

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

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Austin Hart
Brad Rabinowitz
Israel Smith
AJ LaRosa
Geoff Hand
Alexandra Zipparo
Wayne Senville
Jim Drummond, (Alternate)
Robert Purvee, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday April 4, 2017, 5:00 PM Conference Room 12 PUBLIC HEARING NOTICE

The Burlington Development Review Board will hold a meeting on
Tuesday April 4, 2017 at 5:00pm in Conference Room 12, City Hall.

1. **17-0780CA/CU; 29 Intervale Road, 557 Riverside Ave (ELM, Ward 1E/2C) Roger Charlebois**
Conversion of a portion of a building to a mini storage and construction of 12,900 sq. ft of new mini storage. 18,585 sq. ft of new coverage and site improvements.
Stormwater utility installation. (Project Manager, Mary O'Neil)
2. **17-0786AP; 220 Pine Street (RM, Ward 5S) Nicholas Papaseraphim**
Appeal of Notice of Zoning Violation #320536 relative to expanded parking and lack of certificates of occupancy. (Project Manager, Jeanne Francis)

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

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

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

Burlington Development Review Board

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BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, April 4, 2017, 5:00 PM Conference Room 12, City Hall, 149 Church St, Burlington, VT AGENDA

I. Agenda

II. Communications

III. Minutes

IV. Public Hearing

- 1. 17-0780CA/CU 29 Intervale Road (ELM, Ward 1E) and 17-0861CA; 557 Riverside Ave (ELM, Ward 1E) Roger Charlebois**
Conversion of a portion of a building to a mini storage and construction of 12,900 sq. ft of new mini storage. 18,585 sq. ft of new coverage and site improvements. Stormwater utility installation. (Project Manager, Mary O'Neil)
- 2. 17-0786AP; 220 Pine Street (RM, Ward 5S) Nicholas Papaseraphim**
Appeal of Notice of Zoning Violation #320536 relative to expanded parking. (Project Manager, Jeanne Francis)

V. Certificate of Appropriateness

- 1. 17-0791CA; 323-325 College Street (RH, Ward 8E) Carol Bedard Potts**
Review of parking dimensional standards associated with parking reconfiguration relative to addition of 4 new units. (Project Manager, Mary O'Neil)
- 2. 17-0801CA; 201 South Prospect Street (RL, Ward 6S) Bing Enterprises, Ltd**
Convert attic space into habitable space - 2 bedrooms. Includes a parking waiver request. (Project Manager, Ryan Morrison)

VI. Other Business

VII. Adjournment

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

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

Printed on 100% Recycled Paper



February 10, 2017

Mary O'Neil
Department of Planning and Zoning
149 Church St, City Hall
Burlington, VT 05401-8415

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Subject: Related Property, LLC Self-Storage Project
Project #16-128

DEPARTMENT OF
PLANNING & ZONING

Dear Mary:

On behalf of Related Property, LLC we have prepared the attached zoning permit application for the construction of self-storage buildings at 29 Intervale Road, totaling 12,900 SF of gross floor area. As we have discussed, self-storage is a conditional use in the Enterprise – Light Manufacturing district and as such we have prepared this application following the conditional use requirements. Below please find information and a project narrative to address the Conditional Use review criteria of Section 3.5.6(a) of the ordinance.

Project Description and Summary: The project parcel is currently developed with an office/light manufacturing/warehouse building and associated parking, drives, and outdoor storage areas. The project consists of the construction of five new self-storage buildings as well as the conversion of portions of the existing building to self-storage. The new buildings will be served by new and redeveloped paved areas to provide access. New drainage infrastructure and stormwater treatment are also proposed. New fencing and access gate(s) are proposed to provide security for the storage areas, as well as full cut-off LED lighting around the storage units.

It is anticipated that the current staff (two employees) in the existing building will be sufficient for the additional use on the property. The hours of operation for the existing uses will remain at 7:00 AM to 7:00 PM, five days/week. The self-storage areas will remain accessible 24 hours/day via an automated security system.

Parking Analysis: The combination of uses on the parcel requires 7 parking spaces; 7 have been provided. Three new spaces on the southeast side of the existing building, 2 spaces on the south (west) side of the existing building and 2 spaces on the north side of the building. Parking has been calculated as follows:

5,000 SF Manufacturing * 1 space/1000 SF =	5 Spaces
+121 Storage Units * 1 space/100 units =	2 Space
	7 Spaces

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Page 2 of 3

Charlebois/Related Property, LLC

2/10/2017

Traffic Generation: Using the ITE Trip Generation Manual, 9th Edition, and categorizing the use as Land Use 151 – Mini Warehouse, the new use on the parcel will generate an additional 31 daily weekday trips and 3 peak AM/peak PM trips.

Table 1: Project-Generated Traffic

	Rate	Trips
Weekday	0.25 trips/unit	31
AM Peak	0.02 trips/unit	3
PM Peak	0.02 trips/unit	3

3.5.6(a)1. Capability of Area to Support Use: As the proposed use is self-storage, little to no additional burden will be put on area utilities, facilities, or services. It is anticipated that the project will slightly increase electrical demand due to the additional lighting proposed and will generate relatively minimal additional traffic to area roadways. The applicant has coordinated with DPW stormwater to ensure that potential impacts on downstream infrastructure have been addressed satisfactorily. Other than those items, it is not anticipated that this project would place a measurable burden on any other utility, facility, or service in the area.

3.5.6(a)2. Character of the Area: The existing site consists of several large, metal-clad buildings both industrial in use and appearance. The infill of metal self-storage units on the lot will not be out of character with the current site.

3.5.6(a)3. Nuisance Impacts – noise, odor, dust, heat, vibrations, etc.: The project is not expected to generate an excessive amount of noise, odor, dust, heat, or vibrations once the project is constructed. The buildings will be used to store stationary items and do not generate an excessive amount of traffic. Construction hours will be limited to Monday through Saturday, 7am to 5pm. Dust will be controlled during construction with the application of water.

3.5.6(a)4. Transportation system capacity: The self-storage use is expected to generate an additional 3 PM peak hour trips, which is not a significant increase to overall peak hour traffic on Riverside Avenue.

3.5.6(a)5. Utilization of renewable energy resources: The applicant is not proposing the installation of renewable energy resources at this time.

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Page 3 of 3
Charlebois/Related Property, LLC
2/10/2017

Enclosed with this narrative and the Zoning Application are the following supporting documents:

- Standard Erosion Prevention and Sediment Control Plan Form
- Plant List with Cost
- Lighting Specifications
- Site Photographs
- Stormwater Narrative and Supporting Calculations
- Example Floorplan
- Color Concept Rendering
- Natural Resources Map
- Reduced Plan Set
- Full-Size Plan Set

Should you have any questions, please do not hesitate to contact me directly.

Regards,



Abigail Dery, P.E.
Project Engineer

cc: David Bogue
Röger Charlebois

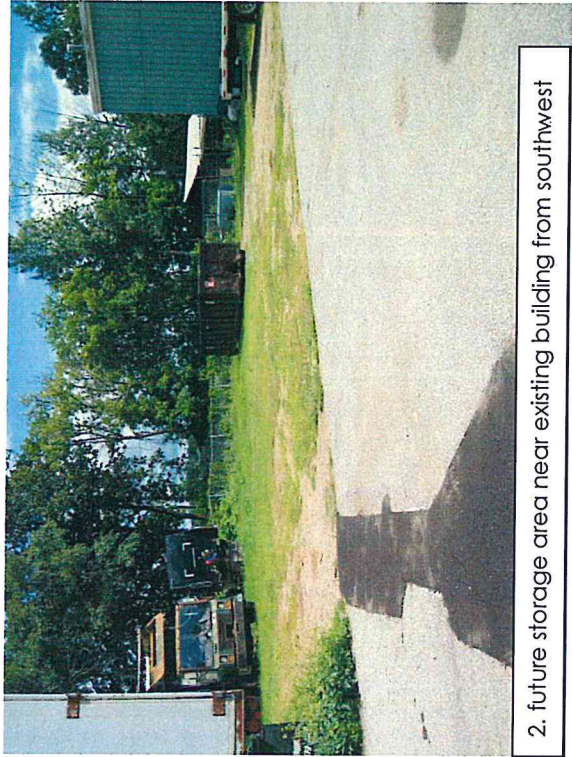
Enclosed: Conditional Use/Site Plan Application Materials

Site Photographs
Charlebois

29 Intervale Road
Burlington, VT



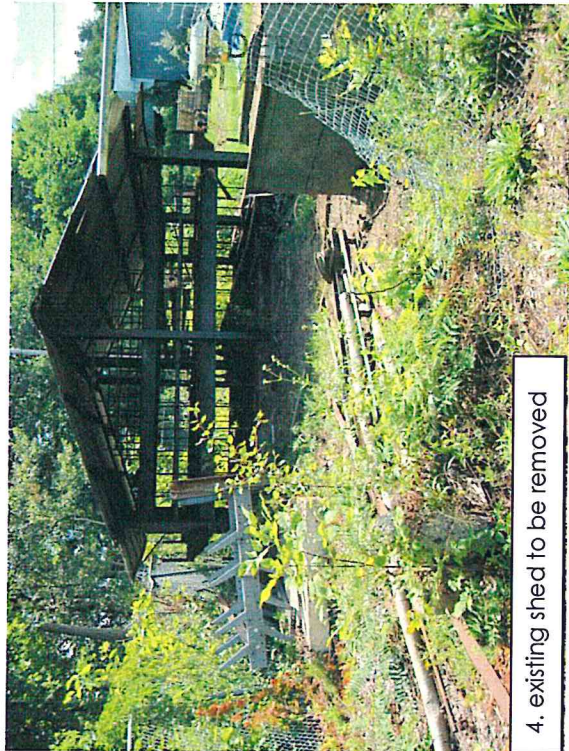
1. existing building from southeast



2. future storage area near existing building from southwest



3. existing gravel area/ future storage from west



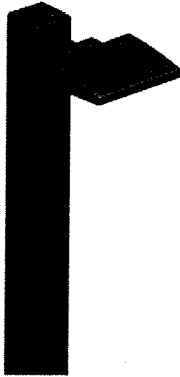
4. existing shed to be removed

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TRUDELL CONSULTING ENGINEERS (TCE)

ALED26N/PC





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DEPARTMENT OF PLANNING & ZONING

Project:	Type:
Prepared By:	Date:

Driver Info

Type:

Constant Current

120V:

0.26A

208V:

N/A

240V:

N/A

277V:

N/A

Input Watts:

30W

Efficiency:

88%

LED Info

Watts:

26W

Color Temp:

4000K (Neutral)

Color Accuracy:

83 CRI

L70 Lifespan:

100,000

Lumens:

2,415

Efficacy:

81 LPW

ALED Area Lights mount to 4" square steel poles at 15-20'. 1 to 4 fixtures can be mounted to each pole. IES Full Cutoff, Fully Shielded optics. 5 year Warranty.

Color: Bronze

Weight: 6.5 lbs

Technical Specifications

Other

ALED26 wtih Photocell:

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

Warranty:

RAB warrants that our LED products will be free from defects in materials and workmanship for a period of five (5) years from the date of delivery to the end user, including coverage of light output, color stability, driver performance and fixture finish.

California Title 24:

ALED26/PC with photocell option complies with 2013 California Title 24 building and electrical codes as a commercial outdoor pole-mounted fixture __s75 Watts.

Equivalency:

The ALED26 is Equivalent in delivered lumens to a 70 W Metal Halide Area Light.

HID Replacement Range:

The ALED26 can be used to replace 42 CFL - 100W Metal Halide Area Light based on delivered lumens.

Patents:

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

Country of Origin:

Designed by RAB in New Jersey and assembled in the USA by RAB's IBEW Local 3 workers.

Buy American Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Buy American Act.

Recovery Act (ARRA) Compliant:

This product complies with the 52.225-21 "Required Use of American Iron, Steel, and Manufactured Goods-- Buy American Act-- Construction Materials (October 2010).

Trade Agreements Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Trade Agreements Act.

GSA Schedule:

Suitable in accordance with FAR Subpart 25.4.

Listings

UL Listing:

Suitable for wet locations.

IESNA LM-79 & IESNA LM-80 Testing:

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

Dark Sky Approved:

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

LED Characteristics

Lifespan:

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

Color Consistency:

3-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

Color Stability:

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

Color Uniformity:

RAB's range of CCT (Correlated color temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2015.

Construction

IES Classification:

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

Housing:

Precision die cast aluminum housing, lens frame.

Gaskets:

High temperature silicone.

Effective Projected Area:

EPA = 0.27.

Finish:

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

Green Technology:

ALEDs are Mercury, Arsenic and UV free.

Ambient Temperature:

Suitable for use in 40°C ambient temperatures.

Cold Weather Starting:

The minimum starting temperature is -40°F/-40°C.

ALED26N/PC



Technical Specifications (continued)

Construction

Thermal Management:

Cast aluminum Thermal Management system for optimal heat sinking. The ALED is designed for cool operation, most efficient output and maximum LED life by minimizing LED junction temperature.

Optical

Lumen Maintenance:

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

BUG Rating:

B1 U0 G0

Electrical

Driver:

Multi-chip 26W high output long life LED Driver
Constant Current, 720mA, Class 2, 6kV Surge
Protection, 100V-277V, 50-60 Hz, 100-240V.4 Amps.

THD:

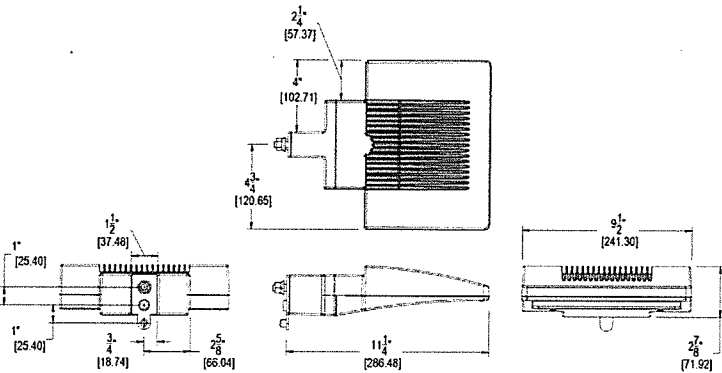
8.4% at 120V/100-110V/277V

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PLANNING & ZONING

Dimensions



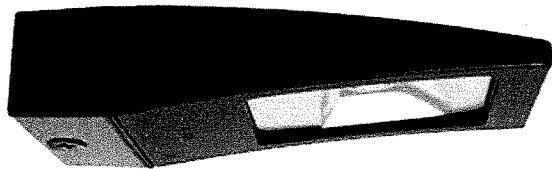
Features

- High output LED light engine
- Maintains 70% of initial lumens at 100,000 hours
- Weatherproof high temperature silicone gaskets
- Superior heat sinking with die cast aluminum housing and external fins

Ordering Matrix

Family	Watts	Color Temp	Finish	Photocell	Dimming
ALED	26 = 26W	= Cool Y = Warm N = Neutral	= Bronze W = White	= No Photocell /PC = 120V Button /PC2 = 277V Button	= No Dimming /D10 = Dimmable

WPLED13N/PC



LED 10W & 13 Wallpacks. Patent Pending thermal management system. 100,000 hour L70 lifespan. 5 Year Warranty.

Color: Bronze Weight: 3.3 lbs

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RAB LIGHTING

Project:	FEB 13 2017	Type:	
Prepared By:	DEPARTMENT OF PLANNING & ZONING	Date:	

Driver Info		LED Info	
Type:	Constant Current	Watts:	13W
120V:	0.13A	Color Temp:	4000K (Neutral)
208V:	N/A	Color Accuracy:	83 CRI
240V:	N/A	L70 Lifespan:	100,000
277V:	N/A	Lumens:	673
Input Watts:	15W	Efficacy:	45 LPW
Efficiency:	87%		

Technical Specifications

Other

WPLED13 with Photocell:

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

Patents:

The design of the LPACK is protected by U.S. Pat. D604,004 and patents pending in Canada, China and Taiwan.

California Title 24:

WPLED13/PC complies with 2013 California Title 24 building and electrical codes as a commercial outdoor non-pole-mounted fixture <30 Watts.

Warranty:

RAB warrants that our LED products will be free from defects in materials and workmanship for a period of five (5) years from the date of delivery to the end user, including coverage of light output, color stability, driver performance and fixture finish.

Equivalency:

The WPLED13 is Equivalent in delivered lumens to a 100W Metal Halide Wallpack.

HID Replacement Range:

The WPLED13 can be used to replace 70-150W Metal Halide Wallpacks based on delivered lumens.

Country of Origin:

Designed by RAB in New Jersey and assembled in the USA by RAB's IBEW Local 3 workers.

Buy American Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Buy American Act.

Recovery Act (ARRA) Compliant:

This product complies with the 52.225-21 "Required Use of American Iron, Steel, and Manufactured Goods-- Buy American Act-- Construction Materials (October 2010).

Trade Agreements Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Trade Agreements Act.

GSA Schedule:

Suitable in accordance with FAR Subpart 25.4.

Listings

UL Listing:

Suitable for Wet Locations as a Downlight. Suitable for Damp Locations as an Uplight. Wall Mount only. Suitable for Mounting within 4ft. of ground.

Dark Sky Approved:

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

IESNA LM-79 & IESNA LM-80 Testing:

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

Optical

Lumen Maintenance:

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

Fixture Efficacy:

44.6 Lumens per Watt

Lumen Maintenance:

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

BUG Rating:

B1 U0 G0

Construction

Cold Weather Starting:

The minimum starting temperature is -40°F/-40°C.

Ambient Temperature:

Suitable for use in 50°C (122°F) ambient temperatures.

Finish:

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

Green Technology:

RAB LEDs are Mercury and UV free.

For use on LEED Buildings:

IDA Dark Sky Approval means that this fixture can be used to achieve LEED Credits for Light Pollution Reduction.

Gaskets:

High Temperature Silicone.

Electrical

Driver:

Multi-chip 13W high output long life LED Driver Constant Current, Class 2 100V - 277V, 50/60 Hz.

Surge Protection:

4KV

WPLED13N/PC



Technical Specifications (continued)

LED Characteristics

Color Temperature (Nominal CCT):

4000K

Color Accuracy:

86 CRI

Color Consistency:

3-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

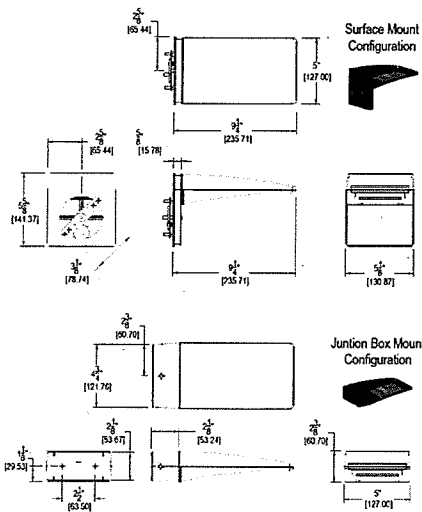
Color Stability:

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

Color Uniformity:

RAB's range of CCT (Correlated color temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2015.

Dimensions



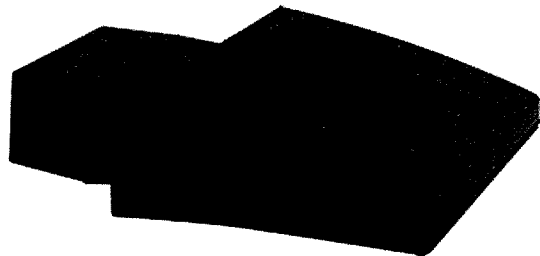
Features

- High performance LED light engine
- Maintains 70% of initial lumens at 100,000 hours
- Weatherproof high temperature silicone gaskets
- Superior heat sinking with die cast aluminum housing and external fins
- 5-year warranty

Ordering Matrix

Family	Watts	Color Temp	Sensor	Surface Plate	Surface Place	Finish	Photocell
WPLED	10 = 10W 13 = 13W	= Cool Y = Warm N = Neutral	= No Sensor MS = Mini Sensor	= No Surface Plate	S = Surface Plate	= Bronze W = White	= No Photocell /PC = 120V Button /PCS = 120V Swivel /PC2 = 277V Button

WPLED18Y



Ultra-high efficiency LED 18 Watt wallpack. Patent Pending thermal management system. 100,000 hour L70 lifespan. 5 Year Warranty.
Color: Bronze Weight: 7.5 lbs

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Project FEB 13 2017

DEPARTMENT OF PLANNING & ZONING

Prepared By

Date:

Type:

Driver Info

LED Info

Type:	Constant Current	Watts:	18W
120V:	0.17A	Color Temp:	3000K (Warm)
208V:	0.11A	Color Accuracy:	83 CRI
240V:	0.09A	L70 Lifespan:	100000
277V:	0.08A	Lumens:	1,625
Input Watts:	20W	Efficacy:	81 LPW
Efficiency:	90%		

Technical Specifications

Listings

UL Listing:

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

IESNA LM-79 & LM-80 Testing:

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

Dark Sky Approved:

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

DLC Listed:

This product is on the Design Lights Consortium (DLC) Qualified Products List and is eligible for rebates from DLC Member Utilities.
DLC Product Code: P0000175J

LED Characteristics

Lifespan:

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

LED:

Multi-chip, high-output, long-life LED

Color Consistency:

3-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

Color Stability:

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

Color Uniformity:

RAB's range of CCT (Correlated Color Temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2011.

Electrical

Driver:

Constant Current, Class 2, 100-277V, 50/60 Hz, 4 kV surge protection, 500mA, 100-240VAC: 0.3-0.15A, 277VAC: 0.15A, Power Factor: 99%

THD:

9.8% at 120V

Construction

Ambient Temperature:

Suitable for use in 40°C (104°F) ambient temperatures.

Cold Weather Starting:

The minimum starting temperature is -40°F/-40°C.

Thermal Management:

Superior heat sinking with external Air-Flow fins

Finish:

Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contain no VOC or toxic heavy metals.

Reflector:

Semi-specular, vacuum-metalized polycarbonate

Gaskets:

High-temperature silicone gaskets

Housing:

Die-cast aluminum housing, lens frame and mounting arm

Mounting:

Heavy-duty mounting arm with "O" ring seal & stainless steel screws

Green Technology:

Mercury and UV free, and RoHS compliant. Polyester powder coat finish formulated without the use of VOC or toxic heavy metals.

Optical

Replacement:

The WPLED18 replaces 150W Metal Halide Wallpacks.

BUG Rating:

B1 U0 G0

Other

California Title 24:

WPLED18 with available photocell options comply with 2013 California Title 24 building and electrical codes as a commercial outdoor non-pole-mounted fixture ≤ 30 Watts. Add /PC, /PC2, /PCS or /PCS2 to RAB catalog number to add a photocell.

For Use on LEED Buildings:

IDA Dark Sky Approval means that this fixture can be used to achieve LEED Credits for Light Pollution Reduction.

Patents:

The design of WPLED18 is protected by US patent D608,040, Canada patent 138280, and China patent CN301649064S.

Warranty:

RAB warrants that our LED products will be free from defects in materials and workmanship for a period of five (5) years from the date of delivery to the end user, including coverage of light output, color stability, driver performance and fixture finish.

WPLED18Y



Technical Specifications (continued)

Other

Country of Origin:

Designed by RAB in New Jersey and assembled in the USA by RAB's IBEW Local 3 workers.

Buy American Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Buy American Act.

Recovery Act (ARRA) Compliant:

This product complies with the 52.225-21 "Required Use of American Iron, Steel, and Manufactured Goods-- Buy American Act-- Construction Materials (October 2010).

Trade Agreements Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Trade Agreements Act.

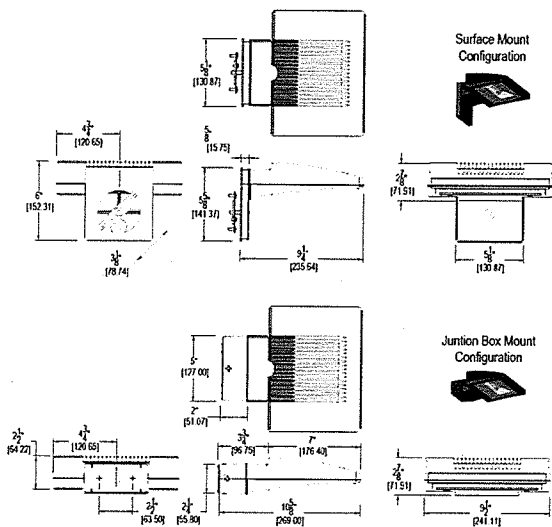
GSA Schedule:

Suitable in accordance with FAR Subpart 25.4

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Dimensions



Features

- Ultra-high efficiency LED 18 Watt wallpack
- Replaces 150W Metal Halide Wallpacks
- 100,00-Hour LED Lifespan
- 5-Year Warranty

Ordering Matrix

Family	Watts	Color Temp	Finish	Photocell
WPLED	18 = 18W	= 5000K (Cool) Y = 3000K (Warm) N = 4000K (Neutral)	= Bronze W = White	= No Photocell /PC = 120V Button /PC2 = 277V Button



PLANT LIST

Charlebois
2016-128

Prepared by Trudell Consulting Engineers
Ben Oxender, Landscape Architect

2/1/2017

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KEY	SCIENTIFIC NAME	COMMON NAME	QUAN.	SIZE	PRICE/PLANT	TOTAL
IV	<i>Ilex verticillata</i> 'Red Sprite & Jim Dandy'	Jim Dandy & Berry Nice Winterberry	9	3 gal.	\$45.00	\$405.00
TOS	<i>Thuja occidentalis</i> 'Smaragd'	Smaragd Arborvitae	3	4'-5'	\$90.00	\$270.00
					TOTAL	\$675.00

910 Cot Fee
150 Cu

Andrew for
remaining fees

RELATED PROPERTY, LLC

29 INTERVALE ROAD
BURLINGTON, VERMONT



PROJECT DESCRIPTION:
THIS PROJECT WILL ADD 103 SELF-STORAGE UNITS TO THE EXISTING.

Owner/Applicant:
ROGER CHARLEBOIS
29 INTERVALE ROAD
BURLINGTON, VERMONT 05401
(802) 860-0220

Engineer:
TRUDELL CONSULTING ENGINEERS (TCE)
478 BLAIR PARK ROAD
WILLISTON, VT 05495
(802) 879-6331

LOCAL SITE PLAN SUBMISSION SET
(NOT FOR CONSTRUCTION)

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DEPARTMENT OF
PLANNING & ZONING

Drawing Index

Sheet Number	Sheet Title
C1-00	Cover
C1-01	Legend and Notes
C1-02	Boundary Plat
C1-03	Existing Conditions
C2-01	Overall Site Plan
C2-02	Grading & Drainage Plan
L2-01	Lighting Plan
C5-01	EPSC Construction & Demolition Plan
C5-02	EPSC Stabilization & Landscaping Plan
C8-01	Site & Stormwater Details
C8-02	Erosion Control Details
C8-03	Underground Sand Filter Details
C8-04	Low Risk EPSC Handbook
C8-05	Low Risk EPSC Handbook

USE AND INTERPRETATION OF THE DRAWINGS	
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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 ensure 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 that utility connections shown on these plans.	
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6. It is the user's responsibility to ensure this copy contains the most current revisions. If unsure, please contact TCE.	
BEFORE USING THESE PLANS ENSURE THAT YOU HAVE THE LATEST REVISION	
LAST REVISED:	01/26/17 ISSUED FOR LOCAL APPROVAL

TCE PROJECT NO: 16-128

TAX ID: 040-2-082

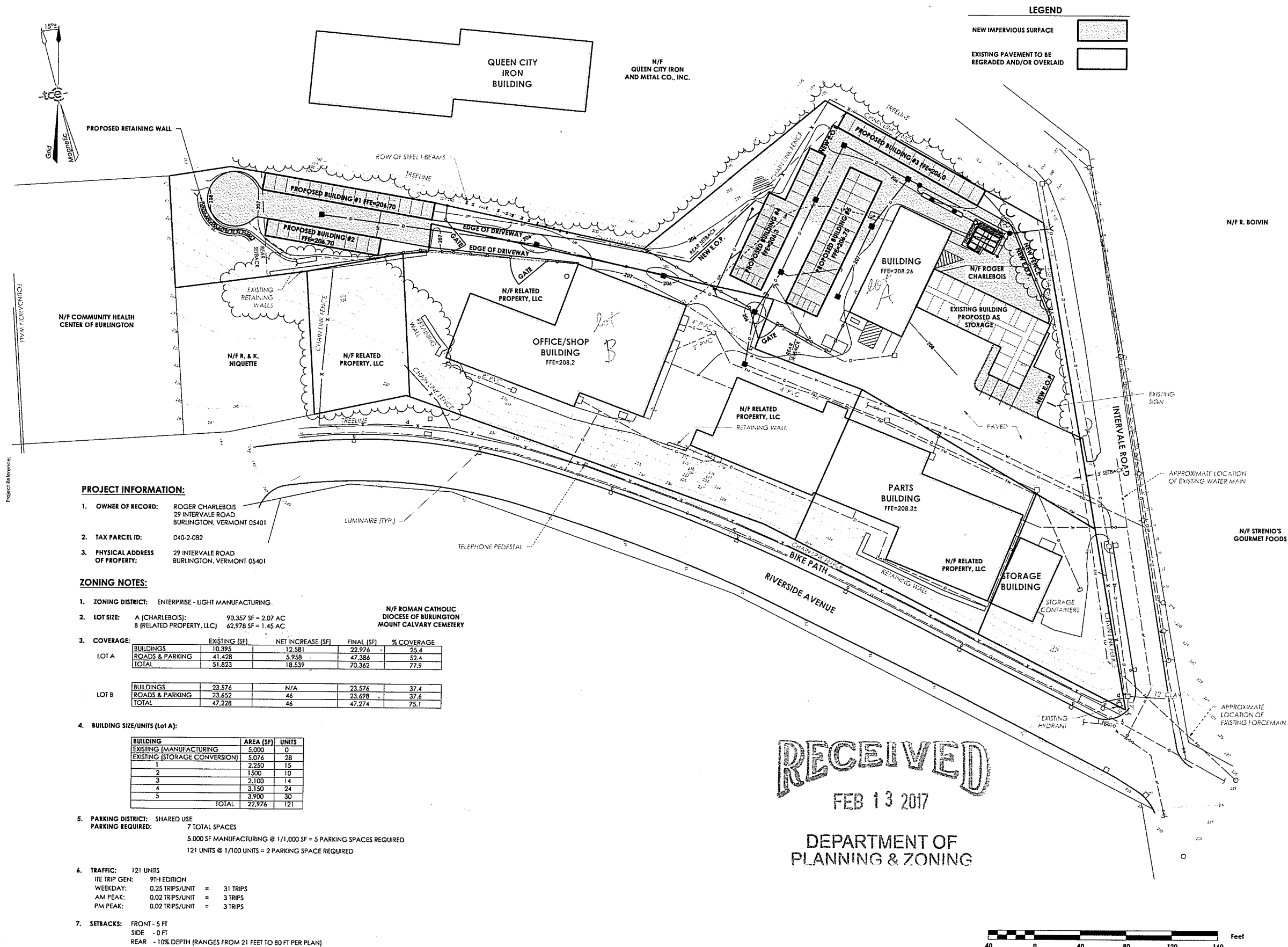


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802.879.6331 | WWW.TCEVT.COM





C1 03



TRUDELL CONSULTING ENGINEERS
418 BLAIR PARK ROAD | MILLISTON, VERMONT 05455
802.879.4331 | WWW.TCEVT.COM

Revisions
No. Description Date By

TAX ID: 040-2-082

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Project Title

Related Property, LLC
29 Intervale Road
Burlington, Vermont

Sheet Title

Overall Site Plan

Date: 01/26/17

Scale: 1" = 40'

Project Number: 16-128

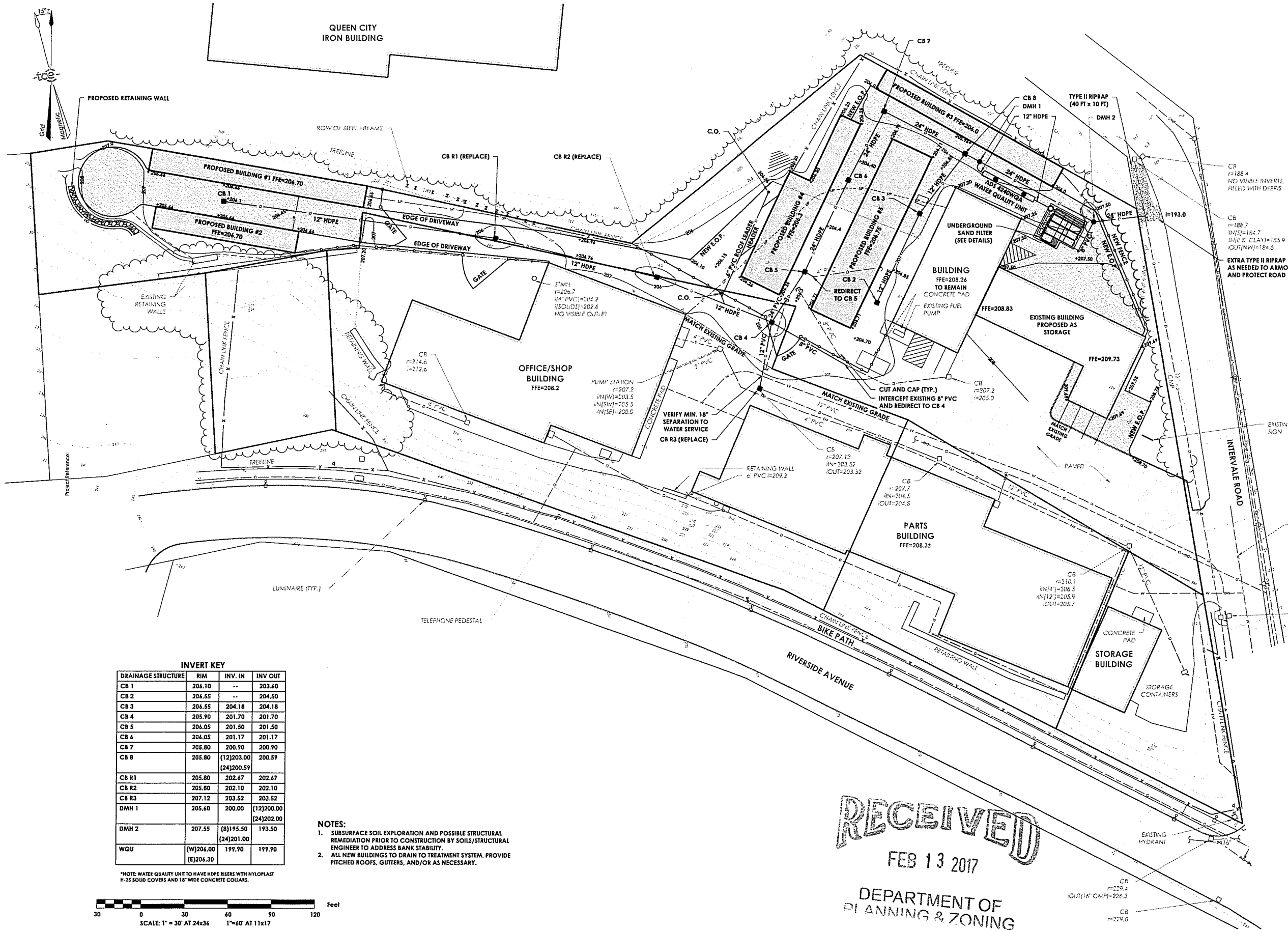
Drawn By: NPC

Project Engineer: AGM

Approved By: JPP

Field Book: 301

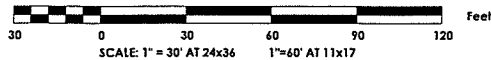
C2-01



INVERT KEY			
DRAINAGE STRUCTURE	RIM	INV. IN	INV. OUT
CB 1	204.10	--	203.60
CB 2	204.55	--	204.50
CB 3	204.55	204.18	204.18
CB 4	205.90	201.70	201.70
CB 5	204.05	201.50	201.50
CB 6	204.05	201.17	201.17
CB 7	205.80	200.90	200.90
CB 8	205.80	(12)203.00 (24)200.59	200.59
CB R1	205.80	202.47	202.47
CB R2	205.80	202.10	202.10
CB R3	207.12	203.52	203.52
DMH 1	205.60	200.00	(12)200.00 (24)202.00
DMH 2	207.55	(8)195.50 (24)201.00	193.50
WQU	(W)204.00 (E)206.30	199.90	199.90

*NOTE: WATER QUALITY UNIT TO HAVE HDPE RISERS WITH NYLOPLAST H-25 SOLID COVERS AND 18" WIDE CONCRETE COLLARS.

- NOTES:
- SUBSURFACE SOIL EXPLORATION AND POSSIBLE STRUCTURAL REMEDIATION PRIOR TO CONSTRUCTION BY SOILS/STRUCTURAL ENGINEER TO ADDRESS BANK STABILITY.
 - ALL NEW BUILDINGS TO DRAIN TO TREATMENT SYSTEM. PROVIDE PITCHED ROOFS, GUTTERS, AND/OR AS NECESSARY.



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Revisions
No. Description Date By

TAX ID: 040-2-082

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Project Title

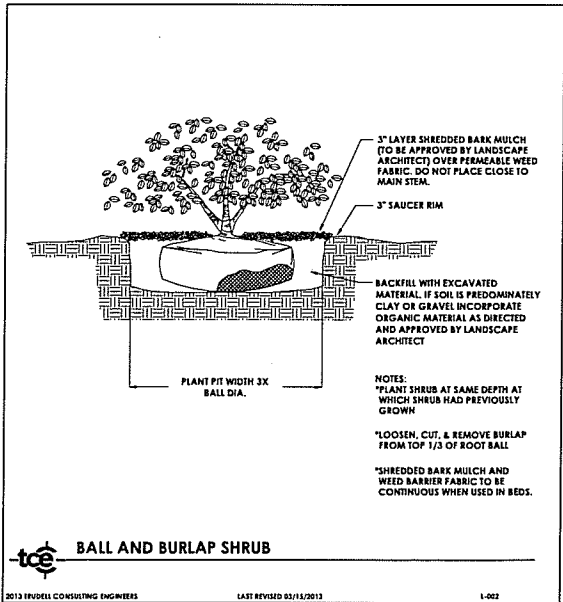
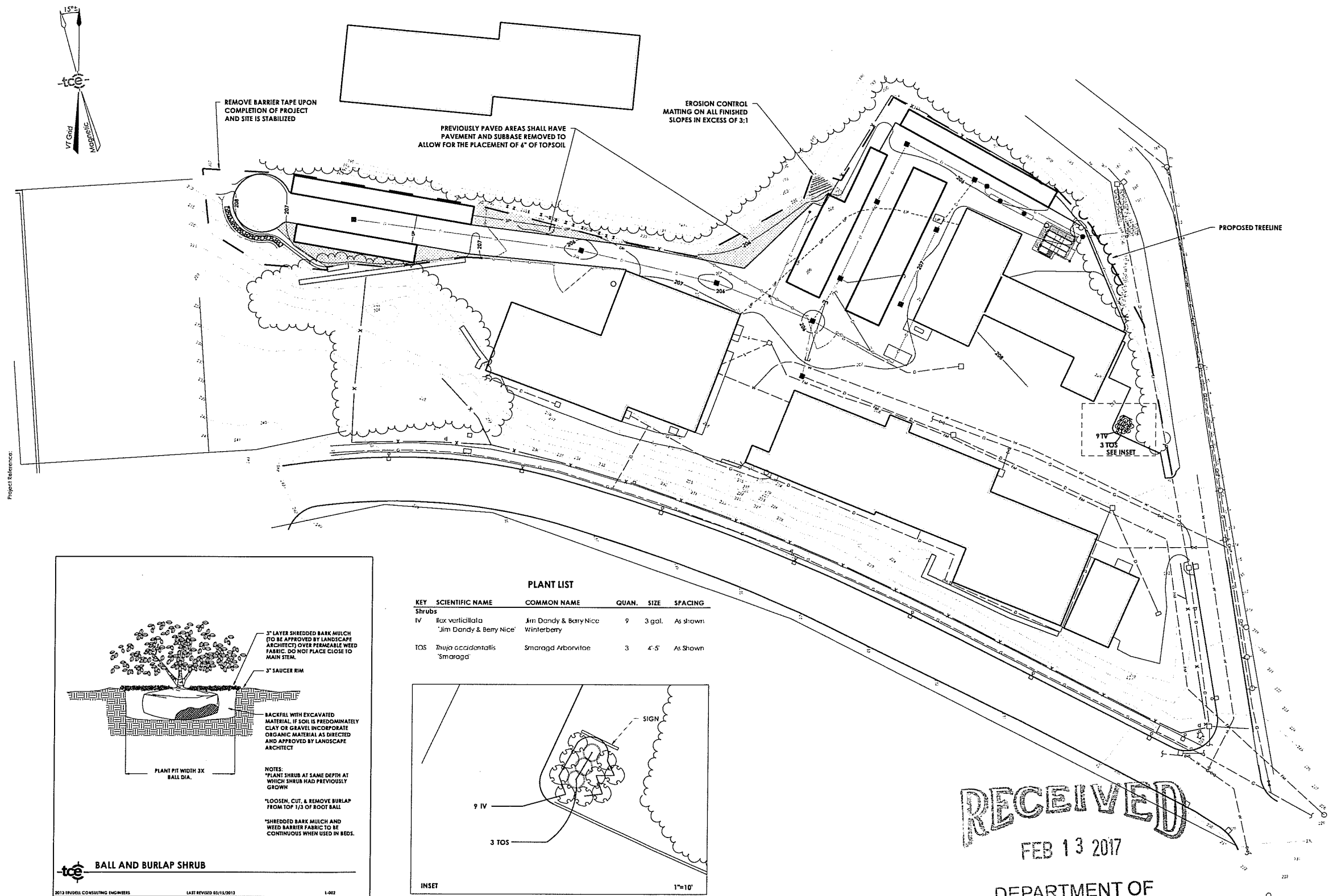
Related Property, LLC
29 Intervale Road
Burlington, Vermont

Sheet Title

Grading & Drainage Plan

Date: 01/26/17
Scale: 1" = 30'
Project Number: 16-128
Drawn By: NPC
Project Engineer: AGM
Approved By: JPP
Field Book: 301

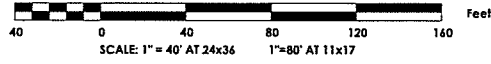
C2-02



PLANT LIST					
KEY	SCIENTIFIC NAME	COMMON NAME	QUAN.	SIZE	SPACING
Shrubs					
IV	Ilex verticillata "Jim Dandy & Berry Nice"	Jim Dandy & Berry Nice Winterberry	9	3 gal.	As shown
TOS	Thuja occidentalis "Smaragd"	Smaragd Arborvitae "Smaragd"	3	4'-5'	As Shown

INSET 1"=10'

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Revisions

No.	Description	Date	By
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TAXID: 040-2-082

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Project Title

Related Property, LLC
29 Intervale Road
Burlington, Vermont

Sheet Title

EPSC Stabilization & Landscaping Plan

Date: 01/26/17

Scale: 1" = 40'

Project Number: 16-128

Drawn By: NPC

Project Engineer: AGM

Approved By: JPP

Field Book: 301

C5-02

LUMINAIRE SCHEDULE						
SYMBOL	LABEL	QTY	CATALOG NUMBER	DESCRIPTION	LAMP	MOUNT HEIGHT
	A	32	WPLED 13W	RAB Lighting LED Wallpack 13 Watt	LED	9 FT
	B	6	WPLED 20W	RAB Lighting LED Wallpack 20 Watt	LED	12 FT
	C	4	ALED24	RAB Lighting Area Light 24 Watt	LED	14 FT

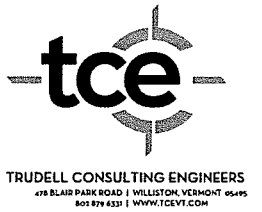
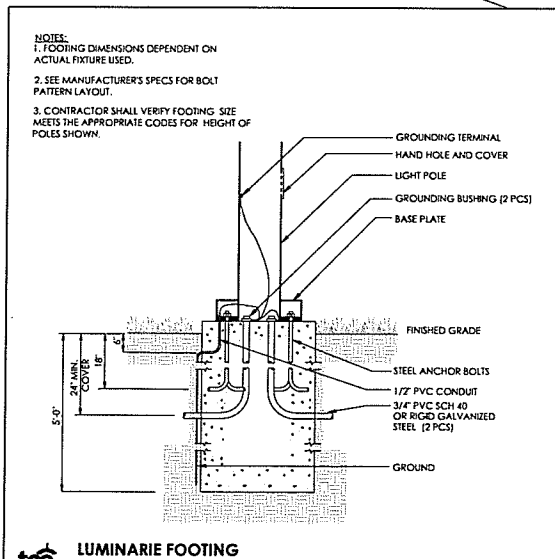
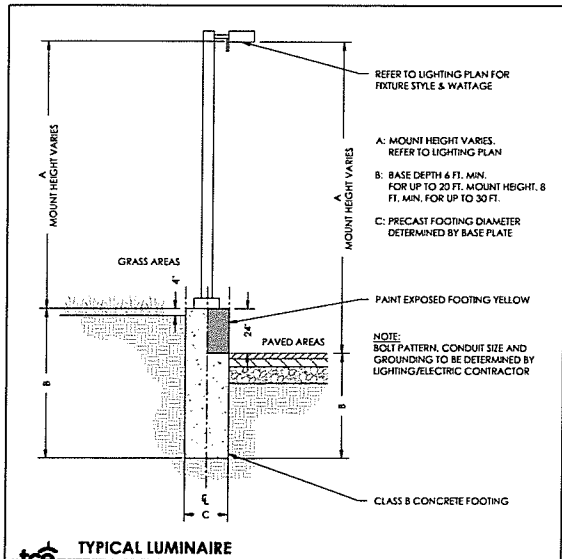
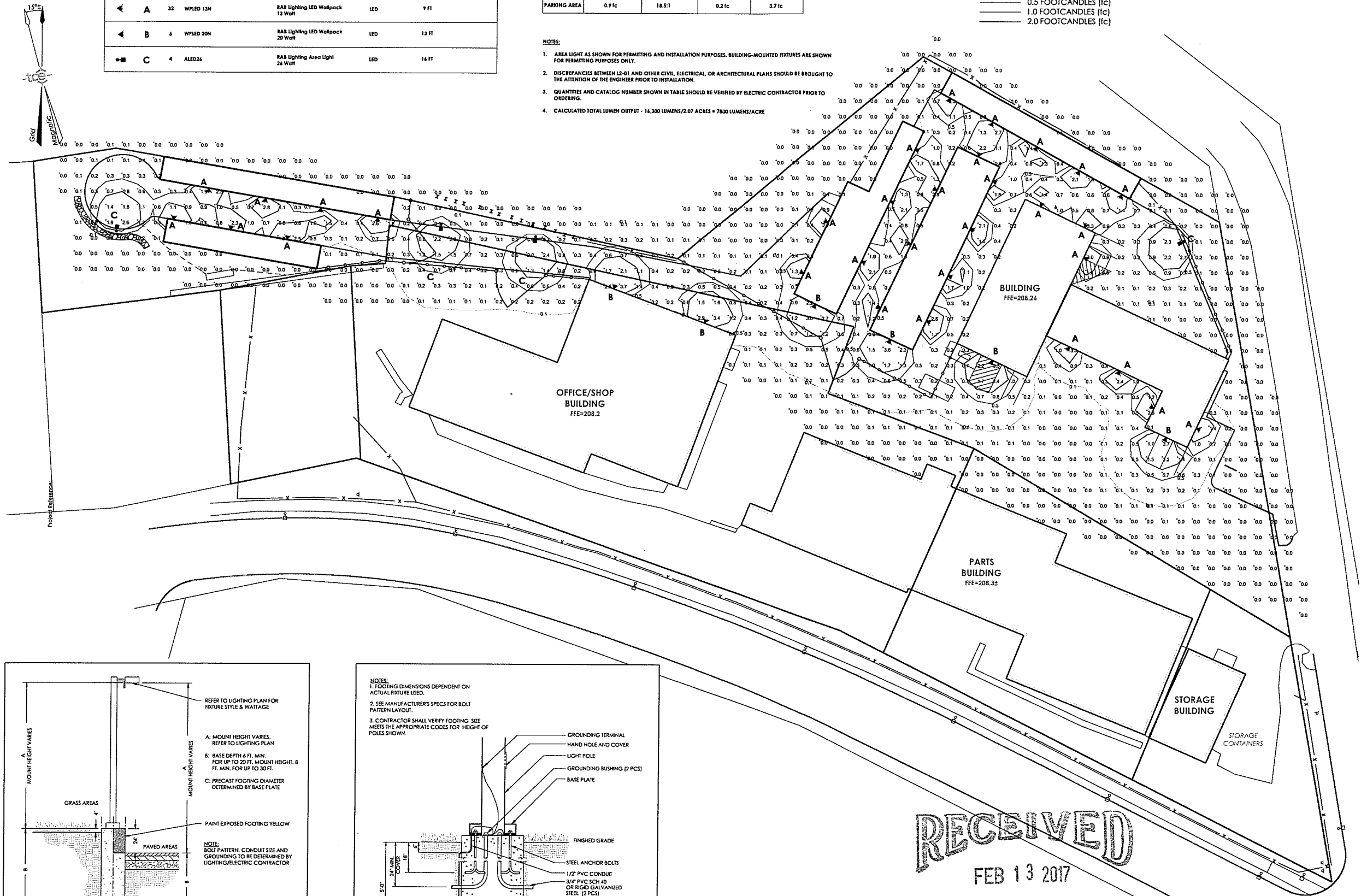
STATISTICS				
	AVG. ILLUMINATION (HORIZONTAL)	UNIFORMITY RATIO (AVG/MIN)	MIN. POINT ILLUMINATION	MAX. POINT ILLUMINATION
PARKING AREA	0.9 fc	18.5:1	0.2 fc	3.7 fc

LEGEND

0.1 FOOTCANDLES (fc)
0.5 FOOTCANDLES (fc)
1.0 FOOTCANDLES (fc)
2.0 FOOTCANDLES (fc)

NOTES:

1. AREA LIGHT AS SHOWN FOR PERMITTING AND INSTALLATION PURPOSES. BUILDING-MOUNTED FIXTURES ARE SHOWN FOR PERMITTING PURPOSES ONLY.
2. DISCREPANCIES BETWEEN L2-01 AND OTHER CIVIL, ELECTRICAL, OR ARCHITECTURAL PLANS SHOULD BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO INSTALLATION.
3. QUANTITIES AND CATALOG NUMBER SHOWN IN TABLE SHOULD BE VERIFIED BY ELECTRIC CONTRACTOR PRIOR TO ORDERING.
4. CALCULATED TOTAL LUMEN OUTPUT - 16,300 LUMENS/2.07 ACRES = 7800 LUMENS/ACRE



Revisions	No.	Description	Date	By
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- TAX ID: 040-2-062
- Use of these Drawings
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Project Title

Related Property, LLC
29 Intervale Road
Burlington, Vermont

Sheet Title	
Lighting Plan	
Date:	01/26/17
Scale:	1" = 30'
Project Number:	16-128
Drawn By:	NPC
Project Engineer:	AGM
Approved By:	JPP
Field Book:	301

L2-01

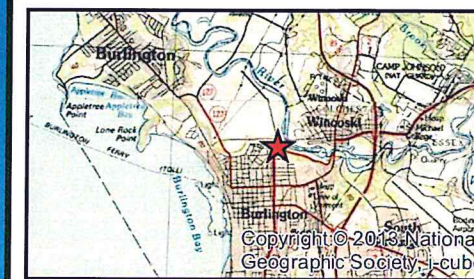
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Location



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Related Property, LLC
29 Intervale Rd
Burlington, VT

Concept Render

Project: 16-128
Prepared By: ALD
02/09/2017

Location



Legend

- Project Area
 - Contour (2')
 - Tax Parcel Boundary
 - NRCS Soil
 - Groundwater Protection Area*
 - Surface Water Protection Area
 - Outstanding Resource Waters*
 - State Significant Wetland
 - State Class 3 Wetland*
 - State Wetland Advisory*
 - VHD Stream
 - VHD Open Water
 - FEMA Flood Zone**
 - AE
 - State River Corridor
 - State RTE Species
 - State Uncommon Species
 - State Deer Wintering Area
- *Layer does not occur within map extent.

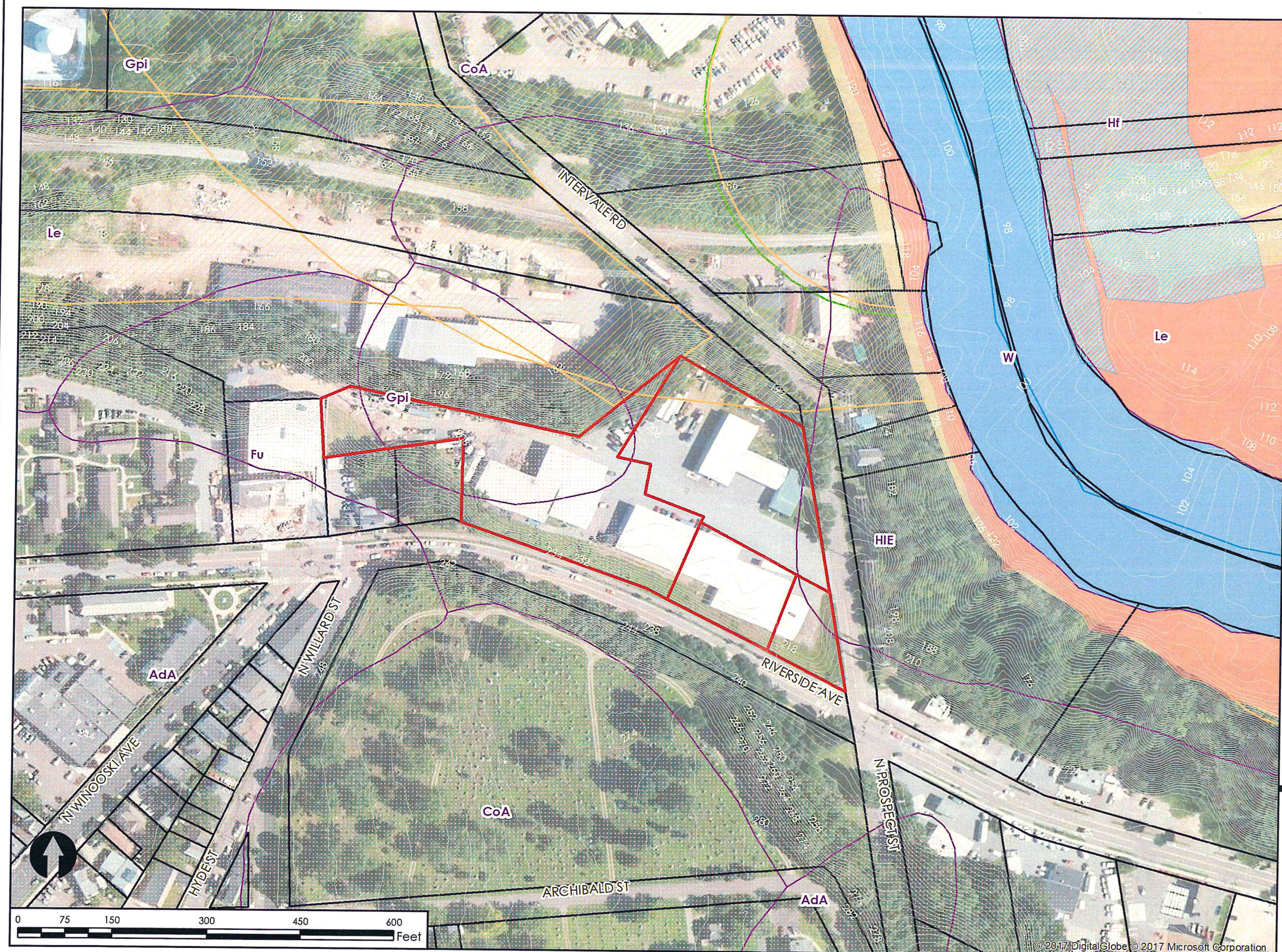
Sources: Bing Basemap Imagery (2015); Streams by VHD (2011); Project Area by TCE (2016); VT E911 Roads (2015); VT Significant Wetland by ANR (2015); Soils by NRCS (2015); Contours by VCGI & CCRPC (Various dates); RTE Species and Natural Community by VT Fish & Wildlife (2015); Uncommon Species by VT Fish & Wildlife (2015); Tax Parcel Boundary compiled by VCGI; Deer Wintering Area by ANR (2011); River Corridor by ANR (2015); Groundwater & Surface Water Protection Areas by ANR (2011/2010); Outstanding Resource Waters by ANR.

Disclaimer: The accuracy of information presented is determined by its sources. TCE is not responsible for any errors or omissions that may exist. Questions of on-the-ground location can be resolved by site inspections and/or surveys by a registered surveyor. This map is not a replacement for surveyed information or engineering studies.

Related Property, LLC
29 Intervale Rd
Burlington, VT

Natural Resource Map

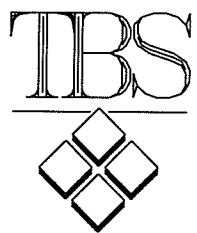
Project: 16-128
Prepared By: ALD
02/09/2017
1 inch = 150 feet



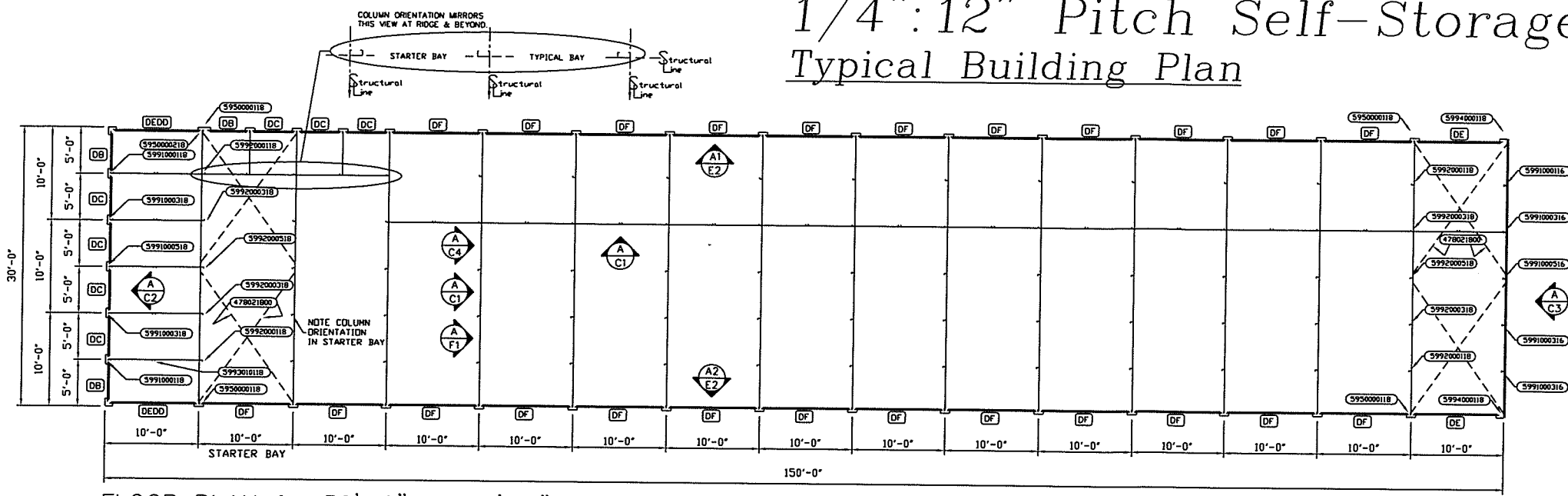
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1714.ELN.U.47.U

1/4":12" Pitch Self-Storage System Typical Building Plan



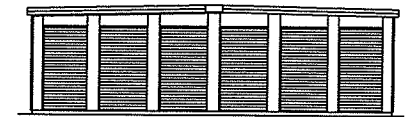
TRACHTE BUILDING SYSTEMS, Inc.
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314 Wilburn Road, Sun Prairie, Wisconsin
(800/356-5824) (Local 608/837-7899)
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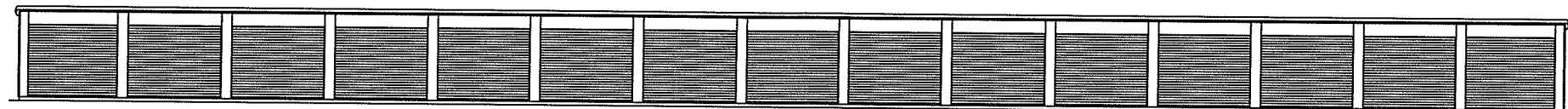
FLOOR PLAN for 30'-0" X 150'-0" MINI STORAGE BUILDING - 1/4:12 PITCH

DOOR SCHEDULE									
QTY	CODE	TYPE	SIZE	ROUGH OPENING	MANUF.	DESCRIPTION	COLOR	PART	
3	DB	ROLL-UP	3'-8" x 7'-0"	3'-8" x 7'-0"	TRACHTE	ROLL-UP DOOR	COLORED	94	—
7	DC	ROLL-UP	4'-0" x 7'-0"	4'-0" x 7'-0"	TRACHTE	ROLL-UP DOOR	COLORED	94	—
2	DE	ROLL-UP	8'-8" x 7'-0"	8'-8" x 7'-0"	TRACHTE	ROLL-UP DOOR	COLORED	94	—
1	DEDD	ROLL-UP	8'-8" x 7'-0"	8'-8" x 7'-0"	TRACHTE	NON-OPERATING DOOR	COLORED	94	—
24	DF	ROLL-UP	9'-0" x 7'-0"	9'-0" x 7'-0"	TRACHTE	ROLL-UP DOOR	COLORED	94	—

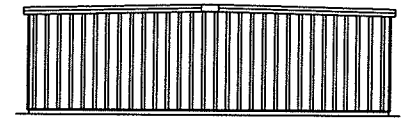
ROLL-UP DOORS MEET ASTM E330



END WALL ELEVATION



SIDE WALL ELEVATION



END WALL ELEVATION

GENERAL FOUNDATION NOTES

FOUNDATION SPECIFICATIONS

- FLOOR SLAB SHALL BE (SEE LEGEND) THICK WITH 6 X 6 - W1.4 X XW1.4 WELDED WIRE FABRIC.
- CONCRETE SHALL BE OF A MIXTURE AND DENSITY TO YIELD A 2,500 PSI COMPRESSIVE STRENGTH AT 28 DAYS. NOTE: STRUCTURAL DESIGN IS BASED ON 2,500 PSI. HOWEVER, 3,000 PSI IS PREFERRED.
- REINFORCING STEEL SHALL CONFORM TO ASTM A-615, GRADE 60 FOR #4 AND LARGER BARS, AND GRADE 40 FOR #3 BARS AND ALL DOWELS AND TIES. STEEL SHALL BE KEPT CLEAN AND FREE OF RUST. LAP ALL REINFORCING A MINIMUM OF 28" AT SPLICES AND AROUND CORNERS.
- WELDED WIRE FABRIC SHALL CONFORM WITH ASTM A-185, AND SHALL BE LAPPED 8 INCHES MINIMUM AT ALL SIDE AND END LAPS. NOTE: WELDED WIRE FABRIC IS USED IN THE STRUCTURAL DESIGN OF THE FLOOR SLAB. THEREFORE, FIBER REINFORCING CANNOT BE USED AS AN ALTERNATE.
- VAPOR BARRIER SHALL BE A MINIMUM OF 6 MIL POLYETHYLENE WITH JOINTS LAPPED NOT LESS THAN 6 INCHES.
- STRUCTURAL ANCHORS SHALL BE POWERS WEDGE BOLT SCREW ANCHORS TO BE PROVIDED BY TRACHTE BUILDING SYSTEMS. INSTALLATION INSTRUCTIONS ARE SPECIFIED IN NOTE 01 ON THE ERECTION DETAIL PAGES.
- NON-STRUCTURAL ANCHORS SHALL BE EITHER POWDER ACTUATED ANCHORS OR TAPCON SCREW ANCHORS. THESE ANCHORS ARE NOT SUPPLIED BY TRACHTE BUILDING SYSTEMS. INSTRUCTIONS FOR LOCATING NON-STRUCTURAL ANCHORS ARE SPECIFIED IN NOTE 02 ON THE ERECTION DETAIL PAGES. NON-STRUCTURAL ANCHORS SHALL BE INSTALLED PER MANUFACTURERS SPECIFICATIONS.
- FREE DRAINING GRANULAR FILL SHALL BE A NON FROST SUSCEPTIBLE FILL MATERIAL CONSISTING OF COURSE SAND, CRUSHED ROCK, OR AN APPROVED EQUIVALENT.
- FOR INSULATED FOUNDATIONS: INSULATION SHALL BE 2 INCHES OF EXTRUDED POLYSTYRENE ASTM C578 TYPE VII OR EQUIVALENT. MINIMUM ALLOWABLE BEARING CAPACITY OF 2,800 psf.

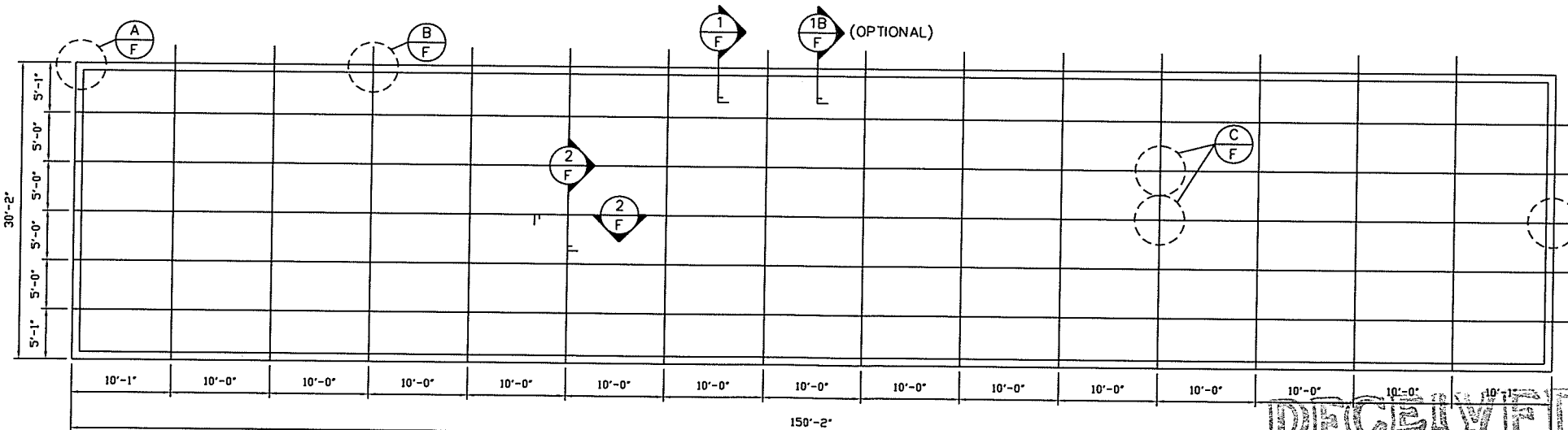
FOUNDATION DESIGN NOTES:

- FOUNDATION PLAN SHOWN IS DESIGNED FOR A PRESUMED 1,500 PSF ALLOWABLE BEARING PRESSURE.
- PLEASE NOTIFY ENGINEER OF ANY UNUSUAL CONDITIONS.

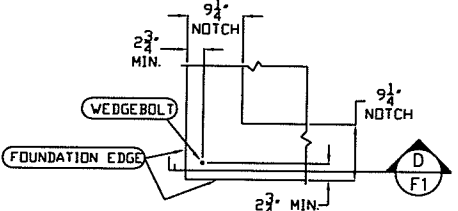
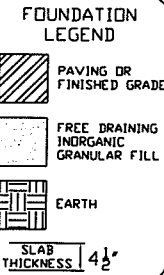
GENERAL FOUNDATION NOTES:

- NOTCH SHALL BE LEVEL WITH NO PITCH.
- FOUNDATION MUST BE SQUARE AND LEVEL.
- PROVIDE CONTROL JOINTS AT 15'-0" ON CENTER MAXIMUM SPACING. ALL CONTROL JOINTS SHOULD BE LOCATED AT LEAST 1 FOOT OFF OF THE TRACHTE BUILDING SYSTEMS COLUMN GRID SHOWN ON THE FOUNDATION PLAN.

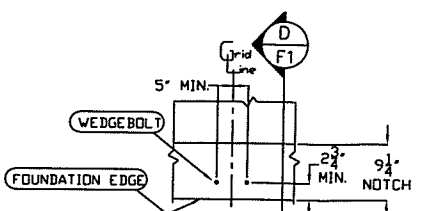
NOTE TRACHTE BUILDING SYSTEMS, INC. IS ONLY RESPONSIBLE FOR THE DESIGN OF THE FOUNDATION TO ACCEPT OUR BUILDINGS. THE DESIGN IS BASED ON THE PARAMETERS SPECIFIED IN THE NOTES, AND THE LOADS IMPOSED BY OUR BUILDING SYSTEM. IT IS THE OWNERS RESPONSIBILITY TO NOTIFY TRACHTE'S ENGINEERING DEPARTMENT OF ANY UNUSUAL SITE CONDITIONS OR OF ANY MATERIALS NOT SUPPLIED BY TRACHTE, THAT WILL IMPOSE LOADS ON THE FOUNDATION SYSTEM. ACTUAL CONSTRUCTION OF THE FOUNDATION, INCLUDING LABOR AND MATERIALS FOR PLACING OF REINFORCING STEEL AND CONCRETE IS BY OTHERS AND THEREFORE, NOT THE RESPONSIBILITY OF TRACHTE BUILDING SYSTEMS.



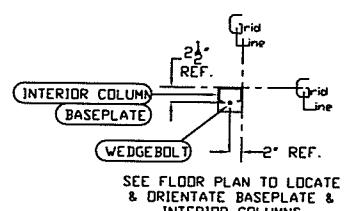
30'-2" x 150'-2" FOUNDATION PLAN for 30'-0" x 150'-0" MINI STORAGE BUILDING



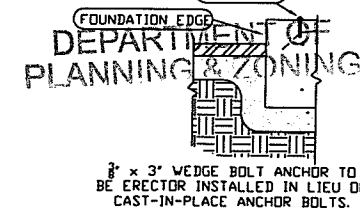
A WEDGE BOLT LOCATION, NOTCHED CORNER



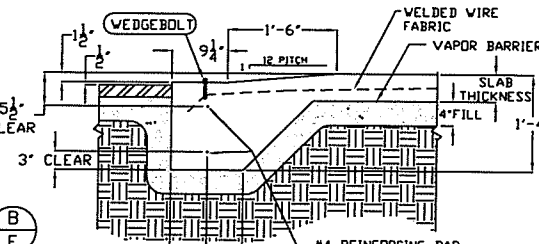
B WEDGE BOLT LOCATION, NOTCHED EXTERIOR



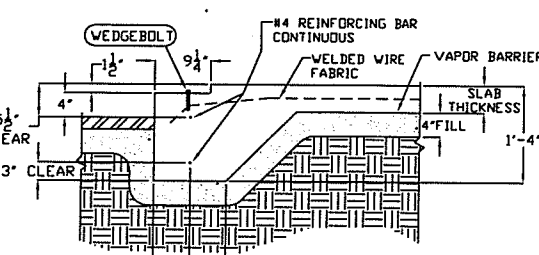
C WEDGE BOLT LOCATION, INTERIOR BASEPLATE



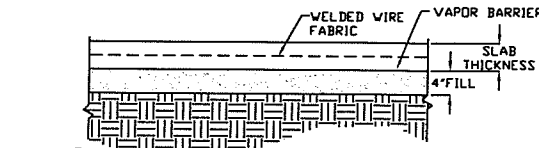
D WEDGE BOLT, SEC'N, FOUNDATION EDGE



1B FLOATING SLAB, ADA PITCH, NOTCHED (OPTIONAL)



1 FLOATING SLAB DETAIL, NOTCHED



2 SLAB, INTERIOR SECTION

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PLANNING & ZONING

Department of Planning and Zoning

149 Church Street

Burlington, VT 05401

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

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

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



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: April 4, 2017

RE: ZP17-0780CA/CU 557 Riverside Avenue / 29 Intervale Road

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

File: ZP17-0780CA/CU (29 Intervale Rd.);

ZP17-0861CA (557 Riverside Avenue.)

Location: 29 Intervale Road / 557 Riverside Avenue

Zone: E-LM **Ward:** 1E

Date application accepted: February 13, 2017

Applicant/ Owner: Roger Charlebois / Related Property LLC

Request: Construction of buildings for self storage units, site improvements including stormwater utility installation.

Background:

29 Intervale Road

- **Zoning Permit 00-651;** Lot Line Adjustment with 35 Intervale Road. No development included. June 2000.
- **Zoning Permit 78-512 / COA77-77;** convert the existing sand pit on Intervale Road, north of 29 Intervale Road at the railroad track into a junk yard. Also erect a 60' x 120' metal building on the site. Approved December 1977.

557 Riverside Avenue

- **Zoning Permit 05-467CA / COA99-019A;** construction of two connected industrial buildings to replace two previous buildings. Driveway regrading and connection to city sewer system included. Approved May 2005.
- **Zoning Permit 78-173;** demolish present building and construct new metal building of approximately same size on site. Approved October 1978.



- Request to the Zoning Board of Adjustment to erect a 60' x 100' metal building to be used as a repair garage and for the storage of more than two unregistered vehicles. Approved September 1972.

Overview: Although individual parcels, both properties are owned by the same person. The applicant hopes to convert a portion of an existing warehouse to self storage (5076 sf, 28 storage units) and construct five new buildings to create a total of 121 mini-storage units. Site improvements will include stormwater utility infrastructure, LED lighting, security fencing, landscaping and new paving. Self-storage is a Conditional Use in the E-LM zoning district.

Recommendation: Conditional Use and Certificate of Appropriateness **approval**, per the following findings and conditions:

I. Findings

Article 3: Applications, Permits and Project Reviews

Part 3: Impact Fees

Section 3.3.2 Applicability

Any new development or additions to existing buildings which result in new dwelling units or in new nonresidential buildings square footage are subject to impact fees as is any change of use which results in an added impact according to Section 3.3.4.

As new nonresidential square footage is proposed, Impact Fees are required. **Affirmative finding as conditioned.**

Section 3.3.3 Exemptions and Waivers

(a) Exemptions

The following types of development are exempt from this Part:

2. *Alterations to an existing use provided that such alteration occurs entirely within an existing building and within the same square footage.*

The conversion of 5,076 sf. of warehouse to self storage will not incur Impact Fees per this standard. The remaining new square footage (12,900 per Table Plan C2-01) will be assessed for Impact fees. Per that calculation, the following estimated fees will be due:

SF of
Project 12,900

	<u>Offices & Other</u>	
Department	Rate	Fee
Traffic	0.658	8,488.20
Fire	0.193	2,489.70
Police	0.341	4,398.90
Parks	0.407	5,250.30
Library	0.000	0.00

Schools	0.000	0.00
Total	1.599	\$ 20,627.10

Affirmative finding as conditioned.

Section 3.3.8 Time and Place of Payment

Impact fees must be paid to the city's chief administrative officer/city treasurer according to the following schedule:

- (a) *New Buildings: Impact fees must be paid at least seven (7) days prior to occupancy of a new building or any portion thereof.*

Affirmative finding as conditioned.

Part 5: Conditional Use Review

Section 3.5.6 Review Criteria

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

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

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

The addition of self storage units will have no identified impact on existing or planned public utilities, facilities or services. The site itself is an existing industrial/warehouse location. **Affirmative finding.**

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

As noted, this is an existing, developed industrial/warehouse site; consisting of related activities across multiple parcels with common ownership. Although self-storage is a different animal than general warehouse, the site specifically hosts storage activities currently.

From the Municipal Development Plan:

- *Implement measures to treat stormwater runoff from existing development, and require new development to treat stormwater through the use of acceptable best management practices. (MDP, Natural Environment, Page II-12.)*
- *(Along Riverside Avenue); Ways must be found to ... contain stormwater. Strong erosion control measures are necessary to protect steep slopes and water quality. (MDP, Land Use Plan, Page I-25.)*
- *Promote and support locally owned and controlled small businesses... (MDP, Economic Development Plan, Page VI-2.)* **Affirmative finding.**

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

The proposed self storage units will be within a complex of industrial and warehouse uses with similar characteristics. No new nuisance impacts are anticipated. **Affirmative finding.**

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

The mini storage units are proposed within an existing industrial/warehouse complex with access from Industrial Road. Engineering analysis estimates 31 daily weekday trips and 3 peak AM/peak PM trips; negligible increase of traffic onto Riverside Avenue. Little if any additional demand is expected on utilities, facilities, or services. Any additional traffic impacts will be mitigated through the payment of impact fees.

Affirmative finding as conditioned.
and

5. *The utilization of renewable energy resources;*

No part of the application prohibits the use of wind, water, 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.*

Section 2.7.8, Withhold Permit will require that the administrative officer deny all zoning permits or certificates of occupancy for any property with an uncorrected zoning violation or with expired zoning permits 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 action shall take place fore the issuance of a final certificate of occupancy on the new permit. The applicant is encouraged to address any open permits issued for either property since July 13, 1989 and seek certificates of occupancy. **Affirmative finding as conditioned.**

(c) Conditions of Approval

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

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

The applicant is providing new lighting and landscaping on site, in addition to enhanced stormwater mitigation plan. No further mitigation measures are identified. **Affirmative finding.**

2. *Time limits for construction.*

The permit will be valid for 2 years from the date of approval. The applicant has not requested phasing. **Affirmative finding as conditioned.**

3. *Hours of operation and/or construction to reduce the impact on surrounding properties.*
This is within an existing industrial site with current hours of operation 7:00 am-7:00 pm. The proposed new use (mini storage) is proposed to be available 24/7 via an automated security system. Given the limited anticipated trips associated with self storage and the dearth of residential neighbors, no significant impact is anticipated to neighboring properties. **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 alteration to the use will be reviewed under the regulations in effect at the time of application. **Affirmative finding as conditioned.**
- and*
5. *Such additional reasonable performance standards, conditions and safeguards as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*
This is at the discretion of the Board.

Article 4: Zoning Maps and Districts

Section 4.4.3 Enterprise Districts

(a) Purpose

*The **Light Manufacturing (E-LM)** district is the primary commercial/industrial center of Burlington, and is intended primarily to accommodate enterprises engaged in the manufacturing, processing, distribution, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment without potential conflicts from interspersed residential uses. **Other accessory commercial uses are allowed to support a wide range of services and employment opportunities.** This district is intended to ensure that sufficient land area is appropriately designated within the city to provide an adequate and diversified economic base that will facilitate high-density job creation and retention. This district is primarily intended to provide for industrial uses suitable for location in areas of proximity to residential development. Development is intended to respect interspersed historic industrial buildings, and reflect the industrial aesthetic of the district's past. Parking is intended to be hidden within, behind, or to the side of structures.*

The introduction of self-storage units are an accessory commercial use at this industrial/warehouse complex, consistent with this general definition for the zoning district. **Affirmative finding.**

(b) Dimensional Standards and Density

Table 4.4.3-1

Districts	Max. Intensity (floor area ratio) ¹	Max. Lot Coverage ¹	Minimum Building Setbacks ¹ (feet) ³			Max. Height ¹ (feet)
Light Manufacturing	2.0 FAR	80%	Front 5 min	Side 0 ²	Rear 10% ²	45'
29 Intervale Rd.	< 2 FAR	57.35% existing, 77.9% proposed	No buildings within 5' of frontage. New edge of pavement approx. 9'.	Does not abut residential zoning district.	Structural setback met; pavement may encroach into setback up to 5' from property boundary; shown at approx. 32' from rear property line.	One story bays <45'.
557 Riverside Avenue (Involvement limited to access and new paving)	As Existing	Existing 74.99% Proposed 75.1%	No change	No change	No change	N/A

1 – Floor area ratio is further described in Art 5. Measurement of and exceptions to coverage, setback, and height standards are found in Art 5. Actual maximum build out potential may be reduced by site plan and architectural design considerations of Art 6.

2 – Structures shall be setback a minimum of 25-feet along any zoning district boundary line that abuts a residential zoning district. Lots of record existing as of September 9, 2015 that are split by enterprise and residential zones are exempt from this district boundary setback.

3 – Percentage of the lot depth.

Affirmative finding.

(c) Permitted and Conditional Uses:

The principal land uses that may be permitted, or conditionally permitted pursuant to the requirements of Article 3, within the Enterprise districts shall be as defined in Appendix A – Use Table.

Warehouse/self-storage is a Conditional Use in the E-LM Zoning District. See Section 3.5.6, above.

Article 5: Citywide General Standards

Section 5.1.1 Uses

(d) Conditional Uses

Warehouse, Self Storage is a Conditional Use in the E-LM Zoning District. See Section 3.5.6, above.

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2. Required Frontage or Access

These are existing parcels with pre-established street frontage and access points. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.3-1, above.

Section 5.2.4 Buildable Area Calculation

The development is not within the RCO, WRM, RM, WRL or RL zoning district. Not applicable.

Section 5.2.5 Setbacks

See Table 4.4.3-1, above.

Section 5.2.6 Building Height Limits

See Table 4.4.3-1, above.

Section 5.5.2 Outdoor Lighting

The applicant proposes LED wallpacks at the mini storage buildings and an existing warehouse; and four full cut-off pole mounted fixtures around the site. Per the provided photometric, maximum illumination levels do not exceed these standards. Pole height is proposed to be 16'; less than the 25' maximum. There is no measureable light spill across uninvolved boundary lines. **Affirmative finding.**

Article 6: Development Review Standards

Part 1: Land Division Design Standards

No land division is proposed. Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a)Protection of Important Natural Features:

There are no identified natural features at this site. A Stormwater Plan and an Erosion Prevention and Sediment Control Plan are under the review of the Stormwater Program; their approval will be a condition of the permit. **Affirmative finding as conditioned.**

(b) Topographical Alterations:

The installation of the drainage/stormwater utility will require some soil exploration prior to construction to assure site stability. The grading and drainage plan is subject to DPW/Stormwater program review and approval. **Affirmative finding as conditioned.**

(c) Protection of Important Public Views:

There are no protected public views from this site. Not applicable.

(d) Protection of Important Cultural Resources:

Not applicable.

(e) Supporting the Use of Renewable Energy Resources:

No part of this application precludes the use of wind, water, solar, geothermal, or other renewable energy resource. **Affirmative finding.**

(e) Brownfield Sites:

29 Interval Road appears on the Vermont Department of Environmental Conservation's Hazardous site website.

The report refers to petroleum sheens on the Winooski River more than 15 years ago which opened the Charlebois property as a Site listing, but were never confirmed to have originated from this site or from gas stations on Riverside Avenue. Further communication between that Division and the consulting engineering team have provided rich interchange between parties about site characteristics, past development, and proposed methods to address stormwater. Vt DEC was satisfied with the exchange and will assign a *Sites Management Activity Completed* designation for Site #20002828 in the near future. There remains no concern from DEC about the proposed development.

The applicants are not proposing stormwater infiltration as part of the new treatment. The plan includes a sand filter with underdrain as opposed to infiltration and also a water quality unit which acts as an oil/grit separator. This will be a significant improvement from current site conditions.

The approval of Burlington's Stormwater Program Engineer will be required. **Affirmative finding as conditioned.**

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

New stormwater infrastructure is proposed as part of this application. Both the EPSC and the Stormwater Plan will require written approval of the Stormwater program.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

The applicant currently addresses on-site snow management.

Affirmative finding as conditioned.

(h) Building Location and Orientation:

The mini-storage buildings are arranged within the existing industrial site; most located behind existing buildings. None front a road. **Affirmative finding.**

(i) Vehicular Access:

Access remains as existing. **Affirmative finding.**

(j) Pedestrian Access:

There are no sidewalks on Intervale Road. The proposed use is not associated with pedestrian traffic, as users will be transporting storage items in vehicles. The development will, however, introduce pavement access to storage units and formalize 7 new parking spaces. **Affirmative finding.**

(k) Accessibility for the Handicapped:

This is not a requirement for the proposed use; however single story storage units with full overhead doors will presumably offer easy accessibility. **Affirmative finding.**

(l) Parking and Circulation:

The complex has an existing pattern of circulation throughout the buildings. The proposed self storage buildings will profit from that access and infrastructure. Per Table 8.1.8-1, 7 new parking spaces are provided. See Plan C2-01. **Affirmative finding.**

(m) Landscaping and Fences:

Plan C5-02 includes landscaping improvements, which will help visibly screen new pavement from Intervale Road. **Affirmative finding.**

(m)Public Plazas and Open Space:

There are no public plazas or open space on this site. Not applicable.

(o) Outdoor Lighting:

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

See Section 5.5.2, above.

(p) Integrate infrastructure into the design:

Storage buildings do not typically have mechanical equipment, mailboxes or utility connections. Lighting will be provided along each building. **Affirmative finding.**

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a)Relate development to its environment:

1. Massing, Height and Scale:

This is an industrial/warehouse complex. Although most buildings are Butler style metal commercial structures of greater scale, the storage units are not incompatible tucked behind the existing warehouses. **Affirmative finding.**

2. Roofs and Rooflines.

Shallow pitched gable roofs are proposed; typical for the type of storage structure. **Affirmative finding.**

3. Building Openings

The storage buildings typify the model: Garage doors are the predominant feature along entire building facades. Functionally, this defines the use. **Affirmative finding.**

(b)Protection of Important Architectural Resources:

Not applicable.

(c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:

There will be little visibility of these elongated buildings from Intervale Road or Riverside Avenue. One would have to enter the site to see the buildings, as situated. The buildings themselves are characteristically austere. **Affirmative finding.**

(e) Quality of materials:

Storage buildings, whether for large manufacturing or small scale use are typically pre-engineered packages consisting of metal frame and siding to be installed on prescribed concrete slab. For their use, the materials are of expected durability. **Affirmative finding.**

(f) Reduce energy utilization:

Other than installed vapor barrier and insulated slab, the storage units themselves are not expected to be energy rated. The proposed LED light fixtures will have positive impacts for energy usage. **Affirmative finding.**

(g)Make advertising features complementary to the site:

Any signage will require a separate sign permit. **Affirmative finding as conditioned.**

(h)Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i)Make spaces secure and safe:

Unit entrances will be adequately lit and observable from within the complex. The storage units will be accessible 24 hours a day via an automated security system.

All construction will meet applicable building and life safety code as defined by the building inspector and the fire marshal. **Affirmative finding.**

Article 8: Parking

The parking requirement for the new use is as following:

5,000 sf manufacturing (existing) 1 space/1000 sf = 5 parking spaces

121 storage units at 1 space /100 units =

Total spaces provided:

2 parking spaces

7 spaces

The spaces are identified as follows: 3 on the south of the existing building proposed as storage; 2 on the south of existing building, north side of site; and 2 on the east side of the same building.

See Plan C2-01.

No change to parking or use at 557 Riverside Avenue.

Affirmative finding.

II. Conditions of Approval

1. Impact fees, based upon the net new storage area will be required. See Article 3 Part 3 for an estimate based upon submission information. The applicant shall confirm that area for a final assessment.
2. **Section 2.7.8, Withhold Permit** will require that the administrative officer deny all zoning permits or certificates of occupancy for any property with an uncorrected zoning violation or with expired zoning permits 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 action shall take place before the issuance of a final certificate of occupancy on the new permit. The applicant is encouraged to address any open permits issued for either property since July 13, 1989 and seek certificates of occupancy.
3. The grading and drainage plan is subject to DPW/Stormwater program review and approval **prior to release of the permit.**
4. The Erosion Prevention and Sediment Control Plan will require written approval by the Stormwater Division **prior to release of the permit.**
5. Any signage will require a separate sign permit.
6. The boundary survey/plat shall be filed in the City's land records to correct boundary lines for all related properties.
7. 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 Planning and Zoning

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Anita Wade, Zoning Clerk*



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: April 4, 2017
RE: ZP17-0791CA; 323-325 College 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: ZP17-0791CA

Location: 323-325 College Street

Zone: RH **Ward:** 2

Parking District: Neighborhood

Date application accepted: February 16, 2017

Applicant/ Owner: Bruce Baker / 323 Green Castle LLC, Alpha Properties LLC, Peter C. Potts, Elizabeth Demas, Mary M Lee Carol B. Potts.

Request: Renovate existing ell for an additional 4 residential units; re-stripe parking for additional spaces. Requires DRB discretionary review of parking space dimensional standards silent in Article 8, Table 8.1.11-1. No change to coverage or setbacks.

Background:

- **Zoning Permit 17-0790CA;** Replace existing windows on rear ell with new clad wood windows. Approved March 2017.
- **Zoning Permit 11-0086;** Amendment to original approval issued November 3, 2010; specifically, site plan revisions, new access road, revised parking layout and substantially upgraded stormwater retention infrastructure. Approved July 2011.
- **Zoning Permit 11-0086 CA/MA;** Construct an attached building addition with 8 new dwelling units; convert the existing 5 unit building to a single unit with attached laundry/storage area; a net total of 9 dwelling units. (Re-arrangement of the number of units between buildings: 1 to be located in the existing structure; 8 in the new structure.) Demolish existing garage, expand parking area. Approved November, 2010.
- **Zoning Permit 04-496;** Move existing fence and install children's play equipment. Approved April 2004.
- **Zoning Permit 03-170;** Installation of fenced enclosure, 4' high green vinyl chain link. Approved, October 2002.
- **Zoning Permit 83-123;** Erect a 4' chain link fence along 75' of eastern property line and 125' along property line and 84' along northern property line. Approved April 1983.

- **Zoning Permit 80-962**; New doors, installation of a window where there was a door. Interior work. Approved May 1980.
- **Zoning Permit 79-146**; Install 70' of 4' chain link fencing. Approved May 1979.
- **ZBA request** to convert a three apartment house to five apartments; Approved November 1972.

Overview: 323-325 College Street is a 9 unit (connected) residential structure.

In 2011 a four story addition was constructed west of the existing structure, with 8 new dwelling units. The existing (5 unit) structure was converted to a single dwelling unit for a total of 9 units on site. The rear ell was then abandoned of dwelling units.

This application addresses the renovation of the rear ell and restoration of the four units vacated in 2010-11; re-striping of the parking, and a request for DRB approval for back-up length for parking spaces at a 30° angle (an option which is not defined in Table 8.1.11 of the Comprehensive Development Ordinance.) No change to coverage.

The application meets coverage and density standards of the ordinance; only the parking dimensional standards require the attention of the Board.

Window, door and siding replacement have been approved under separate zoning permits.

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

I. Findings

Article 4: Zoning Maps and Districts

Section 4.4.3 Residential Districts

Table 4.4.5-2: Base Residential Density

District	Maximum dwelling units per acre ¹
High Density: RH	40 units/acre
323-325 College Street	13 units/.7835 A = 16.59 units/acre, < 40

Affirmative finding.

Table 4.4.5-3 Residential District Dimensional Standards

No change to lot or coverage. Coverage remains below limitation as defined in these standards. (66.9% existing.)

Affirmative finding.

Section 4.4.5 (d) 5. Residential Density

C. Residential Occupancy Limits

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

Functional Family provisions of the ordinance shall apply to all new units. Not more than four unrelated adults may occupy any residential unit approved in the RH zoning district since December 26, 2012. (ZA-13-01.) **Affirmative finding as conditioned.**

Article 8: Parking

Table 8.1.8-1 Minimum Off-Street Parking Requirements

Multi-unit attached dwelling units in the Neighborhood Parking District require 2 parking spaces per unit. With 13 units, 26 parking spaces are required. 29 are proposed.

(The submitted site plan defines 30 spaces; however, the striped space in the rear is the identified pedestrian path to the entrance approved under the previous permit ZP11-0086CA/MA. It also acts as a loading area for the adjacent handicapped parking space.)

Affirmative finding as conditioned.

Section 8.1.9 Maximum Parking Spaces

The total number of parking spaces provided in all parking districts shall not be more than 125% of the minimum number of spaces required for the Neighborhood Parking District for any given use as required in Table 8.1.8-1.

Required parking for 13 units is 26 spaces. 125% of 26 is 33 spaces. Only 29 are proposed; not in excess of the limitation defined in this standard. **Affirmative finding.**

Section 8.1.11 Parking Dimensional Requirements

Table 8.1.11-1 Minimum Parking Dimensions

This table defines dimensional standards of parking spaces as well as required back-up length for each space, dependant upon the angle of the parking space. The table remains silent on vehicles parked at less than a 45°angle. This application requests parking spaces at 30° angle (which is not uncommon in other municipal parking ordinances.)

The language of this standard states:

These standards shall be adhered to except in situations where a lesser standard is deemed necessary by the DRB due to siet topography, location of existing or proposed structures, lot configuration, and/or the need to preserve existing trees and mature vegetation.

Locally, The City of South Burlington includes a measurement for backup space for cars parked at a 30°angle, which the consulting engineers exercised for this project in creating the parking plan.

Fullerton and Los Angeles (California) parking regulations both include dimensional standards for cars parked at a 30°angle, specifically by way of aisle width, further defined by single loaded parking, one-way traffic circulation. Fullerton CA requires a 12' aisle width; Los Angeles establishes a minimum wall to wall bay width of 27.5 ft for 30° parking space (single loaded, one-way circulation.) The latter matches the dimension in the attached plan.

Both Fullerton and Los Angeles have smaller standard required parking space length (18' LA, 19' Fullerton; Burlington's is 20'.) The applicant here proposes an aisle width of approximately 10', with functional backup space of 18'. Considering Burlington's larger standard vehicular parking space requirement (20') the overall dimensions are consistent with parking standards established in different municipalities.

Affirmative finding if acceptable to DRB.

II. Conditions of Approval

1. Functional Family provisions of the ordinance shall apply to all new units. Not more than four unrelated adults may occupy any new residential unit established since December 26, 2016.
2. The Parking Management Plan approved under ZP11-0086CA/MA shall remain in effect.
3. The pedestrian access aisle shall be maintained to the rear entrance, and not calculated as a surface parking space.
4. 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.

RECEIVED
FEB 16 2017

DEPARTMENT OF
PLANNING & ZONING

Zoning Narrative

We are seeking to utilize existing interior space that was previously demised as 4 apartments. The proposal is to renovate this space, referred to as the "rear ell" and basement on the attached plans, which will add 4 additional apartments within existing space. No exterior changes in this application, except for re-striping of parking lot based on the attached site plan and moving one existing door from the Easterly elevation to the Southerly, as shown.

Parking.

See attached updated parking plan.

No change to lot coverage is proposed (although we are under the required lot coverage limit and increased coverage allowed under the CDO.) Our proposal, however, is to re-stripe the existing lot as shown to give us the additional parking spaces required as well as some additional we would like to have:

- i) without increasing impermeable surface on the lot; and
- ii) without losing some trees and bushes in the process (primarily three bushes and a 12' maple in the North east corner and a large bed of plantings near the southerly driveway as shown on the plan).

Table 8.1.8-1 sets out parking dimensional standards for the different types of angled spaces. Interestingly, Table 8.1.8-1 of the CDO does not provide a category for spaces angled at thirty degrees as is provided for in other towns such as South Burlington.) However, under the CDO Article 8, Section 8.1.11 parking dimensional requirements, the DRB is expressly authorized to modify the parking dimensional standards.

For the thirty degree angles spaces shown on the plan our engineer used the South Burlington standards for width, length and angle but used the Burlington standard for backup distance and aisle width for angled spaces that are forty five or sixty degree spaces.

We are under lot coverage, so we could expand the parking area, but our experience with this lot is that this plan functions very well in all respects so we are requesting that the attached parking be approved.

Number required under Article 8 Table 9.18-1 = 26 (2 per dwelling unit)

Number of parking spaces provided per the attached plan = 30

owner shall be required to submit a covenant, for filing in the City Records office, in such a form as shall be approved by the City Attorney, indicating consent to the provisions of this subsection.

M. Structured Parking. Structured parking may be allowed by the Development Review Board in conjunction with approval of a site plan or PUD. Structured parking shall be defined as any structure consisting of more than one level and used to store motor vehicles. The parking structure may be stand-alone or may be part of or attached to another structure. Such structures typically comprise parking decks, garages, or roof-top parking areas. The Development Review Board may require design elements for parking structures that specifically address safety, security, lighting, landscaping, and visual aesthetics as conditions for approval.

N. Exemptions, Waivers, and Modifications of Requirements.

(1) Exemptions. Existing buildings and uses are exempt as follows:

(a) Structures and land uses lawfully in existence or in use or for which zoning permits have been approved by the effective date of these regulations shall not be subject to the parking and truck loading space requirements set forth in this section. However, any parking or loading facility existing to serve such structures or uses shall not be reduced except where such facility exceeds such requirements, in which case such facility shall not be reduced below such requirements.

(b) However, no structure or lot lawfully in use at the effective date of this chapter shall be enlarged unless the off-street parking and truck loading space requirements of this section are complied with to the same extent as would be required if the entire pre-existing structure or lot and the proposed enlargement were being submitted as if they were a new application. The Development Review Board shall require additional off-street parking and truck loading spaces with respect to the proposed enlargement, but at its discretion may not require additional spaces with respect to the preexisting part of the structure or use.

(2) Waivers. Except within the City Center FBC District, where the Development Review Board determines that a proposed land use or structure is adequately served by existing or proposed parking facilities, the Development Review Board may waive the off-street parking space requirements stipulated in Tables 13-1 through 13-6, by no more than twenty-five percent (25%).

(3) Modifications of Requirements. Except within the City Center FBC District, where the Development Review Board determines that unique usage or special conditions exist, it may require off-street parking spaces and loading areas greater than the requirements of this section. The Development Review Board may reduce the requirements of Tables 13-1 through 13-6 for the number of off-street parking spaces and loading areas for non-residential uses and structures if it determines that the overlapping use of parking spaces or other unique characteristic cause the requirement to be unnecessarily stringent. See sub-sections on Shared Parking.

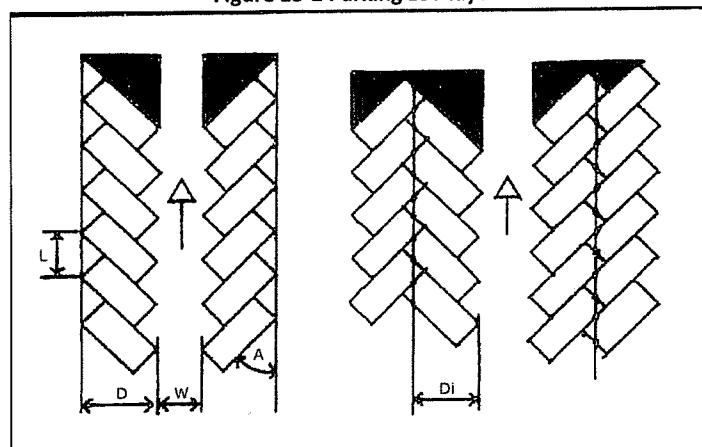
Table 13-8 Parking Lot Dimensions

A	L	D	W	D _i
Parking Angle (Degrees)	Curb Length per Car (Feet)	Depth of Stall (Feet)	Width of Aisle (Feet)	Depth of Stall (Feet)
0	22.0	8.0	12	8.0
20	24.9	14.2	12	10.1
25	20.1	15.4	12	11.4
30	17.0	16.4	12	12.7
35	14.8	17.3	12	13.7

40	13.2	18.1	12	14.8
45	12.0	18.7	13	15.8
50	11.1	19.2	13	16.6
55	10.4	19.6	14	17.2
60	9.8	19.8	15	17.8
65	9.4	19.9	17	18.2
70	9.0	19.8	20	18.4
75	9.0	19.6	23	18.6
80	9.0	19.2	24	18.4
85	9.0	18.7	24	18.3
90	9.0	18.0	24*	18.0

The width of an aisle serving a single row of 90 degree parking spaces may be reduced to 22 feet.

Figure 13-1 Parking Lot Layout



13.02 Home Occupations

A. General Restrictions. Customary home occupations are permitted as accessory uses in all districts provided that:

- (1) The use is conducted solely and entirely within the primary dwelling or in an accessory building and the use is clearly incidental and secondary to the use of the dwelling unit for living purposes.
- (2) The home occupation shall be owned by the principal occupant of the dwelling in which it is located. In no case may the homeowner or principal occupant rent out the business area of the dwelling.
- (3) The total space devoted to the home occupation must be located either in the dwelling or an accessory structure. In either case, the total space devoted to the home occupation shall not exceed twenty-five percent (25%) of the ground floor area of the dwelling.

TABLE 2: STANDARD CARS - PARKING BAY WIDTHS FOR ONE-WAY TRAFFIC AND SINGLE LOADED AISLES, BASED ON CHART NO. 2 IN ORDINANCE NO. 142,306 *

Parking Angle	8'-4" Stalls	8'-6" Stalls	8'-8" Stalls	8'-10" Stalls	9'-0" Stalls	9'-2" Stalls	9'-4" Stalls
30	27'-6"	27'-6"	27'-6"	27'-6"	27'-6"	27'-6"	27'-6"
32.5	28'-1"	28'-1"	28'-1"	28'-1"	28'-1"	28'-1"	28'-1"
35	28'-7"	28'-7"	28'-7"	28'-7"	28'-7"	28'-7"	28'-7"
37.5	29'-1"	29'-1"	29'-1"	29'-1"	29'-1"	29'-1"	29'-1"
40	29'-11"	29'-6"	29'-6"	29'-6"	29'-6"	29'-6"	29'-6"
42.5	30'-11"	30'-6"	30'-1"	29'-10"	29'-10"	29'-10"	29'-10"
45	31'-11"	31'-6"	30'-8"	30'-8"	30'-3"	30'-3"	30'-5"
47.5	32'-11"	32'-6"	32'-1"	31'-8"	31'-3"	31'-10"	30'-5"
50	33'-10"	33'-5"	33'-0"	32'-7"	32'-2"	31'-9"	31'-4"
52.5	34'-9"	34'-3"	33'-9"	33'-4"	32'-11"	32'-6"	32'-1"
55	35'-7"	35'-1"	34'-7"	34'-2"	33'-8"	33'-3"	32'-10"
57.5	36'-5"	35'-11"	35'-5"	35'-0"	34'-6"	34'-0"	33'-7"
60	37'-3"	36'-9"	36'-3"	35'-9"	35'-3"	34'-9"	34'-4"
62.5	38'-0"	37'-6"	37'-0"	36'-6"	36'-0"	35'-6"	35'-0"
65	38'-9"	38'-2"	37'-8"	37'-2"	36'-8"	36'-2"	35'-8"
67.5	39'-6"	38'-11"	38'-5"	37'-11"	37'-4"	36'-10"	36'-4"
70	40'-3"	39'-8"	39'-2"	38'-7"	38'-1"	37'-6"	37'-0"
72.5	40'-11"	40'-4"	39'-10"	39'-3"	38'-9"	38'-2"	37'-8"
75	41'-8"	41'-1"	40'-7"	40'-0"	39'-5"	38'-10"	38'-4"
77.5	42'-5"	41'-10"	41'-3"	40'-8"	40'-1"	39'-6"	39'-0"
80	43'-1"	42'-6"	41'-11"	41'-4"	40'-9"	40'-2"	39'-7"
82.5	43'-9"	43'-1"	42'-6"	41'-11"	41'-4"	40'-9"	40'-2"
85	44'-6"	43'-10"	43'-3"	42'-7"	42'-0"	41'-4"	40'-9"
87.5	45'-3"	44'-7"	43'-11"	43'-4"	42'-8"	42'-0"	41'-5"
90	46'-0"	45'-4"	44'-8"	44'-0"	43'-4"	42'-8"	42'-0"

* NOTE: All values on this table are for required parking stalls. To determine parking bay widths for non-required stalls, merely use a column showing a stall width dimension that is 4 inches more. The values above the darkened lines are governed by minimum aisle width. The stall widths (8'-6", 8'-10", and 9'-2") are not shown in the ordinance, but are available for use.

LA

Table 15.30.070.A Parking and Drive Aisle Minimum Design Standards for One-Way Drive Aisle								
Stall Angle	Standard Size Stalls (9' x 19')				Compact Size Stalls (8' x 16')			
	Bay Width		Row Width	Drive Aisle Width	Bay Width		Row Width	Drive Aisle Width
	Single Loaded	Double Loaded			Single Loaded	Double Loaded		
0 degrees	21.00	30.00	9.00	12.00	20.00	28.00	8.00	12.00
30 degrees	29.30	46.60	17.30	12.00	26.93	41.86	14.93	12.00
45 degrees	33.80	53.60	19.80	14.00	30.97	47.94	16.97	14.00
60 degrees	38.96	59.92	20.96	18.00	35.86	54.72	17.86	18.00
90 degrees	44.00	63.00	19.00	25.00	41.00	57.00	16.00	25.00

Note: All measurements are in feet.

Table 15.30.070.B Parking and Drive Aisle Minimum Design Standards for Two-Way Drive Aisles								
Stall Angle	Standard Size Stalls (9' x 19')				Compact Size Stalls (8' x 16')			
	Bay Width		Row Width	Drive Aisle Width	Bay Width		Row Width	Drive Aisle Width
	Single Loaded	Double Loaded			Single Loaded	Double Loaded		
0 degrees	29.00	38.00	9.00	20.00	28.00	36.00	8.00	20.00
30 degrees	37.30	54.60	17.30	20.00	34.93	49.86	14.93	20.00
45 degrees	39.80	59.60	19.80	20.00	36.97	53.94	16.97	20.00
60 degrees	45.96	66.92	20.96	25.00	42.86	61.72	17.86	25.00
90 degrees	44.00	63.00	19.00	25.00	41.00	62.00	16.00	25.00

Note: All measurements are in feet.

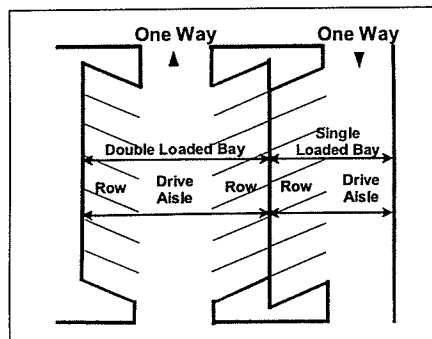


Figure 14

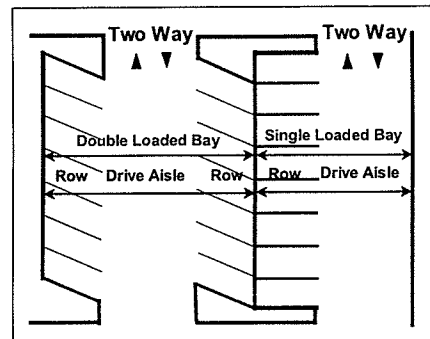


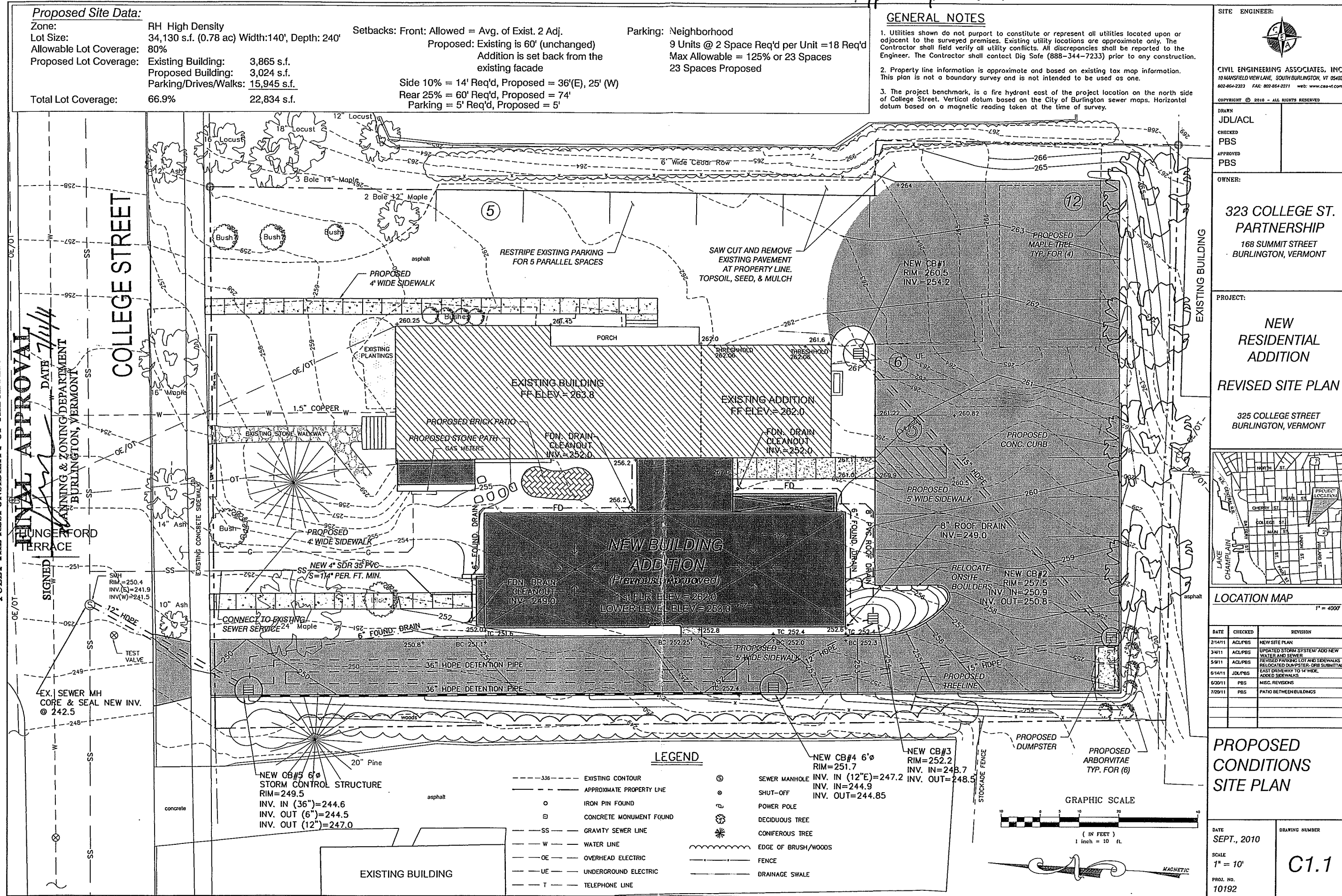
Figure 15

Section 15.30.070

-- NOTE --

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

P:\AutoCAD Projects\2010\10192\10192E.dwg, 7/20/2011 8:26:57 AM, pmlar



Proposed parking configuration

GENERAL NOTES

1. Utilities shown do not guarantee to exist and are represented on utilities located only by or adjacent to the following properties. Existing utility locations are approximate only. The Contractor shall verify utility conflicts. All discrepancies shall be reported to the Engineer. The Contractor shall contact the State (HSD-334-7233) prior to any construction.
2. Property line information is approximate and based on getting the map information. This plan is not a boundary survey and is not intended to be used as one.
3. The project benchmark is a first hydrant east of the project location on the north side of College Street. Vertical datum based on the City of Burlington sewer maps. Horizontal datum based on a magnetic reading taken at the time of survey.

SITE ENGINEER:



CIVIL ENGINEERING ASSOCIATES, INC.
10 MANSHFIELD VILLAGE LANE, SOUTH BURLINGTON, VT 05403
802-464-2223 FAX: 802-464-2241

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DRINK
SAL

CHECKED

PBS

APPENDIX

PBS

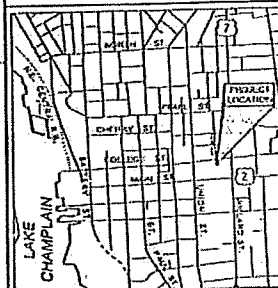
OWNER:

323 COLLEGE ST.
PARTNERSHIP
168 SUMMIT STREET
BURLINGTON, VERMONT

PROJECT:

ALTERNATE
PARKING PLAN

323-325 COLLEGE STREET
BURLINGTON, VERMONT



LOCATION MAP

\$ 400

[illegible]

PROPOSED PARKING IMPROVEMENTS

PERMIT PLANS

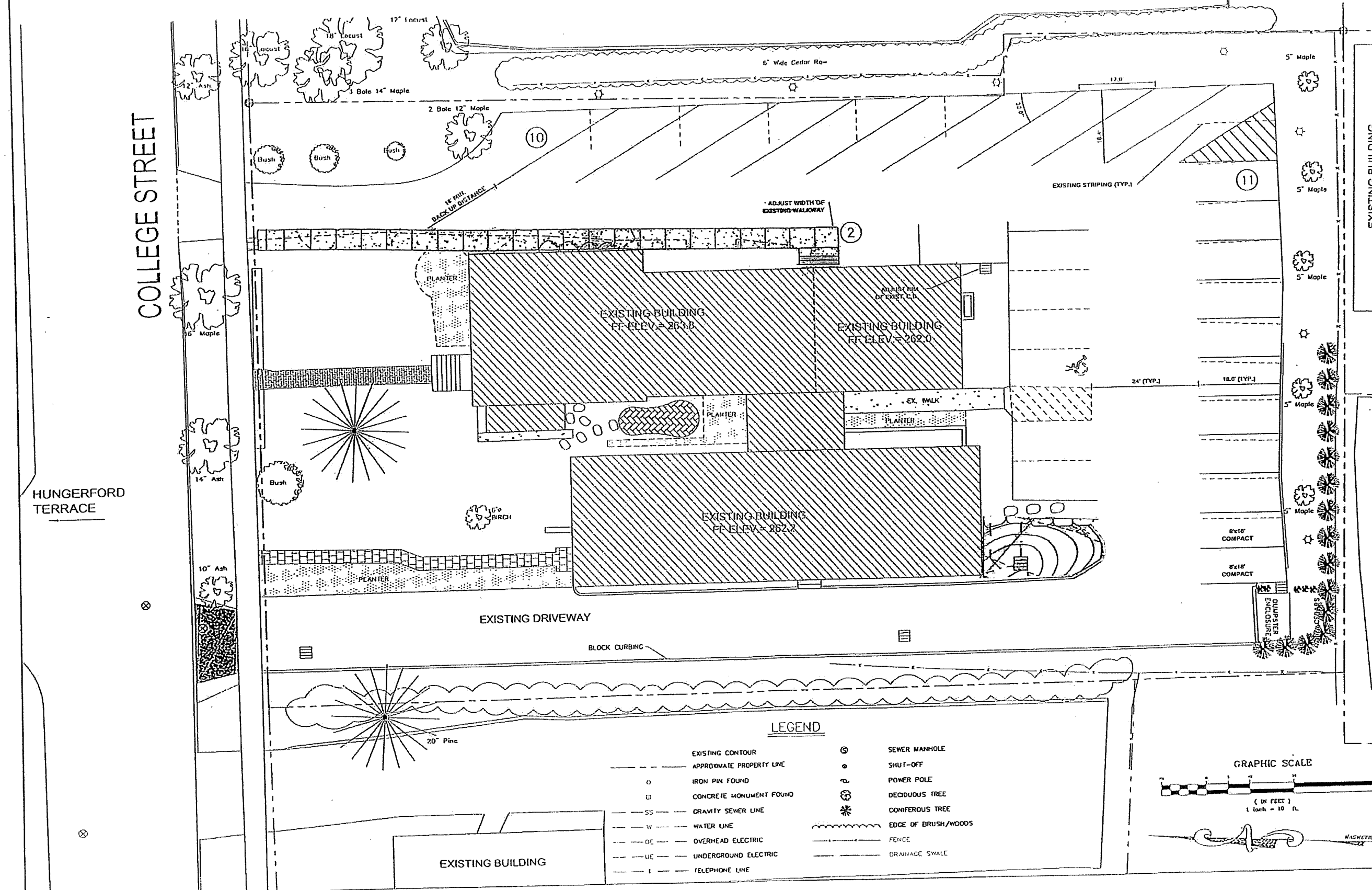
DATE: **APRIL 3, 2015**

SCALE
1" = 10'

FEED. NO.
10192

DRAWING NUMBER

C1.0

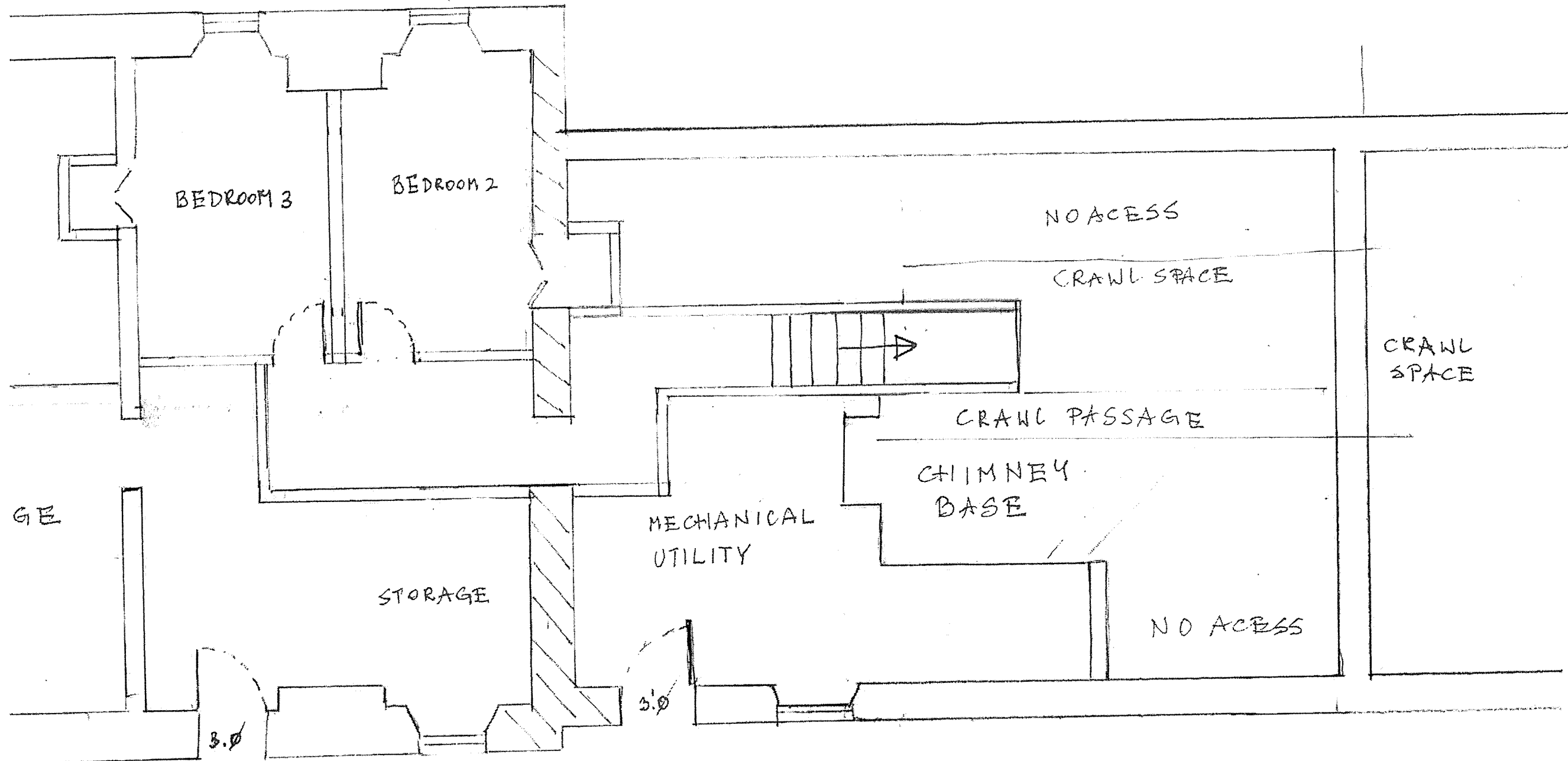


AutoCAD Projects\2010\10210192F-PARKING.dwg, 4/3/2015 5:46:44 PM, psnjar

325 COLLEGE STREET
BASEMENT

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UNIT 1



RECEIVED

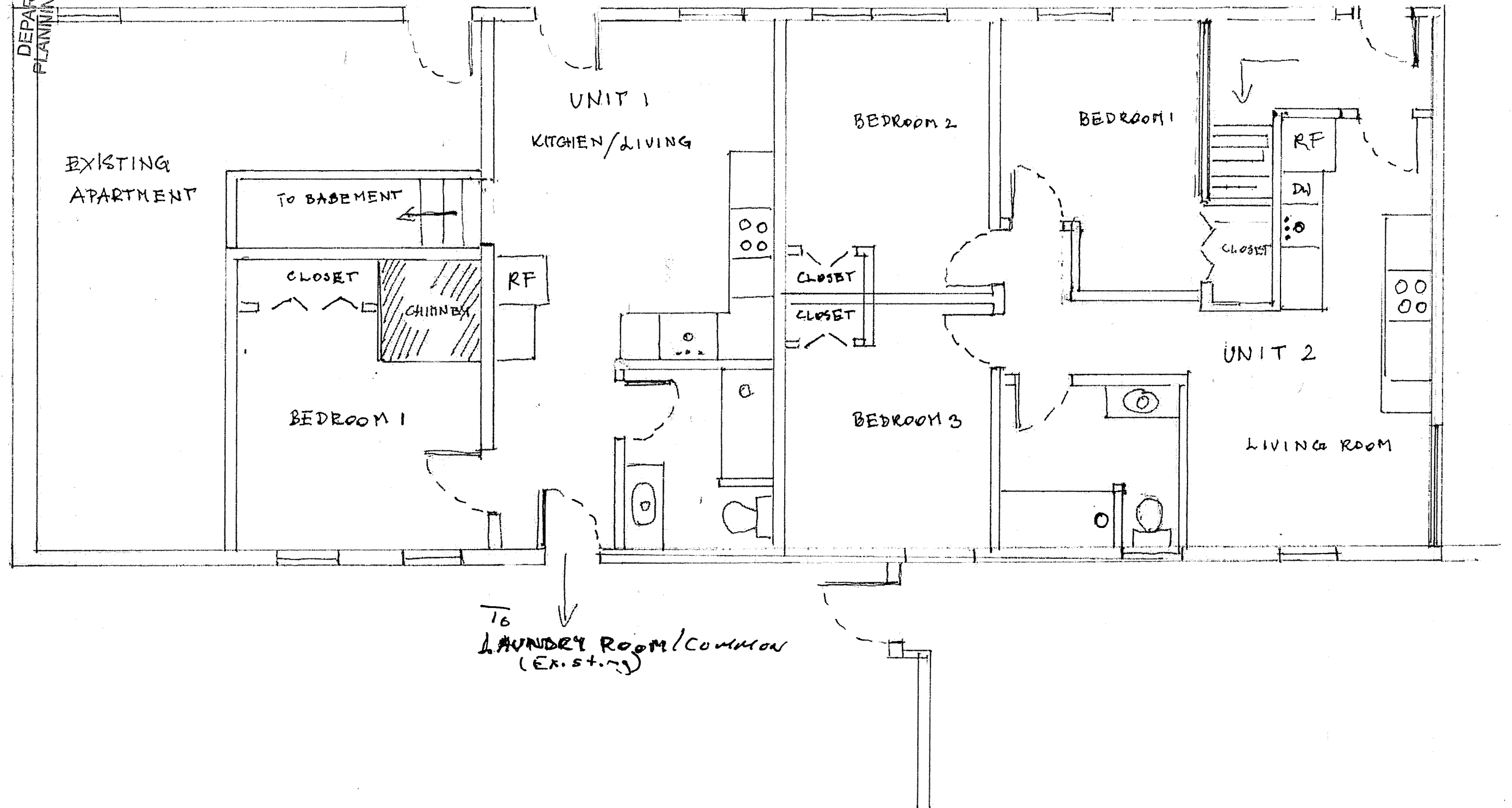
FEB 16 2017

DEPARTMENT OF
PLANNING & ZONING

325 COLLEGE STREET
OLD BUILDING
FIRST FLOOR

SCALE 1.0' - $\frac{3}{16}$ "

DEPARTMENT OF
PLANNING & ZONING
FEB 16 2017

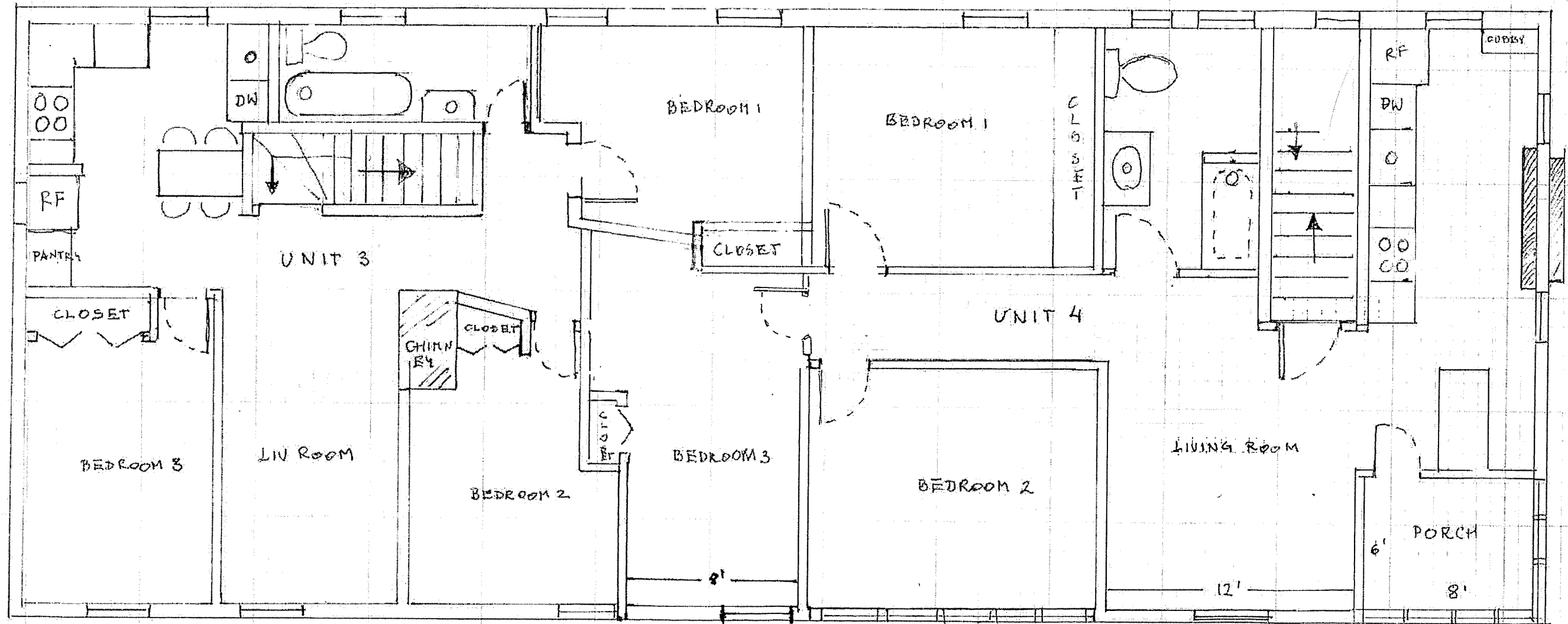


RECEIVED
FEB 16 2017

DEPARTMENT OF
PLANNING & ZONING

325 COLLEGE STREET
OLD BUILDING
SECOND FLOOR

SCALE 1.0' - $\frac{3}{16}$ "



PREPARED BY: [illegible]

DATE: [illegible]

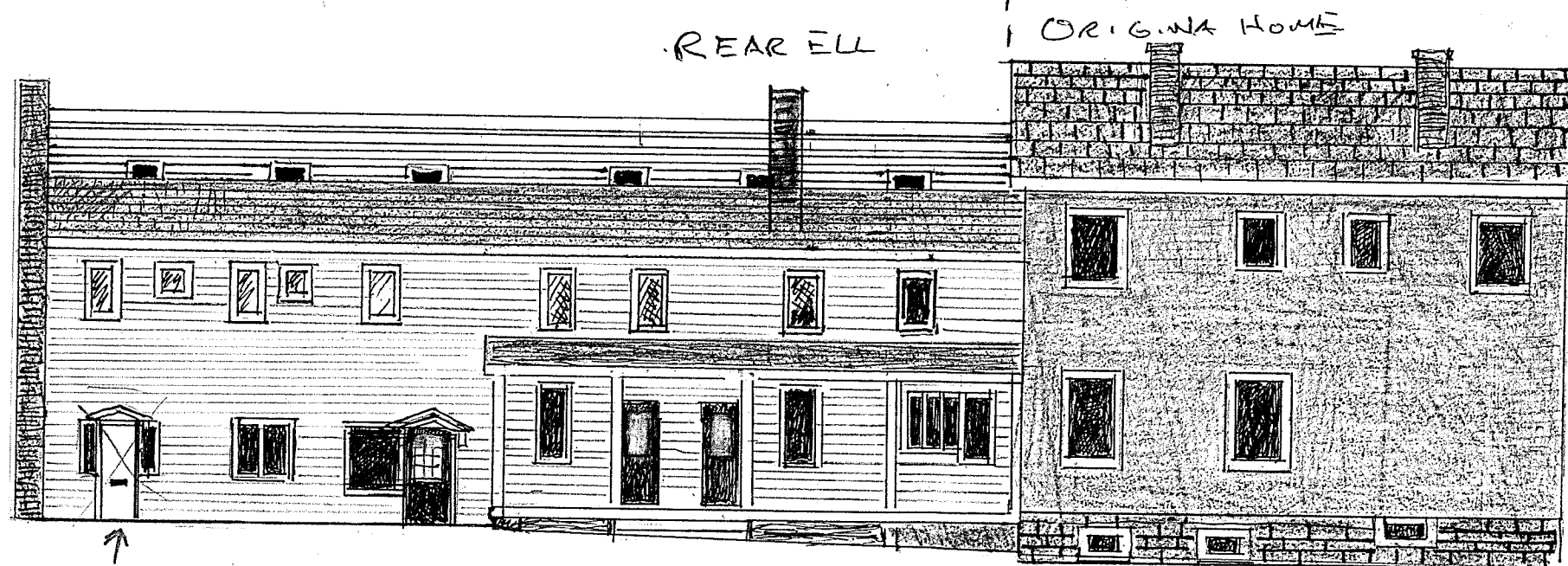
SCALE: 1.0' - $\frac{3}{16}$ "

RECEIVED

FEB 16 2017

DEPARTMENT OF
PLANNING & ZONING

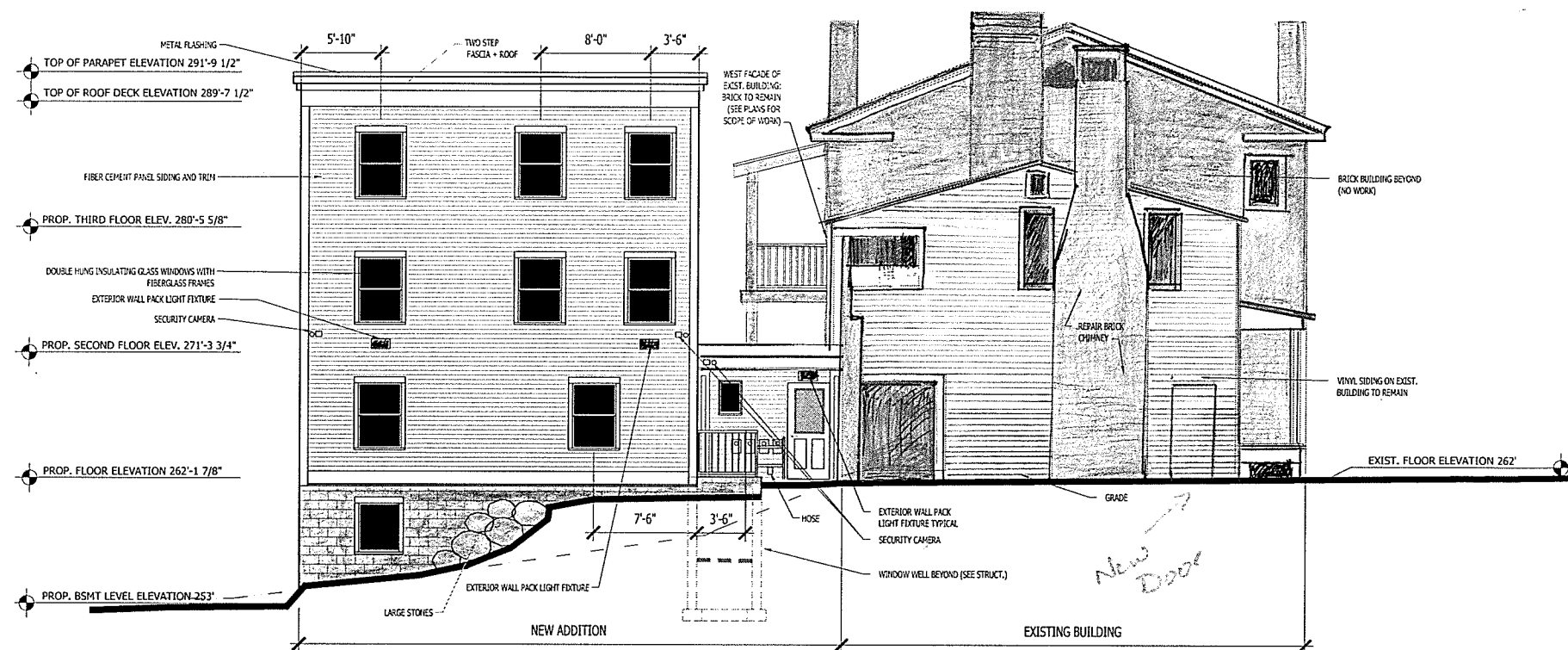
325 COLLEGE STREET EAST ELEVATION OLD BUILDING Rear ELL / ORIGINAL HOME



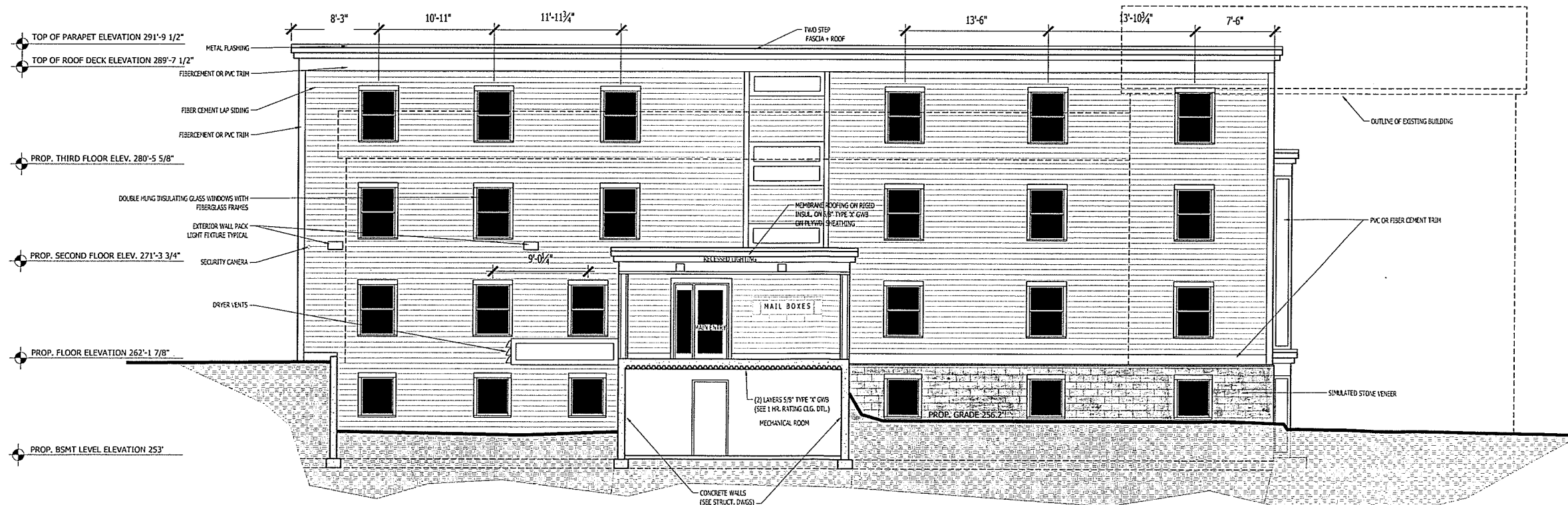
↑
Door only
To be moved
to Southern elevation

RECEIVED
FEB 16 2017

DEPARTMENT OF
PLANNING & ZONING



① SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



② EAST ELEVATION NEW BUILDING
SCALE: 3/16" = 1'-0"

SCOTT + PARTNERS
ARCHITECTURE

20 MAIN ST. ESSEX JUNCTION, VT 05452
P. 802.879.5153 | F. 802.872.2764 | SCOTTPARTNERS.COM

Project name:

325 COLLEGE STREET
BURLINGTON, VERMONT

scale: 3/16" = 1' - 0"
project no. 17-0000
checked by: JA
drawn by: EK
date: 1/1/2017

Date Revisions

sheet title:
EXTERIOR
ELEVATIONS

sheet no.
A4.2

**CODE ENFORCEMENT OFFICE**

645A Pine St, PO Box 849
Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

TO: Development Review Board

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

DT: March 24, 2017

RE: Report on **Appeal #17-0786AP**; Appeal of a Administrative Officer's Zoning Notice of Violation (ZV # 320536) issued on February 1, 2017, for Failure to obtain zoning approval for expanding parking south of existing driveway and southeast corner of rear yard, added gravel over compacted soil in the rear, and failure to obtain certificates of occupancy for ZP 92-196 and 07-428, for Premises Located at 220 Pine St, Burlington, Vermont

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

Location: 220 Pine Street, Burlington, Vermont

Tax Lot # 049-2-007-000

Appellant: Nicholas/Deanna Papaseraphim

Applicable Regulations: CDO Articles 2, 3, 5, 8, 12 and VSA §4551

Appeal # 17-0786AP

Appeal: Sec. 12.2.2 Appeals of Administrative Officer Decisions

- Appeal filed at the Planning/Zoning office on February 15, 2017:

Name and address of appellant:

Nicholas Papaseraphim
27 Weathersfield Bow
Essex VT 05452

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

Reference to the regulatory provisions applicable to that appeal

Appellant left this section blank

Relief requested by the appellant

6 parking spaces, all existing parking.

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

Pre-existing

Appellant Submittals

- Notice of Appeal with Notice of Violation

City's Submittals

- Photos, aerial photos, Google Earth

Background Information:

- Property listed with City as 2 family/2 rental units, 4 bedrooms, on a 4,430 sf lot.
- RM Zone
- Neighborhood Parking District
- On State Historic Structures, King Street District, Built 1899
- Ward 5
- Appellants purchased the property in 2012
- 1978 site plan, attached to zoning permit #78-214, shows a fence on the east and southern boundaries of property. A shed is shown on the southeast corner of property/ shed and southern fence have been removed. Driveway (w/o dimensions) is shown on plan but no specifics to parking.
- ZP 92-196: *Removal of two-story front facade porch, on existing duplex, with first floor landing constructed. Second story door, formally leading onto porch, to be filled-in to match existing. Structure listed on state list of historic structures and within King St. Neighborhood revitalization project. Proposal approved December 5, 1991, subject to conditions. A Certificate of Occupancy has not been issued for this permit. Permit states 4 parking spaces existed at time of proposal. Site plan included with zoning permit, dated November 4, 1991, illustrates an 840 sf triangular parking area (ie. 20'x84'x90').*
- ZP 03-537: *Jack up rear 25'X16' Section of building approx. 10-12 to level out. Install new concrete foundation under existing structure. Repair all affected areas,*

Floors, Ceilings, Walls, Windows. Any replaced siding, Windows, or other exterior repair work will match existing. No increase in coverage. Proposal approved May 22, 2003 subject to 2 conditions. Certificate of Occupancy issued November 17, 2003.

- ZP 07-428: *Replace front porch window with door. Replacement door shall match appearance of historic windows, that is, 2/3 glass 4 light wood door using existing casings. Approved January 24, 2007 subject to 5 conditions. No Certificate of Occupancy to close out the permit has been sought.*
- November 15, 2010 Code Office received an “expanded parking” complaint; area in which this violation occurred was in close proximity of the exterior door, south of the driveway; although parking in this area ceased, Owner failed to work with City to replenish lawn area damaged from the illegal parking and/or to install barriers to prohibit future parking in this area. This violation is recorded as “open” because Owner never replenished lawn area or installed a barrier. See attached photos.
- August 30, 2016 Code Office received an inter-departmental inquiry regarding parking at Property (tenant appealed a parking ticket); City Attorney’s Office dismissed the ticket as a warning because tenants (owner of vehicle) stated **landlord told tenants** that *where she was parked was one of the 3 designated parking spaces for the building*. Although the ticket was dismissed, tenant was informed that parking was not approved in the area where she was ticketed.
- September 13, 2016 notification letter regarding expansion of driveway/parking area without zoning approval mailed to Owner; Owner did not refute complaint. Parking was verified. See attached photo.
- 2012 and 2004 Google Earth aerials show a muddled back yard; current parking material is gravel.
- 2004 Google Earth aerial shows a fence installed along the east and southern property boundaries; fence (also shown on 1978 drawing filed with zoning permit request) has been removed allowing vehicles to access driveway of property to the south and then onto Pine Street.
- Currently parking at property is not organized and parking has been occurring south of the driveway. There are no assigned parking spaces. Entire back yard is graveled; with the entire back yard being graveled, that gives tenants the illusion parking is allowed in the entire rear yard.
- No zoning permits on file in the City to: expand the parking south of the driveway, in the rear yard, add site improvements that includes placing gravel over the previous permeable rear yard, and expanded parking equates additional coverage.

- To date a Certificate of Occupancy has not been issued for Zoning Permits #92-196 and #07-428; Appellant has recently requested a certificate of occupancy for each of the permits, however they both failed inspection.

Comprehensive Development Ordinance (CDO)

Article 2. Enforcement

Sec. 2.7.5 Observation or Complaints of Violations

... that have been taken.

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

- Site visit indicated complaint was variable.
- Research of City records revealed there was no zoning permit on file to increase the parking area.
- Research of City records revealed there was no zoning permit on file to add crushed stone to the rear yard.
- Research reveals two open zoning permits.
- Zoning files disclosed an approved zoning permit in 1991 that included a site plan that included 850 sf of parking; parking was on the north side of the rear yard and connected with the driveway (see attached plan)
- Administrative officer determined violations were occurring at Property and issued a Notice of violation on February 1, 2017.

Article 3. Applications, Permits, and Project Review

Sec. 3.1.2 Zoning Permit Required

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

(a) Exterior Work:

Onsite work, without zoning permits, includes the following categories:

- 5. Alterations, changes, or modifications to building lots or sites related to site improvements including, but not limited to, increased lot coverage.
- 6. Excavation or fill related to site improvements...

- 12. New or expanded parking areas, driveways, and walkways. Including paving existing gravel surfaces...
- 16. Site improvements...
- City records show Appellant (and/or previous owners) did not obtain zoning approval for any violation cited in Notice issued on February 1

Article 5 Citywide General Standards

Appellant stated he will argue the 15+ year ordinance.

Article 5, Part 3: Non-Conformities

Sec. 5.3.2 “Bianchi” controlled uses, structures, and lots.

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

- To date, Appellant has not requested a “determination permit” or submitted documentation to the City to prove the Property’s entire rear yard has been used solely for parking use continued for a consistent period of 15+ years. City records indicate there are inconsistencies over this time period.

Article 12. Appeals, Conditional Uses, Variances

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

Summary

Appellants purchased this 1844 four-bedroom historic duplex in 2012. Structure is listed on state “list of historic structures” and within the “King Street Neighborhood Revitalization Project”, is within the RM zone in Ward 5 and sits on a 4,430 sf lot (according to Assessor records).

- ZP 78-214 was approved for the installation of a chain link fence and accompanied by a site plan dated November 4, 1991. That site plan illustrates an “unpaved” 40’x30’ sf parking area and a 40’ x 90’ sf paved parking area. NOTE: these dimensions are larger than later permit dimensions and City records.
- ZP 92-196 was approved for exterior changes. Zoning Permit indicates 4 parking spaces existed at time of proposal (this is an automated/program number because the ordinance required 4 parking spaces for a duplex – you will note Owner stated there were 3 parking spaces, and those 3 parking spaces were not verified.. Site plan accompanied with zoning permit dated November 4, 1991, illustrates an 840 sf triangular parking area, which is smaller than the 1978 site plan and which could not accommodate three vehicles in a 20’ wide area (20’ indicated on 1991 plan). Appellant has stated six parking spaces have existed consistently for a period of 15+ years; however, to date Appellant has not provided any documentation supporting his claim. The City has provided evidence the parking area changed between 2003 and 2004. ZP 92-196 has been executed, and Owner has recently requested a certificate of occupancy; however, project has failed inspection because it does not comply with approvals, including parking.
- Google maps from 2004 to 2016 shows the rear yard has changed over the years. The entire backyard was a muddied, rutted, dirt area with exception for the small grassy embankment between this property and property to the east. Today’s photos show the yard’s surface is now crushed stone (gravel). Attached photos, submitted by Owner for a 2003 zoning permit request, show there was grass in the back yard and there was a chain link fence separating this property with the property to the south. Maps and photos will show that between 2003 and 2004 the fence was removed, tenants began using southern neighbor’s driveway to access the rear yard of this property for parking, increased the parking area, and replaced grassed area with crushed stone. 2004 does not meet the threshold for a 15+ year statute of limitations for enforcement. There is no City record acknowledging or approving any of the changes noted above.
- Appellant has requested a certificate of occupancy for ZP 92-196 and 07-428, however projects do not comply with approvals, inspections failed.

CONCLUSION:

The City has provided sufficient evidence that violations noted in NOV #320536 dated February 1, 2017 are viable and occurred between 2003 and 2004 without zoning approval. Zoning permits 92-196 and 07-428 failed inspection and discrepancies have not been corrected to date.

The City, under the auspices of the Zoning Administrator, thereby requests the Development Review Board to uphold their decision that violations cited under NOV #320536 are viable and continue at said Property and condition the following:

1. Owner shall immediately cease and desist any and all parking beyond the parking illustrated on the 1991 site plan. Any violation of this condition shall constitute issuance of Municipal Tickets to the Owner with fines of \$100 for the offense, \$150 for the 2nd offence, and \$250 for the third offense. After the third offense, City will seek fines under the judicial process, as allowed for by law (ie. up to \$200/day).
2. Owner shall remove all the “crushed stone” placed in the rear yard and replace it with green space (grass). Currently the two parking spaces atop the driveway do not contain crushed stone and the crushed stone removed from the rear area shall not be distributed to these two parking spaces without prior zoning approval. This condition shall be met by June 1, 2017.
3. Owner shall install a barrier, subject to Asst. Zoning Administrative Officer review and approval, to be placed south of the parking spaces and along the SE boundary of the Property (SE corner of house and connect with existing chain link fence to the east). Barrier shall be of a durable material to prevent future encroachment into the green space. This condition shall be met by June 1, 2017.
4. Owner shall reestablish the green space south of the shared driveway by June 1, 2017. Owner shall maintain all green space on the property.
5. Owner shall submit a complete zoning permit application to meet condition #3 above prior to May 5, 2017.
6. Flowering shrubs and bushes are suggested in low-light areas that prevent grass from growing.
7. It is suggested Owner move trash and recycling receptacles north of the parking spaces.
8. Owner shall obtain compliance with ZP 92-196 and ZP 07-428 by May 5, 2017. Compliance, if appropriate, may include a new zoning permit. NOTE: fees for a new zoning permit will be doubled or tripled, as allowed by ordinance.
9. Owner may enter into an Agreement with the City that would incorporate the above conditions, perhaps modifying deadlines, and would require an administrative fee.

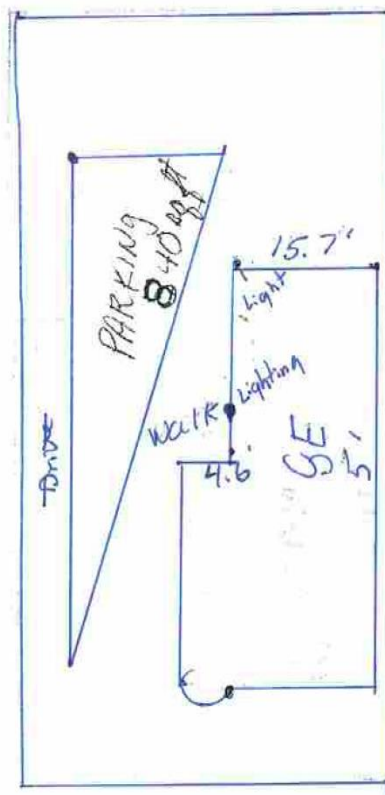
5/11/17

way

PRO

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CODE ZON



November 14, 1991 Site Plan received by the Department of Planning & Zoning.



From Rear

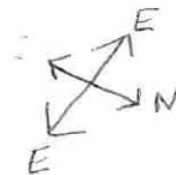


Photo taken 5/7/03 – Grass in the rear yard has currently been replaced with crushed stone.



From R-1



Photo taken 5/7/03 Grass in the rear yard has removed and currently replaced with crushed stone. Chain link fence along the SE boundary has been removed, approximately 2004.



South side

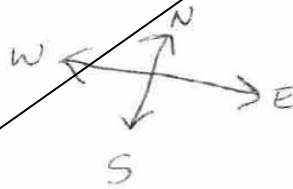


Photo taken 5/7/03. Chain Link fence along the southeast boundary to enclose rear yard; fence has since been removed, approximately 2004.



From Front

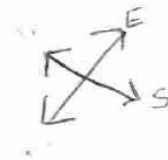


Photo taken 5/7/03 West looking east (SW corner of property). Photo shows grass existed all the way up the southern boundary of property. Chain link fence can be seen attached to SE corner of house. On the right of photo is property known as 224 Pine St. Today the chain link fence and grass have disappeared.



08/03/2016: Municipal ticket issued to this car parked south of the driveway, which is what initiated the complaint. The blue vehicle shown top left, is within the parking area of property to the north. This photo shows green grass south of the driveway. Following photos will show you how that green grass has eroded.



These two vehicles appear to coincide with the "Triangle" parking. Parking has expanded. The average width of a car is 9' so this appears to coincide with the 20' wide (top of) "Triangle" indicated on the 1991 site plan.



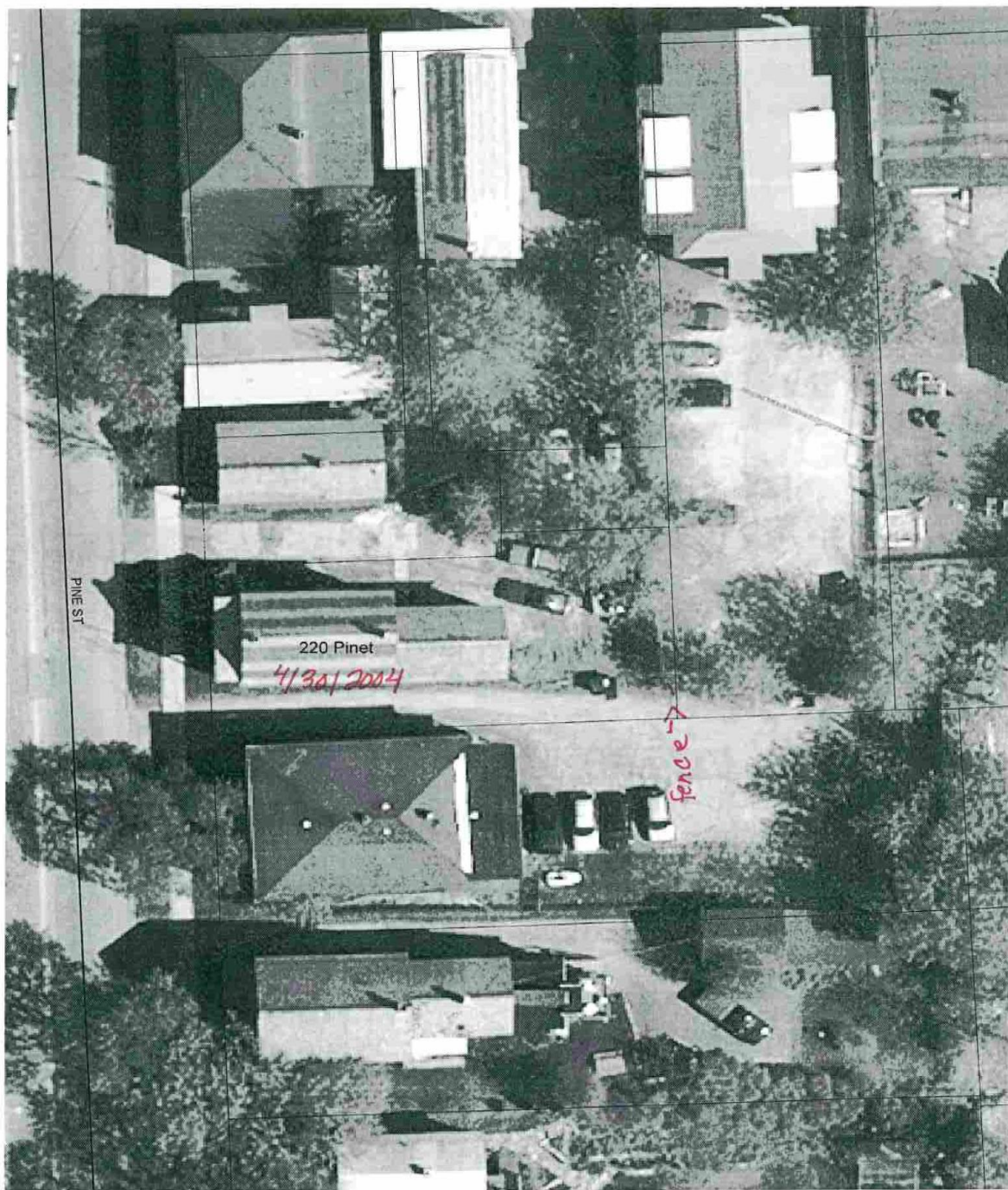
This picture is taken from Pine Street (west to east). This is the shared driveway (shared with property to the north). As you can see, the driveway has widened, vehicles have eased off the driveway and eroded grass; thus widening the driveway without permits. The two vehicles veered off the driveway appear to have veered off the “triangle” of the 1991 site plan indicating where parking was. NOTE: these trash receptacles were never shown on any site plan.



South looking north. Pavement is driveway of property known as 214 Pine Street. As you can see, without that chain link fence, cars are accessing the back yard from the neighboring property's driveway and increasing Appellant's parking in the rear yard. The two vehicles in the far north of photo are within the "Triangle", all this backyard has turned into parking without zoning permits. (these two cars are shown in a previous photo identified as "shown from Pine Street").



The crushed stone (gravel) placed over the soiled backyard shown in the Google Earth illustrations does not have zoning approval.



4/30/2004 Google Earth



Google Earth

5/19/2012 Google Earth



og Earth

2016 Google Earth 3-D. Note green space is the embankment.



Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415
Phone: (802) 865-7188
Fax: (802) 865-7195

www.burlingtonvt.gov/pz

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FEB 21 2017

DEPARTMENT OF
PLANNING & ZONING

Zoning Permit Application

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

PROJECT LOCATION ADDRESS: 201 South Prospect Street

PROPERTY

OWNER*: Bing Enterprises, Ltd.

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

POSTAL ADDRESS: 6 Lime Rock Road

CITY, ST, ZIP: South Burlington, VT 05403

DAY PHONE: (802) 238-6821

EMAIL: beefus02@gmail.com

SIGNATURE:

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

APPLICANT: Bing Enterprises, Ltd.

POSTAL ADDRESS: 6 Lime Rock Road

CITY, ST, ZIP: South Burlington, VT 05403

DAY PHONE: Same as Owner

EMAIL: Same as Owner

SIGNATURE:

Description of Proposed Project: Authorize existing habitable space (2 bedrooms) in third floor of an existing two-unit dwelling, which occurred in mid-1980s. In conjunction with this request, Applicant seeks a one-space parking waiver for 12 units sharing 23 parking spaces located at 201 South Prospect and 205 South Prospect (see attached parking plan and narrative).

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

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

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

Estimated Construction Cost (value)*: \$ N/A (\$0)

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

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

Office Use Only: Zone: RL Eligible for Design Review? Y Age of House 1968 Lot Size 9210

Type: SN AW FC BA COA 1 ☒ COA 2 COA 3 CU MA VR HO SP DT MP MP

Check No. Rec #
2017-00019435

Amount Paid 230.00
18150.00

Zoning Permit # 17-0801CA

Make a separate copy of information sheet for each rental property.

ENTER PROPERTY ADDRESS HERE

205 South Passaic St. Burlington Vt. 05401 - 10 units
201 South Passaic St Burlington Vt. 05401 - 2 units

FILL IN INFORMATION FOR EACH UNIT AS FOLLOWS:

050-3-008-000

LIST EACH UNIT # (OR LETTER) ON LINES BELOW	Rental Unit?	# Bedrooms	# Residents	# Families	# Unrelated	Functional Family?	# Parking Spaces	# Vehicles
1		1	2				23	2
2		1	1				23	1
3		1	2				23	1
4		1	2				23	1
5		1	2				23	1
6		1	2				23	1
7		1	1				23	1
8		1	1				23	1
9		1	2				23	1
10		1	2				23	1

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

205 North Pioneer St. Burlington Vt. 05401 - Quincy
201 North Pioneer St. Burlington Vt. 05401 - Quincy

FILL IN INFORMATI

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

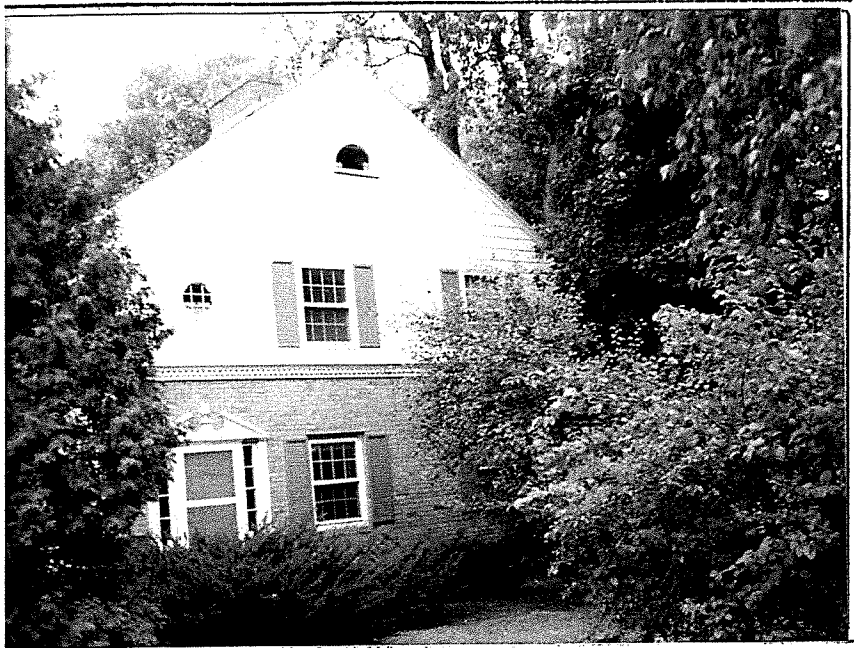
FEB 21 2017

PHOTOGRAPH ADDENDUM

RECEIVED

FEB 21 2017

DEPARTMENT OF
PLANNING & ZONING



Front View
201 So. Prospect St.
Burlington, VT

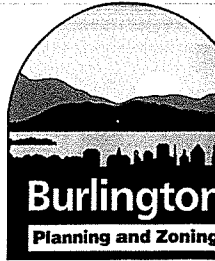


Rear View
201 So. Prospect St.
Burlington, VT

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
<http://www.burlingtonvt.gov/PZ/>
Telephone: (802) 865-7188
(802) 865-7195 (FAX)

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



MEMORANDUM

To: Development Review Board
From: Ryan Morrison, CFM, Associate Planner
Date: April 4, 2017
RE: ZP17-0801CA, 201 South Prospect Street

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

File: ZP17-0801CA
Location: 201 South Prospect Street
Zone: RL **Ward:** 6S
Date application accepted: February 21, 2017
Applicant/ Owner: Bing Enterprises, Ltd.
Parking District: Neighborhood
Request: A 1- space parking waiver for a duplex & 10-plex shared parking area.

Applicable Regulations:
Article 8 (Parking)

Background Information:

The applicant requests a 1-space parking waiver for shared use parking between the duplex at 201 South Prospect Street and the neighboring 10-plex at 205 South Prospect St.

The applicant owns the two properties. There is a 22-space shared parking area that spans both properties in the rear. Additionally, one parking space is located in the front yard of 201 South Prospect St. When combined, the 12 residential units require 24 parking spaces. The applicant is requesting a parking waiver of one space in order to comply with the parking requirements of Article 8.

A determination as to the finished attic space in the duplex is handled separately via the administrative determination process.

Zoning Permit History:

- **Zoning Permit ZP 06-370CA;** Remove shed and debris, space to be used for boat storage during winter months. Denied February 15, 2006.
- **Zoning Permit ZP 07-661CA;** Remove carport. Parking within carport will remain as 2 surface parking spots. No change in lot coverage. Approved June 6, 2007.

- **Zoning Permit ZP 17-0253CA**; Replace 2 windows with 2 egress windows. Denied December 28, 2016. Appeal of administrative decision submitted January 11, 2017. Request to postpone DRB appeal hearing submitted February 21, 2017.

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

I. Findings

Article 8: Parking

Table 8.1.8-1 Minimum Off Street Parking Requirements

A duplex requires 2 parking spaces per unit in the Neighborhood parking district. The property shares a parking lot with the 10-unit building at 205 South Prospect Street. Similarly, multi-unit attached dwellings require 2 parking spaces per unit. In total, the shared parking for both the duplex and 10-unit building next door requires a minimum of 24 spaces. The site plan identifies 23 spaces (22 in the shared parking lot and 1 in the front yard of 201 South Prospect St.). As part of this proposal, the applicant is requesting a parking waiver of 1 space. See Sec. 8.1.15 below. **Affirmative finding if waiver is approved.**

Table 8.1.11-1 Minimum Parking Dimensions

Angle of Parking Space	Width of Space	Length of Space	Width of Angled Space	Length of Angled Space	Minimum Back-Up Length
Compact Cars					
Parallel Parking	8.0'	20.0'	-	-	-
90° Angle	8.0'	18.0'	8.0'	18.0'	20.0'

The site plan identifies four parallel parking spaces at 8' x 20', and the remaining 90° angle parking spaces at 8½' x 18'. The solitary space in the front yard was previously acknowledged by the Zoning Administrator as an existing space during a zoning violation investigation for unpermitted parking area expansions. During that investigation, it was determined that the single front yard parking space had been extended to accommodate a second vehicle. One parking space was acknowledged, but the extension had to be removed as reflected in the current site plan. **Affirmative finding.**

Section 8.1.12 Limitations, Location, Use of Facilities

(h) Compact Car Parking

Compact parking spaces may be used in parking structures and lots. Up to fifteen (15%) percent of the total parking spaces in a parking garage may be designated for compact cars. Such spaces shall be signed or the space painted with the word "Compact Car Only".

The properties (201 & 205 South Prospect St.) are served by surface parking, not a parking garage. Therefore, there is no limitation on compact parking spaces. **Affirmative finding.**

Section 8.1.15 Waivers from Parking Requirements / Parking Management Plans

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

Any waiver granted shall not exceed fifty percent (50%) of the required number of parking spaces except for the adaptive reuse of a historic building pursuant to Sec. 5.4.8 and ground floor retail uses in any Mixed Use district which may be waived by as much as one hundred percent (100%). Waivers shall only be granted by the DRB, or by the administrative officer pursuant to the provisions of Sec. 3.2.7 (a) 7.

The applicant requests a 1-space parking waiver. Rather than use 24 parking spaces, 23 spaces are requested (4% waiver). The waiver request is simple and reasonable. The applicant states that the units in 201 South Prospect Street consist of a 2 bedroom unit (which would increase to 4 bedrooms as a result of this permit) and a 4 bedroom unit, and that the 10 units in 205 South Prospect St. are all single bedroom units. The Assessor's records indicate that there are a total of 7 bedrooms in 205 South Prospect St., suggesting that three of the ten units are efficiency apartments. The applicant confirms this by stating "... *the efficiency units are typically rented to senior citizens and the other units are typically rented to young couples with one car.*"

There are Green Mountain Transit bus stops situated at the corner of South Prospect and Maple Street, and at the corner of South Prospect and Main Street. The applicant concludes by noting "*the typical tenant mix at the buildings results in only 18 parking spaces being used.*" Included in the submittal is a list of each unit within both buildings that identifies the correlating maximum number of bedrooms, residents, and vehicles per unit.

The applicant should be prepared to report back to the Planning & Zoning Department each year for 3 years as to the actual onsite parking demand. **Affirmative finding as conditioned.**

II. Conditions of Approval

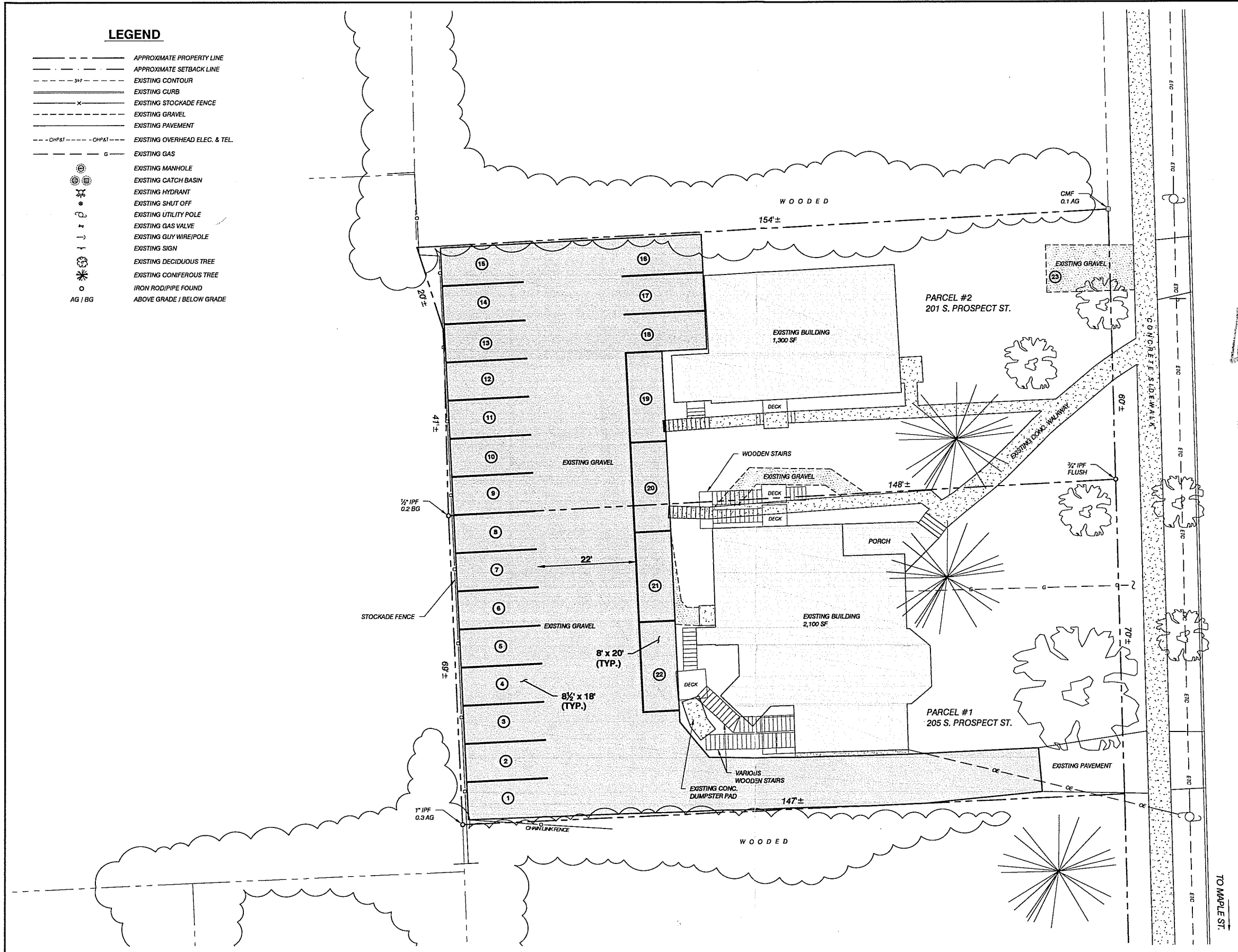
1. A 1-space parking waiver is included in this approval. The applicant shall report back to the Planning & Zoning Department each year for three years to define the efficacy of the parking waiver.
2. Standard Permit Conditions 1-15.

LEGEND

--- APPROXIMATE PROPERTY LINE
--- APPROXIMATE SETBACK LINE
--- 347 --- EXISTING CONTOUR
--- EXISTING CURB
--- X --- EXISTING STOCKADE FENCE
--- EXISTING GRAVEL
--- EXISTING PAVEMENT
--- CHPA1 --- CHPA1 --- EXISTING OVERHEAD ELEC. & TEL.
--- G --- EXISTING GAS

EXISTING MANHOLE
EXISTING CATCH BASIN
EXISTING HYDRANT
EXISTING SHUT OFF
EXISTING UTILITY POLE
EXISTING GAS VALVE
EXISTING GUY WIRE/POLE
EXISTING SIGN
EXISTING DECIDUOUS TREE
EXISTING CONIFEROUS TREE
IRON ROD/PIPE FOUND
AG / BG

AG / BG



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FEB 21 2017
DEPARTMENT OF
PLANNING & ZONING

SITE ENGINEER:

CIVIL ENGINEERING ASSOCIATES, INC.
10 MANSFIELD VIEW LANE, SOUTH BURLINGTON, VT 05403
802-864-2323 FAX: 802-864-2271 web: www.caa-vt.com
COPYRIGHT © 2016 - ALL RIGHTS RESERVED

DRAWN: GAC
CHECKED: JLM
APPROVED: JLM

CLIENT:
BING ENTERPRISE, LTD
6 LIME ROCK RD
SOUTH BURLINGTON
VERMONT 05403

PROJECT:
201-205 S. PROSPECT ST.
BURLINGTON, VT

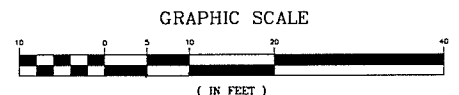
LOCATION MAP
1" = 2000'

DATE	CHECKED	REVISION

**PROPOSED
PARKING LAYOUT
PLAN**

DATE: 12/19/16
SCALE: 1" = 10'
PROJ. NO. 160000

DRAWING NUMBER:
C1.0



Parking Waiver Request
Bing Enterprises, Ltd.
201 South Prospect Street
February 21, 2017

RECEIVED

FEB 21 2017

DEPARTMENT
PLANNING & ZONING

By this Zoning Permit application, Applicant Bing Enterprises, Ltd. ("Bing Enterprises") requests a one-space parking waiver for its property located at 201 South Prospect Street (the "Property"). In support of this request, Bing Enterprises submits this narrative and the attached "Proposed Parking Layout Plan" prepared by Civil Engineering Associates, Inc. which depicts 23 spaces that comply with applicable dimensional and circulation requirements.

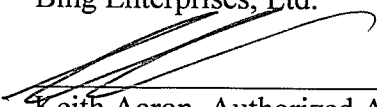
The Property contains a two-unit dwelling with six total bedrooms located in the Residential Low Density (RL) District. Bing Enterprises' adjacent parcel, 205 South Prospect Street, contains ten dwelling units. The Property and 205 South Prospect Street share a parking area with 23 parking spaces.

Bing Enterprises acquired the Property and 205 South Prospect Street from James & Andrea Crook on September 27, 1991. At the time that Bing Enterprises acquired both properties, 201 South Prospect Street contained two units (six bedrooms total) and 205 South Prospect Street contained ten units (ten bedrooms total), and the combined properties were served by 24 parking spaces. 22 parking spaces were located in the rear parking lot that serves the combined property, and 2 parking spaces were located in the front of the combined property. Bing Enterprises continued the use of 24 parking spaces at the combined property from 1991 to 2003. In May 2003, the City of Burlington asked Bing Enterprises to eliminate one of two parking spaces in the front of the property in order to create additional green space, and after a meeting attended by Stuart Bennett (counsel to Bing Enterprises), Keith Aaron, Phil Aaron, Jeanne Francis and Ray O'Connor, Bing Enterprises agreed to relinquish the space because 201 South Prospect Street and 205 South Prospect Street had sufficient parking for their needs even without the use of the additional space in the front of the property. Bing Enterprises also agreed to seed the relinquished parking space and cordon it off from the remaining parking space so that it would become and remain "green".

Accordingly, since May 2003, the Property and 205 South Prospect Street have been served by a total of 23 parking spaces; 22 parking spaces are located in the rear parking lot that serves the combined property, and 1 parking space is located in the front of the combined property. In that time, there have been no complaints alleging insufficient parking; in fact, in the more than 25 years that Bing Enterprises has owned and managed these properties, the parking lot has always had excess capacity. The units in 201 South Prospect Street, comprised on a 2 bedroom unit and a 4 bedroom unit, are typically rented to undergraduate college students, few of whom have cars. All of the units in 205 South Prospect Street are 1 bedroom units; the efficiency units are typically rented to senior citizens and the other units are typically rented to young couples with one car. Green Mountain Transit bus stops situated at the corner of South Prospect and Maple Street and at the corner South Prospect and Main Street are often used by tenants of both buildings. The typical tenant mix at the buildings results in only 18 parking spaces being used.

Bing Enterprises, Ltd.

By:


Keith Aaron, Authorized Agent



Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415
Phone: (802) 865-7188
Fax: (802) 865-7195

www.burlingtonvt.gov/pz

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DEPARTMENT OF
PLANNING & ZONING

Appeal of an Administrative Decision Request

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

SUBJECT LOCATION ADDRESS:

220 Pine St

Subject Property Owner:

Nicholas Papaveraphim

Appellant:

Nicholas Papaveraphim

Agent/Representative:

Self

Mailing Address:

27 Weathersfield Bow

City, St, Zip:

Essex VT 05452

Day Phone:

802-338-2266

Email:

npapase@yahoo.com

Appellant Signature:

Date:

2/15/17

DRB
Appeal of
Code Enforcement
Violation
Schedule for
4/4/17 agenda

request to be considered complete, **ALL** of the following information **must** be able:

320536

al fee of \$250;

n of the decision under appeal;

Parking + 2 ^{open} Zoning Permits - Ret 320

n of the property subject to the appeal;

220 Pine St

to the regulatory provisions applicable to the appeal;

☒ Relief requested by the appellant;

6 parking spaces, all existing parki

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

Pre-existing

Office Use Only:

Check No.

2273

Amount Paid

\$250.

Zoning Permit #

17-0786AP

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FEB 14 2017

BURLINGTON
CODE ENFORCEMENT

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FEB 15 2017

DEPARTMENT OF
PLANNING & ZONING

220 PINE STREET Notice of Violation

February 1, 2017

Page 10 of 11



April 30, 2004 Aerial Image. Two vehicles, rutted rear yard, no gravel.

1
This was a shrub tree, not green space. If you
look there is car parked under this green space.
Parking situation is as it was from ~~then~~ when
I purchased the property in 2005 or 2006.
— Please call my cell
414-609-9999 to discuss.

**CODE ENFORCEMENT OFFICE**

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442**FAX: (802) 652-4221****NOTICE OF ZONING VIOLATION (NOV #320536)**

February 1, 2017

Mailed Certified Mail 7013 3020 0001 6717 7216
And FIRST CLASS MAILNICHOLAS/DEANNA. PAPASERAPHIM
27 WEATHERSFIELD BOW
ESSEX JUNCTION, VT 05452**NOTICE OF VIOLATION AT:**
220 PINE STREET, BURLINGTON, VT
TAX LOT #049-2-007-000

Dear NICHOLAS/DEANNA. PAPASERAPHIM,

It has come to the attention of this office that a zoning violation exists at 220 Pine Street.**Description of Violation:** Failure to obtain zoning approval for expanding parking south of existing driveway and southeast corner of rear yard, added gravel over compacted soil in the rear, and failure to obtain certificates of occupany for ZP 92-196 and 07-428; see attached photos.

Burlington Comprehensive Development Ordinance (CDO) Article(s): 2, 3, 5, 8, 12, and 24 VSA §4451.

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

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

This notice is a decision of the Zoning Administrative Officer and may be appealed to the Development Review Board in accordance with the provisions of CDO Sections 2.7.11 and 12.2.2 provided that such appeal is filed within fifteen (15) days of the date of this notice, and accompanied by the appropriate fee in accordance with Sec. 3.2.4(a) of the CDO. Appeal fee and complete application shall be filed with the City's Planning and Zoning Office (lower level City Hall) by **4 pm on February 16, 2017**; an appeal shall not be perfected until the fee is received.If you have any questions, call me at (802) 864-8518 or email me at jfrancis@burlingtonvt.gov

Sincerely,

Jeanne Francis
Assistant Zoning Administrative Officer/
Code Compliance and Enforcement**RECEIVED**

FEB 15 2017

DEPARTMENT OF
PLANNING & ZONING

VIOLATION DETAILS**LOCATION:** 220 PINE STREET**DECISION DATE:** January 31, 2017**VIOLATION DESCRIPTION:** Failure to obtain zoning approval for expanding parking south of existing driveway and southeast corner of rear yard, added gravel over compacted soil in the rear, and failure to obtain a certificates of occupancy for ZP 92-196 and 07-428; see attached photos.**FINDINGS:**

- Property listed with City as 2 family/2 rental units.
- RM Zone
- Neighborhood Parking District
- On State Historic Structures, King Street District
- Ward 5
- 1978 site plan, attached to zoning permit #78-214, shows a fence on the east and southern boundaries of property. A shed is shown on the southeast corner of property/ shed and southern fence have been removed.
- ZP 92-196: *Removal of two-story front facade porch, on existing duplex with first floor landing constructed. Second story door, formally leading onto porch, to be filled-in to match existing. Structure listed on state list of historic structures and within King St. Neighborhood revitalization project.* Proposal approved December 5, 1991, subject to conditions. A Certificate of Occupancy has not been issued for this permit. Permit states 4 parking spaces existed at time of proposal.
- ZP 03-537: *Jack up rear 25'X16' Section of building approx. 10-12 to level out. Install new concrete foundation under existing structure. Repair all affected areas, Floors, Ceilings, Walls, Windows. Any replaced siding, Windows, or other exterior repair work will match existing. No increase in coverage.* Proposal approved May 22, 2003 subject to 2 conditions. Certificate of Occupancy issued November 17, 2003.
- ZP 07-428: *Replace front porch window with door. Replacement door shall match appearance of historic windows, that is, 2/3 glass 4 light wood door using existing casings.* Approved January 24, 2007 subject to 5 conditions. Permit has not requested a Certificate of Occupancy to close out the permit.
- November 15, 2010 our office received an "expanded parking" complaint. This violation has not been resolved. See attached photo.

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2) - Obtaining after-the-fact approval for site improvements that includes an expansion of rear yard parking, expansion of driveway, and placing gravel over a hard to the rear yard (permit application **fee is doubled** if complete application is submitted within seven days from receipt of the NOV, **tripled** if a complete application is submitted 7-15 days from receipt of the NOV, **or triple plus \$75 per hour of Code Enforcement staff time** (up to \$500) if a completed application is submitted after 15 days from date of NOV receipt). See CDO Section 2.7.8.

PLEASE NOTE: If the zoning permit request is denied, the violation is **NOT CURED**, owner is **required to remove the violation** as noted in #1 above or, request an Agreement as noted in #3 below, within five (5) business days from date permit was required; **OR**

3) – Submitting a “Determination Request” to the Department of Planning/Zoning, and ask for an administrative determination that the violations noted above are “stabilized” and not enforceable. Please note, if you choose this option, you will be required to provide sufficient documentation that the current rear yard parking, driveway width, and gravel, have existed, consistently, continually, in the same location, over the last 15 (consecutive) years. This information shall be submitted with the “Determination Request” form. Please note that application form and supporting documentation shall be submitted to the Planning/Zoning Office (located on the basement level of City Hall) within seven (7) days from receipt of this notice, to comply with the seven (7) day requirement noted above. If the request is denied, the violation is NOT CURED and Owner is required to remove the violation as noted in #1 above or request an Agreement as noted in #3 below, within five (5) business days from date permit was required; **OR**

4) - Entering into an Agreement with the City of Burlington to extend deadlines in which to come into compliance with the City’s ordinance (**administrative fees required**).

PLEASE NOTE: The 15-day appeal period is contingent upon the *Date of This Notice*. Be cognitive of the appeal date when choosing the best option for you to remedy the violation.

**APPEAL
RIGHTS:**

You have the right to appeal the Zoning Administrator’s decision, that a zoning violation exists on your property, to the Development Review Board in accordance with the provisions of Articles 2.7.11 and 12.2.2 of the CDO within fifteen (15) days **from the date of this notice**. **The deadline for filing an appeal is 4 pm on February 16, 2017.** Submit a complete application with ZV#320536 and appropriate fee to the Department of Planning and Zoning, accompanied by a memo stating the ZV#, the owner’s name and address, a brief description of the property with respect to which the appeal is taken, a reference

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- August 30, 2016 Code Office received an inter-departmental complaint regarding the expansion of the driveway at Property (tenant appealed a parking ticket).
- September 13, 2016 notification letter regarding expansion of driveway/parking area without zoning approval mailed to Owner; Owner did not refute complaint. Parking was verified. See attached photo.
- 2012 and 2004 Google Earth aerals show a muddied back yard; current parking material is gravel.
- 2004 Google Earth aerial shows a fence installed along the east and southern property boundaries. Current situation indicates fence has been removed allowing vehicles to freely access property to the south.
- Currently parking at property is not organized. There are no assigned parking spaces. Entire back yard is graveled. Tenants have been parking south of the driveway.
- No zoning permits on file in the City to: expand the parking south of the driveway, in the rear yard, add site improvements that includes placing gravel over the previous compacted soil in rear yard, and expanded parking equates additional coverage.
- To date a Certificate of Occupancy has not been issued for Zoning Permits #91-196 and #07-428; one is required to close out the permit.

VIOLATIONS:

1. Expansion of driveway/parking without zoning approval;
2. Site improvements: placing gravel over a previously compacted soil area;
3. Failure to obtain a certificates of occupancy for Zoning Permits #91-196 and #07-428

**REMEDY
OPTIONS:**

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

- 1) – Reducing existing rear parking area to correspond with 2004 Aerial Image (see attached) by restoring the lawn/green space (see below for grass restoration); restoring the lawn area in the northeast corner, restoring lawn area south of the existing driveway (ie. between house and driveway) see below for grass restoration; removing all gravel from rear yard; AND, obtaining a certificate of occupancy for ZP 91-196 and 07-428. Be sure you inform the Code Enforcement Office when violation has been cured so an inspector may verify compliance, a violation is not cured until the City verifies compliance; **OR**

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April 30, 2004 Aerial Image. Two vehicles, rutted rear yard, no gravel.

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2010 Photo of rear yard. No gravel. No fence on southern boundary. Car is parked at a different angle than that shown in the 2004 Aerial Image.

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2010 Photo of property. Violation has not been closed to date. South of driveway has been increased in width. There is evidence of green space. No evidence of these parking spaces ever existed. Parking in the rear is at a different angle. Some green space in the northeast corner.

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South of driveway widened.

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to the regulatory provisions applicable to that appeal, the relief you are requesting, and the alleged grounds why such relief is believed proper under the circumstances. *Failure to appeal constitutes admission that the violation exists, and the decision of the enforcement officer shall be binding 24 V.S.A §4472(d).*

REGULATION CDO Article(s): 2, 3, 5, 8, 12 and 24 VSA §4451
CITATION:



This parking configuration is not shown in the 2004 Aerial Image. Only two cars are shown in the image. The gravel is not shown in the Image. Chain link fence shown on 1978 drawing submitted to City by Owner, but drawing also included a fence on the southern property boundary (see blue line), which, as you can see, one currently does not exist, thus allowing vehicles to access the rear yard from the next property (southern). The 1978 drawing included a shed on the southeast corner of property and as you can see, the shed is no longer there and has been replaced with gravel/parking. No zoning permit on file to increase the parking area or to gravel the compacted soil area.

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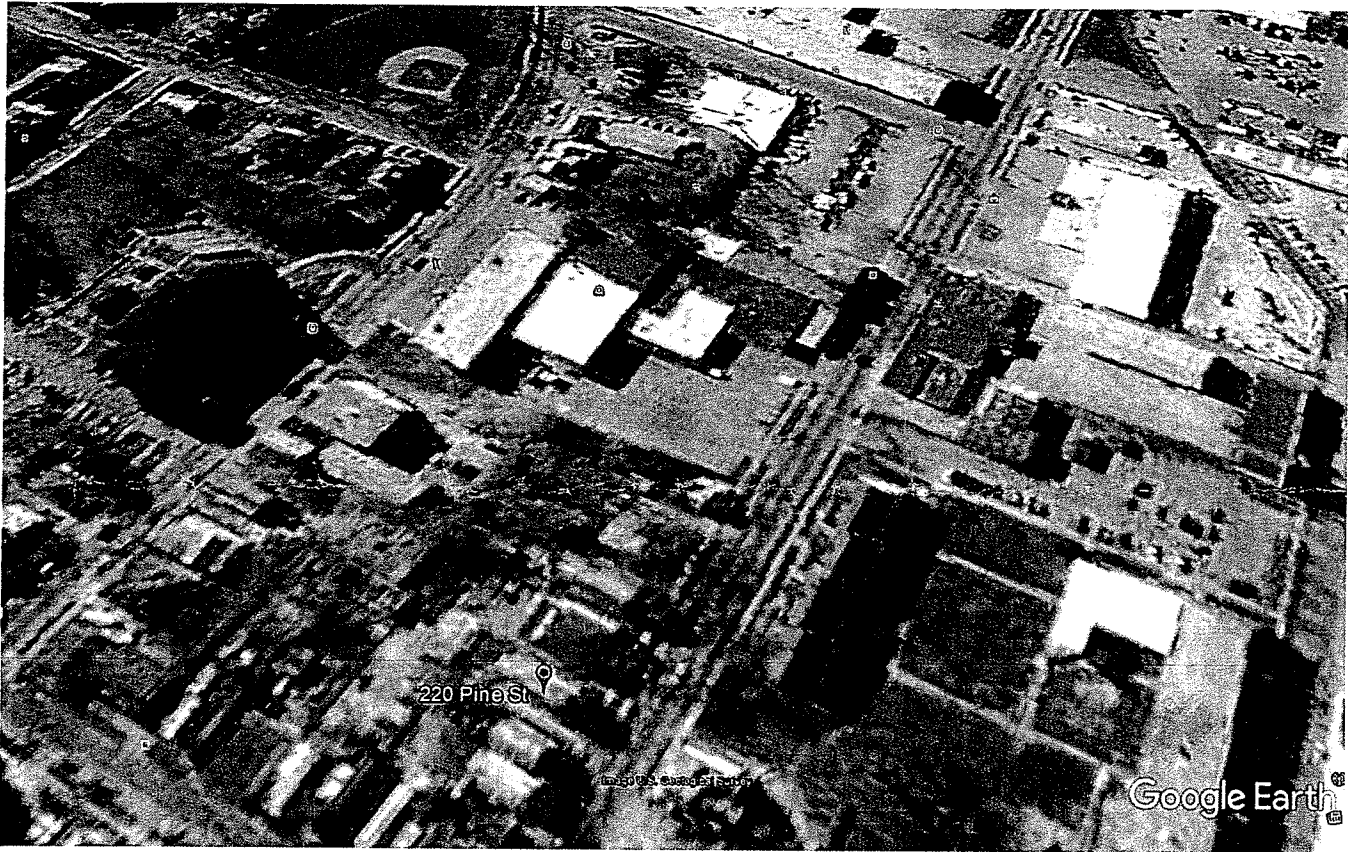


These two parking spaces are shown in the 2004 Aerial Image. Driveway has been widened.

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April 24, 1999 Aerial Image. Grass south of driveway. Fence along southern boundary of property. Grass in the rear yard.

RECEIVED

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MAY 15 2017

Burlington Development Review Board

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Burlington, VT 05401
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Telephone: (802) 865-7188
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Austin Hart
Brad Rabinowitz
Israel Smith
AJ LaRosa
Geoff Hand
Alexandra Zipparo
Wayne Senville
Jim Drummond, (Alternate)
Robert Purvee, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, April 4, 2017, 5:00 PM Conference Room 12, City Hall, 149 Church St, Burlington, VT Minutes

Board Members Present: Brad Rabinowitz, Israel Smith, Geoff Hand, Alexandra Zipparo, Wayne Senville, Robert Purvee (Alt)

Board Members Absent: Austin Hart, AJLRosa, Jim Drummond (Alt)

Staff Members Present: Scott Gustin, Mary O'Neil, Ryan Morrison, Anita Wade

I. Agenda

II. Communications

Supplimental Communications for 329-375 North Ave relating April 18th.

III. Minutes

IV. Public Hearing

1. **17-0780CA/CU 29 Intervale Road (ELM, Ward 1E) and 17-0861CA; 557 Riverside Ave (ELM, Ward 1E) Roger Charlebois**
Conversion of a portion of a building to a mini storage and construction of 12,900 sq. ft of new mini storage. 18,585 sq. ft of new coverage and site improvements. Stormwater utility installation. (Project Manager, Mary O'Neil)

B.Rabinowitz: swears in applicant.

A.Mills: engineer representing applicant. Presents construction plan for 121 mini storage units, five new buildings and new stormwater treatment. Has addressed staff comments. Received sign off from DPW.

B.Rabinowitz: questions on steep banks.

A.Mills: presented steep bank locations to Board and new building location.

I.Smith: is existing paving expanding

A.Mills: confirms and shows where new pavement is located.

I.Smith: questions on the treatment setup.

A.Mills: goes over treatment setup and discharge.

W.Senville: what is the access to self-storage?

A.Mills: shows where entrance access will be open to public.

M.O'Neil: stormwater approval March 27th from stormwater department.

G.Hand: traffic

A.Mills: average of 31 total trips during the day.

W.Senville: office manager on site?

A.Mills: current staffing will cover.
 B.Rabinowitz: access to units front and back.
 A.Mills: both
 B.Rabinowitz: swears in S.Bushor, interested party.
 S.Bushor: questions if neighbors, such as railroad, and farms and Gardener Supply have issues with stormwater and runoff. Questions how much more pavement is being created. Not sure if all small cars or anticipate larger vehicles. Is DEC going to provide a complete report. Will landscaping absorb runoff.
 A.Mills: refers to L1-201 plan showing small amount of landscaping. All stormwater runoff is unmanaged. DPW is satisfied for new and redeveloped for site.
 B.Rabinowitz: questions on the proposed tree line and trees being cut.
 A.Mills: fairly minimal and shows existing treeline.
 B.Rabinowitz: separate site plans
 A.Mills: conditional use fits well for storage
 M.O'Neil: can provide more information from DEC. DEC considers low risk site and removing off list.
 B.Rabinowitz: closed the public hearing.

2. 17-0786AP; 220 Pine Street (RM, Ward 5S) Nicholas Papaseraphim
 Appeal of Notice of Zoning Violation #320536 relative to expanded parking.
 (Project Manager, Jeanne Francis)

B.Rabinowitz: swears in applicant.
 M.O'Neil: ordinance speaks for City to address the Board first on this issue.
 J.Francis: Code Enforcement Officer; explains how the complaint came through a parking ticket and city attorney contacted our code enforcement to see if parking was legitimate. Code Enforcement reviewed other permits on the property, which brought into question the use of backyard and parking spaces over time.
 B.Rabinowitz: questions location of shared driveway and adjacent driveway.
 J.Francis: no zoning permits on file for gravel.
 G.Hand: asks staff about 2010 report.
 J.Francis: shows photo of cars near the house.
 G.Hand: asks if the expanded parking a violation at that time.
 J.Francis: correct, the owner needed to stop parking and replenish areas.
 G.Hand: is the parking violation same area as today.
 J.Francis: yes.
 G.Hand: was applicant provided with the 2010 NOV.
 J.Francis: would have to issue a new NOV.
 G.Hand: may be basis for an appeal.
 N.Papaseraphim: he and his wife purchased property in 2006. The backyard was as is today and nothing has changed. There is grass. This was a HUD foreclosure and crack house. He gutted out down to lathe. House was in tough shape and took a lot of time and money. Would like to address driveway and parking and here to defend what has been going on for 11 years. This is a duplex with 2 three bedrooms on small lot. Now is a quality housing stock now up to code. This is the first time today met J.Francis.
 B.Rabinowitz: parking and lot coverage is big concern. Question on aerial; shared driveway and rectangular piece of property.
 N.Papaseraphim: no one owns rectangular piece.
 B.Rabinowitz: how many cars are parking at this time.
 N.Papaseraphim: six spots with all parking back part of house and room for six spaces.
 B.Rabinowitz: RM district with 40%
 M.O'Neil: RM but possible 10% bonus.

G.Hand: NOV from 2010 owner failed to work with City to prohibit future parking
 N.Papaseraphim: would like to see the 2010 NOV. I have no recall of a parking incident.
 G.Hand: fence in 2003, was it there when you bought it.
 N.Papaseraphim: no fence there now.
 G.Hand: did you put down the gravel. Is there an easement
 N.Papaseraphim: no and no easement or shared access
 B.Rabinowitz: a lot of cars and lot coverage cannot accommodate 6 cars on the property. This doesn't match plan of 1991.
 G.Hand: need to bring to conformance. The new plan doesn't meet zoning requirements.
 N.Papaseraphim: received copy of staff report from staff. The fence and backyard wasn't a backyard regardless of how it was accessed.
 B.Rabinowitz: more lot coverage now than before. Need to meet zoning ordinance.
 G.Hand: your burden to establish to 15 year entitlement. Do you want additional time
 N.Papaseraphim: would like to figure something out.
 B.Rabinowitz: goes over applicant's options.
 G.Hand: has a permit for 4 spaces.
 B.Rabinowitz: is approved for 340 sq. feet and tandem parking for a duplex, two cars deep
 M.ONeil: yes.
 J.Francis: no NOV for 2010. The area was never replenished to green space
 G.Hand: no issue by City and owner not given ability to contest.
 J.Francis: owner on the south and couldn't be here, but opposes people using his driveway. He will be putting up a fence. The tenant who received the ticket said there are three spaces.
 N.Papaseraphim: there are three per unit according to inspector Ryan. Applicant asks for additional time to research.
 S.Gustin: require the materials be submitted two weeks in advance.
 G.Hand: motion to continue hearing to May 16th
 W.Senville: seconds this motion.
 Board Vote: 6-0-0

V. Certificate of Appropriateness

1. **17-0791CA; 323-325 College Street (RH, Ward 8E) Carol Bedard Potts**
 Review of parking dimensional standards associated with parking reconfiguration relative to addition of 4 new units. (Project Manager, Mary O'Neil)

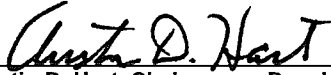
B.Rabinowitz: Board changes agenda for item to be consent. Board treats as consent.
 Asks for a motion.
 W.Senville: moves to approve project based on staff findings and recommendations.
 G.Hand: seconds.
 Board Vote: 6-0-0

2. **17-0801CA; 201 South Prospect Street (RL, Ward 6S) Bing Enterprises, Ltd**
 Convert attic space into habitable space - 2 bedrooms. Includes a parking waiver request. (Project Manager, Ryan Morrison)

J.Parkins: is in agreement with read staff conditions and findings.
 B.Rabinowitz: asks Board for a motion.
 G.Hand: motion to approve request and adopt staff findings and recommendations.
 I.Smith: seconds.
 Board Vote: 6-0-0

VI. Other Business

VII. Adjournment



Austin D. Hart, Chairperson Development Review Board

June 6, 2017
Date



A. Wade, Zoning Clerk

6/5/17
Date

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

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

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