

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)

www.burlingtonvt.gov/pz

*Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur
vacant, Youth Member*



Burlington Planning Commission **Tuesday, March 14, 2017, 6:30 P.M.** **Conference Room 12, City Hall, 149 Church Street** **AGENDA**

*Note: times given are
approximate unless
otherwise noted.*

I. Agenda

II. Public Forum- Time Certain 6:30 p.m.

III. Report of the Chair

IV. Report of the Director

V. Presentation- Youth Board Member

Eamon Dunne, a student at Burlington High School, has applied to participate as the Youth Member of the Planning Commission. During the meeting, Eamon will provide a presentation to introduce himself to the Commission and discuss his interest in participating on the Planning Commission.

VI. Presentation- Regional Bike Share Pilot

Nic Anderson, Associate Director of Sustainable Transportation for Champlain College, will provide a presentation on a Regional Bike Share Pilot that is anticipated to launch in Summer 2017. This pilot will advance a goal of the City's draft plan BTV Walk/Bike and of UVM and Champlain College's respective Active Transportation Plans, and supported by a 2011 Bikeshare Study conducted by Local Motion and CATMA's goals to enhance transportation options for its users. Materials regarding this pilot are included in the agenda packet on pages 2-10.

VII. Committee Reports

VIII. Commissioner Items

IX. Minutes & Communications

The Commission will review and approve the minutes of the February 28, 2017 meeting, enclosed on pages 11-13 of the agenda and communications on pages 14-17.

X. Adjourn

Next Meeting: March 28, 2017 @ 6:30pm in City Hall, Conference Room 12

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

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Regional Bike Share Pilot

2017 Launch



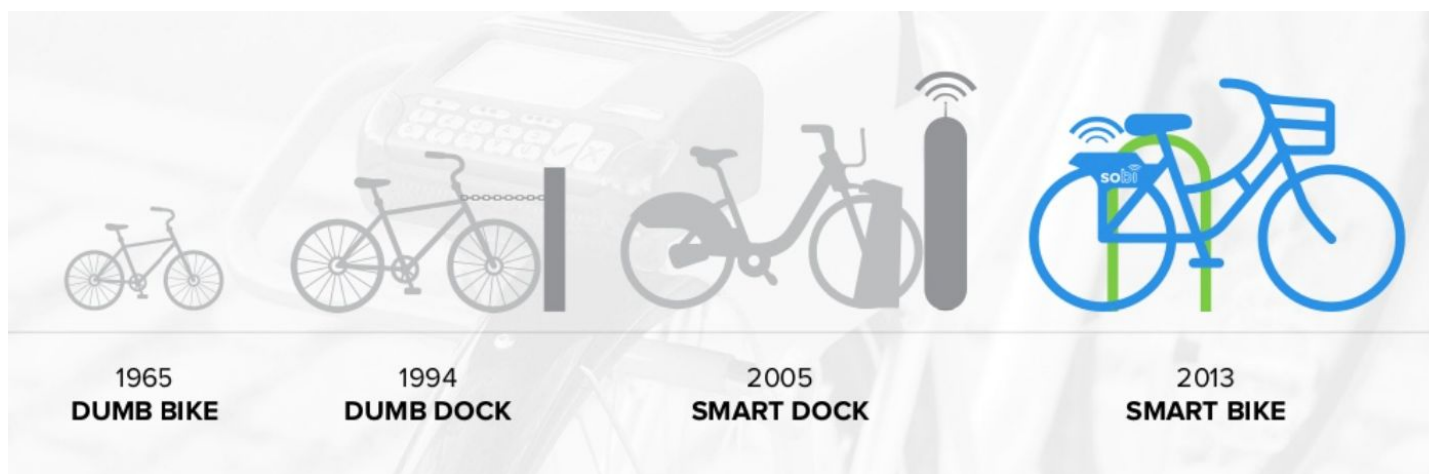
Planning Commission Agenda
PLEASE NOTE: Mock-up shown for only 2017 reference.
Page 2 of 17

●●● WHY BIKE SHARE?

BIKE SHARE PROGRAMS ARE SPREADING ACROSS THE U.S.

There are over 50,000 shared bikes in 100+ urban areas, up from just a handful of programs in 2010. In addition, more than 30 colleges / universities have rolled out bike share programs.

More and more bikeshares systems have “smart bikes” which can help overcome a lot of barriers such as system flexibility and costs.



According to the National League of Cities' Center for Research & Innovation, **benefits of bike share programs include:**

- Low-cost public transit option for users
- Cost-effective infrastructure investment for cities
- Reduced congestion and wasted fuel
- Improved access to jobs
- Higher retail exposure and home values
- Increased connectivity and physical activity
- Decreased air pollution



THE MISSION...

TO TRANSFORM OUR REGION BY PROVIDING A HIGH QUALITY, CONVENIENT AND AFFORDABLE BIKESHARE SYSTEM THAT WILL CONNECT PEOPLE TO MORE PLACES WHERE THEY LIVE, WORK, AND PLAY IN CHITTENDEN COUNTY BY:

- Enhancing transportation options and connectivity
- Providing an affordable transportation option
- Improving access (in all senses of the word)
- Reducing car dependence
- Improving individual and community health
- Providing first/last mile connections
- Reducing greenhouse gas emissions
- Increasing new bike ridership and ownership

●●● THIS IS NOT “NEW STUFF”

Champlain College, UVM and City of Burlington Employees already have “bike library” bikeshare systems.

Bikeshare has been studied, anticipated and encouraged through previous City and institution planning efforts:

- Plan BTV Walk/Bike (snips from draft below),
- UVM Active Transportation Plan,
- Champlain Active Transportation Plan
- 2011 Bikeshare Study by Local Motion
- CATMA goal of enhancing transportation options



●●● PLAN BTV WALK/BIKE



*Bike Share station in Aspen, CO.
(Photo by Frias Properties of Aspen.)*

#7: Implement a robust bicycle sharing system.

Work with key institutional partners such as the University of Vermont and Champlain College to create a public bicycle share program. The first step is to build from the 2011 Chittenden County Bike Share Feasibility Study to conduct a detailed, localized study to guide implementation. The study should recommend a preferred fleet system and include detailed guidance on station locations, with a phased plan for roll out. It should also provide recommendations related to funding and maintenance. Once a detailed study has been completed, Burlington should seek program funding through public health and transportation organizations, as well as local corporate and foundation sponsors. Once funding is solidified, Burlington can implement a cost-effective, high-density, equitable bike share system for Burlington's residents and visitors.

#4: Expand Use of Pilot and Demonstration Projects

City Ordinance allows the Department of Public Works to implement temporary traffic and parking projects on all public streets, making use of short-term or "pilot projects" to evaluate the merits and impacts of proposed street design projects. Currently, pilot projects may be in place for up to 30 days. This time period should be extended to allow for pilots up to 12 months in duration, with the option for the use of more durable (but still removable) interim design measures in the 1-5 year time frame.

At the shorter end of the time scale, Burlington is working to develop a guide and policy to make it easier for everyday residents, advocacy organizations, and community groups to spearhead 1-7 day "demonstration projects" alongside DPW and

Excerpt from page 60...

"*Note that the target timelines listed above assume the City leads this effort. If the City is able to serve as a leader and convener, but approach bike share implementation with a coalition of highly involved partners, implementation can and should be expected to occur much faster."



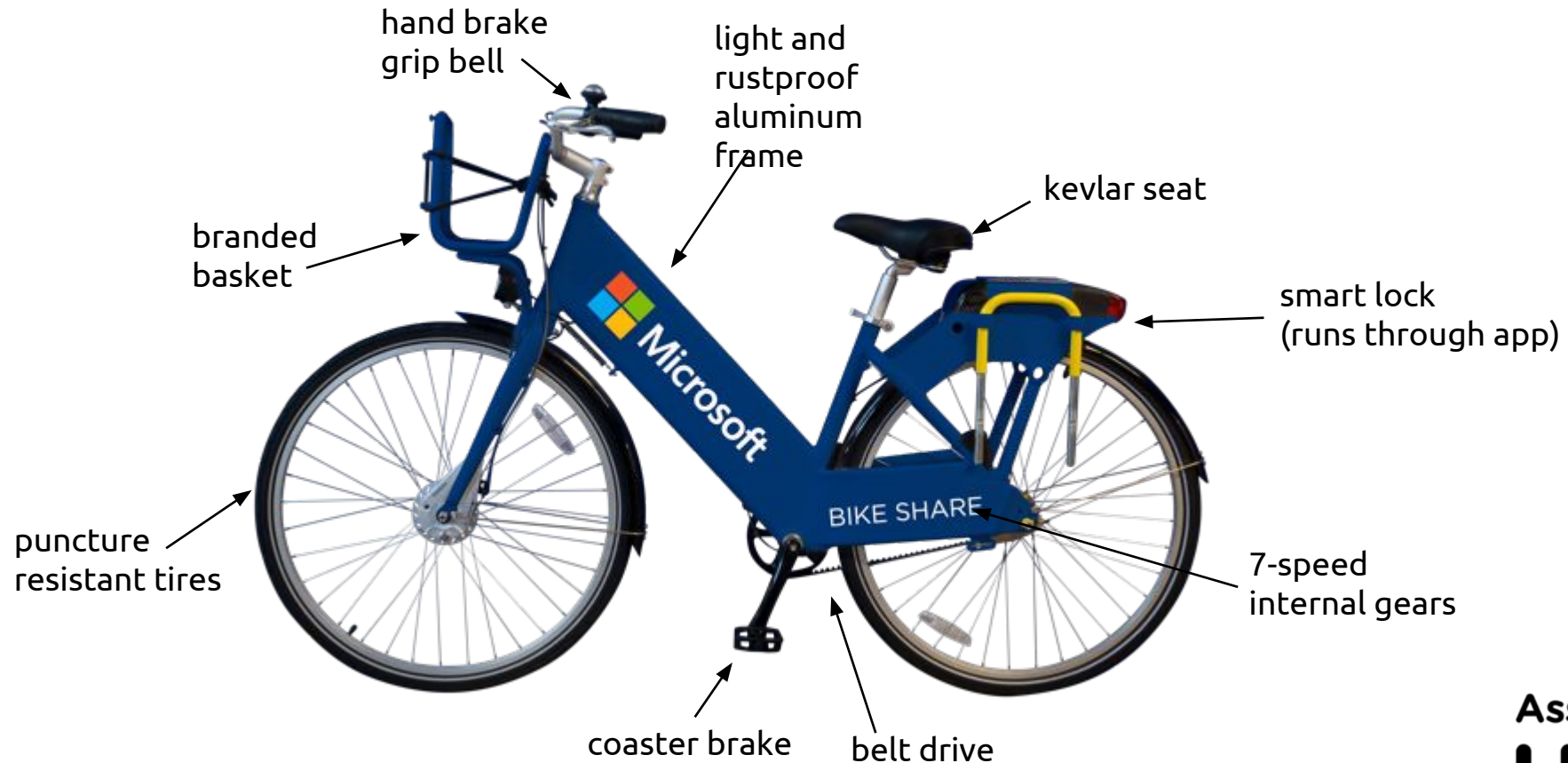
Photo by Julie Campoli.

●●● WHAT IS GOTCHA BIKE?

INNOVATIVE TECHNOLOGY: The first bike share program that runs completely through a smartphone app/computer.

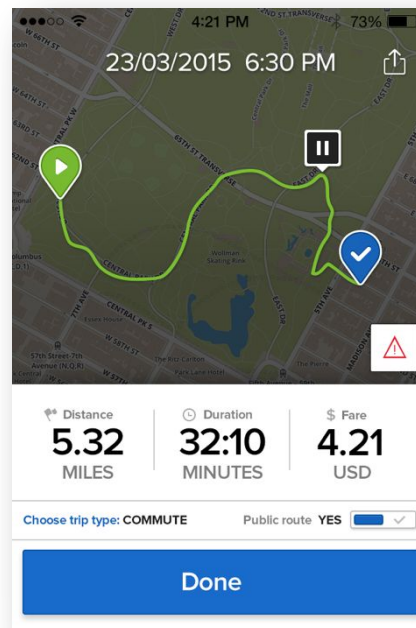
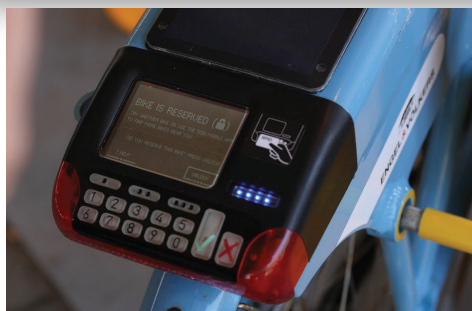
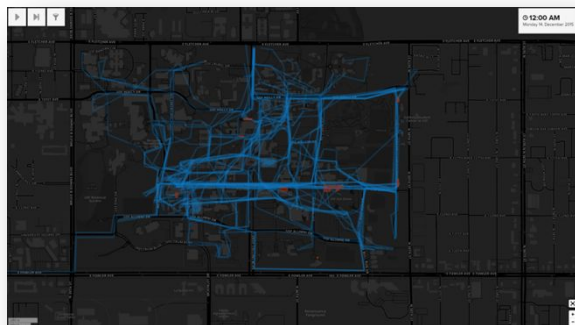
FULLY CUSTOMIZABLE: Sponsors brand on wheels! Gotcha Bikes offer maximum branding space and exact Pantone color matching.

TURN-KEY SOLUTION: Gotcha manages all maintenance, operations and 24/7 rider support to ensure a successful system.



PLEASE NOTE: Mock-up shown is only for reference.

DATA CAPTURE & REPORTING



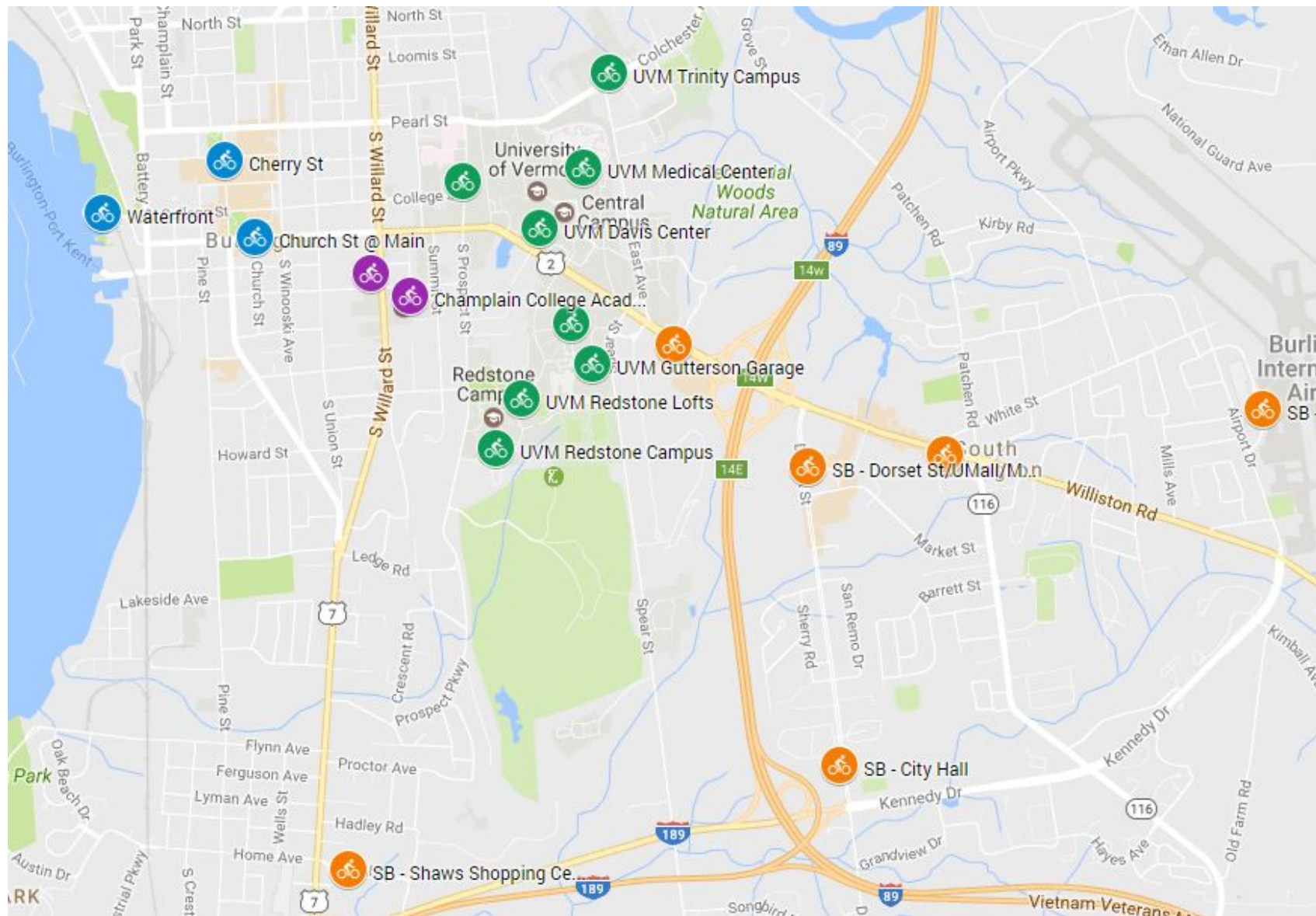
**Smart GPS enabled bikes that show location at all times.
Riders have the ability to view the following statistics:**

- Miles traveled
- CO2 reduced
- Calories burned
- Money saved versus driving

Admin have access to detailed ride data, including:

- Number of users
- Trips per day
- Total distance traveled (by member, week, month, year, etc.)
- Heat map (most heavily traveled routes)
- Frequency of trips by time of day
- Rentals by hub location (origin and destination)

●●● PHASE 1 - DRAFT MAP



Phase 1

- 110 bikes in 18 hubs (25 E-bikes)
- Majority of hubs on UVM and Champlain campus
- A few hubs in key locations in Burlington

Phase 2

- Approx. 200 additional bikes in approx. 50 hubs
- All over Burlington, S. Burl and Winooski
- Primarily serving residents, commuters and employees

●●● NEXT STEPS

WHERE ARE WE AT?

- Finalizing initial agreement
- Sourcing sponsorship
- E-bike development
- Developing program specifics (rates, service etc)
- Continuing to discuss with all stakeholders
- Hub location planning
- Anticipated pilot launch date Summer 2017



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Burlington Planning Commission **Tuesday, February 28, 2017, 6:30 P.M.** **Conference Room 12, City Hall, 149 Church Street** **DRAFT Minutes**

*Note: times given are
approximate unless
otherwise noted.*

Present: B. Baker, A. Friend, E. Lee, H. Roen, J. Wallace-Brodeur
Staff: D. White, S. Gustin, M. Tuttle, L. Brelsford

I. Agenda

Called to order at 6:33

II. Public Forum

No members of public spoke.

III. Report of the Chair

B Baker chaired the meeting in A Montroll's absence. No report made.

IV. Report of the Director

D. White: The DRB met on 2/21/17 regarding the Burlington Town Center plans. They will deliberate on 3/6/17. D White and M Tuttle are wrapping up projects, and setting sights on finishing other projects. Council approved change to open staff position, has been advertised. David will be out of the office 3/9 – 3/19/17.

M. Tuttle: New city email addresses should be used for all official board correspondence. Next meeting, will hear a presentation from a BHS student interested in the Youth Member board position. A Friend can assist as a mentor to him.

V. Public Hearing: Proposed ZA-17-08 Food and Beverage Processing

B Baker opened the public hearing at 6:45pm.

M. Tuttle provided an overview of the amendment.

D. Colangelo, CEDO: The size limit of 25,000 square feet is too large for Downtown or Neighborhood Mixed Use zones; suggest smaller limit.

E. Lee: Size could be controlled through Conditional Use review.

D. White: Agree that size should be brought down a bit, but need to be clear on what it is rather than leave room for subjectivity in the review process. The number should be closer to what we ultimately want it to be.

J Heilenbach, Citizen Cider: Citizen Cider facility in the ELM is 18,000 square feet.

J. Wallace-Brodeur: In favor of lower size limit for Neighborhood Mixed Use.

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E. Lee: The size could be a market driven factor, don't think we'll see something 25,000 sq.ft. in these zones because there aren't spaces that large and price would dictate.

A Friend: Why no size limits in the E-LM zone?

M. Tuttle: This is a place where we want to encourage these uses. For Downtown & Neighborhood Mixed Use zones, perhaps a limit of 10,000 sq.ft.? Want it to be small enough to control potential impacts, but large enough to allow for flexibility of the uses.

J. Wallace-Brodeur: Smaller size limits work well with neighborhoods and smaller commercial businesses. Also traffic would be less impacted by smaller sized projects.

D White: Should also consider allowing this as a permitted, rather than conditional, use in the E-Agricultural district?

H. Roen: 10,000 sq.ft. sounds good.

The Commission unanimously approved a motion by H Roen, seconded by A Friend, to send the proposed amendment and modified Municipal Bylaw Amendment report to City Council with recommendation with the following changes: Food & Beverage Processing becomes a permitted use in E-AE district, and maximum limit on operation in neighborhood and downtown zones is 10,000 sq.ft.

VI. Proposed CDO Amendment: Emergency Shelters

S. Gustin presented a proposed amendment from the Ordinance Committee that creates a definition for emergency shelters and establishes parameters for unit count, spacing, parking, etc.

B. Baker: How would spacing limitations work if a new shelter were to locate near a pre-existing shelters that was formerly defined as a community house?

S. Gustin: I don't think the limitation would apply; staff would issue a determination. This only applies for emergency shelters in residential areas.

M. Monte: If the 1,000 sq.ft. requirement could be eliminated, these uses could cluster in the downtown and transition zones.

J. Wallace-Brodeur: What is a Community House?

S. Gustin: Community Houses are more permanent housing, while Emergency Shelters are temporary, and defined as "shared, supervised, living arrangements".

J. Wallace-Brodeur: Does the potential for disruptive behavior necessitate a buffer zone?

E. Lee: They are by nature disruptive. However, the whole city needs to share the responsibility for the location of these shelters. If there is a vacant building that suit these needs, it should be utilized, regardless of the neighborhood it is in. Also do not feel that we should define what streets these may be located on.

J. Wallace-Brodeur: We shouldn't codify where there should be a buffer zone and where there shouldn't.

S. Gustin: There will be a need for access to public transportation.

E. Lee: We don't need to regulate access to transportation; shelters will locate where services are available for their guests.

S. Gustin: Additionally, unit density limits will regulate potential sites.

B. Baker: RH zones will be the more likely zone for creation of these shelters. Lot coverage and parking limits will impact potential sites as well.

J. Wallace-Brodeur: Is it necessary to require parking for these uses? Let's strike minimum parking requirements.

M. Monte: The less parking the better.

E. Lee: We need to reduce barriers to establishing these types of services in the community.

E Ahearn, Safe Harbor: It would be better to increase the staff to resident ratio during sleeping hours from 1 : 20 to 1 : 25; we do not always need that many staff during sleeping hours, and we are currently providing much higher staffing ratios during the daytime.

B Baker: Let's delete 2nd paragraph regarding streets on which these can be located, increase the staff ratio, and eliminate parking requirement and buffer zones.

The Commission unanimously approved a motion by J Wallace-Brodeur, seconded by A Friend, to make the changes to the proposed amendment as articulated by B Baker, for staff to prepare the Municipal Bylaw Amendment report, and for the amendment to be warned for public hearing.

VII. Committee Reports

No reports.

VIII. Commissioner Items

Ordinance Committee: Met on February 2 regarding emergency shelters, will meet on March 2 to discuss Green Roof amendment.

IX. Minutes & Communications

The Commission unanimously approved a motion by A. Friend, seconded by J. Wallace-Brodeur, to accept the minutes of the January 24, 2017 meeting and communications.

X. Adjourn

The Commission unanimously approved a motion by H. Roen, seconded by J. Wallace-Brodeur to adjourn the meeting at 7:35pm.



State of Vermont

Office of Planning

1 National Life Drive, Davis 2

Montpelier, VT 05620-3901

Ph: (802) 923-6647

Agency of Natural Resources

January 19, 2017

Judith Whitney, Clerk
Vermont Public Service Board
112 State Street – 4th Floor
Montpelier, VT 05620-2701

Re: NMP-XX-XXXX Flynn Ave Solar, LLC – 199 Flynn Avenue, Burlington, VT

Dear Ms. Whitney:

On December 30, 2016, LLC filed a petition under 30 V.S.A. §§ 219a and 248 for a certificate of public good (CPG) authorizing installation and operation of a 493 kW solar electric generation facility in Burlington, VT (Project). The Agency of Natural Resources (Agency) received the petition on January 4, 2017. The Agency has reviewed petition and offers the following comments.

Under Board Rule 5.110, a person “must make a showing that the application raises a significant issue regarding one or more of the applicable criteria listed in Section 5.108 or the criteria conditionally waived in that section” to successfully petition the Board for a technical evidentiary hearing.¹ “Such a showing must go beyond general or speculative claims, and provide specific information regarding potential impacts for the criteria or the criteria conditionally waived in that section.”² Thus, ANR makes the required showing to justify conditions or a hearing where ANR raises a significant issue by providing specific information related to potential impacts for criteria.

Wetlands

The project has the potential to cause an undue adverse impact to Wetlands under Criterion 1(G). Criterion 1(G) states:

Wetlands. A permit will be granted whenever it is demonstrated by the applicant, in addition to other criteria, that the [project] will not violate the rules of the Secretary of Natural Resources, as adopted under Chapter 37 of this title, relating to significant wetlands.³

¹ Board Rule 5.110(B) - (C).

² *Id.*

³ 30 V.S.A. § 248(b)(5); 10 V.S.A. 6086(a)(1)(G).

The Application includes Exhibit EPF-2, Natural Resources Assessment Report, which identified a small forested wetland along the western edge of the project site. The wetland was identified outside of the typical growing season and the delineation and classification were not confirmed by the Agency's Wetland Program. Project activities will be limited to roof tops, paved areas and mowed lawns greater than 75 feet from the approximate wetland boundary. Due to the proximity of activities to wetland and lack of information to the Wetlands Program, the Agency requests the following conditions in the CPG to avoid an undue adverse impact on the wetland:

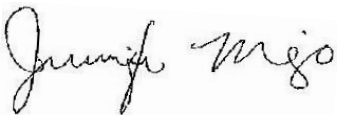
The Project shall avoid impacts to Class II wetlands and 50 foot wetlands buffer zone, or Flynn Avenue Solar, LLC shall obtain and comply with the provisions of a Vermont Wetlands Permit for any activity that is not an allowed use designated in Section 6 of the Vermont Wetland Rules⁴.

If the Project is within 100 feet of any Class II wetlands buffer boundaries, then prior to site preparation, construction, maintenance that involves earth disturbance, or decommissioning, Flynn Avenue Solar, LLC shall install a continuous line of flagging tape along the buffer zone boundary to identify the wetland buffer zone as a protected area.

Absent compliance with the conditions requested above, the Project, as proposed, raises significant issues with regard to criteria under Section 248(b)(5). The Agency is authorized to represent the Petitioner has agreed to the above conditions.

Thank you for the opportunity to comment. Please let me know if I can be of any further assistance to you in this matter. I can be reached at (802)923-6647 or jennifer.mojo@vermont.gov.

Respectfully submitted,



Jennifer Mojo
ANR Regulatory Policy Analyst

Cc: Joshua Leckey - Flynn Ave Solar, LLC
Steph Hoffman/Angela Valentinetti - DPS
Pam Allen - GMP
Chittenden County RPC
City of Burlington Planning Commission & City Council c/o City Clerk

⁴ http://dec.vermont.gov/sites/dec/files/documents/WSMD_VermontWetlandRules_2010_7_16.pdf



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

149 CHURCH STREET • ROOM 32 • CITY HALL • BURLINGTON, VT 05401
(802) 865-7144 • (802) 865-7024 (FAX)
www.burlingtonvt.gov/cedo

RECEIVED
MAR 03 2017

VIA INTEROFFICE MAIL

March 2, 2017

Burlington Planning Commission

**DEPARTMENT OF
PLANNING & ZONING**

**RE: Environmental Review Legal Notice
Affordable Housing at Cambrian Rise
Located in the larger parcel at 351 North Ave. (future address yet to be determined)**

To whom it may concern,

For your review, enclosed please a copy of the environmental review legal notice published on Wednesday, March 1, 2017.

Please let me know if you have any questions or need further information.

Very Truly Yours,

Todd Rawlings
Housing Program Manager
Community & Economic Development Office
Burlington, Vermont
802.652.4209 (office)
802.865.7024 (fax)
trawlings@burlingtonvt.org

Encl.

Copy: File (w/o enclosures)



EQUAL HOUSING OPPORTUNITY



(CONTINUED)

111 West Street
Essex Jct., VT 05452
802-879-5662
stephanie.monaghan@vermont.gov

**ACT 250 NOTICE
MINOR APPLICATION
#4C1002-10
10 V.S.A. §§ 6001
- 6093**

On February 21, 2017, Brennan Woods Homeowner's Association, Inc., 726 Hanon Drive, Williston, VT 05495 filed application #4C1002-10 for a project generally described as construction of stormwater pond improvements. The Project is located on Barrett Lane in Williston, Vermont.

The District #4 Environmental Commission is reviewing this application under Act 250 Rule 51 - Minor Applications. Copies of the application and proposed permit are available for review at the office listed below. The application and a draft permit may also be viewed on the Natural Resources Board's web site (www.nrb.state.vt.us/lup) by clicking on "Act 250 Database" and entering the project number: #4C1002-10.

No hearing will be held and a permit may be issued unless, on or before March 16, 2017, a person notifies the Commission of an issue or issues requiring the presentation of evidence at a hearing or the Commission sets the matter for hearing on its own motion. Any hearing request must be in writing to the address below, must state the criteria or subcriteria at issue, why a hearing is required and what additional evidence will be presented at the hearing. Any hearing request by an adjoining property owner or other interested person must include a petition for a hearing, please contact the district coordinator at the telephone number listed below for more information. Prior to convening a hearing, the Commission must determine that substantive issues requiring a hearing have been raised.

Findings of Fact and Conclusions of Law will not be prepared unless the Commission holds a public hearing.

If you feel that any of the District Commission members listed on the attached Certificate of Service under "For Your Information" may have a conflict of interest, or if there is any other reason a member should be disqualified from sitting on this case, please contact the district coordinator as soon as possible, no later than prior to the response date listed above.

Should a hearing be held on this Project and you have a disability for which you are going to need accommodation, please notify us by March 16, 2017.

Parties entitled to participate are the Municipality, the Municipal Planning Commission, the Regional Planning Commission, affected state agencies, and adjoining property owners and other persons to the extent they have a particularized interest that may be affected by the proposed project under the 10 criteria. Non-party participants may also be allowed under 10 V.S.A. Section 6085(c)(5).

Dated at Essex Junction, Vermont this 23rd day of February, 2017.

By: Peter E. Keibel
District #4 Coordinator
Natural Resources Board
111 West Street,
Essex Jct., VT 05452
802-879-5658
Peter.Keibel@vermont.gov

**BURLINGTON
DEVELOPMENT
REVIEW BOARD
TUESDAY MARCH 21,
2017, 5:00 PM
PUBLIC HEARING
NOTICE**

The Burlington Development Review Board will hold a meeting on Tuesday March 21, 2017 at 5:00pm in Contois Auditorium, City Hall.

1. 17-0762CA/CU; 35 GROVE STREET (RL Ward 1E) Russell B. Higgins and Gina S. Lambdin Expand existing single family residence, add accessory dwelling unit, and change parking layout. (Project Manager, Mary O'Neill)

2. 17-0763CU; 311 NORTH AVENUE (RM-W, Ward 4N) VLTBTV Parkland LLC Change of use from post-secondary school to community house.

(Project Manager, Ryan Morrison)

3. 17-0776CU; 449 SOUTH PROSPECT STREET (RL Ward 6S) Chris Khamnei Change of use from single family to duplex and expand driveway. (Project Manager, Scott Gustin)

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/drba/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

**CERTIFICATION OF
ABANDONMENT OF
GAS AND OIL LEASE
PURSUANT TO 29
V.S.A. 563(B)**

WHEREAS, property known as 114 Richmond Lane, Colchester, Vermont, containing .33 acres, more or less, and being all and the same lands and premises conveyed to Roger D. Dandurand and Sue S. Dandurand by Warranty Deed of Gardner Construction, Inc., dated August 10, 1995 and recorded in Volume 250, Page 34 of the Town of Colchester Land Records, is subject to an Oil and Gas Lease (the "Lease") conveyed by Louise Cross to Vermont Natural Gas and Mineral Corporation dated November 30, 1957 and recorded in Miscellaneous Volume 9, Page 292 of the Town of Colchester Land Records;

In regard to such Lease, the undersigned certify that from their personal knowledge:

a. The Lease Interest is abandoned because the Lease has not been used for a continuous period of 10 years after July 1, 1973 and no statement of interest has been filed within the preceding five years;

b. There has been no actual production of oil or gas, including production from lands covered

by the Lease, or from lands pooled or unitized with such lands;

c. No oil and gas operations are conducted under the terms of the Lease;

d. No payment has been made of rental or royalties for the purposes of delaying the use or continuing the use of the oil and gas interest;

e. No payment of taxes has been made on the oil and gas interest;

f. There does not exist a currently valid permit under chapter 151 of Title 10 or a currently valid drilling permit under the chapter for development of the oil and gas interest.

Dated this 17th day of February, 2017.

/s/ Roger D. Dandurand
Record Owner - Roger D. Dandurand

/s/ Sue S. Dandurand
Record Owner - Sue S. Dandurand

**STATE OF VERMONT
COUNTY OF CHITTENDEN**

At Colchester in said County and State this 17th day of February, 2017, personally appeared Roger D. Dandurand and Sue S. Dandurand and they acknowledged this instrument, by them sealed and subscribed to be their free act and deed.

Before me, /s/ Erin E. Murphy,
Notary Public
My commission expires: 2/10/19

**COMBINED NOTICE
OF FINDING OF NO
SIGNIFICANT IMPACT
AND NOTICE OF INTENT
TO REQUEST RELEASE
OF FUNDS
CITY OF BURLINGTON
& STATE OF VERMONT
March 1, 2017**

Mayor Miro Weinberger
City of Burlington
149 Church Street
Burlington, VT 05401
802-865-7272

Vermont Agency of Commerce and Community Development
Katie Buckley, Commissioner, Vermont Department of Housing and Community Development
One National Life Drive, Davis Building, 6th Floor Montpelier, VT 05620 802-828-1357

These notices shall satisfy two separate but related procedural requirements for activi-

ties to be undertaken by the City of Burlington and the Vermont Agency of Commerce and Community Development (the Agency).

Request for Release of Funds

On or about March 17, 2017, the City of Burlington will submit a request to HUD to release funds under Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended; and the Agency will submit a request to HUD to release funds under the Economic Development Initiative (EDI) - Special Project Grants, as amended, to undertake a project known as Affordable Housing at Cambrian Rise for the purpose of creating affordable housing through the construction of up to 160 units of new, primarily affordable housing serving low and moderate income households. The project is located at 351 North Ave, Burlington (future address yet to be determined). The total estimated cost of the project is \$40,000,000; approximately \$495,000 of HOME Investment Partnership Program Funds, and approximately \$400,000 of Vermont Housing and Conservation Board (VHCB) Land Bank Loan Funds (re-volved FFY09 and FFY10 HUD EDI Special Project Grant funding) for the acquisition of the site prior to the development and construction costs. Project and/or tenant assistance may be used for the proposed units. This project includes new construction and the buildings will be constructed using radon resistant construction methodologies. Post-construction radon tests will be completed by a certified radon professional; additional mitigation will be required if results show elevated radon levels. No federal funds for development shall be committed prior to State Historic Preservation Officers (SHPO) approval of the project plans for new construction. This project shall receive all applicable zoning permits. All permit conditions shall be followed and all permits shall be closed out upon completion. Project shall receive all applicable permits and a certificate of occupancy shall be obtained upon project completion. Project shall be in compliance with the approved Erosion Prevention and Sediment Control Plan and

Stormwater Management Plan. ACT 250 will apply to the entire PUD project at 351 North Avenue, of which this property is a part. ACT 250 permit will be obtained and all conditions shall be met. All applicable, local, state and federal permits and approvals shall be obtained, all conditions shall be followed, and all permits shall be closed out upon completion. Consistent with the updated Phase I ESA dated November 7, 2016, the project site (Champlain Housing Trust/Cathedral Square site) shall be tested for the presence of typical urban contaminants (PAHs, arsenic, and lead) in the shallow soil. Known contamination shall be incorporated into soil management protocols and remediated.

Finding of No Significant Impact

The City of Burlington and the Agency have determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the municipal office of the City of Burlington Community & Economic Development Office located at 149 Church Street, Room 32, Burlington, VT 05401 and may be examined or copied weekdays 8:30AM to 4:30PM, or at the Agency at One National Life Drive, Davis Building, 6th Floor, Montpelier, VT 05620, and may be examined or copied Monday through Friday from 7:45AM to 4:30PM.

Public Comments

Any individual, group, or agency may submit written comments on the ERR to the City of Burlington regarding the use of HOME funds. Attn: Mayor Miro Weinberger, or to the Agency for the use of VHCB Land Bank Loan/HUD EDI Special Project Grant Funds, Attn: Environmental Officer, to the corresponding addresses listed above. All comments received by March 16, 2017, will be considered by the City of Burlington and the Agency prior to authorizing the submission of a request for release of funds. Comments must specify

which Notice they are addressing—the Finding of No Significant Impact or the Request for the Release of Funds.

Environmental Certification

The City of Burlington is certifying to HUD that the City of Burlington and Miro Weinberger in his official capacity as Mayor, and the Agency is certifying to HUD that the Agency and Katie Buckley, in her official capacity as Secretary of the VT Agency of Commerce and Community Development, consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied; HUD's approval of the certification satisfies its responsibilities under the National Environmental Policy Act and related laws and authorities and allows the City of Burlington to use HOME funds and the Agency to use the VHCB Land Bank Loan/HUD EDI Special Project Grant Funds.

Objections to Release of Funds

HUD will accept an objection to its approval of the release of funds and the City of Burlington and the Agency's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officers, Mayor Miro Weinberger/Katie Buckley; (b) the City/Agency has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the US Department

of HUD - Boston Field Office, Community Planning and Development, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, 3rd Floor, Boston, MA 02222-1092. Potential objectors should contact the HUD to verify the last day of the objection period.

NOTICE OF SALE

According to the terms and conditions of a Judgment and Decree of Foreclosure by Judicial Sale (the Order) in the matter of New England Federal Credit Union v. Josef Roubal, MI Young Roubal and Any Tena residing at 401 Depot Road, Colchester, VT, Vermont Superior Court Chittenden Unit - Civil Division, Docket No. 15 Cncv, foreclosing mortgage given by Josef Roubal and MI Young Roubal to New England Federal Credit Union, recorded March 19, 2012, as recorded in Volume 7, Page 1 of the Colches and records (the Mortgage) presently held by Plaintiff New England Federal Credit Union, the purpose of foreclosing the Mortgage for breach of the conditions of the Mortgage, the state with an E-911 address of 401 Depot Road, Colchester, Vermont (the Property) will be sold at public auction at 10:00 a.m. on April 4, 2017 at the location of the property.

Property Description: The Property to be sold is all and the same land and premises described in the Mortgage, and further described as follows:

Being all and the same lands and premises conveyed to Josef Roubal and Jara Roubal (now deceased) by Warranty Deed of Esther Roubal dated July 29, 1999, recorded in Volume 389 of the Town of Colchester Land Records.

The Property may be subject to easement rights-of-way of record and other interests of record.

Terms of Sale. The Property will be sold to the highest bidder, who will pay \$10,000.00 in cash, certified check made payable to Kohn Rath Danon Ly & Charf, LLP Client Trustee Account (or wire transfer, if arrangements for wire transfer are made at least five business days in advance, confirmation

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The

Burlington Planning Commission

meeting scheduled for tonight,

Tuesday, March 14th

at 6:30 at City Hall,

has been

CANCELLED

DUE TO THE

STORM.