACKED FENCE SHALL BE 10 FT. MAX. FOR FILTER CLOTH FENCE WHEN ELONGATION IS >50%, POST SPACING SHALL NOT EXCEED 4 FT. FOR FILTER CLOTH FENCE WHEN ELONGATION IS <50%, POST SPACING SHALL NOT EXCEED 6 FT.
5. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVER-LAPPED BY 6 INCHES AND FOLDED.
6. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE OR APPROVED EQUIVALENT.
7. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN SEDIMENT REACHES HALF OF FABRIC HEIGHT.
8. SILT FENCE SHALL NOT BE USED TO DEMARCATÉ LIMITS OF DISTURBANCE.

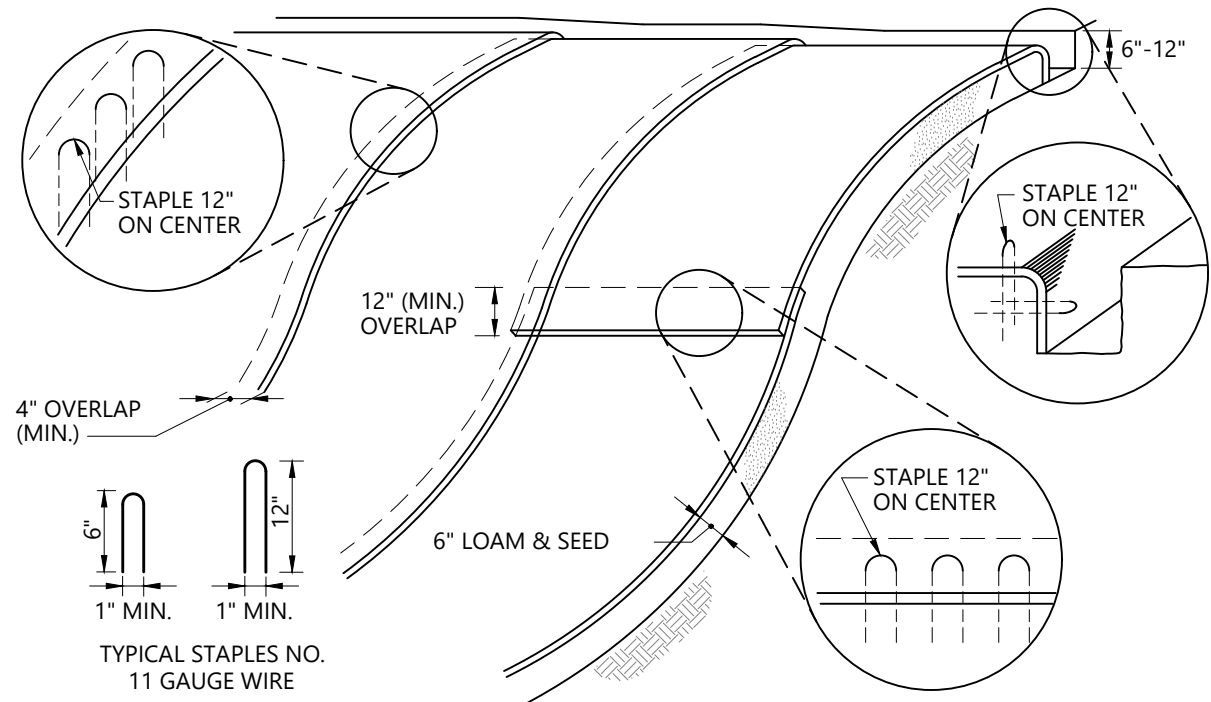
Silt Fence/ Reinforced Silt Fence Barrier 08/16
N.T.S. Source: VHB LD_650-VT



NOTES

1. AGGREGATE SIZE: USE A MATRIX OF 1 TO 4 INCH STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH: NOT LESS THAN 50 FEET (EXCEPT ON SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH APPLIES)
3. THICKNESS: NOT LESS THAN EIGHT (8) INCHES
4. WIDTH: TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT MINIMUM IF THERE IS ONLY ONE ACCESS TO THE SITE.
5. GEOTEXTILE MUST BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE
6. ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION EXITS SHALL BE PIPED BENEATH THE EXIT. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. THE EXIT SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED ACCORDING TO PERMIT REQUIREMENTS.

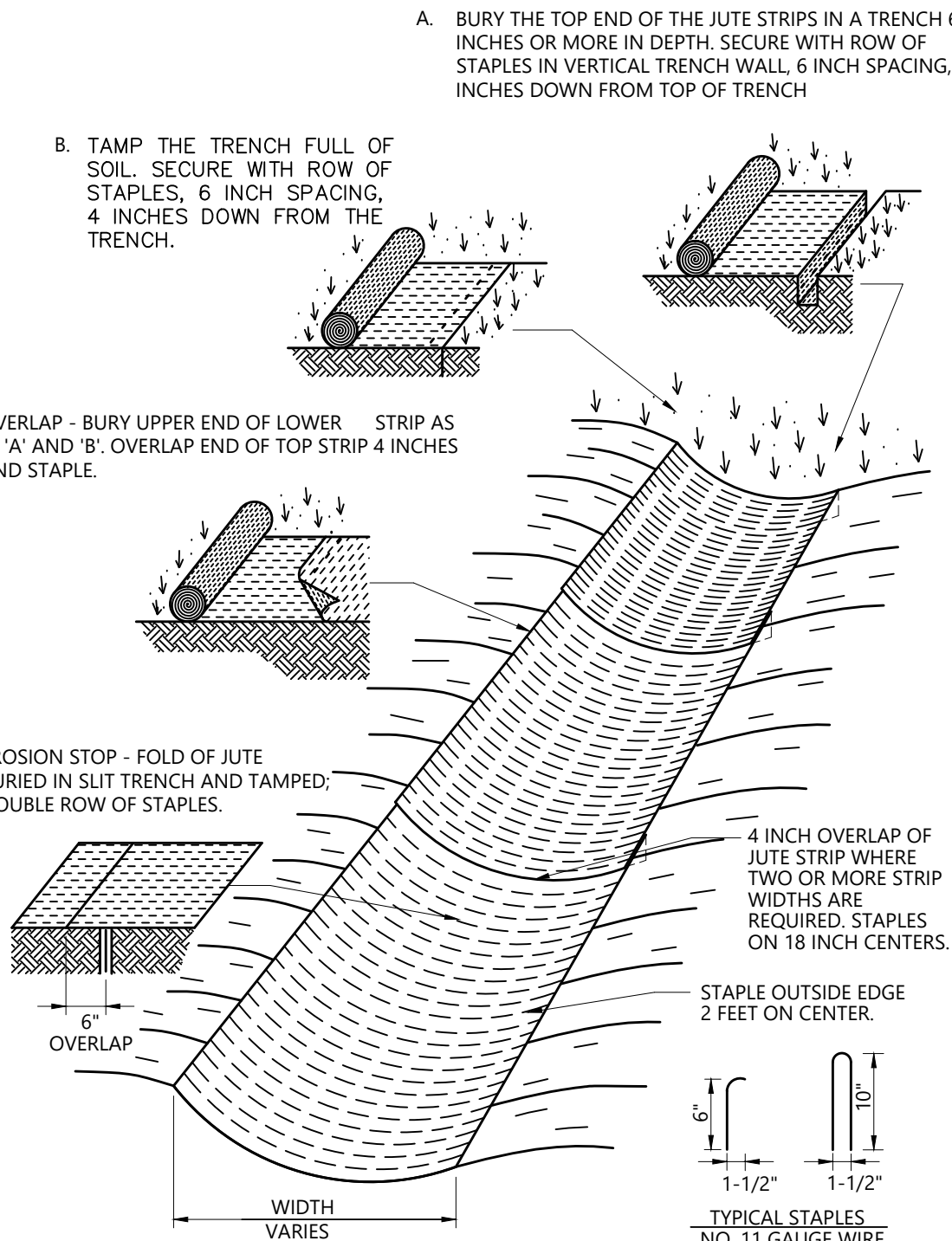
Stabilized Construction Exit 1/16
N.T.S. Source: VHB LD_682-VT



NOTES

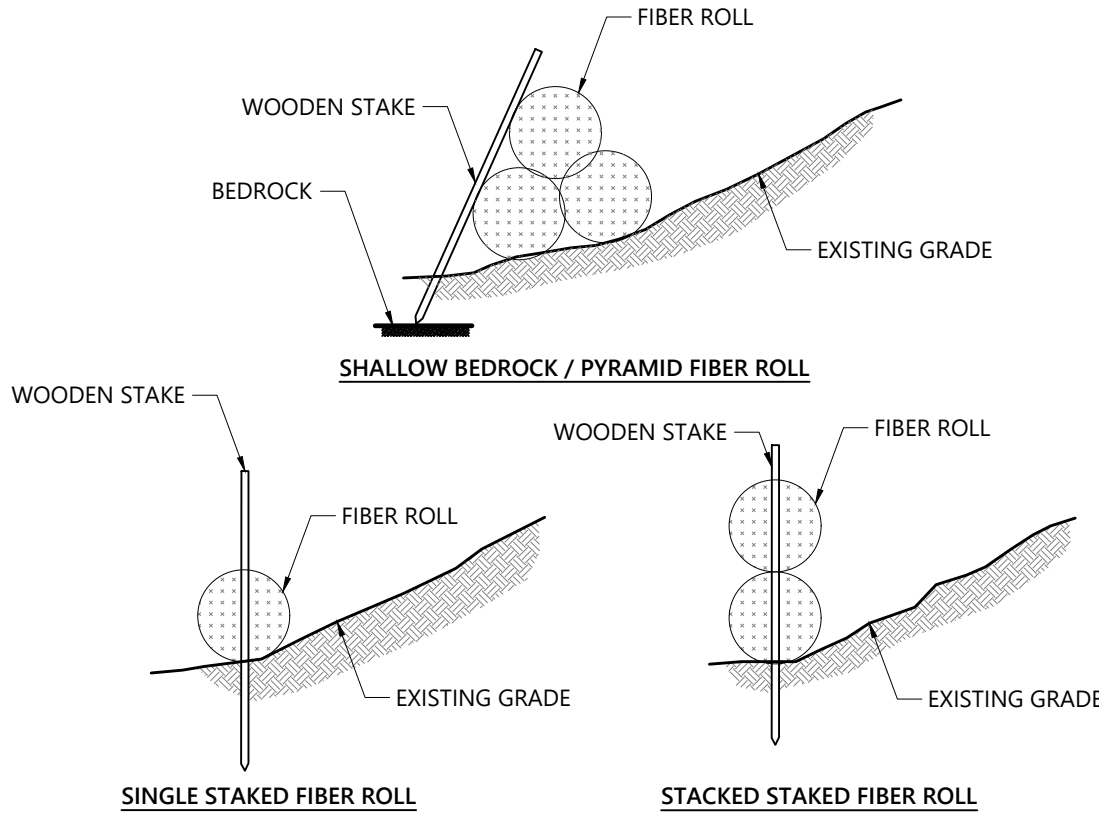
1. APPLY TO SLOPES GREATER THAN 3H:1V OR WHERE NECESSARY TO AID IN ESTABLISHING VEGETATION.
2. METHOD OF INSTALLATION SHALL BE AS PER MANUFACTURER'S RECOMMENDATIONS.
3. APPLY TOP SOIL, FERTILIZER, LIME AND SEED PRIOR TO PLACING MATTING.
4. STAPLES ARE TO BE PLACED ALTERNATELY, IN COLUMNS APPROXIMATELY 2' APART AND IN ROWS APPROXIMATELY 3' APART. APPROXIMATELY 175 STAPLES ARE REQUIRED PER 4'x225' ROLL OF MATERIAL AND 125 STAPLES ARE REQUIRED PER 4'x150' ROLL OF MATERIAL.
5. DISTURBED AREAS SHALL BE SMOOTHLY GRADED. EROSION PREVENTION AND SEDIMENT CONTROL MATERIAL SHALL BE PLACED LOOSELY OVER GROUND SURFACE, DO NOT STRETCH AND ENSURE CLOSE CONTACT WITH THE GROUND SURFACE..
6. ALL TERMINAL ENDS AND TRANSVERSE LAPS SHALL BE STAPLED AT APPROXIMATELY 12" INTERVALS.
7. BEGIN AT THE TOP OF BLANKET INSTALLATION AREA BY ANCHORING BLANKET IN A 6" TO 12" DEEP TRENCH BACKFILL AND COMPACT TRENCH AFTER STAPLING.
8. ROLL THE BLANKET DOWN IN THE DIRECTION OF THE WATER FLOW.
9. THE EDGES OF BLANKETS MUST BE STAPLED WITH APPROX. 4" OVERLAP WHERE 2 OR MORE STRIP WIDTHS ARE REQUIRED.
10. WHEN BLANKETS MUST BE SPLICED, PLACE UPPER BLANKET END OVER LOWER END WITH 12" (MIN.) OVERLAP AND STAPLE BOTH TOGETHER.

Erosion Control Blanket Swale Installation (Slope) 08/16
N.T.S. Source: VHB LD_703-VT



* INSTALLATION SHALL BE AS PER MANUFACTURER'S RECOMMENDATIONS

Erosion Control Blanket Swale Installation 08/16
N.T.S. Source: VHB LD_681-VT



NOTES

1. FIBER ROLL SHALL BE PLACED IN SHALLOW TRENCH UP TO 4", WHERE FEASIBLE, PLACING SOIL REMOVED FROM TRENCH BEHIND THE ROLL.
2. FIBER ROLLS SHALL BE ANCHORED WITH 2" BY 2" WOODEN STAKES (36" LONG), OR SIMILAR, WHERE FEASIBLE, EITHER INSTALLED THROUGH CENTER OF ROLL (AS SHOWN) OR PLACED ON BOTH SIDES OF ROLL.
3. STAKES TO BE PLACED 4 FT APART, MINIMUM.
4. SINGLE OR DOUBLE STACKED STAKED FIBER ROLLS TO BE INSTALLED WHERE SOIL DEPTH ALLOWS. WHERE SHALLOW TO BEDROCK, PYRAMID FIBER ROLLS TO BE UTILIZED WITH STAKES, AS FEASIBLE.
5. FIBER ROLLS TO BE REPLACED OR REPLENISHED AS NEEDED DURING ACTIVE EARTH WORK.
6. PERIMETER CONTROLS SHALL NOT CROSS ACTIVE ACCESS ROUTES (E.G., ROADS) OR ACTIVE FLOW PATHS (E.G., STREAMS/RIVERS).
7. PERIMETER CONTROLS SHALL REMAIN IN PLACE AND BE MAINTAINED/REPLACED AS NEEDED UNTIL FINAL STABILIZATION IN AREA HAS BEEN ACHIEVED.

Staked Fiber Roll 08/16
N.T.S. Source: VHB LD_VT

MULCH MATERIAL AND APPLICATION				
MULCH MATERIAL	QUALITY STANDARDS	PER 1,000 SQ-FT	PER ACRE	DEPTH OF APPLICATION
WOOD CHIPS OR SHAVINGS	AIR DRIED, FREE OF OBJECTIONABLE MATERIAL	500 - 900 LBS	10 - 20 TONS	2" - 7"
WOOD FIBER CELLULOSE (PARTIALLY DIGESTED WOOD FIBERS)	MADE FROM NATURAL WOOD USUALLY WITH GREEN DYE AND DISPERSING AGENT	50 LBS	2,000 LBS	N/A
GRAVEL, CRUSHED STONE OR SLAG	WASHED, SIZE 2B OR 3A - 1 1/2"	9 CY	405 CY	3"
STRAW	AIR-DRIED, FREE OF UNDESIRABLE SEEDS AND COARSE MATERIALS	90 - 100 LBS, 2-3 BALES	2 TONS (100-120 BALES)	COVER ABOUT 90% SURFACE
COMPOST	UP TO 3" PIECES, MODERATELY TO HIGHLY STABLE	3 - 9 CY	3 - 9 CY	1-3"
EROSION CONTROL MIX	WELL-GRADED MIXTURE OF PARTICLE SIZES. ORGANIC CONTENT BETWEEN 80-100% DRY WEIGHT. PARTICLE SIZE SHALL PASS 6" SCREEN (100%)			*SLOPES 3(H:);1(VERT.) = 2 INCH DEPTH PLUS ADDITIONAL 1/2 INCH DEPTH PER 20 FT. OF SLOPE UP TO 100 FT. *SLOPES BETWEEN 3(H:);1(VERT.) AND 2(H:);1(VERT.) = 4 INCH DEPTH PLUS ADDITIONAL 1/2 INCH PER 20 FT. OF SLOPE UP TO 100 FT. *SLOPES STEEPER THAN 2(H:);1(VERT.) APPLICABILITY TO SPECIFIC SITE AND MULCH DEPTH TO BE REVIEWED AND APPROVED PRIOR TO USE BY OPSC OR EPSC SPECIALIST

1. APPLY TACKIFIER AS NEEDED TO MINIMIZE POTENTIAL FOR MULCH TO BLOW AWAY.
2. MULCH MUST NOT CONTAIN INVASIVE PLANT SPECIES, (SEEDS OR SEEDLINGS)
3. TACKIFIER MAY BE WATER, NETTING, OR SIMILAR.
4. OTHER THAN EROSION CONTROL MIX, MULCH IS NOT TO BE INSTALLED ON SLOPES > 3:1.

Mulching Notes and Specifications 08/16
N.T.S. Source: VHB LD_VT

Burlington Greenway Rehabilitation Phase 2 Pause Places Burlington, Vermont

No.	Revision	Date

Designed by **TAS** Checked by **MK**
Issued for **Bid Set** Date **January 13, 2023**

EPSC Details

Drawing Number

C-2.0

Sheet 6 of 7

Project Number
58049.00

FRONT

FILE IS ACTUAL SIZE

4"

1'-6"

4"

FITNESS TRAIL: STATION 3

THE
University of Vermont
MEDICAL CENTER

FITNESS TRAIL

Station 3: Urban Reserve



enjoyburlington.com/fitness-trail

FITNESS TRAIL: STATION 3

3'-3 1/2"

R 2 1/4"

BACK (PLAQUE)



STICKER

To be placed under Oakledge Park

Future Site.



MAP KIOSK: UVM Medical Center Fitness Trail Mock Up

DESIGN INTENT ONLY - NOT FOR CONSTRUCTION



Sign Description

Power coated aluminum angle wrapping (2) two sides of cedar post with metal sleeve. Panel messaged with applied vinyl or mask and spray BPRW ‘b’ mark, park name, and brand stripes. Metal sleeve protects the base of the post and extends below grade and metal caps protect the top of the post. Rules and regulations signs should be used in urban parks to identify amenities and communicate any restrictions of use.

Location Guidelines

Signs shall be field located and oriented inc consultation with BPRW Project manager.

Messaging Guidelines

Amenity name should be title case and include the location above it.

Material Specifications

Cap
Formed 1/8” thick aluminum cap mechanically fastened to post, powder-coated M2

Panel
1/4” thick break-formed aluminum panel painted or powdercoated C4, with C5 Logo, and C1, C2, C3 Rules. Attached to mounting hardware with tamper resistant mechanical fasteners.

Message
Graphics to be directly printed or 4 color powdercoat imaged on the panels

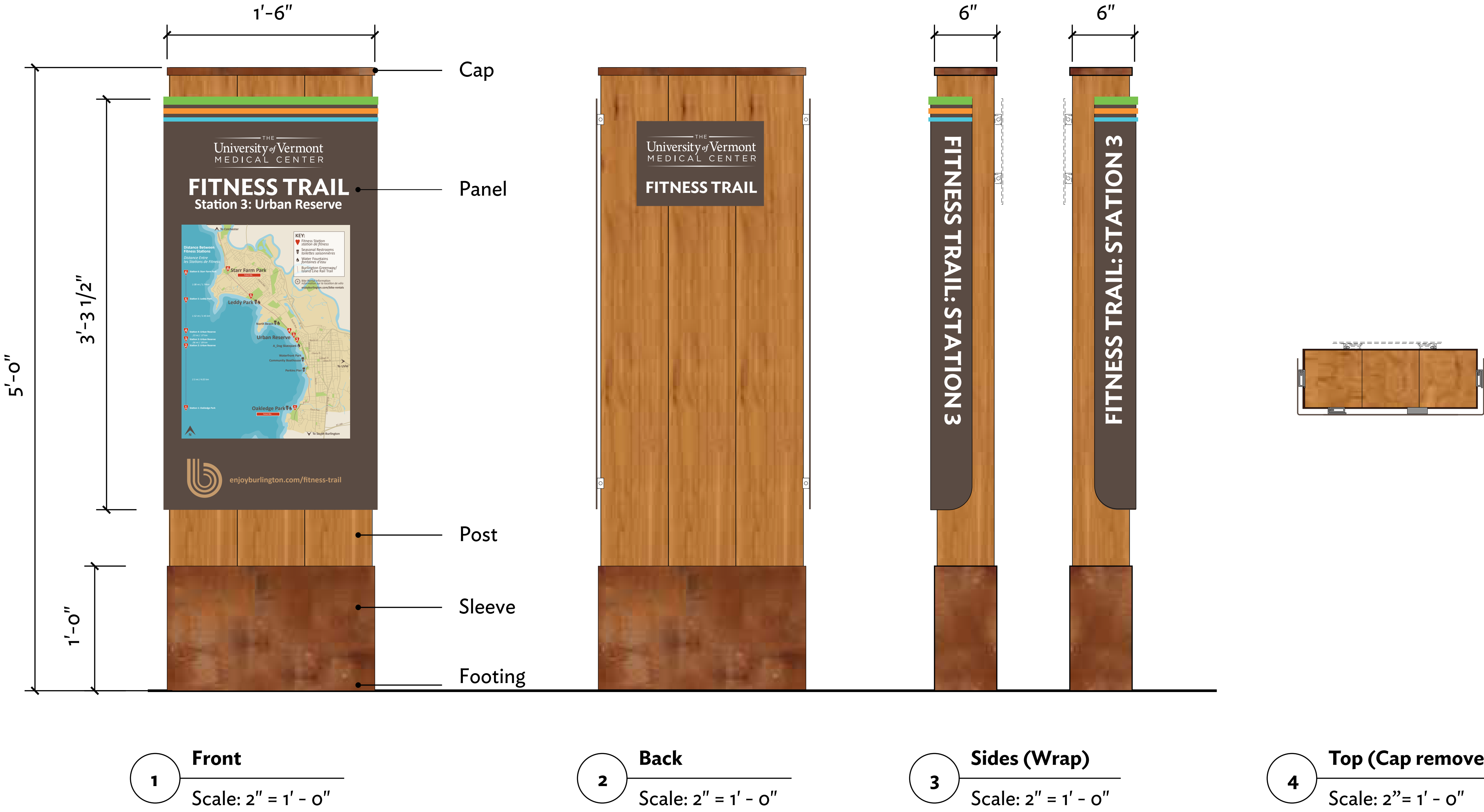
Post
(3) Three interconnected Cedar 6x6 post, or 5.5” x 1’ - 4.5”cedar slab. Posts should be clear grade and virtually free of imperfections.

Sleeve
1/8” thick M2 fabricated sleeve extends below grade.

Mounting Hardware
3/4” x 1/8 aluminum angle welded, bonded, or mechanically fastened to back of panel. Mechanical fasteners through angle into aluminum tube screwed to post. All fasteners to be tamper resistant.

Footing
To be engineered per local code by fabricator. Fabricator to submit engineered shop drawings and graphic submission prior to fabrication.

Icons and Logo
Direct printed on C6 Vinyl, or Die Cut multi layered vinyl film where applicable.



Approach



View from the end of Austin Drive

At 45 Oakledge Drive, the proposed driveway configuration and planting will settle the home into the surrounding landscape. Key goals:

- Reduce pavement.
- Ensure easy egress from the garage.
- Replace lawn areas and pavement with native trees, shrubs, and perennials.

At the driveway

Zooming in, a band of native trees and shrubs replaces open lawn and pavement to create a screen, rather than a barrier. From the street, there are glimpses of the house and Lake Champlain.



Under the mature oaks, a second layer of understory trees, such as yellow birch (*Betula alleghaniensis*) and hornbeam (*Carpinus caroliniana*)

At the ground layer, masses of native shrubs and drifts of perennials.

Plan view



From the garage, it's easy to back into the hammerhead and pull forward down the driveway.

3 layers of plants

HIGH CANOPY: Mature oak trees define the site.

MID-CANOPY: Birch and hornbeam will add a second layer of texture and screening.

GROUND LEVEL: A mix of native shrubs and perennials replace areas of turf and pavement.

Designer, David Grist

Cell: 802 825 5261 | Portfolio: <https://davidgrist.myportfolio.com/>

Burlington Development Review Board

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

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



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, May 2, 2023, 5:00 PM

AGENDA

In Person (at 645 Pine Street) Meeting

- I. Agenda**
- II. Communications**
- III. Minutes**
- IV. Public Hearing**

- 1. ZAP-23-2; 410 North Street (RL, Ward 1E) Eva Wendeborn / Scott Goodwin**
Appeal of zoning administrative denial (ZP-23-80) to convert existing single family home with detached ADU to a duplex.

Administrative denial upheld

- 2. ZAP-23-3; 25 Oakledge Road (RL-W, Ward 5S) 25 Oakledge Drive Realty, LLC / Marisha Taylor / Ellie Tretola**
Appeal of zoning administrative denial (ZP-23-52) to modify driveway layout.

Overturn the administrative denial

- 3. ZP-23-141; 80 Archibald Street (RM, Ward 2C) Martha Ahmed / Ishmael Ahmed**
Cannabis home occupation.

Approved

- 4. ZAP-23-4; 71-73 Peru Street (RH, Ward 3C) Damon Lane**
Appeal of zoning administrative denial (ZPW-23-18) to replace wooden windows with vinyl casement windows (deferral is requested). (Project Manager, Scott Gustin)

Deferred until 5/16/2023

V. Certificate of Appropriateness

- 1. ZP-23-116; 1093 North Avenue (RCO-RG, Ward 4N) City DPW Parks & Recreation Department / Max Madalinski**
Proposed construction of pause place at Leddy Park Arena including associated site improvements. (Project Manager, Garret King)

Approved

VI. Adjournment

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BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, May 2, 2023, 5:00 PM

MINUTES

In Person (at 645 Pine Street) Meeting

Board Members Present: AJ LaRosa (5:15 PM), Caitlin Halpert, Geoff Hand, Brooks McArthur, Brad Rabinowitz, Leo Sprinzen, and Chase Taylor

Board Members Absent: Sean McKenzie

Staff Members Present: Scott Gustin, Mary O'Neil, Garret King, and Joseph Cava

- I. Agenda**
- II. Communications**
- III. Minutes**
- IV. Public Hearing**

1. ZAP-23-2; 410 North Street (RL, Ward 1E) Eva Wendeborn / Scott Goodwin

Appeal of zoning administrative denial (ZP-23-80) to convert existing single family home with detached ADU to a duplex.

Scott Goodwin, owner, present

Caitlin Halpert: This is an appeal, so the City will present the facts of the application. Then we will hear from the appellant. Mary, can you speak on this project?

Mary O'Neil: The applicant applied to connect a permitted ADU with an existing single-family residence. Page five of the staff report defines a duplex as a single conditioned structure. Connecting the two structures with an open-air pergola roof does not constitute a single uniform structure. There are also setback issues with the overhanging eave roof as proposed.

Caitlin Halpert: Are there any questions from the board?

Brad Rabinowitz: So there's no definitive definition for a duplex?

Mary O'Neil: No, and similar projects have also been denied for such substantive requests.

Scott Goodwin: I'd like to connect the two existing units with the proposed roof structure because there are existing issues that arise with snow plowing. If the structure were fully enclosed, this would also illuminate existing tenant parking between the two buildings. The definition of duplex outlined by the ordinance does not constitute the type of connection required to make this a duplex. Under the ordinance, the proposed building feature does not increase the degree of nonconformity.

Geoff Hand: Why does this need to be a duplex?

Scott Goodwin: It was my goal to live here initially, but the duplex status will increase the value of the property.

Caitlin Halpert: Are there additional definitions that we should be aware of?

Mary: We have definitions for duplex and eaves, but no additional definitions that apply to this project.

Brad Rabinowitz: It seems you would still have the same snow plowing issues regardless of the type of roof structure that is built here.

Scott Goodwin: If snow is pushed up against the existing fence, it will pull vehicles out into the middle of the driveway.

Mary O'Neil: We have no definition in the Comprehensive Development Ordinance to address this type of construction.

Scott Goodwin: When the ordinance doesn't address this, the definition defaults to the American Insurance Company's definition.

Caitlin Halpert: Hearing no additional comments or questions, we'll close the hearing on this item.

2. ZAP-23-3; 25 Oakledge Road (RL-W, Ward 5S) 25 Oakledge Drive Realty, LLC / Marisha Taylor / Ellie Tretola

Appeal of zoning administrative denial (ZP-23-52) to modify driveway layout.

Nate Carr: Sworn in

Caitlin Halpert: This is an appeal so the City goes first.

Mary O'Neil: Referencing page three of the staff report, this is an odd parcel with waterfront setbacks. The red markings in the staff report show issues with the front yard setback. The proposed parking is also out of conformity with the existing ordinance.

Caitlin Halpert: Is there no provision in the existing ordinance for parking?

Mary O'Neil: The ordinance allows parking in front of the garage, but not a new parking area as proposed.

Leo Sprinzen: The existing driveway allows parking in any area of the driveway that exists?

Mary O'Neil: There are three driveways proposed, which would not be approved under the existing ordinance.

Brad Rabinowitz: So parking in front of the garage is approvable, but the additional parking is not?

Mary O'Neil: Correct.

Geoff Hand: I'm confused by the language contained in Article 8 referencing parking.

Mary O'Neil: Article 8 would allow parking in the driveway as existing, but not as proposed.

AJ LaRosa: The issue is the deviation in relationship to the proposed square pad away from the driveway.

Mary O'Neil: The alteration to the end of the driveway would not be allowed under the existing ordinance because the proposal is within the setback. The applicant proposes to add additional landscaping to screen the house and driveway from the remainder of the neighborhood.

Caitlin Halpert: Are there any additional questions from staff? Hearing none, we'll open it to the appellant.

Nate Carr: The language in the application does not reference parking. We want to change the layout to limit exposure and create a privacy buffer. As landscapers, we have tried to meet the homeowner's expectations while bringing the property into compliance with the City. The proposed plan will reduce hardscaped surfaces and retains mature trees by creating a new path of reasonable egress. The road accessing the property through the setback is owned by the homeowner.

Geoff Hand: The paved area is expanding though by creating an additional access point.

Nate Carr: The hammerhead created by the proposed pad would assist with the maneuverability of the property. We are reconfiguring the driveway, not creating additional parking. If a permit condition was enacted for no parking in this area, then the property owner would accept that.

Brad Rabinowitz: In this case, the City looks favorably on owners bringing their property into compliance.

Mary: The site plan identifies additional parking spaces, and it is expressly listed in the original application description.

Geoff Hand: So the issue is with what could be considered proposed parking versus a driveway reconfiguration.

Mary O'Neil: Yes.

Nate Carr: There are other examples of front yard parking on properties along Oakledge and Eastman Way.

Mary O'Neil: There have been other examples, which have been subsequently denied due to similar circumstances.

AJ LaRosa: Hearing no additional comments or questions, we'll close the hearing on this item and deliberate later on.

3. ZP-23-141; 80 Archibald Street (RM, Ward 2C) Martha Ahmed / Ishmael Ahmed
Cannabis home occupation. (Project Manager, Mary O'Neil)
Ishmael Ahmed, Martha Ahmed: Sworn in

AJ LaRosa: Is there anyone else here to speak on this application? The request is straightforward, but have you seen the staff report?

Ishmael Ahmed: Yes, but I am having difficulty understanding the context. I don't understand what is being requested.

Caitlin Halpert: These recommendations are outlined on pages eight through nine of the staff report.

Ishmael Ahmed: The recommendations are fairly straightforward, but this is contingent on approval to secure the additional state licensing.

AJ LaRosa: This is for cultivation only, and not retail sales?

Ishmael Ahmed: Yes.

Leo Sprinzen: I see that no ventilation is proposed, but won't these plants need fresh air?

Ishmael Ahmed: The plants will circulate the same air as we ourselves breathe. There was something raised about light pollution, but the lights are contained within the grow tent.

Mary O'Neil: The building official has authority to review safety with guidance from the fire marshal's office.

AJ LaRosa: Are there any additional questions or comments?

Ishmael Ahmed: This application is for cannabis production.

AJ LaRosa: This application is for cultivation only, as production is not proposed in this application.

4. ZAP-23-4; 71-73 Peru Street (RH, Ward 3C) Damon Lane

Appeal of zoning administrative denial (ZPW-23-18) to replace wooden windows with vinyl casement windows (deferral is requested). (Project Manager, Scott Gustin)

Brooks McArthur: Motioned to defer to the May 16th DRB meeting, Geoff Hand 2nd. Vote 7-0. Motion carried.

V. Certificate of Appropriateness

1. ZP-23-116; 1093 North Avenue (RCO-RG, Ward 4N) City DPW Parks & Recreation Department / Max Madalinski

Proposed construction of pause place at Leddy Park Arena including associated site improvements. (Project Manager, Garret King)

Max Madalinski, Rita Church (146 Lakewood Pkwy.): Sworn in

Scott Gustin: A note for consideration that the Conservation Board unanimously approved this project at last night's meeting.

AJ LaRosa: Will any board members have an issue with treating this as a consent item? Hearing none, would someone like to make a motion?

Brooks McArthur: Motioned to approve and adopt staff recommendation, Caitlin Halpert 2nd. Vote 7-0. Motion carried.

VI. Adjournment

Hearing closed at 6:00 PM.



Alexander J. LaRosa, Chair of Development Review Board

6/6/23
Date

Joseph H. Cava

5-24-23

Joseph H. Cava, Permitting & Inspections Permit Technician

Date

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