

## Burlington Development Review Board

149 Church Street, City Hall  
Burlington, VT 05401

[www.burlingtonvt.gov/pz/DRB](http://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 Wednesday March 8, 2017, 5:00 PM PUBLIC HEARING NOTICE**

The Burlington Development Review Board will hold a meeting on  
**Wednesday March 8, 2017 at 5:00pm in Contois Auditorium, City Hall.**

1. **17-0751HO; 1437 NORTH AVENUE (RL, Ward 4N) Khuyen Tran**  
Home occupation for a Hair Salon. (Project Manager, Ryan Morrison)
  
2. **17-0744CA; 109-111 SHELBURNE STREET (RL, Ward 5S) Champlain Housing Trust**  
Change of use to convert existing motel into 8 apartments.  
(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/drbb/agendas](http://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.



RABIDEAU ARCHITECTS | 550 HINESBURG ROAD S. BURLINGTON, VT 05403

FROM 11 FLETCHER PLACE





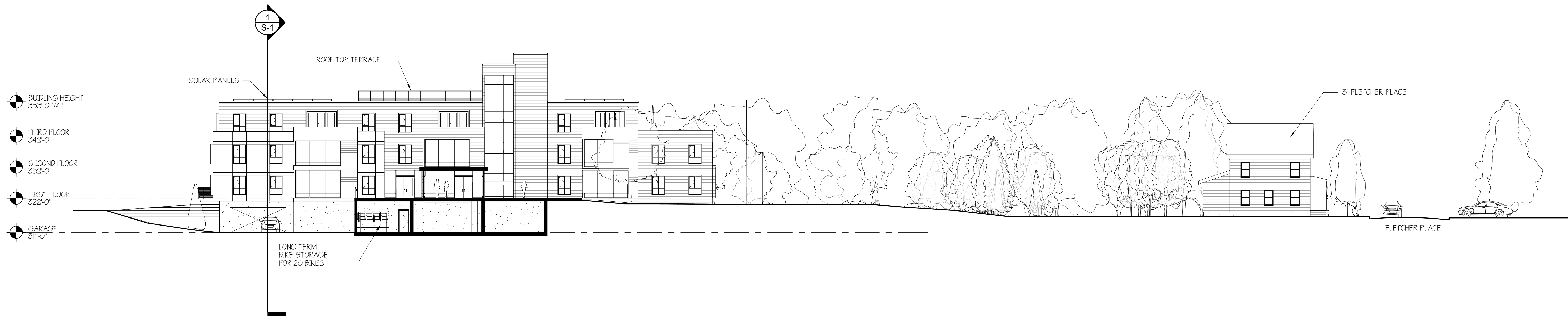
RABIDEAU ARCHITECTS | 550 HINESBURG ROAD S. BURLINGTON, VT 05403

VIEW FROM 31 FLETCHER PLACE

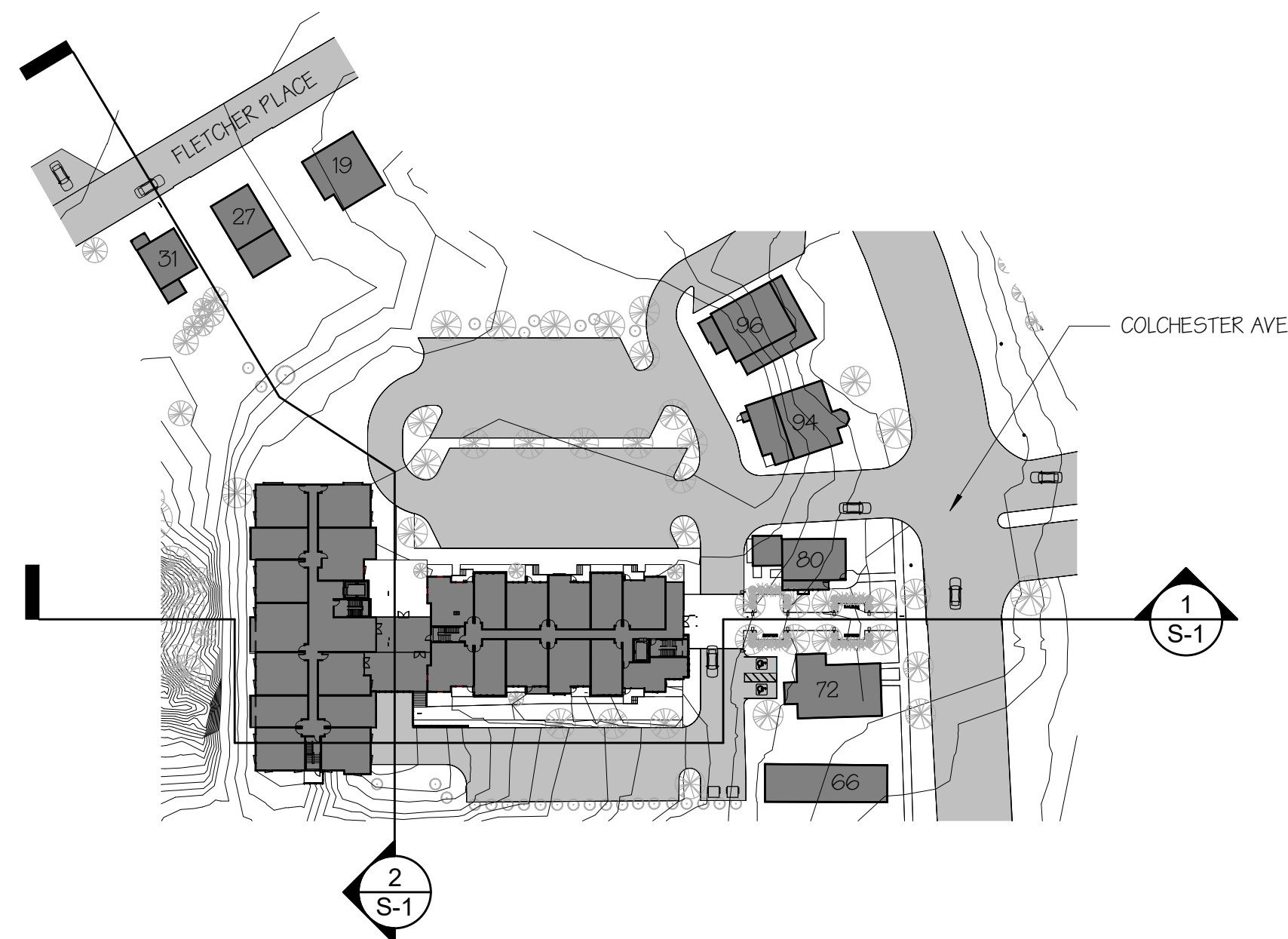




**1 NORTH SOUTH SITE SECTION**  
1/16" = 1'-0" Referenced From: A103



**2 EAST WEST SECTION**  
1/16" = 1'-0" Referenced From: A103



**3 LOCATION PLAN**  
1" = 80'-0" Referenced From: A201

PRELIMINARY  
NOT FOR  
CONSTRUCTION

| REVISIONS |                 | Date     |
|-----------|-----------------|----------|
| No.       | Description     |          |
| 4         | DRB CONTINUANCE | 3/8/2017 |

SITE SECTIONS  
SCALE: As indicated

COLCHESTER AVENUE HOUSING

BURLINGTON, VERMONT



PROJECT #: 1412

SHEET NUMBER

**S-1**

08/05/2015





RABIDEAU ARCHITECTS | 550 HINESBURG ROAD S. BURLINGTON, VT 05403

AERIAL VIEW LOOKING NORTHWEST





RABIDEAU ARCHITECTS | 550 HINESBURG ROAD S. BURLINGTON, VT 05403

AERIAL VIEW LOOKING SOUTH



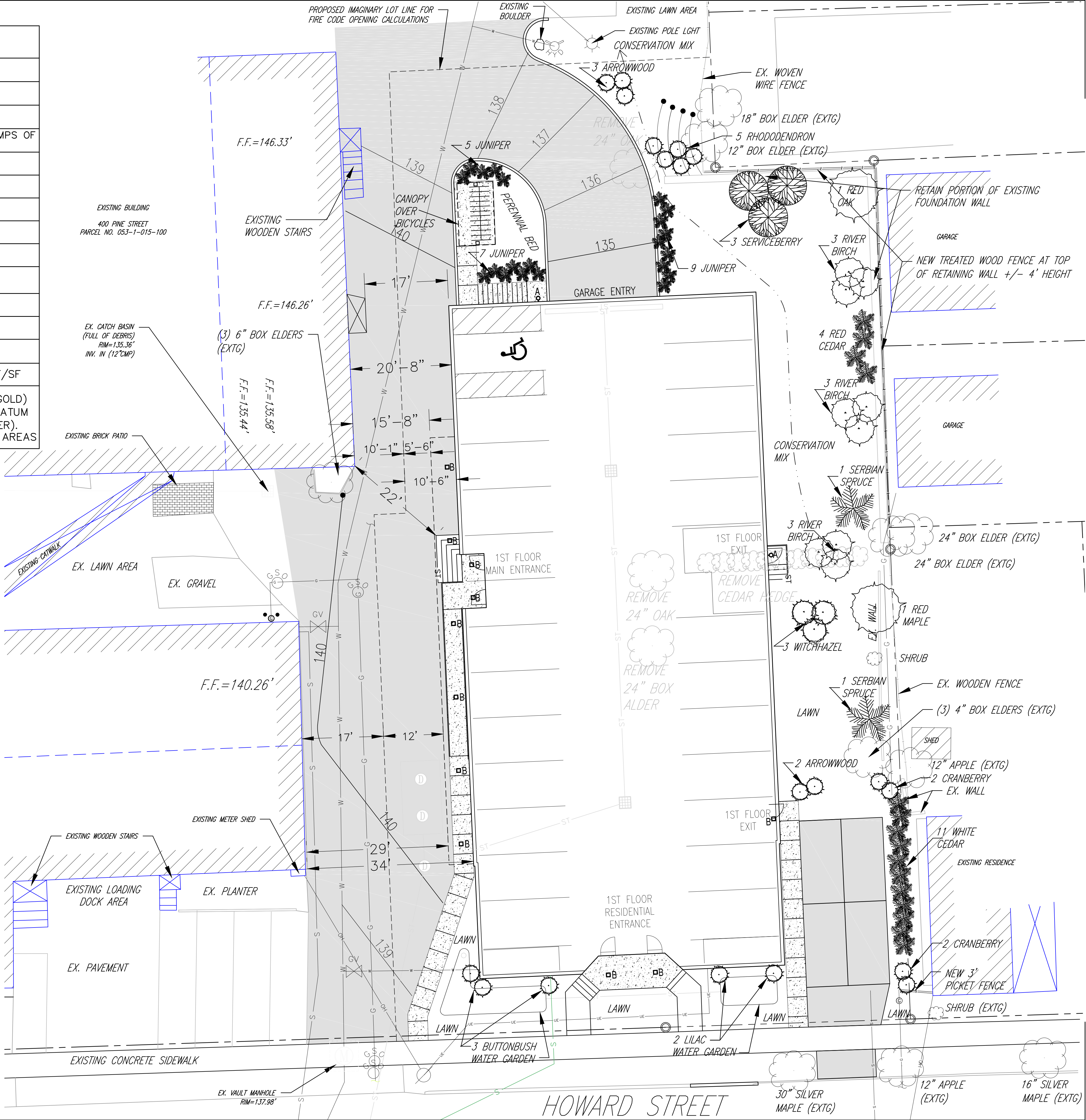


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PROJECT ENTRANCE AT COLCHESTER AVE



| PLANTING SCHEDULE |                           |                                                                                                                                                                                                       |                    |          |                      |
|-------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------|----------------------|
| QTY               | LATIN NAME                | CULTIVAR                                                                                                                                                                                              | COMMON NAME        | SIZE     | NOTES                |
| 1                 | ACER RUBRUM               | NORTHWOOD                                                                                                                                                                                             | RED MAPLE          | 0'-3"    | B&B                  |
| 3                 | AMELANCHIER LAEVIS        | ALLEGHENY                                                                                                                                                                                             | SERVICEBERRY       | 4'-5'    | B&B                  |
| 9                 | BETULA NEGRA              | RIVER BIRCH                                                                                                                                                                                           | DURAHEAT BNMTF     | 5'-6'    | PLANT IN CLUMPS OF 3 |
| 3                 | CEPHALANTHUS OCCIDENTALIS | -                                                                                                                                                                                                     | BUTTONBUSH         | 3 GAL    |                      |
| 3                 | HAMAMELIS VIRGINIANA      | -                                                                                                                                                                                                     | COMMON WITCHHAZEL  | 3 GAL    |                      |
| 21                | JUNIPERUS CONFERTA        | BLUE PACIFIC                                                                                                                                                                                          | SPREADING JUNIPER  | 1 GAL    |                      |
| 2                 | PICEA OMORIKA             | SERBIAN                                                                                                                                                                                               | SPRUCE             | 6'-8' HT |                      |
| 1                 | QUERCUS RUBRA             | NORTHERN                                                                                                                                                                                              | RED OAK            | 3" CAL   |                      |
| 5                 | RHODODENDRON CANADENSIS   | RHODORA                                                                                                                                                                                               | RHODODENDRON       | 3 GAL    |                      |
| 15                | THUJA OCCIDENTALIS        | SMARGD                                                                                                                                                                                                | WHITE CEDAR        | 3'-4'    |                      |
| 7                 | VIBURNUM DETATEM          | -                                                                                                                                                                                                     | ARROWWOOD          | 3 GAL    |                      |
| 4                 | VIBURNUM OPULUS           | TRILOBUM                                                                                                                                                                                              | HIGHBUSH CRANBERRY | 3 GAL    |                      |
| 1                 | PERRENIAL BED             | MIX OF HEIGHT, COLOR AND BLOOM TIME; 1 PLANT/SF                                                                                                                                                       |                    |          |                      |
| 2                 | WATER GARDEN              | IRIS VARICOLOR, CALTHA PALUSTRIS (MARSH MARIGOLD) CHELONEGLABRA (TURTLEHEAD) EUPATORIUM MACULATUM (JOE PIEWEED) TIARELLA CORDIFOLIA (FOAM FLOWER). PLANT WITH SHORT PLANTS IN FRONT AND SHALLOW AREAS |                    |          |                      |



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written authorization.

CONSULTANTS:

THE VAULTS  
20 HOWARD STREET, BURLINGTON, VT.  
GUILLOT VIVIAN VIEHMANN ARCHITECTS, INC. Burlington, VT 802.862.9631

DATE: 11-30-2016  
REVISED:  
2-13-2017 - fence

SCALE:  
1" = 10'-0"

DRAWING:  
LANDSCAPE  
PLAN

SHEET:  
LS1



## Vaults Development Floor Area Ratio Calculations

Feb 13, 2017

Total Lot area 177,552 sf

| Existing gross building areas: | Footprint        | Habitable space  |
|--------------------------------|------------------|------------------|
| Building 1 (NW corner)         | 31,671           | 52,973           |
| Building 2 (SEABA)             | 10,961           | 10,961           |
| Building 3 (SW corner)         | 28,256           | 52,636           |
| Building 4 (Old Vaults)        | 3,970            | 3,970            |
| Building 5 (Red Warehouse)     | 5,776            | 5,776            |
| Building 6 (AO glass etc)      | 20,735           | 20,735           |
| 32 Howard st (duplex)          | 1,320            | 2,688            |
| <b>Totals</b>                  | <b>102,689sf</b> | <b>149,739sf</b> |

Existing FAR = 149,739/177,552 = 0.85

| Proposed gross building areas: | Footprint        | Habitable space  |
|--------------------------------|------------------|------------------|
| Building 1 (NW corner)         | 31,671           | 52,973           |
| Building 2 (SEABA)             | 10,961           | 10,961           |
| Building 3 (SW corner)         | 28,256           | 52,636           |
| Building 4 (Old Vaults)        | 0                | 0                |
| Building 5 (Red Warehouse)     | 0                | 0                |
| Building 6 (AO glass etc)      | 20,735           | 20,735           |
| 32 Howard st (duplex)          | 0                | 0                |
| New Vaults structure           | 8,494            | 42,700           |
| <b>Totals</b>                  | <b>100,117sf</b> | <b>180,005sf</b> |

**Proposed FAR = 180,005/177,552 = 1.02**

(Existing building area information from data supplied by City of Burlington Assessors office June 2016)

Prepared by

Douglas R. Viehmann AIA







**Britta Tonn**  
56 Maple Street  
Winooski, VT 05404  
[brittfenn@gmail.com](mailto:brittfenn@gmail.com) (802) 522-8259

January 30, 2017

Mr. Douglas Viehmann, AIA  
G V V Architects, Inc  
284 S Union Street  
Burlington, VT 05401

**Subject: Supplemental Historic Resources Report for “The Vaults”**  
400 Pine Street and 30-32 Howard Street  
Burlington, VT 05401

Dear Mr. Viehmann:

Based on the staff comments received in advance of the January 31, 2017 Development Review Board hearing, additional information regarding the potential impact of the proposed project on historic resources is provided below.

**Statement of the effect of the proposed redevelopment on the architectural and historical qualities of other structures and the character of the neighborhood around the sites (Development Review Standard D):**

The proposed project will have no adverse effect on the architectural and historic qualities of other structures and the character of the neighborhood around the site.

The proposed development project is located in the southeast corner of the National Register-eligible Pine Street Historic District. The Pine Street Historic District, which encompasses the structures in the surrounding neighborhood to the north and west of the proposed project, is eligible for listing on the National Register of Historic Places under Criterion A due to its “association with events that have made a significant contribution to the broad patterns of our history.” These surrounding structures within the District were all part of the E.B. and A.C. Whiting Brush Company factory, which was historically significant as a leading manufacturer of brushes in the early through mid-20<sup>th</sup> century. The removal of just two former storage structures within the factory complex means that a majority of the industrial buildings associated with the former Whiting Brush Company factory will be retained. Specifically, the buildings to be retained within the factory complex are those where the Whiting Brush Company factory’s most historically significant manufacturing activities occurred: the cutting, combing dressing and dying of brush fibers. Several former storage buildings, the building housing the company’s offices and a former packaging and shipping building will also be retained. Because a majority of the factory will remain intact, the proposed new building will not adversely affect the historical significance of the factory complex, nor will it disrupt one’s ability to interpret the property as a former factory complex.

The set-back location of the proposed new building in the southeast corner of the Pine Street Historic District will reduce its visibility within the Pine Street industrial corridor. The Pine Street neighborhood already consists of a mix of historic and modern buildings of varying heights up to four stories. Considering the fact that the Pine Street neighborhood presently features a diversity of architectural styles, including many modern intrusions, the proposed new building is not out of character with its surrounding neighborhood. It is important to note that the Pine Street Historic District’s National Register nomination is based upon the aforementioned National Register Criterion A only and not on Criterion C, which would



require that its collection of buildings and structures “embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.” The decision to not nominate the Historic District under Criterion C recognizes the fact that the Historic District has undergone continual physical transformation and that the historic significance of the District outweighs its architectural significance. This point relates to the previous conclusion that the ability to interpret the property as a former factory will not be disrupted by the proposed new building.

However, recognizing that it is important to preserve an industrial aesthetic within this historically industrial neighborhood, the new building has been designed to be compatible with its historic surroundings. In doing so, the building will have as minimal a visual impact as possible on the architectural qualities of other structures in the surrounding area. For example, the building’s flat roof, rectilinear form, symmetrical fenestration and bands of windows, and various metal and brick cladding are reflective of and compatible with the architectural features of the surrounding buildings while avoiding, through its clear modern aesthetic, the creation of a false sense of history. In addition, the design of the new building evokes features of the three buildings to be removed: the corrugated red metal siding seen on the existing northerly storage building; the seven large openings on the ground floor of the western façade of the new building to represent the seven doorways on the existing Vaults building; the new entrance to the studios and offices from the same, westerly alleyways that are currently used to access the existing buildings; the separate entrance to the residential units fronting Howard Street with the approximate same setback as the existing duplex; and the flat roof of the structure to reflect the flat roof of the existing duplex. These design features help to root the building in its surroundings in an effective and harmonious way. The scale of the building is likewise compatible with other industrial buildings in the surrounding area and will be very similar in height to the building located at the corner of Pine and Howard Streets (approximately 40 feet).

The final discussion regards the proposed redevelopment’s potential effects on the historical and architectural qualities of the Howard Street neighborhood, which features a collection of buildings listed on the State Register of Historic Places. Although one existing duplex within this residential neighborhood will be removed, 30-32 Howard Street, this duplex was historically associated with the Whiting Brush Company property. The reinstatement of the two residential units on the Whiting property within the proposed new building reinforces the duplex’s unique historical association with the property and, as such, does not adversely affect the historic integrity of the Howard Street residential neighborhood.

In addition, the proposed new building has been designed to minimize any potential negative effect on the architectural qualities and general character of the Howard Street residential neighborhood. The siting of the new building with minimal setback from the street will strengthen the street edge and will be consistent with the rhythm and setback of other residential buildings on Howard Street. The street trees in front of the duplex property will be retained to preserve the character of the existing streetscape and buffer views towards the new building from Howard Street to the east. In addition, due to the grade which slopes down Howard Street to the west, the building will have less of an overwhelming quality with respect to the adjacent residential structures. For example, the height of the existing duplex is approximately 25’ above grade; while the proposed new building will be approximately 39’ tall, considering the slope to the west, it will likely not be more than 10’ taller than the existing duplex. Finally, the residential properties to the east of the project area will be protected as the new building is proposed to be located further to the west than the existing buildings to be removed and a buffer will be placed along the eastern property line.



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### **BURLINGTON DEVELOPMENT REVIEW BOARD** **Wednesday March 8, 2017, 5:00 PM** **Contois Auditorium, City Hall, 149 Church St, Burlington, VT** **AGENDA**

#### **I. Agenda**

#### **II. Communications**

#### **III. Minutes**

#### **IV. Consent**

- 1. 17-0751HO/CU; 1437 North Ave (RL, Ward 4N) Khuyen Tran**  
Home occupation for a Hair Salon. (Project Manager, Ryan Morrison)

#### **Public Hearing**

- 1. 17-0744CA/CU; 109-111 Shelburne Street (RL, Ward 5S) Champlain Housing Trust**  
Convert existing motel into 8 apartments. (Project Manager, Scott Gustin)
- 2. 17-0388CA/MA; 66,72,80,94,96 Colchester Avenue (I, Ward 1E) Frank vonTurkovich**  
Continued review for construction of a 3 story residential building containing 75 apartments units. Combine and reconfigure surface parking areas.  
(Project Manager, Mary O'Neil)
- 3. 17-0643CA/MA; 400 Pine St /30-32 Howard Street (ELM, Ward 5S)**  
**Howard Space Enterprise, LLP**  
Continued review to demolish 2 warehouse buildings, and a duplex at 30-32 Howard Street and construct new multi-use building.  
(Project Manager, Mary O'Neil)

#### **V. Sketch Plan**

- 1. 17-0731SP; 221-223 St. Paul Street (DT, Ward 5S) Dennis Ailor**  
Sketch plan review for demolition of existing duplex and construction of two detached buildings: One with 4 apartments and 1 commercial space, and the other with 4 apartments and 1 commercial space. (Project Managers, Scott Gustin, Mary O'Neil)

#### **VI. Other Business**

#### **VII. Adjournment**

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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).*

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## Department of Planning and Zoning

149 Church Street

Burlington, VT 05401

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

Telephone: (802) 865-7188

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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: March 8, 2017

RE: 30-32 Howard / 400 Pine Street ZP17-0643CA/MA / ZP17-0644CA

**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:** ZP17-0643CA/MA / ZP17-0644CA

**Location:** 30-32 Howard Street, 400 Pine Street

**Zone:** ELM **Ward:** 5S

**Date application accepted:** December 8, 2016

**1<sup>st</sup> DRB Hearing:** January 31, 2017

**Applicant/ Owner:** GVV Architects / Unsworth Properties

**Request:** Demolition of 30-32 Howard Street duplex and 2 industrial buildings at 400 Pine Street; construction of mixed use building with office/art studios, replacement of two residential units.



**Recommendation:** If Board finds adequate the applicant's submission material relative to Section 5.4.8 (b) and (d), Major Impact and Certificate of Appropriateness **Approval** per the following findings and conditions:

#### **Background:**

#### **30-32 Howard Street**



- **Sketch Plan Review 17-0432SP**; Demolition of 30-32 Howard Street duplex and 2 industrial buildings at 400 Pine Street; construction of mixed use building with office/art studios, replacement of two residential units. November 2016.
- **Zoning Permit 09-523CA**; Fifteen new double hung clad wood windows in existing duplex. January 2009.
- **Zoning Permit 99-252**; Demolish deteriorated shed in rear yard of the existing duplex. Attached patio area to remain with the former foundation area returned to green space. November 1998.

#### **400 Pine Street** (Sometimes identified as 2 or 4 Howard Street)

- **Sketch Plan Review 17-0432SP**; Demolition of 30-32 Howard Street duplex and 2 industrial buildings at 400 Pine Street; construction of mixed use building with office/art studios, replacement of two residential units. November 2016.
- (Identified as 4 Howard Street) **Non-applicability of Zoning Permit Requirements 16-1082NA**; Changing tenants of existing artist studio. April 2016.
- **Zoning Permit 16-0944CA**; remove and replace two lower windows with larger windows. March 2016.
- **Zoning Permit 15-1226CA**; construction of permanent handicap accessible ramp at Speeder and Earl's. June 2015.
- **Non-Applicability of Zoning Permit Requirements 15-1225CA**; temporary permit, handicap ramp. May 2015.
- **Zoning Permit 14-0274CA**; change of use to woodworking shop in tenant spaces C 1, 2, &4. September 2013.
- **Zoning Permit 13-1187SN**; installation of 3 parallel signs for the Burlington Music Dojo. No illumination included. June 2013.
- **Zoning Permit 13-0828CA**; change of use to include art gallery and performing arts studio. Food processing to remain, and café to be reduced from 18 seats to 14 seats. Add rear entry, revise and add second front entry, replace existing entry ramp, and other associated modifications. March 2013.
- **Zoning Permit 12-0330CA**; placement of exhaust fan on clerestory area of roof for glass blowing furnace. September 2011.
- **Zoning Permit 11-0208SN**; replace existing sign with Davis Studio sign. No illumination. September 2010.
- **Zoning Permit 11-0077SN**; replace two existing signs. One parallel window sign and one projecting sign. August 2010.
- **Zoning Permit 10-0768CA**; replace 2700 sq ft of half lap roofing with new galvanized corrugated metal roofing. April 2010.
- **Zoning Permit 08-103CA**; exterior lighting to be installed on door/stairs and sign for Speeder and Earl's Coffee. August 2007.



- **Zoning Permit 06-384SN**; three signs for Pine Street Art Works. November 2005.
- **Zoning Permit 06-383CA**; change garage style overhead door to swinging doors with half-light windows. Same door location in rear alley of building. New light fixture over front entrance. November 2005.
- **Zoning Permit 06-198CA**; change from Burlington Futon Fabrics to retail art with accessory retail production space of 152 sf. September 2005.
- **Zoning Permit 01-507**; remove loading dock extension on the existing warehouse within the existing commercial complex. Area to be paved for additional parking and circulation areas. No change in use or other exterior changes included. June 2001.
- **Zoning Permit 00-097 / COA 099-006A**; Installation of two externally illuminated signs for the existing retail space (one parallel and one projecting.) August 1999.
- **Zoning Permit 99-045 / COA 099-006**; change of use from service (stained glass) to retail (fabric.) No exterior changes included. July 1998.
- **Zoning Permit 95-497**; installation of four awnings with lettering and illumination, two externally illuminated parallel signs and the relocation of the existing handicapped access ramp to the south entrance. The north entrance will then be made a large window with a planter in front of it. Use remains the Cheese Factory Outlet. June 1995.
- **Zoning Permit 91-277; COA 091 – 057**; installation of two parallel signs on front façade of building, store emblem over an announcement board. No illumination. March 1991.
- **Zoning Permit 85-494**; erect 2 parallel wood, non-illuminated signs, one on Howard Street and one on Pine Street side of extension in building. October 1985.
- **Zoning Permit 85-400**; remove dust collector, raise roof 3' to accommodate one overhead door to interior service yard. October 1985.
- **Zoning Permit 81-178**; replace metal roof, siding and floor. September 1980.
- **Zoning Permit 79-688**; to be used as work space consisting of ornamental iron work fabrication. Also to install two chimneys on the interior. December 1979.
- **Zoning Permit 79-653**; tear down existing stairs and replace exterior stairway. Emergency case. November 1979.
- **Zoning Permit 78-429**; the erection of a 28' x 29' two sided addition on the buildings in the rear. November 1977.
- **Zoning Permit** to use 6 Howard Street for a woodworking shop. Erect an overhanging sign. October 1977.
- **Zoning Permit** issued for a pole sign for Shelburne Spinners. January 1977.
- **Zoning Permit** to erect an overhanging sign within the property lines for Vermont Folk Furnishings. September 1975.
- **Zoning Permit** to remove one window and install one overhead door at 6 Howard Street. March 1974.



- **ZBA review**; to use the premises at 6 Howard Street for the sale and wholesaling of paint and building supplies. July 1972.
- **Zoning Permit** to use the premises for the storage and distribution of spaghetti products. Approved April 1972.
- **ZBA review**: Seeking a special exception under Title 27, Chapter 1, Section 6512-15A to use the masonry portion of the premises at 400 Pine Street for an auto repair garaged. Approved February 1972.
- **ZBA review**: Seeking a special exception under Title 27, Chapter 1, Section 6512-15B to use the premises at 400 Pine Street for the wholesaling and distribution of auto accessories. Approved November 1971.
- **ZBA review** to change a non-conforming use for a furniture stripping business. November 1971.

#### **Overview:**

400 Pine Street and 30-32 Howard Street are on different parcels; but both within the E-LM zoning district and under the same ownership. 400 Pine Street has a collection of buildings on the site. The project entails demolition of three buildings (one duplex, two industrial buildings), extinguishment of interior property lines between 30-32 Howard Street and 400 Pine, and construction of a 3 storey 8494 sf footprint mixed use building (offices, art studios) with underground parking. The two existing residential units are proposed to be replaced within the structure. The new overall square footage is estimated to be 20,403, excluding the parking deck.

**The Design Advisory Board** reviewed the project at their January 10, 2017 meeting. That board voted unanimously to recommend approval of the application with the following conditions:

1. Submission to the DRB shall include the conditions assessment of buildings proposed for demolition, and narrative relative to the asserted public benefit of redevelopment.
2. To support the applicant's intent to request a waiver from parking requirements across the site, this board recommends providing covered bicycle parking.

The **Development Review Board** reviewed the application and supporting materials January 31, 2017, and moved to continue the hearing to March 8, 2017.

#### **I. Findings**

##### **Article 2: Administrative Mechanisms**

##### **Section 2.7.8 Withhold Permit** (As approved by City Council 12.19.2016.)

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



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

Any outstanding zoning violation(s) associated with either property shall be corrected, and any zoning permit(s) issued after July 13, 1989 shall be closed out and have received a Certificate of Occupancy prior to issuance of a Certificate of Occupancy for this project. **Affirmative finding as conditioned.**

### **Article 3: Applications, Permits and Project Reviews**

#### **Part 2: Applications and Permits**

##### **Section 3.2.1 Pre-application Conferences**

*(a) Administrative Conference*

*(b) Technical Review Committee*

*(c) Sketch Plan Review*

*(d) Pre-application Neighborhood Meeting*

As a Major Impact project, review under all these categories is required (although Administrative Conference may be waived by the Administrative Officer if the project's potential impact is insignificant.)

Technical Review occurred November 10, 2016.

Sketch Plan Review was on the November 1, 2016 agenda with the DRB.

The applicant has demonstrated that the project was presented at a Neighborhood Planning Assembly November 17, 2016. A notarized confirmation of NPA attendance was provided January 27, 2017. **Affirmative finding.**

#### **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 any 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.*

Impact Fees will be applicable for new square footage, with credit given for the existing area. Area defined by the applicant:

See attached area breakdown and credit for existing warehouse structures. There is no impact fee assessment for residential, as the new units are replacement.

##### **Allocation by department:**

Enter Total Fee: **\$29,496.56**

|                   | <b><u>Offices &amp; Other</u></b> |            |
|-------------------|-----------------------------------|------------|
| <b>Department</b> | <b>Rate</b>                       | <b>Fee</b> |
| Traffic           | 0.658                             | 12138.05   |
| Fire              | 0.193                             | 3560.25    |
| Police            | 0.341                             | 6290.39    |



|              |              |                     |
|--------------|--------------|---------------------|
| Parks        | 0.407        | 7507.88             |
| Library      | 0.000        | 0.00                |
| Schools      | 0.000        | 0.00                |
| <b>Total</b> | <b>1.599</b> | <b>\$ 29,496.57</b> |

**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 days prior to occupancy of a new building or any portion thereof.*

**Affirmative finding as conditioned.**

### **Part 4: Site Plan and Design Review**

See Section 3.5.6, below and Article 6.

### **Part 5: Conditional Use and Major Impact Review**

As the proposal includes the construction of fifteen thousand sf or more of gross floor area of nonresidential development, Major Impact and Conditional Use review applies.

#### **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:*

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

A letter of capacity for water and sewer has been issued by the Department of Public Works. A traffic study was requested by DPW after Technical Review November 1, 2016. A February 14, 2017 communication from DPW confirms no concern with the traffic study for this project.

**Affirmative finding.**

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

The South End has garnered a reputation as a creative nucleus for artists, makers, and innovators. The addition of art studio spaces will increase similar opportunity. From the Municipal Development Plan:

- Support sustainable development activities in target areas of the city including the Enterprise Community... ”*
- Strengthen the City's role as a cultural and arts center... [MDP, Built Environment, Page III-2.]*
- Encourage new land uses and housing designs that serve changing demographics and benefit from new technologies where appropriate. [MDP, Built Environment, Page III-1.]*

However, some conflict is present:



- *Identify areas within the south end Enterprise Zoning District that remain viable for continued commercial-industrial use, and assess the fiscal impact to the tax base and ratepayers of any proposed conversion away from commercial-industrial uses.* [MDP, Land Use Plan, Page I-30.]
- *Retain and enhance Burlington's historic buildings and architectural features.* [MDP, Built Environment, Page III-1.]
- *Conserve the existing elements and design characteristics of its neighborhoods, and maintain neighborhood proportions of scale and mass.* [MDP, Built Environment, Page III-1.]

The application proposes the conversion of industrial warehouse to office/rental studio space. The Design Advisory Board's motion indicated persuasion of building demolition for the benefit of new development. The applicant has presented the new building with material reference to the surrounding industrial area. The project applicant has provided a supplemental narrative of community benefit attained from the project, including increased tax revenue from higher property value, and stormwater improvements.

**Affirmative finding** if DRB similarly accepts building demolition and supporting narrative of community benefit.

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 400 Pine Street parcel has a commercial/industrial character; the introduction of offices and studios should offer no incongruent impacts normally associated with the manufacturing character of the area. Identifying associated impacts may hinge on the type of manufacturing/art studios introduced, as some makers utilize furnaces (glass works) or mechanical equipment that may produce heat, noise and dust. Others are likely to offer no noticeable impacts.  
30-32 Howard Street, while still within the E-LM district, is first among a string of residential structures. Its loss and replacement with a much larger building in close proximity to the activities of Pine Street will introduce impacts much closer and atypical for the adjacent residential district. The development has been designed, however, to bring the residential use (accessory driveway/parking) between it and the abutting neighbor. **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 parcel(s) are within the network of existing highway, streets and pedestrian paths. The GMT (formerly CCTA) Pine Street and Link bus routes are immediately available. Bike parking is provided on-site. The traffic engineer has signaled no concern over the submitted traffic study.  
**Affirmative finding.**  
*and*
5. *The utilization of renewable energy resources;*  
There is nothing within the application to deter the utilization of renewable energy resources.  
**Affirmative finding.**  
*and*
6. *Any standards or factors set forth in existing City bylaws and city and state ordinances.*



The applicant is responsible to securing all local and state permits, including a state wastewater permit. Zoning amendment ZP17-03 will require that all violations on involved properties be resolved and all expired zoning permits closed out prior to issuance of a Certificate of Occupancy for this project. The applicant is encouraged to begin that process immediately.

**Affirmative finding as conditioned.**

**(b) Major Impact Review Standards**

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

The introduction of air, water or noise pollution may largely depend upon the type of art or materials created on site. The offices and residential uses should not generate any undue impacts noted. **Affirmative finding.**

2. *Have sufficient water available for its needs;*

A capacity letter has been provided from the Department of Public Works that there is sufficient reserve for the proposed uses. **Affirmative finding.**

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

As proposed, there is no anticipation that the city's water supply or distribution would be threatened by the proposed development. **Affirmative finding.**

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

The applicants have prepared Stormwater Management Plan to be reviewed by the Stormwater Engineering team for compliance with Section 5.5.3 and Chapter 26. An email from the Stormwater Program Manager 12/30/2016 has confirmed approval of that plan. **Affirmative finding.**

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

A traffic study has been provided; no concern has been raised by traffic engineers at DPW.

**Affirmative finding.**

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

The project proposes to replace the two dwelling units lost with the demolition of 30-32 Howard Street. As no increase in the number of residential units is proposed, and the replacement units are relatively small, no increased demand on educational services is anticipated. **Affirmative finding.**

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

These are existing developed sites within the Enterprise zone. Redevelopment should not tax the existing infrastructure to a greater degree than what exists. Impact fees should ameliorate any new municipal demand. **Affirmative finding as conditioned.**



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

The area is not identified as a significant natural area or one of scenic or natural beauty. 30-32 Howard Street is listed on the Vermont State Register of Historic Resources; and the buildings at 400 Pine Street are contributing resources within a nomination to the National Register as part of the Pine Street Historic District. That nomination has been accepted by the Vermont Division for Historic Preservation and is queued for a hearing by the Advisory Council for Historic Preservation in April. See Section 5.4.8, below for further discussion.

A report from a preservation consultant confirms the adverse effect on the involved historic structures, but submits that the replacement building mitigates the loss. Supplemental narrative from the consultant was received February 15, 2017, which includes the opinion that the development project mitigates the loss of historic structures through compatible design and merging the residential use (at 30-32 Howard St., historically associated with the brush factory) with the lot to which it was previously attached. **Affirmative finding** only if DRB concurs.

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

This is an existing, developed area. The project is not anticipated to have a deleterious effect on Burlington's future growth patterns or fiscal ability to accommodate such growth. **Affirmative finding.**

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

See Section 3.5.6 (a) 2., above for evaluation with the Municipal Development Plan.

*Plan BTV South End*, while as yet unadopted, offers a different perspective and set of ideals for the Pine Street corridor area. Among them, and specific to this corner of Pine and Howard Street:

- *Prioritize retention/expansion of existing buildings to support small artist/maker enterprises.* [Plan BTV South End; Page. 63.]

The project does not propose the retention and reuse of the characteristic industrial buildings, but replacement with new construction. The intended uses, however, are consistent with the artist/maker enterprises, and the building is located in a manner to help physically define the street. **Affirmative finding.**

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

The development includes the replacement of 2 housing units with the loss of 30-32 Howard Street. Residential uses are not permitted within the Enterprise Zoning District, but the replacement of existing housing units will accommodate the required housing replacement and acceptable as restoring the non-conformity to the same extent as existing. **Affirmative finding.**



and/or

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

No adverse impact is anticipated; any effect is likely to be counterweighed with the payment of Impact Fees. **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;*  
None identified.
2. *Time limits for construction.*  
Unless a phasing schedule is requested, the zoning permit is valid for 2 years.
3. *Hours of operation and/or construction to reduce the impact on surrounding properties.*  
Typically approved hours for construction are Monday-Friday 7:00 am – 6:00 pm. Saturday hours may be limited to interior work if nearby residential structures may be impacted by outdoor construction activities. No construction is permitted on Sundays. **Affirmative finding as conditioned.**
4. *That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions,*  
The proposed offices and artist's studios are permitted uses in the E-LM Zoning District. Although residential uses are not, the proposal may include the replacement of 2 existing (non-conforming) residential uses. Any other enlargement or alteration of use will be evaluated under the regulations in effect at the time. **Affirmative finding as conditioned.**  
and
5. *Such additional reasonable performance standards, conditions and safeguards as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*  
This is at the discretion of the DRB.

**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 project does intend to support the enterprises noted: creating, renovating, painting, assembling of goods, etc. The inclusion of residential units (2) is specifically to replace the (non-conforming) units to be lost at 30-32 Howard Street.

Whether demolition of 3 historic buildings *respect[s] the interspersed historic industrial buildings* is a matter for consideration. Materials and design suggest an industrial aesthetic albeit with a loss of historic fabric and authenticity. The DAB found the proposed building demolition acceptable within the balance of benefit/loss afforded in Section 5.4.8 (d).

## **(b) Dimensional Standards and Density**

*The density and intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:*

**Table 4.4.3 -1 Dimensional Standards and Density**

| Districts                                  | Max. Intensity<br>(floor area ratio <sup>1</sup> ) | Max. Lot Coverage <sup>1</sup>                                                       | Minimum Building Setbacks <sup>1</sup> (feet) |                                          |                                                          | Max. Height <sup>1</sup><br>(feet) |
|--------------------------------------------|----------------------------------------------------|--------------------------------------------------------------------------------------|-----------------------------------------------|------------------------------------------|----------------------------------------------------------|------------------------------------|
|                                            |                                                    |                                                                                      | Front                                         | Side                                     | Rear <sup>3</sup>                                        |                                    |
| <b>Light Manufacturing</b>                 | 2.0 FAR                                            | 80%                                                                                  | 5 min                                         | 0 <sup>2</sup>                           | 10% <sup>2</sup>                                         | 45'                                |
| <b>Proposed at 400 Pine / 30-32 Howard</b> | Existing FAR .85<br>Proposed FAR 1.02              | Existing: 88.06%<br>Proposed: 87.06%<br>including absorption of 30-32 Howard Street. | 5' minimum from Howard Street                 | 25' on east (abuts residential district) | Not applicable. The parcel has 2 fronts, multiple sides. | 39', south (front) façade.         |

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.*

Offices and art studios are both permitted uses in the E-LM zoning district per Appendix A. Residential uses are not permitted; however, the 2 units proposed for demolition at 30-32



Howard may be retained as non-conforming uses. See **Article 5, Non-Conformities** and **Article 9, Inclusionary and Replacement Housing**. **Affirmative finding.**

#### **Article 5: Citywide General Regulations**

##### **Section 5.2.2 Required Frontage or Access**

Access can be made from Howard Street; alternately there are vehicular access points from Pine Street. The driveway at 30-32 Howard Street will be relocated as part of the overall development. A curb cut permit will be required from DPW. **Affirmative finding as conditioned.**

##### **Section 5.2.3 Lot Coverage Requirements**

The existing coverage is 88.06%, and will reduce to 87.06% appending the 30-32 Howard Street property. Although still in excess of the coverage limitation for the zoning district, the percentage drops with the development. **Affirmative finding.**

##### **Section 5.2.4 Buildable Area Calculation**

The property is not within the RCO, WRM, RM, WRL, or RL zoning district where this standard applies. Not applicable.

##### **Section 5.2.5 Setbacks**

See Table 4.4.3-1, above.

##### **Section 5.2.6 Building Height Limits**

Plan A2.1 illustrates a building height measured from the street front (south elevation) of 39'.

An amendment to the exceptions for height limits now exempts elevator shafts and enclosed stair towers. Exposed mechanical equipment may encroach beyond the maximum building height by no more than 15 feet provided that portion exceeding the height limit does not exceed 20% of the roof area. Exposed mechanical equipment must be fully screened on all sides to the full height of the equipment and positioned on the roof to be unseen from view at the street level. Refer to Zoning Amendment ZA16-14. The applicant has proposed screening of rooftop equipment. **Affirmative finding.**

##### **Section 5.2.7 Density and Intensity of Development Calculations**

###### **(b) Floor Area Ratio**

See Table 4.4.3-1, above. **Affirmative finding.**

#### **Part 3: Non-Conformities**

##### **Section 5.3.3 Continuation**

*Except as otherwise specified in this Article, any nonconformity which lawfully existed at the time of passage of this or any prior ordinance or any amendment thereto may be continued subject to the provisions of this part.*

The two residential units at 30-32 Howard Street are an existing non-conforming use which may be continued per this standard. They are proposed to be replaced within the new development. Similarly, the non-conformity of parking for the residential use (2 required per unit, only 2 provided in total) may continue. **Affirmative finding.**

### Section 5.3.4 Nonconforming Uses

#### (a) Changes and Modifications:

#### 2. Nonconforming Residential Use

*A change or expansion of a non-conforming residential use may be allowed subject to conditional use approval pursuant to the provisions of Article 3, Part 5 by the DRB provided:*

*A. Such an expansion does not add any additional dwelling units except as may be permitted for adaptive reuse or residential conversion bonuses approved per the provisions of Sec. 4.4.5(d)(7);*

Two units exist at 30-32 Howard; 2 units are proposed in the new development.

*B. Such an expansion does not increase the degree of non-conformity of any non-conforming structure;*

The structure at 30-32 Howard Street is not non-conforming; it is the residential use. There is no expansion in the degree of non-conformity.

and,

*C. In such cases where the non-conforming residential use is located in a zoning district where residential uses are generally permitted, expansion of a non-conforming residential use into an existing and previously uninhabited attic or basement within the principle structure may be permitted subject to administrative review provided no additional dwelling units are created.*

Residential uses are not generally permitted in the E-LM Zoning District. This standard is not applicable.

#### **Affirmative finding.**

### Section 5.4.8 Historic Buildings and Sites

#### (a) Applicability:

*These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.*

30-32 Howard Street is listed on the Vermont State Register of Historic Places. 400 Pine Street is within a draft nomination to the National Register of Historic Places within the Pine Street Historic District, currently under review at the Vermont Division for Historic Preservation. Within that nomination, buildings 20a and 20b are both listed as contributing resources to the overall Pine Street Historic District as accessory structures related to the historic industrial use of the site. 30-32 Howard Street is a residential duplex. All three are proposed for demolition. See attached documents for further information.

The DAB found the proposed development provided a benefit to the community greater than the existing historic structures. Their decision included the cost/benefit analysis provided by the owner. Only if the DRB concurs with that assessment can an **Affirmative finding** be made for the following standards:

#### (b) Standards and Guidelines:



1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The two buildings at 400 Pine Street (20a and 20b) as well as 30-32 Howard Street are proposed for demolition, which is contrary to this standard.

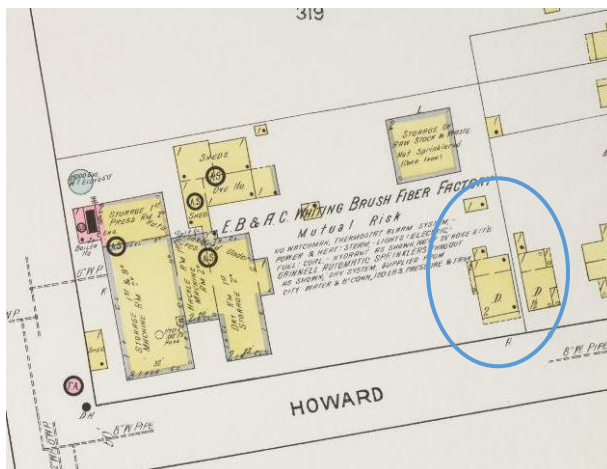
2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

Demolition is contrary to all parts of this standard. Utilization of similar materials (metal siding, brick veneer) on new construction may be compatible but not a substitute for existing and authentic historic character of a property.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

30-32 Howard Street has an historic connection to 400 Pine Street; mapping demonstrating that this property was originally associated with the industrial activities of 400 Pine Street.

Its demolition, with the two warehouses at 400 Pine Street is contrary to this standard.



Sanborn Fire Insurance Map of Burlington, 1912, detail.

Note 30-32 Howard Street within the property boundaries of the E.b. & A. C. Whiting Brush Fiber Factory parcel.

“D” signifies “dwelling.”

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

The buildings were constructed at different times; the brick warehouse fronting Howard Street postdates the interior warehouse and duplex, yet remains an important part of the E.B. and A. C. Whiting Brush Fiber story.

Proposed building demolition is in conflict with this standard.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

Proposed building demolition is in conflict with this standard. The applicant suggests use of similar materials and a design aesthetic to perpetuate the industrial character of the buildings intended for demolition; that is not synonymous with preservation and reuse.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*

Proposed building demolition is in conflict with this standard.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

Not applicable.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

The historic industrial activities of the 400 Pine address, and by relationship 30-32 Howard Street create the historic sensitivity of the site(s). No archaeological resources have been specifically identified here, although the activities and their association with the early manufacturing and the railroad present the potential for discovery. **Affirmative finding as conditioned.**

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

The proposed redevelopment will alter features, spatial relationships, and materials that characterize the property, in conflict with this standard.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

In the demolition of the buildings identified, the proposed alterations may be considered irreversible on their effects on historic resources. The proposed new building, insofar that it is detached from other historic structures, may conceivably be removed in the future. The loss of the other buildings, however, renders the site impaired.

The originally submitted report from a preservation consultant determines that the duplex is only marginally eligible for retaining its listing on the Vermont Register of Historic Places. Staff has been advised that only the Vermont Advisory Council for Historic Preservation can issue determinations of eligibility, not consultants. Her assertion is contrary to direction provided by



the Vermont Division for Historic Preservation which asserts continuing eligibility until the Advisory Council recommends otherwise. Simply put, the consultant is not in a position to determine eligibility of an already-listed property, which retains its designation.

The applicant has provided a cost/benefit analysis to support the contention that it would be logistically and financially prohibitive to re-use the existing historic buildings. See attached document.

The consultant declares that the demolition and redevelopment proposal “mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties” by virtue of a design aesthetic that relates to the industrial character of the overall historic district. While utilization of sympathetic materials and colors may reference context, it is never a substitute for true historic integrity of existing resources. A subsequent supplement from the consultant was received February 15, 2017 to further define the compatibility of the proposed building and the greater community benefit of development.

As noted, The DAB found the proposed development provided a benefit to the community greater than the existing historic structures. Their decision included the cost/benefit analysis provided by the owner. The building owner has subsequently provided a narrative relative to positive community benefits of the proposal. If the DRB concurs, **Affirmative finding**.

*(c) Demolition by Neglect:*

*No owner of a historic building, or lessee who is obligated by lease to maintain and repair such a structure (other than the interior), shall allow, cause, or permit the structure to suffer or experience demolition by neglect. Examples of such disrepair and deterioration include, but are not limited to, the following:*

- 1. Deterioration of walls or other vertical supports; walls, partitions or vertical supports that split, lean, list, or buckle, thus jeopardizing structural integrity;*
- 2. Deterioration or inadequate foundations that jeopardize structural integrity;*
- 3. Deterioration of roofs, ceilings, or other horizontal members;*
- 4. Deterioration of fireplaces or chimneys;*
- 5. Deterioration or crumbling exterior stucco or mortar;*
- 6. Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors;*
- 7. Lack of weather protection that jeopardizes the structural integrity of walls, roofs, plumbing, electricity, or overall structural integrity, including lack of paint, lack of adequate heating, and lack of adequate ventilation;*
- 8. Vandalism caused by lack of reasonable security precautions; and/or*
- 9. Deterioration of any feature so as to create a hazardous condition that could require demolition for public safety.*

There has been no assertion of neglect or structural instability with any or all of the buildings. The 2 industrial buildings (c. 1900 and 1915) retain their gritty industrial nature. The last rental /

minimum housing inspection of 30-32 Howard Street found the building to be in compliance.  
**Affirmative finding.**

*(d) Demolition of Historic Buildings:*

*The purpose of this subsection is:*

- . To discourage the demolition of a historic building, and allow full consideration of alternatives to demolition, including rehabilitation, adaptive reuse, resale, or relocation;*
- . Provide a procedure and criteria regarding the consideration of a proposal for the demolition of a historic building; and,*
- . **To ensure that the community is compensated for the permanent loss of a historic resource by a redevelopment of clear and substantial benefit to the community, region or state.***

**1. Application for Demolition.**

*For demolition applications involving a historic building, the applicant shall submit the following materials in addition to the submission requirements specified in Art. 3:*

- A. A report from a licensed engineer or architect who is experienced in rehabilitation of historic structures regarding the soundness of the structure and its suitability for rehabilitation;*  
A conditions assessment was prepared by GVV Architects, and provided at the Design Advisory Board hearing.
- B. A statement addressing compliance with each applicable review standard for demolition;*  
See attached submission addendum.
- C. Where a case for economic hardship is claimed, an economic feasibility report prepared by an architect, developer, or appraiser, or other person experienced in the rehabilitation and adaptive reuse of historic structures that addresses:*
  - (i) the estimated market value of the property on which the structure lies, both before and after demolition or removal; and,*
  - (ii) the feasibility of rehabilitation or reuse of the structure proposed for demolition or partial demolition;*See submitted Financial Assessment Narrative.
- C. A redevelopment plan for the site, and a statement of the effect of the proposed redevelopment on the architectural and historical qualities of other structures and the character of the neighborhood around the sites;*  
This application is for redevelopment for the site. A subsequent analysis provided by B. Tonn, Preservation Consultant opines that “the removal of just two former storage structures within the factory complex means that a majority of the industrial buildings associated with the former Whiting Brush Company factory will be retained. ..because a majority of the factory will remain intact, the proposed new building will not adversely affect the historical significance of the factory complex.”.



The supplemental January 30, 2017 consultant report asserts limited impact on the integrity of the industrial site as the Pine Street Historic District's National Register nomination is solely based upon National Register Criterion A (Associated with events that have made a significant contribution to the broad patterns of our history.) This is factually incorrect: The PSHD has been deemed eligible for the National Register under Criteria A, C (Distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction) and D (have yielded, or may be likely to yield information important in prehistory or history.)

Reference is made to that report.

and,

*E. Elevations, drawings, plans, statements, and other materials which satisfy the submission requirements specified in Art. 3, for any replacement structure or structures to be erected or constructed pursuant to a development plan.*

These are submitted as part of the application.

## **2. Standards for Review of Demolition.**

*Demolition of a historic structure shall only be approved by the DRB pursuant to the provisions of Art. 3, Part 5 for Conditional Use Review and in accordance with the following standards:*

- A. *The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure;*

While the owner references "crumbling buildings", the conditions assessment defines building settlement, material failure and water penetration that has been ongoing. The argument centers mainly on the expense and unsuitability for rehabilitation rather than structural instability. A supplemental narrative was provided February 15, 2017.

or,

- B. *The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practicably moved to another site within the district;*

The owner has submitted a Financial Assessment Narrative which address the "economically beneficial" standard.

or,

- C. *The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition.*

The DAB has offered their support based on this standard. The property owner has submitted a supplemental narrative relative to this standard (February 15, 2017.)

The DRB will be required to analyze the weight of a substantial community wide benefit, required to consider demolition and new construction.

*And all of the following:*

- D. The demolition and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties;*

A preservation consultant has provided a supplemental narrative on how the project mitigates to the greatest extent practical impact to the importance of the other structures on the property. The new building is designed to front Howard Street. The other buildings on the 400 Pine parcel are proposed to remain.

- E. All historically and architecturally important design, features, construction techniques, examples of craftsmanship and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians and others interested in Burlington's architectural history;*

The buildings may not rise to the importance of recording under the very strict standards of HABS, but merit photo documentation if approved for demolition. They have been documented through the Pine Street Historic District nomination for purposes of Advisory Council Review and National Park Service evaluation. and,

- F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s).  
(i) Such a plan shall be compatible with the historical integrity and enhances the architectural character of the immediate area, neighborhood, and district;*

*(ii) Such plans must include an acceptable timetable and guarantees which may include performance bonds/letters of credit for demolition and completion of the project; and,*

*(iii) The time between demolition and commencement of new construction generally shall not exceed six (6) months.*

*This requirement may be waived if the applicant agrees to deed restrict the property to provide for open space or recreational uses where such a restriction constitutes a greater benefit to the community than the property's redevelopment.*

The application is a development proposal which, if approved, will be conditioned for project commencement within one year of building demolition.

No deed restriction for open space or recreational uses is necessary or part of this development.

**Affirmative finding** under these standards if the DRB accepts *Financial Analysis* and Conditions assessments, and owner narrative relative to public benefit toward the proposed demolition of three buildings.

### *3. Deconstruction: Salvage and Reuse of Historic Building Materials.*



*The applicant shall be encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant may be required to advertise the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.*

**Affirmative finding as conditioned.**

#### **Section 5.4.9 Brownfield Remediation**

The sites are not defined on the state Brownfield or Haz Sites list. As a former manufacturing facility, it would not be unexpected to find site conditions meriting investigation. If examination has not been previously made, a Phase I analysis is recommended prior to any ground disturbance. The applicant may then properly plan for any environmental impacts that might be encountered during the project. If there is evidence of a release (i.e., contamination found during environmental investigation or construction), state law requires that the Agency of Natural Resources be notified. **Affirmative finding as conditioned.**

### **Part 5: Performance Standards**

#### **Section 5.5.1 Nuisance Regulations**

Any application for a zoning permit is required to demonstrate compliance with applicable nuisance regulations and performance standards identified in the Burlington Code of Ordinances. Standards are required to be met as measured at the property line. The construction of a three story building that will, in great part, have industrial/maker spaces in close proximity to a residential district has the potential to introduce some conflict. If it can be determined that the artists' studios / maker spaces will not introduce noise, vibration, dust, or similar impact to abutting residential properties (units are self-contained and are not releasing heat/dust/smoke/vapor) an **Affirmative finding** may be made.

#### **Part 5.5.2 Outdoor Lighting**

A revised landscape plan with photometric was submitted 2/15/2017. LED downlights are acceptable. Light levels are above acceptable limits within the garage entry and at the residential entrance on Howard. With adjustment, the lighting plan may be acceptable. **Affirmative finding as conditioned.**

#### **Section 5.5.3 Stormwater and Erosion Control**

Written approval of the EPSC and Stormwater plans have been approved by the Stormwater program. The Chapter 26 approval has operation and maintenance plans as part of their conditions. **Affirmative finding as conditioned.**

#### **Section 5.5.4 Tree Removal**

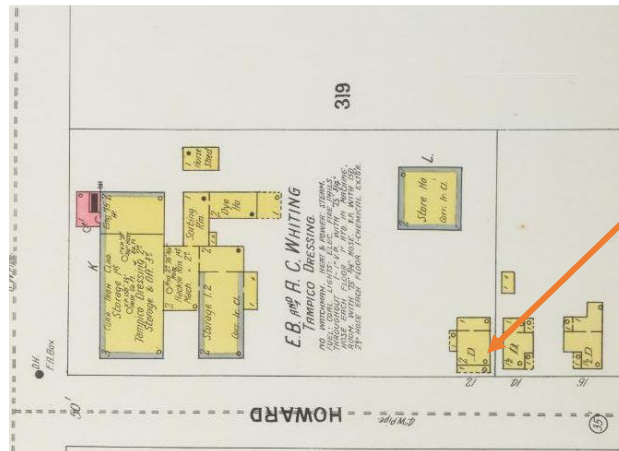
If removal involving six or more trees, each of 10" in caliper or removal of 10 or more trees each of which is 3" or greater in caliper will require review under this section. It does not appear that this benchmark is triggered for the privately owned parcels; the applicant is working with the city arborist for treatment or removal of trees within the greenbelt. **Affirmative finding as conditioned.**

### **Article 6: Development Review Standards**

## Part 1: Land Division Design Standards

The proposal does not include the division of land; rather the lots are intended to be merged and internal lot lines between 400 Pine Street and 30-32 Howard Street to be extinguished. The applicant is required to provide appropriate application fees to merge the lots (\$100 per lot plus \$10 filing fee) and the required survey (see Article 10.) **Affirmative finding as conditioned.**

(Anecdotally, the residential structure was originally part of the 400 Pine Street collection of buildings, and supported the activities there. See images from Sanborn Maps, below.)



Sanborn Map of Burlington, 1900. 30-32 Howard Street is illustrated, right of center.



Sanborn Map of Burlington, 1919. Buildings 20a and 20b are on site; 30-32 Howard to the east.

## Part 2: Site Plan Design Standards

### Sec. 6.2.2 Review Standards

#### (a) Protection of Important Natural Features:

There are no identified important natural features within the project area. Not applicable.



**(b) Topographical Alterations:**

As the grade increases going east, there are some grade changes that will provide some design opportunities within the development. As underground parking is proposed, excavation and grade alteration are anticipated. See plans C1.1, or LS1 for contours. **Affirmative finding.**

**(c) Protection of Important Public Views:**

There are no protected important public views from or through the site. **Affirmative finding.**

**(d) Protection of Important Cultural Resources:**

*Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).*

See Section 5.4.8, above.

**(e) Supporting the Use of Renewable Energy Resources:**

Although the application does not include the use of solar, wind, water, geothermal or other renewable energy resources, the development does not preclude the eventual inclusion of any. **Affirmative finding.**

**(f) Brownfield Sites:**

A search of the state Haz Sites and Brownfields did not turn up these addresses. The Vermont Agency of Natural Resources advises that any owner/developer/applicant should perform proper due diligence before performing any re-development of a property. Given the history of this area, proper due diligence means performing a Phase 1 assessment per ASTM E1527-13 and performing any additional investigation, if needed, to determine if contamination is present on the property.

The submitted narrative includes "soils analysis will be complete prior to issuance of a permit." This is cart before the horse; the soils analysis should be completed and appropriate corrective response determined prior to permit release. it is much easier to address contamination before a project begins instead of finding contamination during the development of a property.

**Affirmative finding as conditioned.**

**(g) Provide for nature's events:**

A Stormwater Management Plan as well as a Small Project Sediment and Erosion Plan have been provided to satisfy Section 5.5.3 and Chapter 26. DPW Stormwater program has given preliminary approval both, contingent upon an operation and maintenance schedule. **Affirmative finding as conditioned.**

**(h) Building Location and Orientation:**

The proposed replacement building is oriented north/south and fronting Howard Street, helping to strengthen the street edge. The garage entry is on the north elevation. Residential access is

from the south (street front); access to the studios and office space is proposed from the westerly elevation. **Affirmative finding.**

**(i) Vehicular Access:**

There are paved paths within the complex of buildings that may lead to the proposed parking level entry. Alternately, an access drive lies west of the proposed structure, with a 20' wide access from Howard Street. That drive narrows at the northwestern corner of the building but retains a 20' clearance under the 2<sup>nd</sup> floor roof canopy, prior to garage ramp entry ramp. The application defines revision to the stairs/loading dock on the westerly building to minimize the point of constriction. Although fairly tight, the fire marshal has deemed the access acceptable for his department's requirements.

The applicant requests relocation of the curb cut along Howard Street, approximately 25' to the east to allow access to the new parking area for the residential units. The relocated driveway will cause the loss of 2 street trees, which the applicant must make restitution to the city arborist for their loss. **Affirmative finding as conditioned.**

**(j) Pedestrian Access:**

Access doors are provided on the west, south and east of the building. The southerly access/stairs are dedicated to serve the two residential units. **Affirmative finding.**

**(k) Accessibility for the Handicapped:**

The parking level has identified one handicapped (h/c) parking space with loading area. An exterior ramp is illustrated on the westerly side of the building, terminating at the entrance door. An elevator will serve all three floors and the parking garage. **Affirmative finding.**

**(l) Parking and Circulation:**

The parking level has 25 parking spaces, one of those h/c accessible and adjacent to the garage entry.

(See inconsistency in plans, below.)

Parking spaces are smaller than required; illustrated dividers are 18' in length while 20' is the defined standard. Required minimum backup length is 24' per Table 8.1.11-1. With two 20' long parking corridors, there remains only 20' backup space. These standards are a requirement except in situations where a lesser standard is deemed necessary by the DRB due to site topography, location of existing or proposed structures, lot configuration, and/or the need to preserve existing trees and mature vegetation. See Section 8.1.11 and Table 8.1.11-1.

The Board has, on occasion, approved diminished vehicular parking spaces within garages.

There are four spaces (two, each in tandem) for the 2 residential units, located east of the building.

Revised Plan LS1 shows 25 parking spaces within the parking deck; plan A1.1 has 24. The handicap parking space is located in different locations in each plan. The attached narrative defines 20 spaces within the parking deck (See Exhibit B, page 2.) Plans must be consistent and accurate for development proposed.



The parking analysis made as part of the submission references the Parking Management Plan and approved parking waiver under ZP16-0784CU. That decision included the following:

|                                |                            |                             |                    |
|--------------------------------|----------------------------|-----------------------------|--------------------|
| ZP16-0784CU<br>Issued 3/5/2016 | Total parking required 169 | Total parking on<br>site 92 | Waiver (46%)<br>77 |
|--------------------------------|----------------------------|-----------------------------|--------------------|

See calculation of new parking requirement made by staff under Article 8.

A plan for snow removal and/or storage is included on revised drawings (C1.1.)

**Affirmative finding, if DRB accepts diminished parking space lengths within garage deck, parking count defined and consistent.**

**(m) Landscaping and Fences:**

A landscaping plan has been submitted (Plan LS1.) Two 24" caliber trees are proposed to be removed, as well as a cedar hedge. Extensive plantings proposed along the easterly boundary abutting a residential district. Headlamp spill should not impact those easterly properties as the grade changes entering the garage.

The picket fence proposed for the southeasterly border has been adjusted to comply with the Clear Site Triangle provisions of the ordinance. Within 25' of any driveway, any fence or landscaping must be less than 3' in height within 15' of the property line.

**Affirmative finding.**

**(m) Public Plazas and Open Space:**

No public plazas or dedicated open space is included within the application. **Affirmative finding.**

**(o) Outdoor Lighting:**

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

Recessed LED fixtures are proposed for most exterior lights. Wall sconces are provided on the north elevation.

Garage light levels are extraordinarily high (see Plan LS1, as revised.) Parking garage lighting is regulated by the CDO with reference to *IESNA RP-20-98*; guidance for light levels required here.

If the garage/parking deck is entirely enclosed (mechanical ventilation and automatic closing door), then lighting may remain as proposed.

Light levels at the easterly elevation and at the southerly residential entrances exceed allowable limits for building entrance (5 fc) and must be adjusted accordingly. **Affirmative finding as conditioned.**

**(p) Integrate infrastructure into the design:**

*Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.*

*Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.*

*Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.*

Trash and recycling for all uses will be provided in the westerly building, see Plan C1.1. There shall be no exterior totes for the residential use.

Plans note that electrical service will be undergrounded. Water, sewer and electrical connections are identified within the parking garage deck.

If any mechanical equipment is proposed, either roof or ground mounted, it must be shown on plans to assess auditory and visual impact. Rooftop equipment shall be fully screened on all sides to the full height of the equipment, and positioned on the roof to be unseen from view at the street level.

A central location for mailboxes needs to be identified; presumably this might be on the interior of the building but should be identified in application documents.

**Affirmative finding as conditioned.**

**Part 3: Architectural Design Standards**

**Sec. 6.3.2 Review Standards**

**(a) Relate development to its environment:**

**1. Massing, Height and Scale:**

Three stories over a parking level are proposed. A plan illustrating street context, with a site section has been provided. The two warehouse buildings proposed for demolition are both one storey (although the northerly one is a greater volume, as intended for commercial storage.) The duplex to be demolished is two stories.

The applicants have provided a streetscape illustration to depict the proposed new building within the context of existing structures. See Exhibit A, *Section looking North from Howard Street*. The proposed building's height is somewhat ameliorated by its set-back 3<sup>rd</sup> floor, strong 2<sup>nd</sup> floor cornice line and the changing grade. **Affirmative finding.**

**2. Roofs and Rooflines.**



A flat roof is proposed. Many of the buildings within the complex and associated with industrial uses on Pine Street have flat roofs, as does 30-32 Howard Street. **Affirmative finding.**

### **3. Building Openings**

Pedestrian doors are located on the south (for the residential units), east and west facades. East façade doors are indicated as exit only. Windows surrounding all elevations are regularly spaced and symmetrically arranged, adding variety interest. Windows are proportioned to appear more vertical than horizontal. A series of large window lights which will operate as overhead garage-doors punctuate the first floor on the west elevation, intended to provide greater ceiling height for the intended artist use. **Affirmative finding.**

#### **(b) Protection of Important Architectural Resources:**

*Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.*

See Section 5.4.8.

#### **(c) Protection of Important Public Views:**

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

#### **(d) Provide an active and inviting street edge:**

The Howard Street entrance is specifically for the two replacement residential units. The bifurcated entrance steps and parallel doors define individual identities for these units, which are clearly discernable. The second floor has a small street front balcony to serve the residents.

Entrance for the studios and office space will occur from the access alley between buildings, on the west building elevation. **Affirmative finding.**

#### **(e) Quality of materials:**

The narrative defines a palette of brick, metal and glass on a concrete base, intended to be both durable and low maintenance. Windows are fiberglass. **Affirmative finding.**

#### **(f) Reduce energy utilization:**

New construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirement of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances. **Affirmative finding as conditioned.**

#### **(g) Make advertising features complementary to the site:**

Any proposed signage will require a separate sign permit. Elevations include a depiction of “20 Howard” on the west elevation. Parallel signs are limited to 2 sf. per each linear foot of building **frontage** allocated to the establishment. The narrower building frontage measurement on Howard Street will predictably limit the sign area for the overall building. (62’ building frontage, allowable parallel signage = 124 sq. ft. total.)

Given the mix of uses proposed, the applicant may consider a Master Sign Plan for greatest flexibility. See Section 7.3.2 of the CDO.

The narrative includes installation of two exterior screens for the display of artists’ work. Visual displays may not have flashing or moving parts so as to create a nuisance, be distracting to neighbors, surrounding properties or to motorists. **Affirmative finding as conditioned.**

**(h) Integrate infrastructure into the building design:**

*Exterior machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory features shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties.*

*Rooftop mechanicals, including heating and cooling devices and elevator equipment, should be incorporated into the structure’s design, and shall be arranged to minimize their visibility from the street level. Such features, in excess of one foot in height, shall be either enclosed within the roof structure, outer building walls, or parapets, or designed so that they are integrated into the overall design and materials of the building. See Section 6.2.2. (p), above.*

**(i) Make spaces secure and safe:**

All building and life safety code, as defined by the Building Inspector and Fire Marshal, shall be implemented. Appropriate lighting at entryways and within the parking garage shall be provided, meeting the specific requirements of Section 5.5.2, and provide for adequate and safe use.

Intercom systems are recommended when possible to maximize personal safety.

**Affirmative finding as conditioned.**

**Article 8: Parking**

Staff calculation stands alongside the parking management plan previously approved ( ZP16-0784CU) and assume continued conformance with the conditions of that permit.

For this project, staff recalculates:

Assuming non-conforming parking for residential use continued:

| Use                       | Requirement                              | Provided                         |
|---------------------------|------------------------------------------|----------------------------------|
| Residential (replacement) | 2/unit (existing 1/unit, non-conforming) | 2                                |
| Office                    | 13,182sf / 1000 = 13 x 2                 | 26                               |
| Studio                    | 5004sf / 1000 = 5 x 1                    | 5                                |
| Total new parking         | 35 (33 if non-conformity continued)      | 29 (parking deck with 25 spaces) |

**Shortfall – 4 spaces**

|                            |                             |                  |
|----------------------------|-----------------------------|------------------|
| Demolition of 2 warehouses | 10,393 sf / 1000 = 10 x .35 | <b>-4 spaces</b> |
|----------------------------|-----------------------------|------------------|

**Affirmative finding for vehicular parking.**

### Section 8.2.5 Bicycle Parking (Table based on 8.2.5-1)

|                          |                                              |                                               |                                            |                                                          |
|--------------------------|----------------------------------------------|-----------------------------------------------|--------------------------------------------|----------------------------------------------------------|
| Long Term Spaces         | Residential Use, 1 per 4 units, 0            | Office use 1/5000sf, or 3 spaces              | Studio/Manufacturing 1/20,000, or 0        | Total long term spaces based on use and area = 3         |
| <u>Short Term Spaces</u> | <u>Residential use, 1 per 10 units, or 0</u> | <u>Office use 1 per 10,000 sf, or 1 space</u> | <u>Studio/Manufacturing 1/50,000, or 0</u> | <u>Total short term spaces based on use and area = 1</u> |

Although the total calculation comes to 3 Long Term Bicycle Parking Spaces and 1 Short Term Bicycle Parking Space, the nature of the activities and the location in the South End suggest a higher than average bicycle use rate. The applicant is encouraged to provide secure bicycle parking, both within and outside the building.

A bike rack is illustrated just north of the building, adjacent to a walkway under cover as recommended by the Design Advisory Board. See original Plan LS1. The submitted narrative provides 12 bikes will be accommodated. **Affirmative finding as conditioned.**

### **Article 9: Inclusionary and Replacement Housing**

The loss of the two residential units will be replaced with two new residential units within the development. See Section 5.3.4 for a discussion of the continuation of Nonconforming uses. **Affirmative finding.**

### **Article 10: Subdivision Review**

#### **Section 10.1.5 Lot Line Adjustments**

*The intent of this section is to provide for an abbreviated review and approval process for the realignment of lot boundary lines between existing adjacent lots, including the merger of lots, where no additional lots are being created. A lot line adjustment shall not constitute a subdivision.*

The proposed merger of 400 Pine Street and 30-32 Howard Street can be incorporated within this project review.

The following are the submission requirements for consideration of the extinguishment of the interior property line:

#### **(a) Lot Line Adjustment Submission Requirements:**

*An applicant requesting review of a lot line adjustment shall submit the following documentation to the administrative officer:*

- (1) A complete application form pursuant to the provisions of Art. 3 and signed by the property owner;*
- (2) A letter requesting review and approval of a lot line adjustment, giving the names and address of property owners;*
- (3) **The applicable application fee;** and,*
- (4) Two (2) copies of a lot line adjustment plat which shall include the following:  
The plat shall be prepared by a **Vermont licensed land surveyor** and indicate all lots that are proposed to be modified as a result of the proposed lot line adjustment. The survey shall be sufficient to clearly indicate the area, metes, bounds, and ties of each of the affected lots.*



*The survey shall include all structures and site improvements and delineate all building/structure setbacks, lot coverage, parking spaces and any other details as may be specified by the Administrative Officer.*

*The following additional language shall be printed on the plat:*

*“Approval of this lot line adjustment plat does not constitute the creation of a separate parcel or lot. It adjusts the physical location of the common boundary of the adjoining parcels or lots. This lot line adjustment has been approved by:”*

\_\_\_\_\_  
City of Burlington Administrative Officer/ Assistant Administrative Officer

Date: \_\_\_\_\_ Zoning Permit # \_\_\_\_\_

Originally the applicant suggesting separating the lot merger from the overall development application. The applicant has now confirmed the desire to complete the merger as part of this review. A survey prepared by a licensed land surveyor with the noted language included is required, with the additional application fee of \$100/lot.

**Affirmative finding as conditioned.**

#### **Section 10.1.11 Recording of Final Plat**

##### **(b) Recording within 180 days**

*The final plat...shall be recorded in the office of the chief administrative officer within 180 days of the DRB's approval. Failure to file all such materials within 180 days of the decision shall render the final plat approval void. **Affirmative finding as conditioned.***

## **II. Conditions of Approval:**

1. Based on submitted area and with credit for the existing warehouses, the following Impact Fees shall be required: (Area to be confirmed by applicant.)

#### **Allocation by department:**

Enter Total Fee: \$29,496.56

|                   | <b><u>Offices &amp; Other</u></b> |                     |
|-------------------|-----------------------------------|---------------------|
| <b>Department</b> | <b>Rate</b>                       | <b>Fee</b>          |
| Traffic           | 0.658                             | 12138.05            |
| Fire              | 0.193                             | 3560.25             |
| Police            | 0.341                             | 6290.39             |
| Parks             | 0.407                             | 7507.88             |
| Library           | 0.000                             | 0.00                |
| Schools           | 0.000                             | 0.00                |
| <b>Total</b>      | 1.599                             | <b>\$ 29,496.57</b> |

2. Impact Fees must be paid at least seven days prior to occupancy of a new building or any portion thereof.
3. Hours of construction are limited M-F 7:00 am to 6:00 pm. Saturday hours are reserved for interior work only unless otherwise authorized by the DRB. No construction activities shall occur on Sundays.
4. Exposed mechanical equipment may encroach beyond the maximum building height by no more than 15 feet provided that portion exceeding the height limit does not exceed 20% of the roof area. Exposed mechanical equipment must be fully screened on all sides to the full height of the equipment and positioned on the roof to be unseen from view at the street level.
5. If any archaeological resources are discovered during construction, appropriate authorities will be notified for guidance on handling, treatment, or disposition.
6. The applicant is encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them (if this can be done without exposing the public to danger and construction activity) and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. It is recommended that the applicant advertise the availability of the structures and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition. All materials shall be disposed of in a safe and legal manner.
7. Given the industrial use of the site, a Phase 1 assessment per ASTM E1527-13 is recommended to determine if contamination is present on the property **prior to redevelopment**. The results of such investigation shall be forwarded to the City (and to the Department of Environmental Conservation) to determine whether further action or remediation is warranted prior to development.
8. A revised photometric will be required **prior to release of the zoning permit** illustrating diminished light levels at the garage entry per recommended IESNA standards; and at easterly and southerly residential entrances not exceed 5 footcandles.
9. Approval of this project will merge lots and extinguishment of an internal property line. Standards of Article 10 shall apply as appropriate. Additional fees will be required for lot merger (\$100/lot) and submission of a survey by a Vermont licensed land surveyor with appropriate language as defined by Section 10.1.5 (a).
10. The final plat of the merged lots shall be recorded in the office of the chief administrative officer (land records) within 180 days of the approval of the merger. Failure to file all such materials within 180 days of the decision shall render the final plat approval void.
11. If the Silver Maple and crabapple tree in the greenbelt along Howard Street must be removed due to the driveway relocation, restitution to be determined by the City arborist will be required.
12. **Prior to release of the zoning permit**, the location of mailboxes will be identified on plans for staff review and approval.
13. No signage is included within this permit. Given the number of uses proposed, a Master Sign Plan is recommended for the entire building. See Article 7, Part 3.
14. Exterior visual displays may not have flashing or moving parts so as to create a nuisance, be distracting to neighbors, surrounding properties or to motorists.

15. **Prior to release of the zoning permit**, a plan for bike rack shall be submitted for staff review and approval. It shall be consistent with the City of Burlington Bicycle Parking Guidelines.
16. Parking spaces within the parking deck are undersized based on Table 8.1.11-1. If adjusted to meet the standards of this table, required back-up length is deficient. **Any deviation from these standards is subject to review and approval by the DRB.**
17. Any work in the right-of-way will require separate permitting from the Department of Public Works. This may include but is not limited to relocation of a curb cut on Howard Street.
18. The location of the pad mount transformer shall be included on plans.
19. Zoning amendment ZP17-03 will require that all violations on involved properties be resolved and all expired zoning permits closed out **prior to issuance of a Certificate of Occupancy** for this project.
20. 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.**





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Wednesday, February 15, 2017

Burlington Development Review Board  
Department of Planning and Zoning  
City Hall  
Burlington, VT 05401

Dear Board,

The project area of "The Vaults" is situated in the heart of Burlington's South End, the Arts District and the Enterprise Light Manufacturing zoning district (ELM). The district is designed to help facilitate business and arts while respecting the buffer to the surrounding neighborhoods.

The buildings at 400 Pine have morphed through the decades from rough industrial uses to modern times where they are littered with a variety of uses. Everything from creative, small incubator spaces and artist studios to larger offices and retail exist in our complex.

The buildings we are proposing to demolish are in very rough shape. This is not due to a failure to keep the buildings standing. Many repairs have been made through the years. Evidence of the state of the buildings can be found in the conditions assessment and financial narrative previously submitted.

The brick structure has a failing foundation, was built with very soft brick and has a roof that is compromised due to multiple overloading events. The red warehouse has been modified drastically through the years, greatly reducing any historical value. It too needs a massive amount of work to be saved. The duplex at 30 and 32 Howard has also been modified through the years. Interior trims have been replaced, new floors installed, vinyl siding installed and windows replaced. The units are in rough shape as well. The bottom line is whatever historical integrity other buildings on our site may have, these have unquestionably lost it through the years. Evidence of this has been submitted in the Historic Resources Report. We believe the visual benefit is self-evident. This project also entails expanding a buffer to conform to modern zoning between the commercial ELM and the residential neighborhood it abuts.

The "Vaults" building we are proposing is very much in keeping with the fundamental goals of the ELM and PlanBTV South End. Plan BTV outlined the need for more artist studio space within the South End. This project plans to add over 5,000sf of small studio space to the neighborhood. The plan also outlines that expansion of existing artist space should be encouraged. Unfortunately, rehabbing the existing buildings in this case is cost prohibitive. The only way for us to expand the amount of studio space is to demolish the buildings proposed and build new.

We very much hope to continue to foster the creativeness of the south end with this new structure. By having artist studio spaces on the ground floor, we hope to bring the public into the arts community.

Financially, the city will see a benefit as well through the increase in taxable property value. The structures that exist today are worth very little in comparison to the 3 story mixed use building proposed here.

The city will also realize a benefit from the new infrastructure proposed. The storm water impact is being reduced from what it is today and in addition, while the sewer and storm water systems remain combined on Howard st., the project will be built with separate storm and sewer infrastructure in anticipation of a future split. Impervious area is being reduced by 1,725sf and the peak flow rates for storm water (site total) is being reduced from 0.96cfs to 0.38cfs.

I will add, that unlike many projects in Burlington, we have nearly universal support. Whether it be a neighbor that does not like the unsightly buildings that exist today or a community member who sees the need for more studio and office space for budding artists and entrepreneurs, who have the support of the community, something that means a great deal to us as stewards of the neighborhood. We ask that you help us foster the creativity and growth of the South End by removing these burdensome structures and replace them with something that fits well with our community.

Respectfully,

A handwritten signature in black ink, appearing to read 'James Unsworth', with a stylized, flowing script.

James Unsworth

### Financial Assessment Narrative Based on Conditions Assessment 400 Pine and 30/32-Howard

*Based on the numbers produced by GVV Architects to renovate the existing structures to accommodate habitability for studio and office space we have found that the numbers make this cost prohibitive.*

#### "R-Warehouse and Vaults"

Based on \$179/sf to renovate the "R-Warehouse" and \$168/sf to renovate "The Storage Vaults" the total cost of renovating these two structures to accommodate studio and office space would be \$1,660,100.

Market rent for these spaces is approximately \$15/sf+ utilities.

There would be approximately 7,600/sf of rentable floor space following renovations. At \$15/sf base rent this equates to \$114,000 gross rental income. Assuming the building is taxed at \$1.6 Million the property tax would be approximately \$44,000. Net operating income (NOI), including just the taxes, no maintenance, management fee, repairs, and common utilities would be \$70,000. This gives us a capitalization rate of 4.2% well below the acceptable 7.5% capitalization rate. When repairs, maintenance, utilities, insurance etc are added to the operations expenses the capitalization rate would likely dip to below 3%.

To calculate the value of this building based off the acceptable 7.5% capitalization rate we divide the NOI by 7.5%. This gives us a ball park market value of \$933,333, **a net loss of \$726,767**. Again, this is a conservative figure as it is based off of an NOI that only takes into account taxes and no other operational expenses.

#### 30 and 32 Howard St. Duplex

Based on \$135/sf to renovate the duplex the total cost of renovating would be \$238,680. Added to the assessed value of \$199,000 this totals \$437,680.

Market rent in Burlington is approximately \$800 per month per bedroom.

Gross annual rental income for this property at market rate rents would be \$38,400. Less the expenses currently with this property and assuming the new property tax amount the NOI would be \$20,343. Again, this gives us a capitalization rate of 4.6%, well below the acceptable 7.5%.

Based on the NOI and using 7.5% capitalization rate, the value of the building is \$271,240 **a net loss of \$166,440**.

*The bottom line is for the renovations of these crumbling buildings outlined in the conditions assessment we would have to realize rents that are well above market rate. These numbers also do not reflect the debt service that will be associated with these renovations. Further, the feasibility of even completing the work outlined in the conditions assessment is slim at best. The buildings could easily fail catastrophically during the renovations due to the lack structural integrity.*

Document created by James Unsworth, January 13, 2017

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JAN 13 2017

DEPARTMENT OF



*Submitted at DAYS 7/10/17*

## Conditions Assessment

### Existing buildings at 400 Pine and 30-32 Howard Street

Three existing buildings have been reviewed for structural integrity and potential for uses other than existing. These buildings are identified as the Red Warehouse, Storage Vaults and 30-32 Howard duplex. Renovation of the existing storage buildings for use as business or studio space would require additional parking. Assuming 7450 sf of net rental space 10 to 15 additional parking spaces would be required. There is no room on the existing site to add surface parking.

**Red Warehouse:** Original building is pole barn type construction which appears to have had several additions since first built. The building is uninsulated and used for storage. The original structure appears to have been constructed with poplar tree trunk posts of various sizes, 4 bays wide and 4 bays deep. Horizontal and roof beams are made of 2X material nailed to the sides of the posts. The connections to posts are tenuous and many bracing members have been added more recently to prevent the structure from twisting and bending. Roof purlins are 2x8 lumber spanning 12' and spaced at 3' oc. Calculated load capacity of these rafters is 34 pounds/SF. Code requires roof purlins to support snow load of 40 psf plus dead load. Between 1912 and 1919 (Sanborn maps) 2 structural bays were added to the east using posts and beams comprised of small 2x material. Connections between members are questionable for live loads and earthquake design code. Foundation footings are visible as the building steps up the hill indicating that there is minimal frost protection. The floor is slab on grade and the east wall is built into the hill with a 5' retaining wall extending above slab level. The slab was added in 1983 when siding and roofing were replaced. There is



RED WAREHOUSE INTERIOR SHOWING  
ORIGINAL EAST SIDE SIDING



HOLE IN SLAB AT POST



FOUNDATION FAILURE @ NW  
CORNER

evidence that no thickened footings were installed for the interior posts supporting the roof. Slab and foundation cracks indicate that the structure experiences frost action.

Renovations to improve this building for any use other than storage would include new interior supports, connections, roof structure, foundation repairs, slab replacement, siding, mechanical, sprinkler and electrical systems, etc. It is likely that the building would incur further damage during foundation and slab replacement.



## Conditions Assessment

### Existing buildings at 400 Pine and 30-32 Howard Street

**Storage Vaults:** This 7 bay unheated structure rests on an unreinforced poured concrete foundation with a thin slab on grade floor. All exterior and interior walls are load bearing and are two wythe brick thickness.



RAFTER ROT AND SAG

The brick is fairly soft and the fired surface faces have begun to spall off in some locations. 2x8 roof rafters at 28" on center span 12' between interior bearing walls. Total load capacity of the rafters is 44 psf which is less than code required 40 psf snow load plus 7 psf dead load with the built-up roofing. There is noticeable sag in each bay indicating that the roof has been repeatedly overloaded. There is evidence in each bay that the original roof leaked (leaks). Approximately 50% of the rafters would need to be replaced due to rot. All rafters would need to be strengthened. A partial corrugated metal roof laid on top of the original built-up roofing covers 3 of the 4 bays.



FOUNDATION AND WALL CRACKS

The foundation and floor slab have broken into many small pieces due to frost action. The west foundation wall is bowing out. The lack of reinforcing has contributed to foundation failure.

All structural brick walls have been moving for a long time as evidenced by cracks in mortar and brick which have opened up on the east, west and south facades as well as in all interior partitions due to continued foundation movement. Grade along north and east walls is higher than the existing slab elevation. The west exterior wall is in danger of collapsing. The brick on the west façade has been painted. The northern most bay has additional structural issues. Part of the north wall is an uncapped parapet which is failing from water penetration; rafters in the north bay extend over the west wall with wood trim, both rafters and trim are rotted and the brick is leaning outward. Seven pairs of swing doors access the seven bays from the west, one pair from the south. 4 of the 16 door leaves appear to be original with lapped metal faces. None are in salvageable condition.

Renovations to this building for any habitable use would require a reinforced foundation and slab. To replace the foundation in a masonry bearing building of this type the bearing walls would need to be removed and re-built. The soft brick would not be suitable for salvage. A similar looking building could be constructed with systems and windows for habitation, but it would be a new structure.



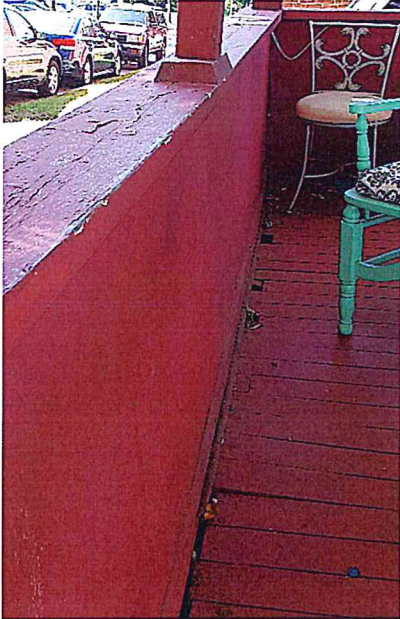
## Conditions Assessment

### Existing buildings at 400 Pine and 30-32 Howard Street

**30-32 Howard Duplex:** This flat roofed wood frame building sits over a dirt floor crawl space. Tenants report water flowing through the crawl space seasonally. Original porches have been



*Vinyl siding*



*Porch flooring.*

removed and modified and reframed with modern lumber. Visual inspection reveals movement and failure of porch decks. The central chimney has been removed. Interior trims and finishes have been altered, replaced and removed. Interior walls are covered with paneling and drywall. Both floors slope dramatically toward the center of the house. The crawl space is filled with metal and wood support posts that have been added to shore up the floor system. Visible wood floor joists are 6"-8" diameter logs and 2x8s spanning up to 12' with varied spacing up to 24" o.c. No joists are doubled under supporting walls above or at openings. There is evidence of rot at rim members. The grade between this home and the neighbor to the east is above the bottom of the vinyl siding and should be lowered. The vinyl siding overlaps the stone foundation on all facades and likely is concealing rotted siding and trims, especially around window sills and building sills. The 8" vinyl module is very visible indicating either poor installation or movement of the substrate which can be caused by moisture intrusion.

Bathroom and kitchen finishes are worn and will soon need replacing. Softwood and hardwood flooring are all worn and no longer thick enough to sustain sanding and refinishing. The cost to refurbish this building to an average condition for the Burlington rental market will be substantial in the near future. Work would need to start with the foundation including hand excavation and new footings. Roof repairs should follow, then sill and framing repairs are required throughout. Interior finish and fit-up renovations will be needed.

Complete refurbishment would include: insulation and air sealing, code required electrical upgrades, porch repairs, and new interior finishes throughout. Restoring this house to its original condition would include stone foundation repairs, jacking to level floors, replacement of all interior plaster and siding removal and substrate repairs.

Currently this house is at the low end of the scale when compared to other homes in the neighborhood in appearance and quality of construction.



**Conditions Assessment**  
**Existing buildings at 400 Pine and 30-32 Howard Street**

**Construction Estimates:**

Red Warehouse to Studio Space:

5625 gross sq. ft. - 80% net rentable after renovation assumed = 4500 sf.

|                                            |                         |
|--------------------------------------------|-------------------------|
| Site work:                                 | \$ 35,000               |
| Selective Demolition/trash:                | \$ 18,000               |
| Foundation and slab repair and insulation: | \$ 28,800               |
| Siding, waterproofing and insulation:      | \$ 147,500              |
| Roof Repairs, framing and insulation:      | \$ 129,900              |
| Doors and Windows:                         | \$ 18,000               |
| HVAC:                                      | \$ 105,000              |
| Sprinkler:                                 | \$ 26,100               |
| Electrical:                                | \$ 85,400               |
| Plumbing:                                  | \$ 31,000               |
| <u>Interior finishes and fit-up:</u>       | <u>\$ 385,000</u>       |
|                                            | \$1,004,700 (\$ 179/sf) |

Storage Vaults to Studio Space: Assume brick salvage reduces dumping cost.

3900 gross sq. ft. - 80% net rentable after renovation assumed = 3100 sf.

|                                            |                       |
|--------------------------------------------|-----------------------|
| Site work:                                 | \$ 30,000             |
| Demolition/trash:                          | \$ 24,000             |
| Foundation and slab repair and insulation: | \$ 35,800             |
| Masonry Repairs:                           | \$ 44,000             |
| Waterproofing and insulation:              | \$ 15,300             |
| Roof Repairs, framing and insulation:      | \$ 79,200             |
| Doors and Windows:                         | \$ 14,000             |
| HVAC:                                      | \$ 75,600             |
| Sprinkler:                                 | \$ 18,000             |
| Electrical:                                | \$ 58,000             |
| Plumbing:                                  | \$ 21,500             |
| <u>Interior finishes and fit-up:</u>       | <u>\$ 240,000</u>     |
|                                            | \$ 655,400 (\$168/sf) |

Duplex to new Condition:

Net rentable after renovation assumed 4 bedrooms.

1768 sf @ \$135/sf. = \$238,680

CODE SUMMARY

|                                                                                      |                       |                                                                                                |                       |                   |
|--------------------------------------------------------------------------------------|-----------------------|------------------------------------------------------------------------------------------------|-----------------------|-------------------|
| <b>CONSTRUCTION TYPE:</b>                                                            |                       | <b>(NFPA 101)</b>                                                                              | <b>(IBC)</b>          |                   |
| COMBUSTIBLE<br>FULL SPRINKLER COVERAGE                                               |                       | II-000                                                                                         | II-B                  |                   |
| <b>USE GROUP:</b>                                                                    |                       | RES./BUS./PARKING                                                                              | BUS./RES.             |                   |
| <b>BUILDING HEIGHT:</b>                                                              |                       | <b>PROPOSED</b>                                                                                | <b>CODE MAX.</b>      | <b>CITY REG'S</b> |
| MAX. GRADE TO ROOF<br>STORIES ABOVE GRADE                                            |                       | 4                                                                                              | 3 + 1 FOR SPRINKLER   | 45'-0"            |
| <b>BUILDING AREA:</b>                                                                |                       | <b>PROPOSED</b>                                                                                | <b>CODE MAX.</b>      |                   |
| LARGEST FLOOR<br>TOTAL                                                               |                       | 23,000 SF                                                                                      | 8370 x 4<br>33,480 SF | 122,965<br>(FAR)  |
| <b>ALARMS:</b>                                                                       |                       |                                                                                                |                       |                   |
| RQD, SPRINKLER TIE-IN, FD NOTIFICATION                                               |                       |                                                                                                |                       |                   |
| <b>OCCUPANCY:</b>                                                                    |                       |                                                                                                |                       |                   |
| OCCUPANT LOAD: NFPA 101 TABLE 7.3.1.2                                                |                       | RESIDENTIAL- 2 BDRMS EACH (200 SF/PERSON) = 14<br>BUSINESS- 100 SF/PERSON = 202<br>TOTAL = 216 |                       |                   |
| <b>FIRE RESISTANT RATINGS (IN HOURS):</b>                                            |                       |                                                                                                |                       |                   |
| RESIDENTIAL/ BUSINESS/ PARKING SEPERATIONS:                                          |                       | 2                                                                                              |                       |                   |
| ALL OTHER ASSEMBLIES:                                                                |                       | 0                                                                                              |                       |                   |
| CORRIDORS:                                                                           |                       | 0                                                                                              |                       |                   |
| STAIRS CONNECTING THREE LEVELS:                                                      |                       | 1                                                                                              |                       |                   |
| ELEVATOR SHAFTS:                                                                     |                       | 2                                                                                              |                       |                   |
| STAIR CONNECTING FOUR LEVELS:                                                        |                       | 2                                                                                              |                       |                   |
| TENANT SEPERATION:                                                                   |                       | 0                                                                                              |                       |                   |
| <b>EXITING:</b>                                                                      |                       |                                                                                                |                       |                   |
| COMMON PATH                                                                          |                       | 100'                                                                                           |                       |                   |
| DEAD END                                                                             |                       | 50'                                                                                            |                       |                   |
| TOTAL TRAVEL                                                                         |                       | 300'                                                                                           |                       |                   |
| <b>ENERGY CODE:</b>                                                                  |                       |                                                                                                |                       |                   |
| DESIGN EXCEEDS RQUIREMENTS OF VERMONT<br>COMMERCIAL BUILDING ENERGY STANDARDS (2011) |                       |                                                                                                |                       |                   |
|                                                                                      | <b>BUSINESS</b>       | <b>RESIDENTIAL</b>                                                                             | <b>PROVIDED</b>       |                   |
| FOUNDATIONS                                                                          | R 10                  | R 10                                                                                           | R 10                  |                   |
| WALLS                                                                                | R 13 + 7.5 CONTINUOUS | R 13 + 7.5 CONTINUOUS                                                                          |                       |                   |
| ROOF                                                                                 | R 30 CONTINUOUS       | NA                                                                                             | R 49 (8")             |                   |
| FLOOR                                                                                | R 12.5 CONTINUOUS     | R 14.6 CONTINUOUS                                                                              | R 15                  |                   |
| OH DOORS                                                                             | R 10                  | NA                                                                                             | R 15                  |                   |
| EXT DOORS                                                                            | U 0.77                | U 0.77                                                                                         |                       |                   |
| WINDOWS                                                                              | (30% MAX) U 0.43      | (30% MAX) U 0.43                                                                               |                       |                   |
| SKYLIGHTS                                                                            | (3% MAX) U 0.5        | NA                                                                                             |                       |                   |
| AIR LEAKAGE                                                                          | 0.5 CFM/SF OF SHELL   | 0.5 CFM/SF OF SHELL                                                                            |                       |                   |
| <b>SITE:</b>                                                                         |                       |                                                                                                |                       |                   |
| SETBACKS                                                                             |                       | 5' FRONT<br>0' SIDE<br>10% REAR (NA THIS LOT)<br>25' TO ADJOINING RESIDENTIAL LOT              |                       |                   |
| <b>PARKING:</b>                                                                      |                       |                                                                                                |                       |                   |
| CARS                                                                                 |                       | OFFICES 2/1000 SF<br>STUDIO 1.5/1000 SF<br>RESIDENTIAL 1 PER UNIT                              |                       |                   |
| BICYLES                                                                              |                       | OFFICES/STUDIO 1/5000 SF<br>RESIDENTIAL .25 PER UNIT                                           |                       |                   |



THE VAULTS  
20 HOWARD STREET, BURLINGTON, VT

| ARCHITECTURAL |                     |
|---------------|---------------------|
| A0.0          | COVER SHEET         |
| A1.1          | GARAGE PLAN         |
| A1.2          | FIRST FLOOR PLAN    |
| A1.3          | SECOND FLOOR PLAN   |
| A1.4          | THIRD FLOOR PLAN    |
| A1.5          | ROOF PLAN           |
| A2.1          | BUILDING ELEVATIONS |
| A3.1          | BUILDING SECTIONS   |
| A4.1          | WALL SECTIONS       |
| LS1           | LANDSCAPE PLAN      |

| CIVIL |                                               |
|-------|-----------------------------------------------|
| C0.1  | OVERALL EXISTING CONDITIONS PLAN              |
| C1.0  | EXISTING CONDITIONS & DEMOLITION PLAN         |
| C1.1  | PROPOSED SITE LAYOUT, GRADING & UTILITY PLAN  |
| C1.2  | EROSION PREVENTION & SEDIMENT CONTROL PLAN    |
| C2.0  | SITE DETAILS                                  |
| C2.1  | WATER & SEWER DETAILS                         |
| C2.2  | STORMWATER DETAILS                            |
| C2.3  | EROSION PREVENTION & SEDIMENT CONTROL DETAILS |

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PROGRESS SET

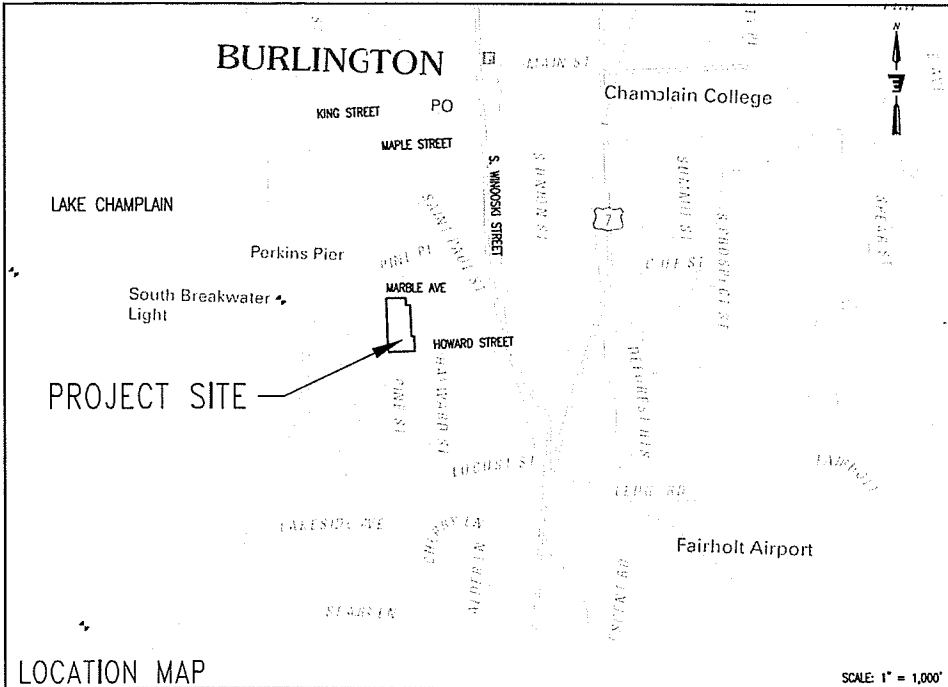
ABBREVIATIONS

ARCHITECT:  
GVV Architects, Inc.  
284 South Union Street  
Burlington, VT 05401  
802-862-9631

CIVIL ENGINEER:  
Engineering Ventures  
208 Flynn Ave #2a  
Burlington, VT 05401

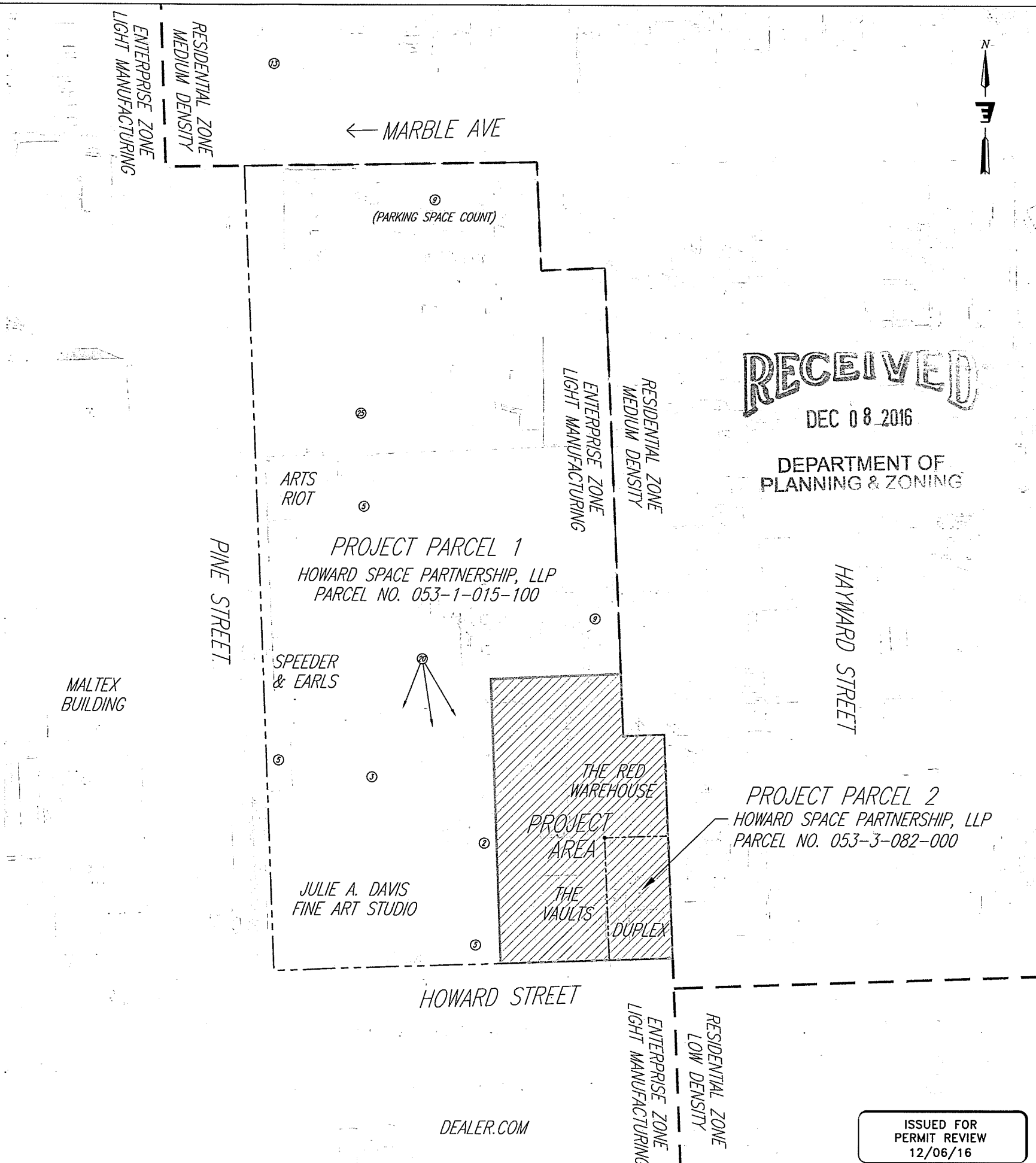
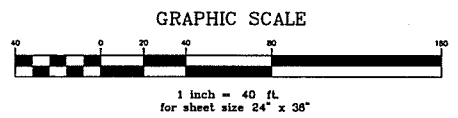
STRUCTURAL ENGINEER:  
Engineering Ventures  
208 Flynn Ave #2a  
Burlington, VT 05401

MEP ENGINEER:  
Hallam Associates Inc.  
38 Eastwood Dr #300  
South Burlington, VT 05403



LOCATION MAP

SCALE: 1" = 1,000'



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|                                                                                                                                                                                                                                                |                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Stamp                                                                                                                                                                                                                                          |                                                                                                                                           |
| Chd.                                                                                                                                                                                                                                           | Description                                                                                                                               |
| Rev. No.                                                                                                                                                                                                                                       |                                                                                                                                           |
| ENGINEERING VENTURES PC<br>208 Flynn Avenue, Suite 2A Burlington, VT 05401<br>Tel: (802) 683-8276 Fax: (802) 683-8276<br>85 Main St., Suite 100 Burlington, VT 05401<br>Tel: (802) 442-3333 Fax: (802) 442-3311<br>www.engineeringventures.com |                                                                                                                                           |
| Client:                                                                                                                                                                                                                                        | Unsworth Properties, LLC<br>208 Flynn Avenue<br>Burlington, Vermont<br>Fax: (802) 979-4504                                                |
| Sheet Title:                                                                                                                                                                                                                                   | Overall Existing Conditions Plan<br>Project Title: The Vaults Redevelopment Project<br>Pine Street & Howard Street<br>Burlington, Vermont |
| Designed By:                                                                                                                                                                                                                                   | KW/HKW                                                                                                                                    |
| Checked By:                                                                                                                                                                                                                                    | KW                                                                                                                                        |
| Drawn By:                                                                                                                                                                                                                                      | HKW                                                                                                                                       |
| Scale:                                                                                                                                                                                                                                         | 1" = 40'                                                                                                                                  |
| Date:                                                                                                                                                                                                                                          | 12/06/16                                                                                                                                  |
| C0.1<br>EV#16414                                                                                                                                                                                                                               |                                                                                                                                           |

ISSUED FOR  
PERMIT REVIEW  
12/06/16

DEALER.COM



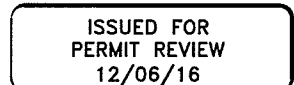
1. EXACT OBJECT LOCATIONS MAY DIFFER FROM THAT AS SHOWN, AND ADDITIONAL SUB-SURFACE AND SURFACE UTILITIES AND STRUCTURES MAY EXIST. THE CONTRACTOR IS TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK AND TO CALL DIG SAFE 72 HOURS PRIOR TO ANY DIGGING, DRILLING OR BLASTING.
2. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY CONDITIONS THAT VARY FROM THOSE SHOWN ON THE PLANS. THE CONTRACTOR'S WORK SHALL NOT VARY FROM THE PLANS WITHOUT THE EXPRESSED APPROVAL FROM THE ENGINEER.
3. THE CONTRACTOR IS INSTRUCTED TO COOPERATE WITH ANY AND ALL OTHER CONTRACTORS PERFORMING WORK ON THIS JOB SITE DURING THE PERFORMANCE OF THIS CONTRACT.
4. THE CONTRACTOR SHALL RESTORE LAWNS, DRIVEWAYS, CURBSETS, SIGNS AND OTHER PUBLIC OR PRIVATE PROPERTY DAMAGED OR REMOVED TO EXISTING CONDITIONS OR BETTER AS DETERMINED BY THE ENGINEER. ANY DAMAGED TREES, SHRUBS AND/OR HEDGES SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE, UNLESS NOTED OTHERWISE.
5. THE CONTRACTOR SHALL COMPLY WITH ALL REQUIRED PERMITS.
6. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING, AND INCURRING THE COST OF ALL REQUIRED PERMITS, INSPECTIONS, AND CERTIFICATES.
7. THE CONTRACTOR WILL PROTECT EXISTING PROPERTY LINE MONUMENTATION. ANY MONUMENTATION DISTURBED OR DESTROYED, AS JUDGED BY THE ENGINEER OR OWNER SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE UNDER THE SUPERVISION OF A NEW HAMPSHIRE STATE LICENSED LAND SURVEYOR.
8. IT IS THE CONTRACTOR'S RESPONSIBILITY TO EXAMINE ALL PLAN SHEETS AND SPECIFICATIONS, AND COORDINATE WORK WITH ALL CONTRACTS FOR THE SITE.
9. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONDUCT EXPLORATORY TEST PITS AS MAY BE REQUIRED TO DETERMINE UNDERGROUND CONDITIONS.
10. ALL TRENCH EXCAVATION AND ANY REQUIRED SHEETING AND SHORING SHALL BE DONE IN ACCORDANCE WITH THE LATEST OSHA AND VIOSHA REGULATIONS FOR CONSTRUCTION.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR DETERIORATING AND THE MAINTENANCE OF SURFACE DRAINAGE DURING THE COURSE OF WORK.
12. MAINTAIN FLOW FOR ALL EXISTING UTILITIES, UNLESS NOTED OTHERWISE.
13. ALL SITE FILL SHALL MEET SELECTED FILL STANDARDS UNLESS NOTED OTHERWISE ON THE DRAWINGS.
14. CONTRACTOR TO GRADE ALL AREAS ON THE SITE TO PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS AND IMPERVIOUS SURFACES.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL FIELD LAYOUT. THE CONTRACTOR SHALL PROVIDE MARKED-UP AS-BUILT PLANS FOR ALL UTILITIES SHOWING CONNECTIONS, BENDS, VALVES, LENGTHS OF LINES AND INVERTS. AS-BUILT PLANS SHALL BE REVIEWED BY THE OWNER AND HIS REPRESENTATIVES BEFORE UTILITIES WILL BE ACCEPTED.
16. CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER INSTALLATION, MONITORING, MAINTENANCE AND REMOVAL OF ALL TEMPORARY EROSION CONTROL MEASURES AND TAKING PRECAUTIONARY STEPS TO AVOID ANY SEDIMENT TRANSFER TO NEIGHBORING SITES OR WATERS OF THE STATE.



| EXISTING FEATURES                                                                     |                            | PROPOSED FEATURES                                                                     |
|---------------------------------------------------------------------------------------|----------------------------|---------------------------------------------------------------------------------------|
|    | CLEAN OUT                  |    |
|    | SEWER MANHOLE              |    |
|    | CATCH BASIN                |    |
|    | STORM MANHOLE              |    |
|    | TAPPING SLEEVE AND VALVE   |    |
|    | BOLLARD                    |    |
|    | GATE VALVE                 |    |
|    | HYDRANT                    |    |
|    | POST INDICATOR VALVE       |    |
|    | WATER SHUT OFF             |    |
|    | GAS SHUT OFF               |    |
|    | GAS METER                  |    |
|    | LIGHT POLE                 |    |
|    | UTILITY POWER POLE         |    |
|    | IRON PIPE/REBAR            |                                                                                       |
|    | SOIL BORING                |    |
|    | SIGN                       |    |
|    | SPOT ELEVATION             |    |
|    | TREE                       |    |
|                                                                                       | HANDICAP SYMBOL            |    |
|    | TREELINE                   |    |
|    | FENCE                      |    |
|    | 5' CONTOUR INTERVAL        |    |
|    | 1' CONTOUR INTERVAL        |    |
|    | PROPERTY LINE              |    |
|  | EDGE OF PAVEMENT/HARDSCAPE |  |
|  | SANITARY SEWER LINE        |  |
|  | STORM LINE                 |  |
|  | WATER LINE                 |  |
|  | UNDERGROUND ELECTRIC       |  |
|  | OVERHEAD ELECTRIC          |  |
|  | UNDERGROUND TELEPHONE      |  |
|  | GAS LINE                   |  |
|  | RIGHT-OF-WAY LINE          |  |
|                                                                                       | SETBACK                    |  |
|                                                                                       | FEATURE TO BE DEMOLISHED   |  |

|                                 |                                                                  |
|---------------------------------|------------------------------------------------------------------|
| <b>D1</b> EXISTING BUILDING     | <b>D5</b> EXISTING PROPERTY LINE TO BE DISSOLVED AND LOTS MERGED |
| <b>D2</b> EXISTING SIDING       | <b>D6</b> EXISTING PAVEMENT                                      |
| <b>D3</b> EXISTING CONCRETE     | <b>D7</b> EXISTING UTILITY LINE/STRUCTURE                        |
| <b>D4</b> EXISTING TREES/SHRUBS | <b>D7</b> EXISTING LOADING DOCK                                  |

1. EXISTING PHYSICAL FEATURES AND TOPOGRAPHY SHOWN HERE ARE BASED ON A PLAN ENTITLED "SITE PLAN OF LANDS OF HOWARD SPACE PARTNERSHIP, LLP, 30 HOWARD ST & 400 PINE ST, BURLINGTON, VERMONT", PREPARED BY TERRY W. WILSON, VERMONT LICENSED LAND SURVEYOR AND DATED JULY 2016.
2. PROPERTY LINES DEPICTED HERE ARE TAKEN FROM A PLAN ENTITLED "PLAT OF A PORTION OF LANDS OF HOWARD SPACE PARTNERSHIP, LLP, 30 HOWARD ST & 400 PINE ST, BURLINGTON, VERMONT", PREPARED BY VERMONT MAPPING AND SURVEY CO., LLC, DATED JULY, 2016. THE PURPOSE OF SAID PLAT IS TO DEPICT LOT #053-3-082-000 AND THE EASTERLY LINE OF LOT #053-1-015-100. REFER TO PLAT FOR ADDITIONAL NOTES AND REFERENCES.
3. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITIES SHOWN ON PLANS WERE TAKEN FROM THE ABOVE REFERENCED PLAT AND ARE NOT GUARANTEED TO BE ACCURATE OR COMPLETE. CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING UTILITY LOCATIONS PRIOR TO COMMENCING WORK. NOTIFY ENGINEER OF ANY DISCREPANCY BETWEEN UTILITIES AS SHOWN AND AS FOUND. THE CONTRACTOR SHALL CONTACT DIG DATE (811 or 888-344-7233) A MINIMUM OF 72 HOURS, BUT NOT INCLUDING SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS, PRIOR TO ANY CONSTRUCTION.
4. NORTH ORIENTATION IS REFERENCED TO VERMONT GRID NORTH & ELEVATIONS ARE REFERENCED TO NAVD 88.



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DESCRIPTION  
7/22/16-UPDATES FOR CITY STORAGE SUBMITTALS  
09/12/16 IN RESPONSE TO P&C COMMENT

SEP 13 2016

DEPARTMENT OF PLANNING & ZONING

**ENGINEERING  
VENTURES PC**

26 Railroad Avenue  
Essex Junction, Vermont  
(802) 879-4504

**Existing Conditions  
& Demolition Plan**

---

**Project Title: The Vaults Redevelopment Project**  
**Pine Street & Howard Street**

|              |         |
|--------------|---------|
| Designed By: | KW/HK   |
| Checked By:  | K       |
| Drawn By:    | HK      |
| Scale:       | 1" = 2' |
| Date:        | 12/06/1 |

# C1.0

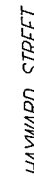
|                                                     |                                                               |
|-----------------------------------------------------|---------------------------------------------------------------|
| <b>C1</b> PROPOSED PAVEMENT                         | <b>C6</b> PROPOSED LANDING                                    |
| <b>C2</b> PROPOSED CONCRETE                         | <b>C7</b> PROPOSED BIKE RACK                                  |
| <b>C3</b> PROPOSED CONCRETE CURB                    | <b>C8</b> PROPOSED 4' X 8' LOADING DOCK                       |
| <b>C4</b> PROPOSED STAIRS                           | <b>C9</b> PROPOSED TRASH/RECYCLING LOCATIONS & PATH OF TRAVEL |
| <b>C5</b> PROPOSED 30' LONG RAMP AT MAX. 1:12 SLOPE | <b>C10</b> PROPOSED SNOW STORAGE AREA                         |

|     |                                                                                                                                     |     |    |     |                              |
|-----|-------------------------------------------------------------------------------------------------------------------------------------|-----|----|-----|------------------------------|
| ST1 | PROPOSED TRENCH DRAIN<br>RW = 134.50<br>INV OUT = 133.00                                                                            | ST1 | TO | ST2 | 33LF OF 12" HDPE AT 1% SLOPE |
| ST2 | PROPOSED CATCH BASIN<br>RW = 134.00<br>INV IN = 132.67<br>INV OUT = 132.57                                                          | ST2 | TO | ST3 | 68LF OF 12" HDPE AT 1% SLOPE |
| ST3 | PROPOSED CATCH BASIN<br>RW = 134.00<br>INV IN = 131.89<br>INV OUT = 131.79                                                          | ST3 | TO | ST4 | 43LF OF 12" HDPE AT 1% SLOPE |
| ST4 | PROPOSED STORM MANHOLE<br>RW = 140.0<br>INV IN (ST3) = 131.36<br>INV IN (ST5) = 131.13<br>INV IN (ST8) = 135.47<br>INV OUT = 131.00 | ST5 | TO | ST4 | 7LF OF 12" HDPE AT 1% SLOPE  |
|     |                                                                                                                                     | ST4 | TO | EX  | 61LF OF 12" HDPE             |
|     |                                                                                                                                     | ST7 | TO | ST8 | 36LF OF 8" PVC AT 1% SLOPE   |
|     |                                                                                                                                     | ST8 | TO | ST4 | 28LF OF 8" PVC AT 1% SLOPE   |
| ST5 | PROPOSED STORMWATER<br>DETENTION TANK                                                                                               |     |    |     |                              |
| ST6 | PROPOSED GRASSSED<br>SWALE AT 2% SLOPE                                                                                              |     |    |     |                              |
| ST7 | PROPOSED RAIN GARDEN<br>FOREBAY WITH YARD DRAIN                                                                                     |     |    |     |                              |
| ST8 | PROPOSED RAIN GARDEN<br>WITH YARD DRAIN                                                                                             |     |    |     |                              |
| ST9 | PROPOSED ROOF DRAIN                                                                                                                 |     |    |     |                              |

HOWARD SPACE PARTNERSHIP, LLP  
VOL. 838, PG. 116  
VOL. 616, PG. 547  
PARCEL #053-1-015-100 &  
PARCEL #053-3-082-000

 PROPOSED 6" PVC SEWER  
SERVICE LINE @ MIN. 2% SLOPE
  PROPOSED UNDERGROUND  
ELECTRIC LINE

 PROPOSED 6" D.I. WATER  
SERVICE LINE



TOTAL COMBINED LOT AREA: ±177,552-SF

EXISTING GREEN SPACE: ±21,208-SF \*estimated from aerial photography

EXISTING LOT COVERAGE = (177,552-21,208)/177,552 X 100  
= ±88.08% IMPERVIOUS

PROPOSED ADDED GREEN SPACE: ±1,767-SF 

POST DEVELOPMENT GREEN SPACE = 21,208 + 1,767  
= 22,975-SF

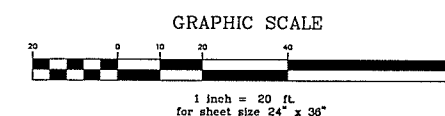
POST DEVELOPMENT LOT COVERAGE = (177,552-22,975)/177,552 X 100  
= ±87.08% IMPERVIOUS

| EXISTING FEATURES                                                                     |                            | PROPOSED FEATURES                                                                     |
|---------------------------------------------------------------------------------------|----------------------------|---------------------------------------------------------------------------------------|
|    | CLEAN OUT                  |    |
|    | SEWER MANHOLE              |    |
|    | CATCH BASIN                |    |
|    | STORM MANHOLE              |    |
|    | TAPPING SLEEVE AND VALVE   |    |
|    | BOLLARD                    |    |
|    | GATE VALVE                 |    |
|    | HYDRANT                    |    |
|    | POST INDICATOR VALVE       |    |
|    | WATER SHUT OFF             |    |
|    | GAS SHUT OFF               |    |
|    | GAS METER                  |    |
|    | LIGHT POLE                 |    |
|    | UTILITY POWER POLE         |    |
|    | IRON PIPE/REBAR            |                                                                                       |
|    | SOIL BORING                |    |
|    | SPOT ELEVATION             |    |
|    | TREE                       |    |
|                                                                                       | PARKING SPACE COUNT        |    |
|                                                                                       | HANDICAP SYMBOL            |    |
|    | TREELINE                   |    |
|    | FENCE                      |    |
|    | 5' CONTOUR INTERVAL        |    |
|  | 1' CONTOUR INTERVAL        |  |
|  | PROPERTY LINE              |  |
|  | EDGE OF PAVEMENT/HARDSCAPE |  |
|  | SANITARY SEWER LINE        |  |
|  | STORM LINE                 |  |
|  | WATER LINE                 |  |
|  | UNDERGROUND ELECTRIC       |  |
|  | OVERHEAD ELECTRIC          |  |
|  | UNDERGROUND TELEPHONE      |  |
|  | GAS LINE                   |  |
|  | RIGHT-OF-WAY LINE          |  |
|  | SETBACK                    |  |
|  | SNOW STORAGE AREA          |  |

 PROPOSED BUILDING  
 PROPOSED PAVEMENT  
 PROPOSED CONCRETE

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ISSUED FOR  
PERMIT REVIEW  
12/06/16

| Rev. No. | Description                                     | Chkd. |
|----------|-------------------------------------------------|-------|
| Δ        | 12/08/16 CORRECTED LOT COVERAGE CALCULATION     | KW    |
| Δ        | 12/22/16 UPDATES FOR CITY STORMWATER SUBMISSION | KW    |
| Δ        | 01/09/17 REVS IN RESPONSE TO P&Z COMMENTS       | KW    |
|          |                                                 |       |
|          |                                                 |       |
|          |                                                 |       |
|          |                                                 |       |

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85 Mechanic Street, Suite 350A, Lebanon, NH 03766  
tel. 603.442.9333 • fax 603.442.9331  
[www.engineeringventures.com](http://www.engineeringventures.com)

**Client:** Unsworth Properties, LLC  
26 Railroad Avenue  
Essex Junction, Vermont  
(802) 879-4504

Sheet Title: **Proposed Site Layout,  
Grading & Utility Plan**

---

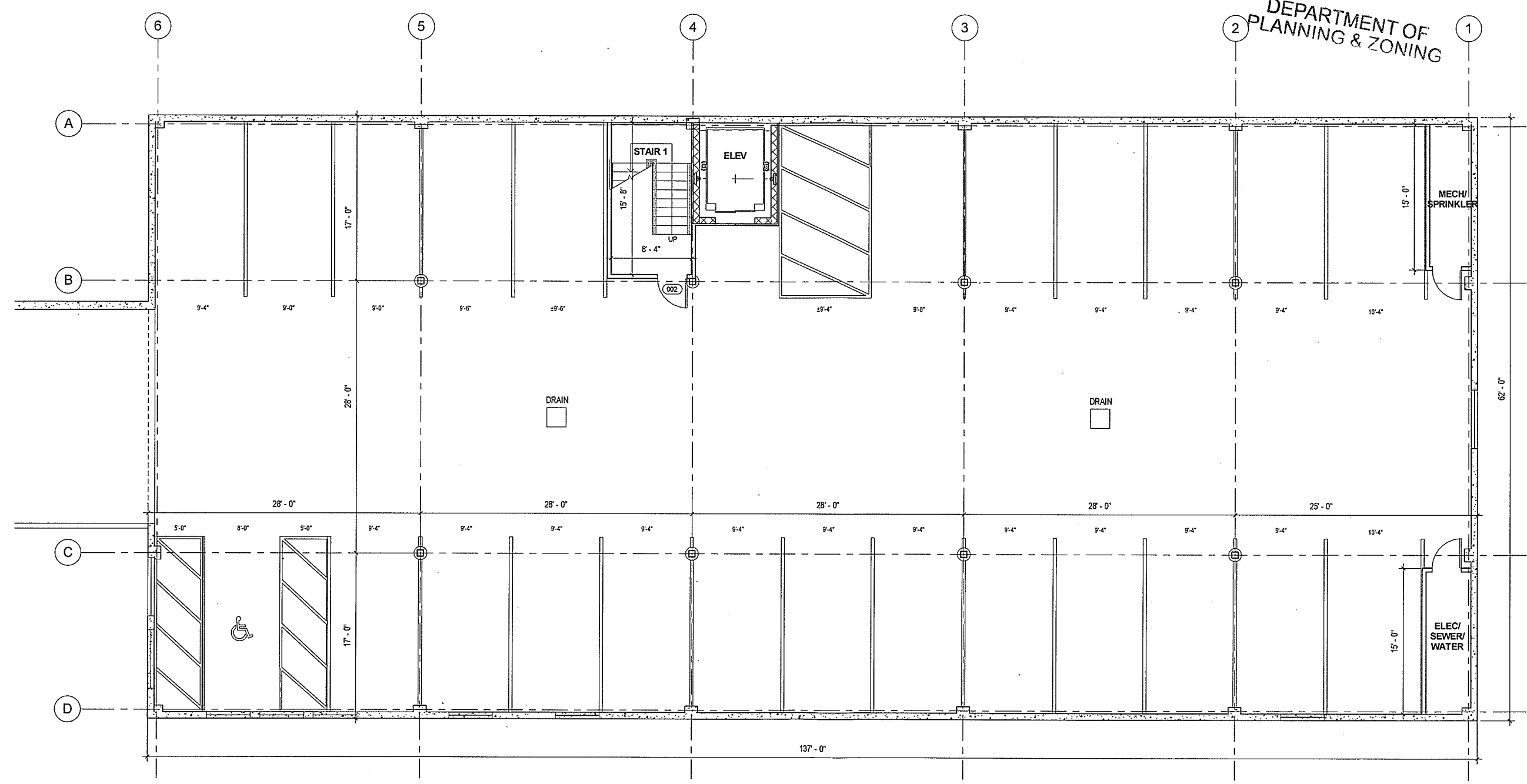
Project Title: **The Vaults Redevelopment Project**  
**Pine Street & Howard Street**  
Burlington, Vermont

|              |          |
|--------------|----------|
| Designed By: | KW/HKW   |
| Checked By:  | KW       |
| Drawn By:    | HKW      |
| Scale:       | 1" = 20' |
| Date:        | 12/06/16 |

## C1.1

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1 GARAGE PLAN  
3/16" = 1'-0"

FOOTPRINT 8494 SF  
HEATED SPACE 128 SF

GENERAL NOTES

1 DIMENSIONS ARE FROM FRAMING-TO-FRAMING, UNLESS NOTED

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MEP ENGINEER  
Hallam Associates Inc.  
38 Eastwood Dr #300  
South Burlington, VT 05403

THE VAULTS  
20 HOWARD STREET, BURLINGTON, VT

DATE: 12/05/16  
REVISED:

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

DRAWING:  
GARAGE  
PLAN

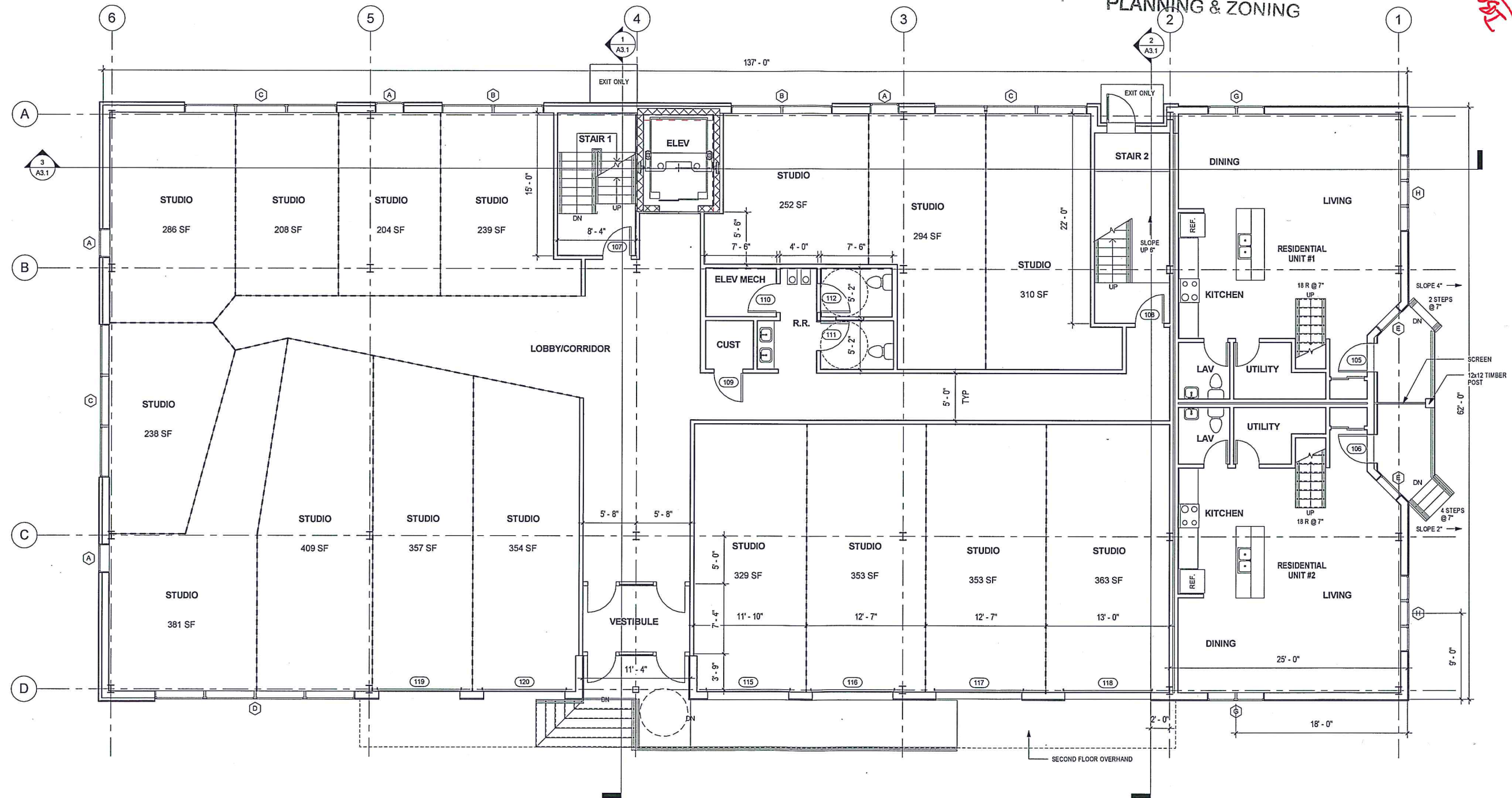
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*Emily Dumbauld*  
*1/26*



1 FIRST FLOOR PLAN  
3/16" = 1'-0"

|             |         |
|-------------|---------|
| FOOTPRINT   | 8382 SF |
| RENTAL AREA | 4930 SF |
| RESIDENTIAL | 1335 SF |

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

DRAWING:  
FIRST FLOOR PLAN

SHEET:  
A1.1

PROJECT:  
THE VAULTS

LOCATION:  
20 HOWARD STREET, BURLINGTON, VT

DATE: 12/05/16  
REVISED:

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

DRAWING:  
FIRST FLOOR PLAN

SHEET:  
A1.1

PROJECT:  
THE VAULTS

LOCATION:  
20 HOWARD STREET, BURLINGTON, VT

DATE: 12/05/16  
REVISED:

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

DRAWING:  
FIRST FLOOR PLAN

SHEET:  
A1.1

PROJECT:  
THE VAULTS

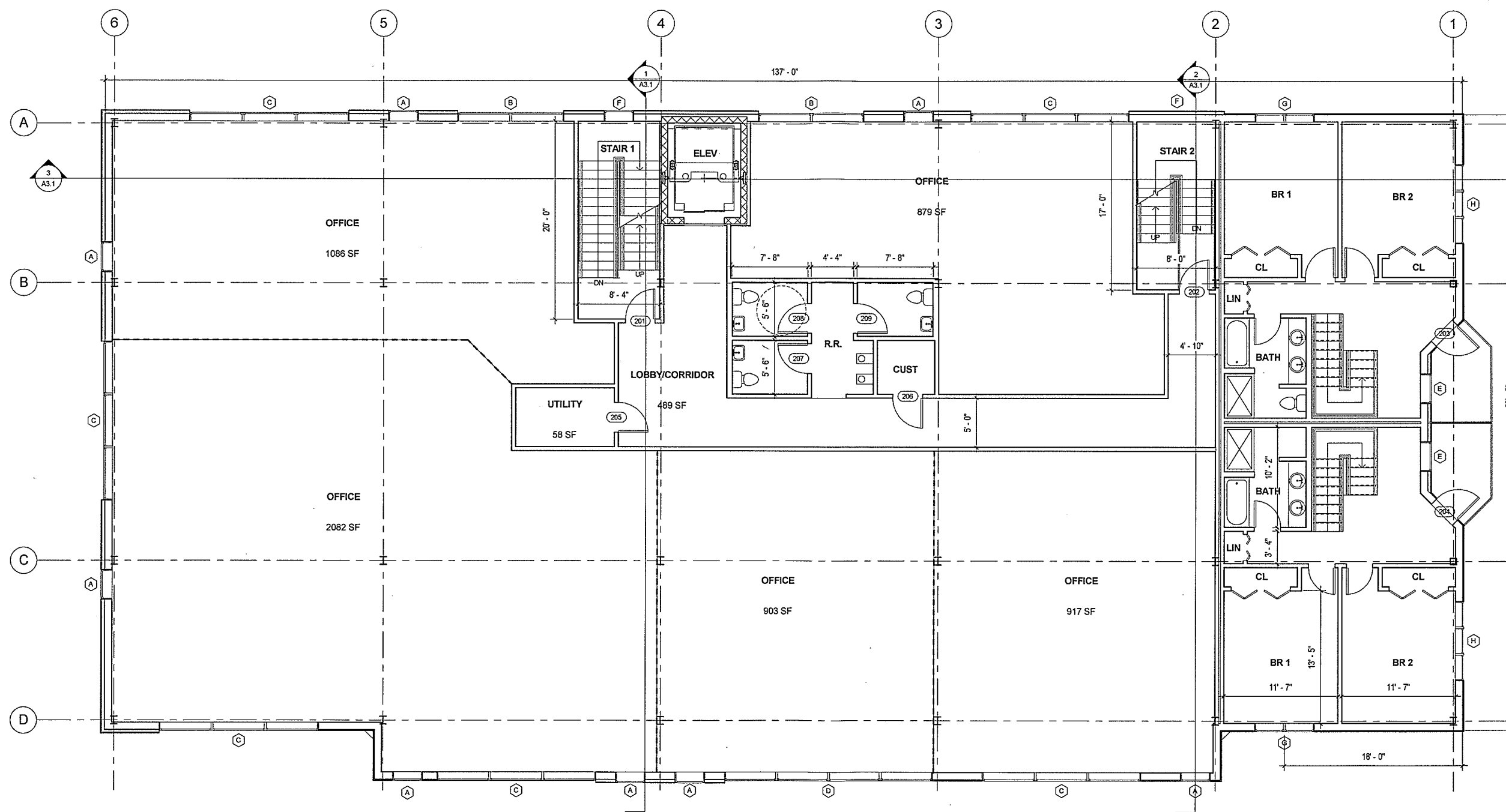
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1 SECOND FLOOR PLAN  
3/16" = 1'-0"

FOOTPRINT 8859 SF  
RENTAL AREA 5867 SF  
RESIDENTIAL 1335 SF

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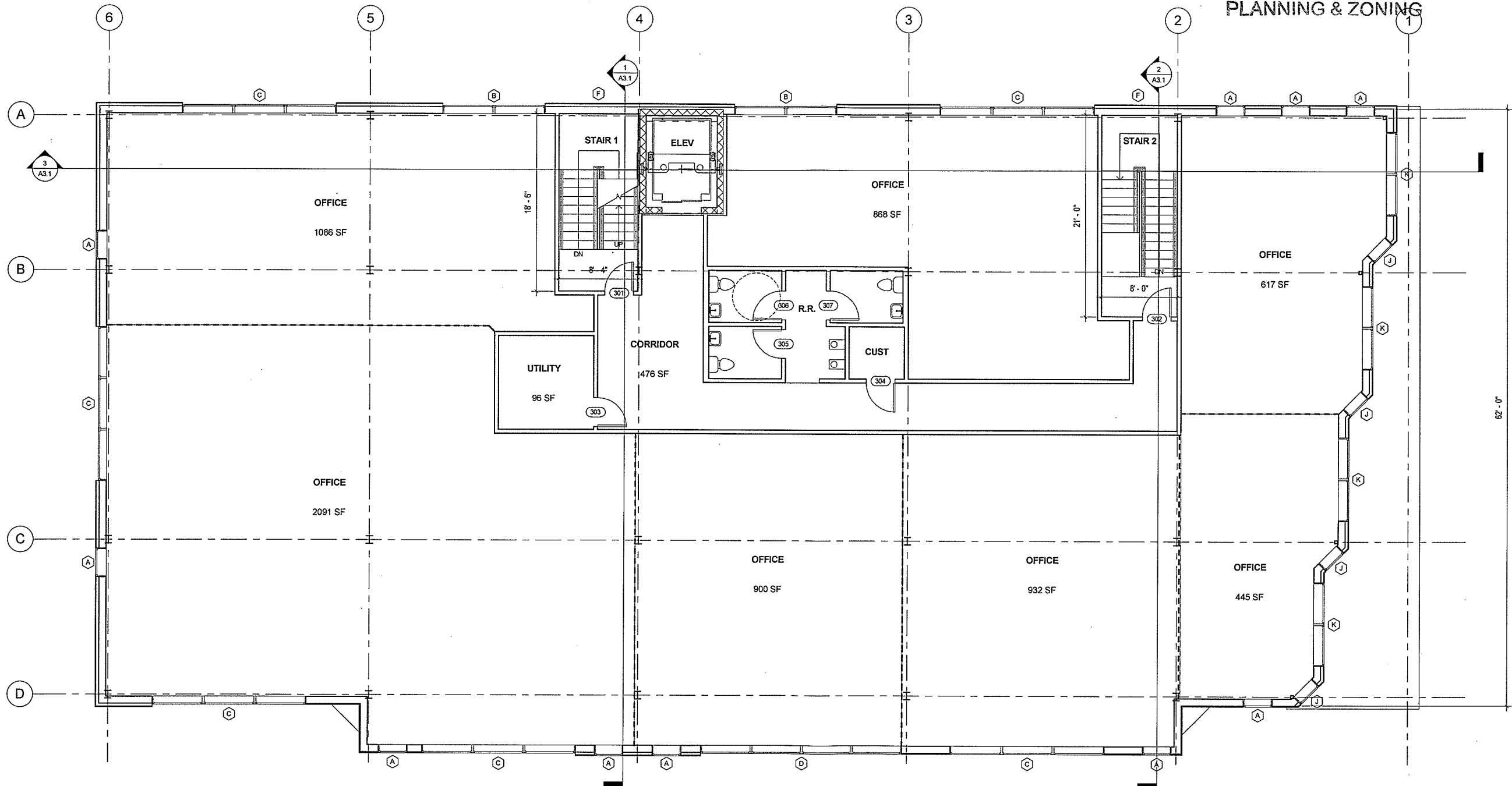
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DRAWING:  
SECOND  
FLOOR PL

SHEET:  
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1 THIRD FLOOR PLAN  
3/16" = 1'-0"  
FOOTPRINT 8527 SF  
RENTAL AREA 6936 SF

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20 HOWARD STREET, BURLINGTON, VT

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

DRAWING:  
THIRD  
FLOOR PL

SHEET:  
A.1

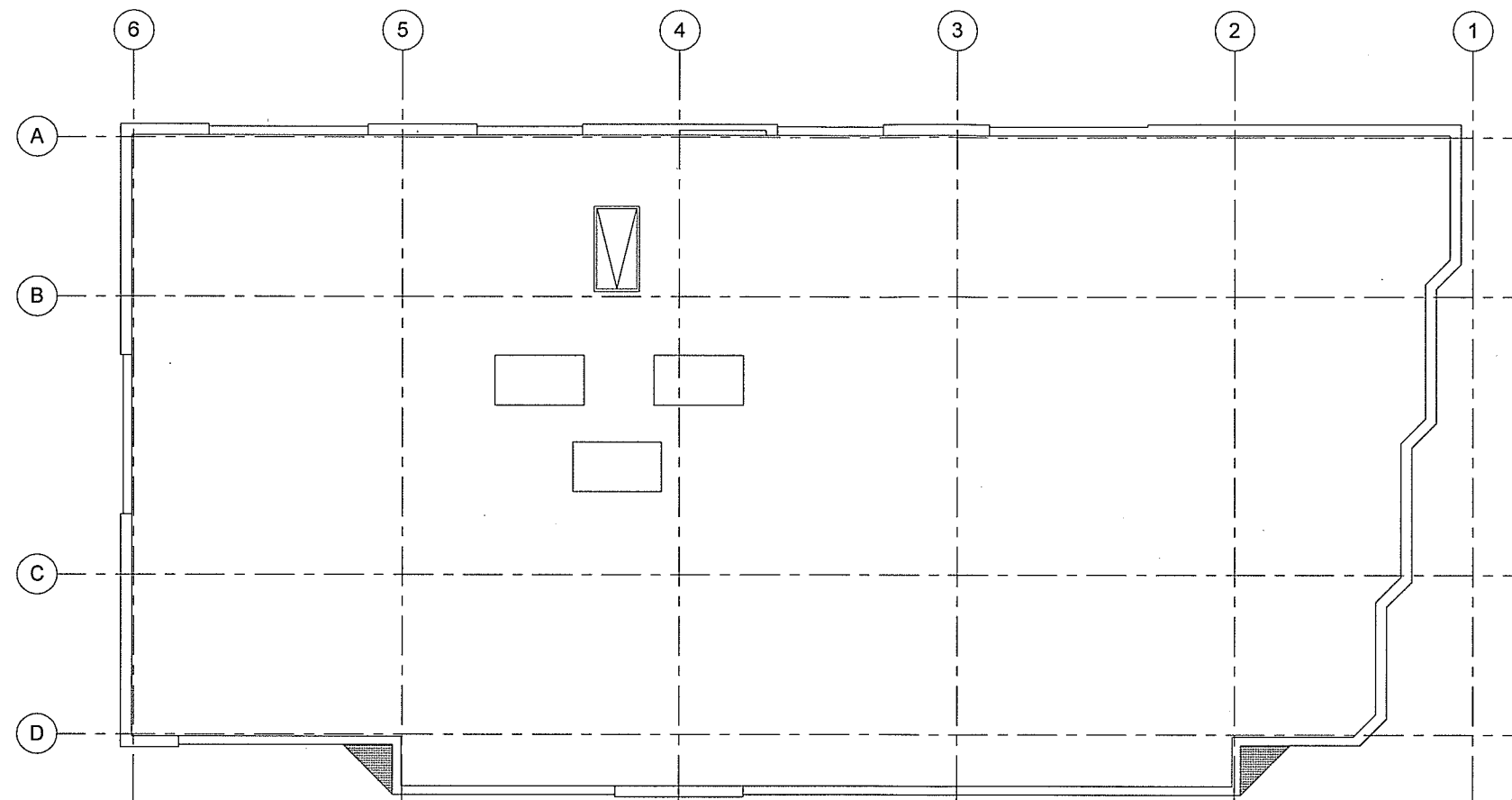
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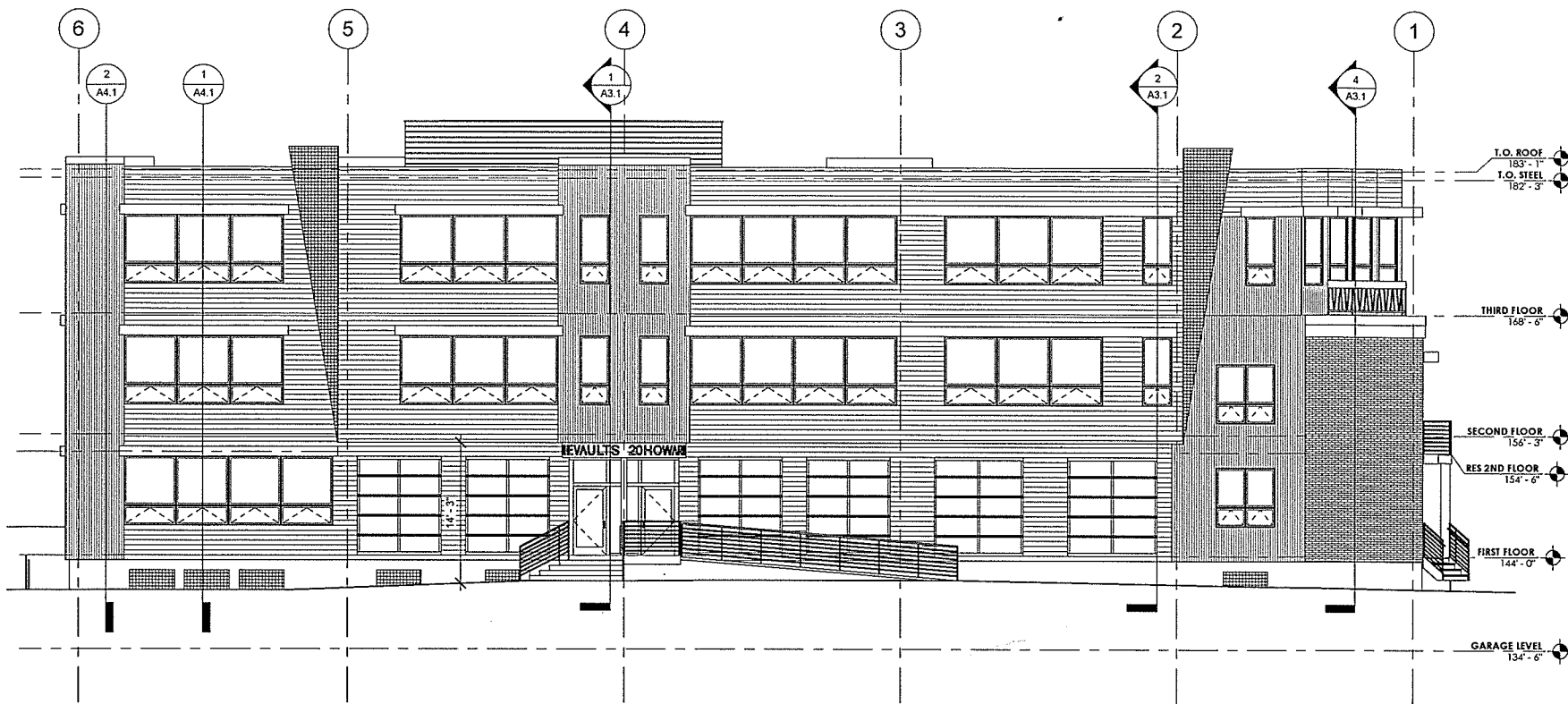
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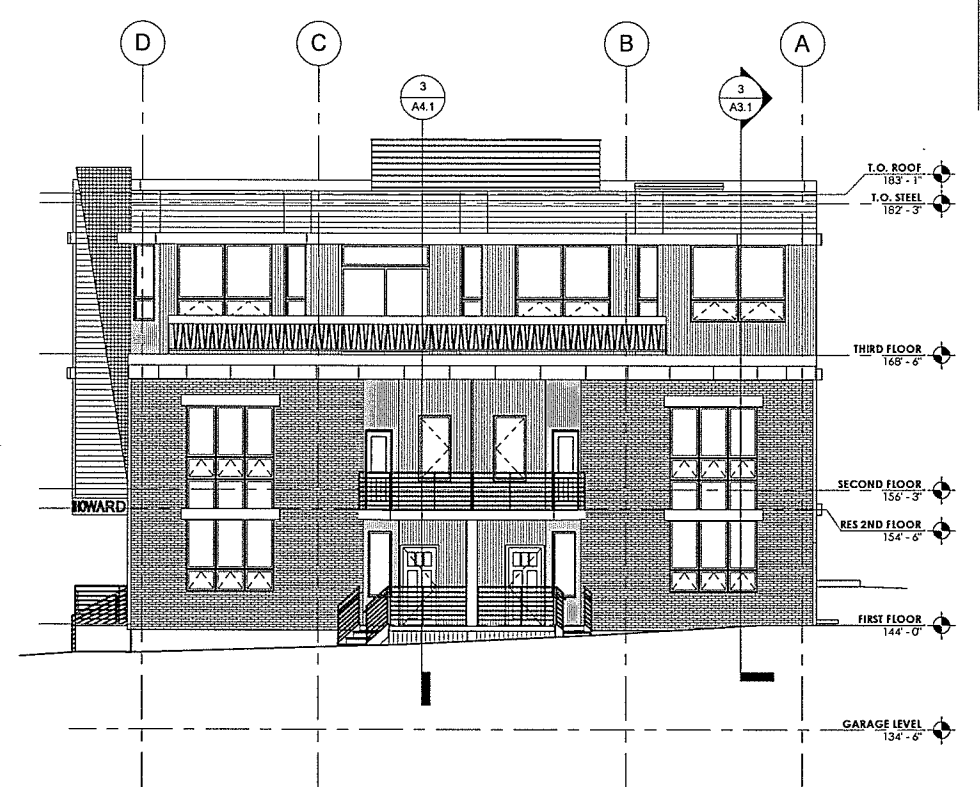
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DRAWING:  
ROOF PLAN

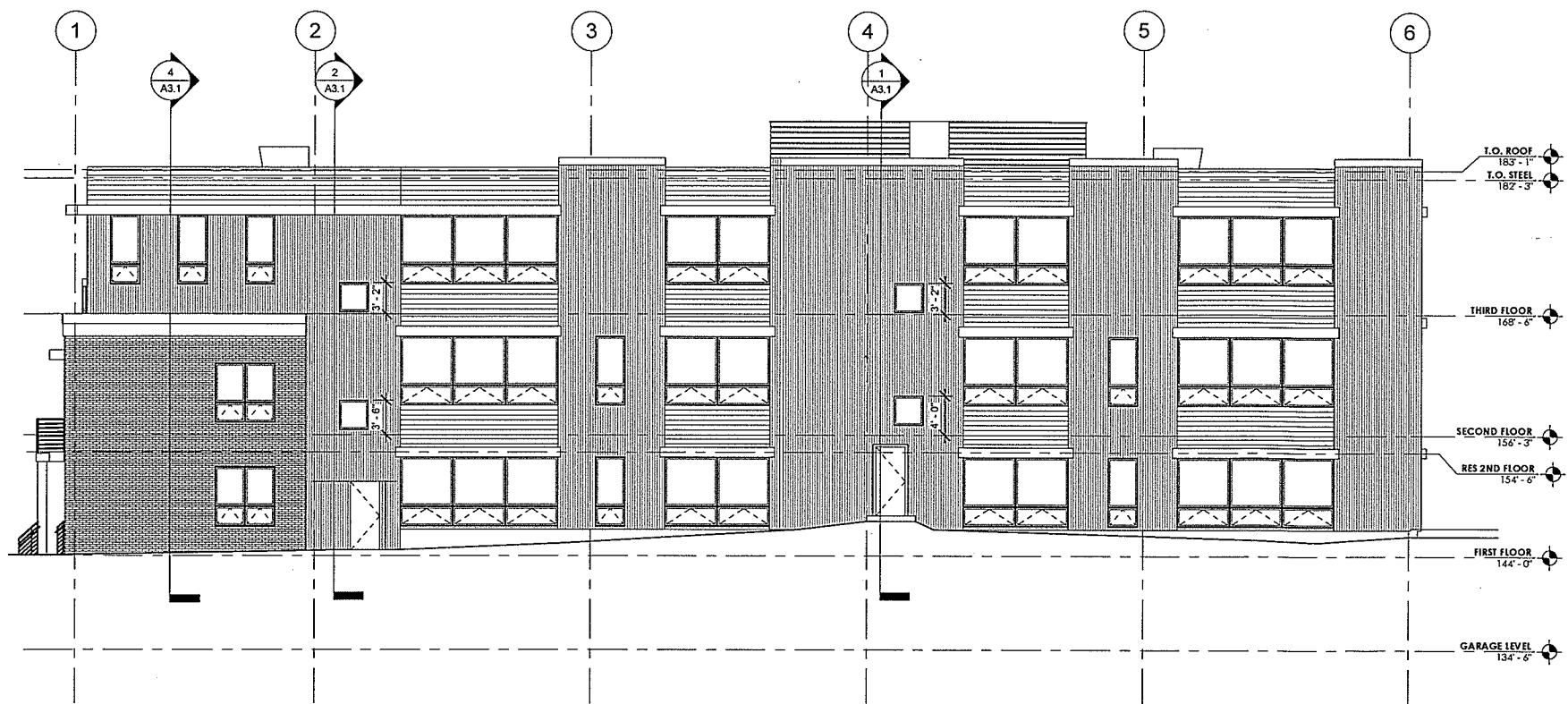
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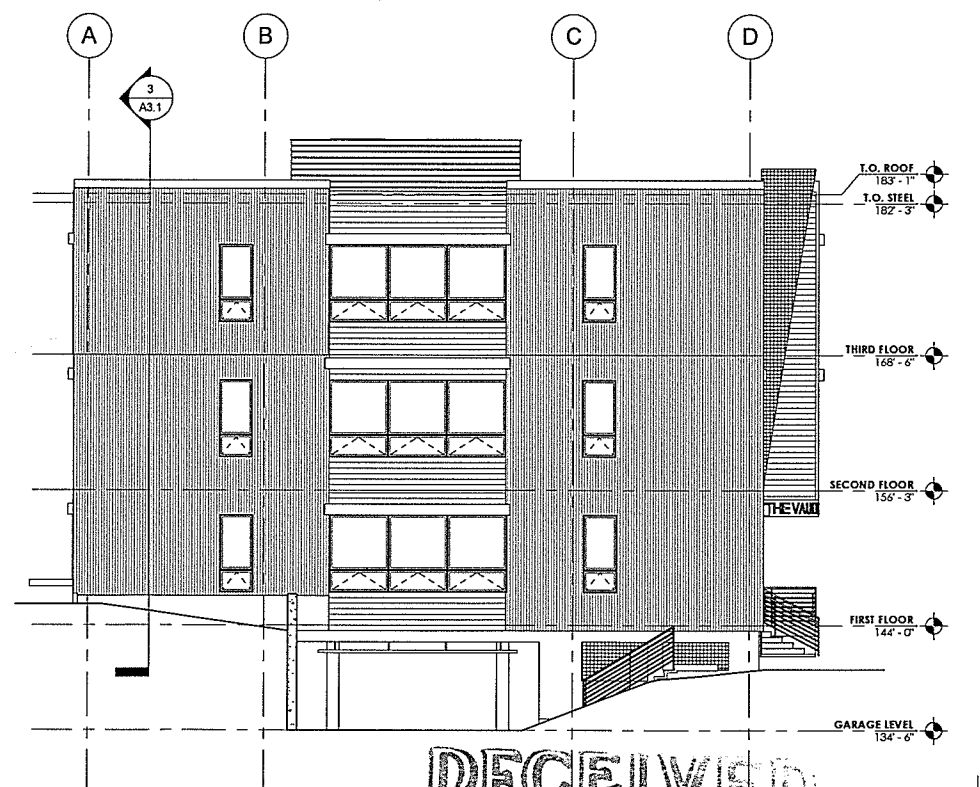
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1/8" = 1'-0"



2 SOUTH ELEVATION  
1/8" = 1'-0"



3 EAST ELEVATION  
1/8" = 1'-0"



4 NORTH ELEVATION  
1/8" = 1'-0"

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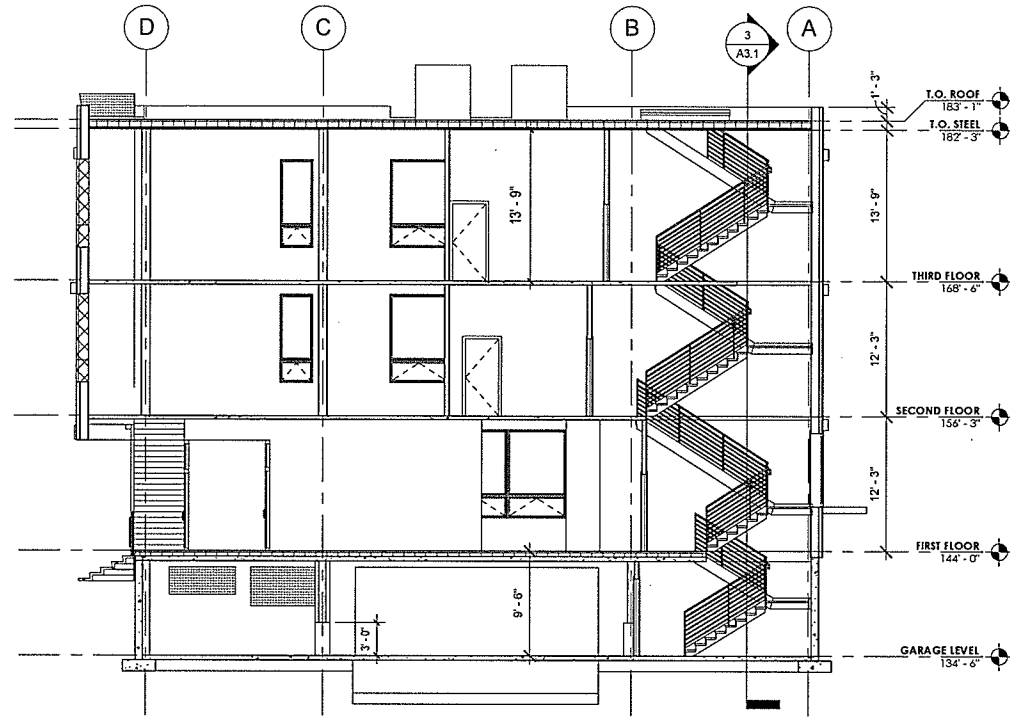
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DRAWING:  
BUILDING  
ELEVATIONS

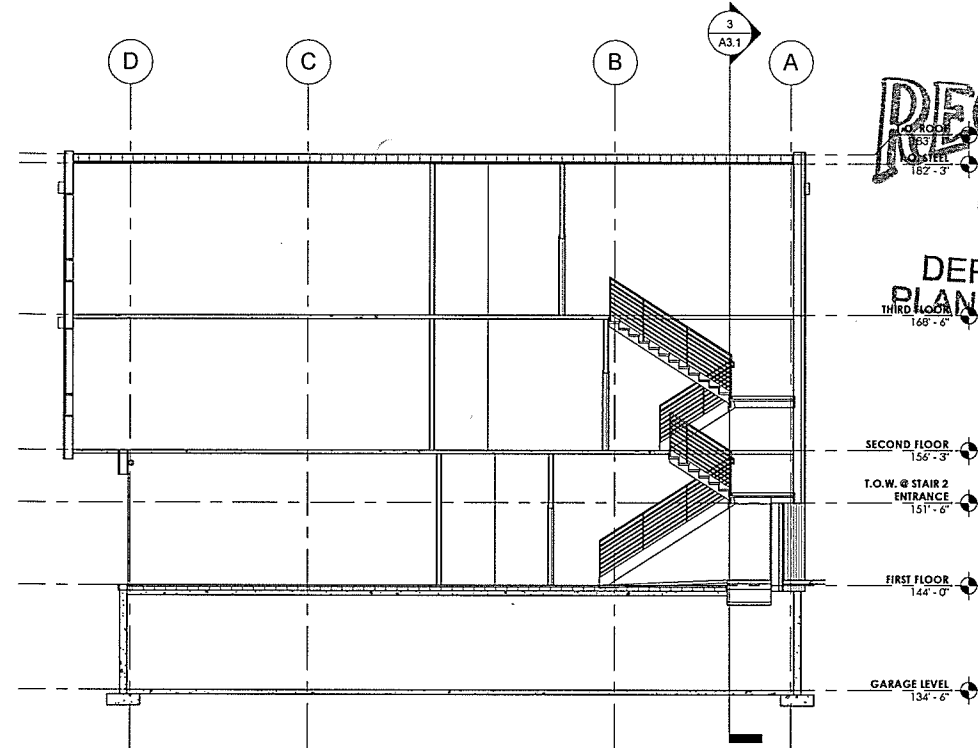
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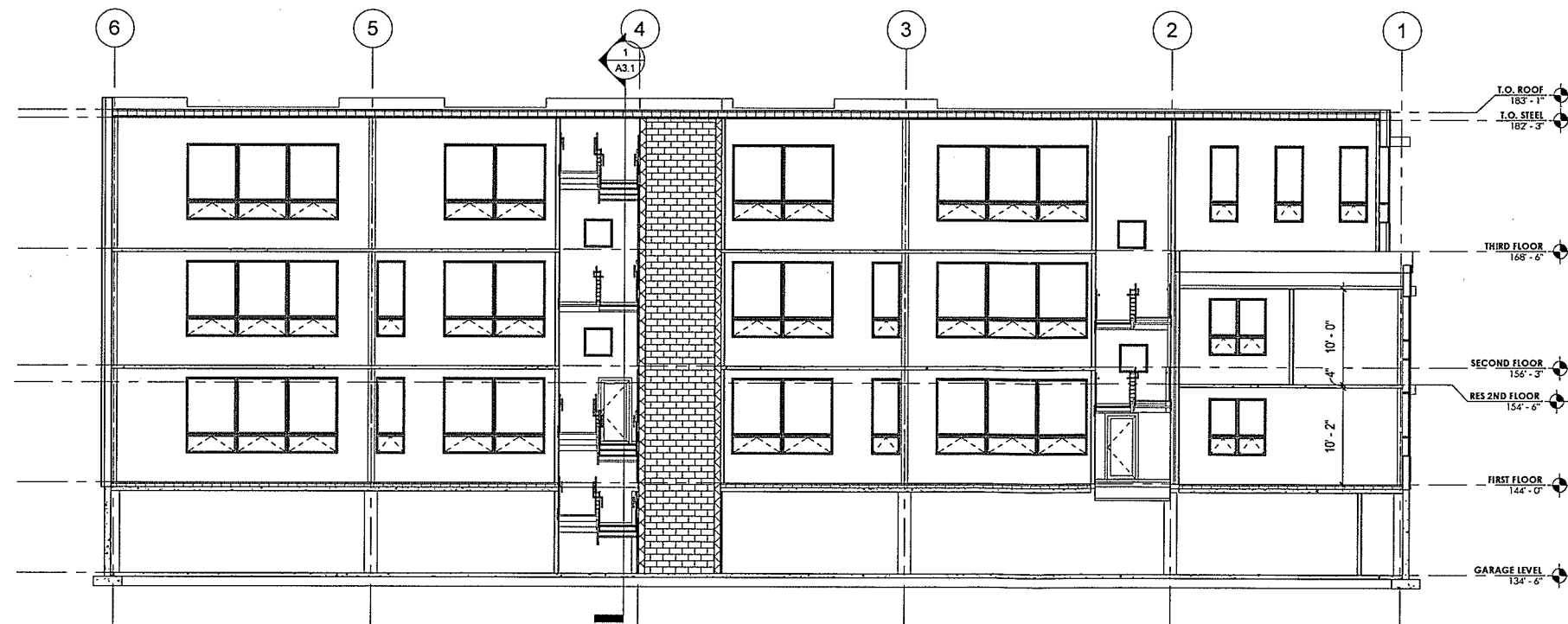
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1 SECTION A  
1/8" = 1'-0"



2 SECTION B  
1/8" = 1'-0"



3 SECTION C  
1/8" = 1'-0"

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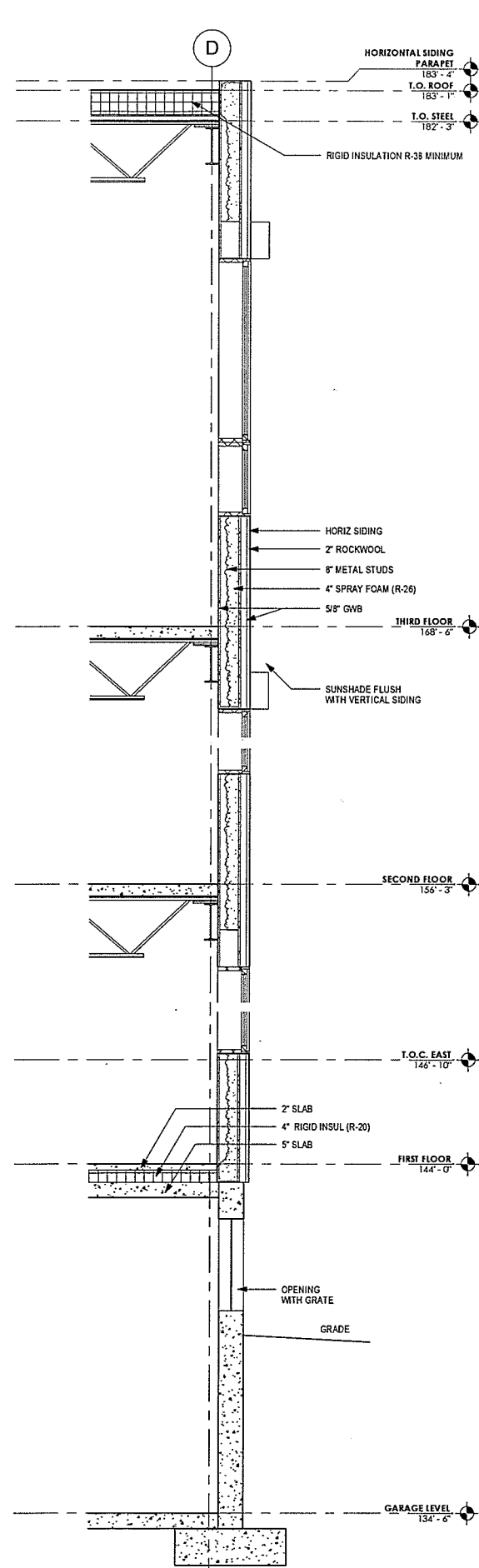
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DRAWING:  
BUILDING  
SECTION

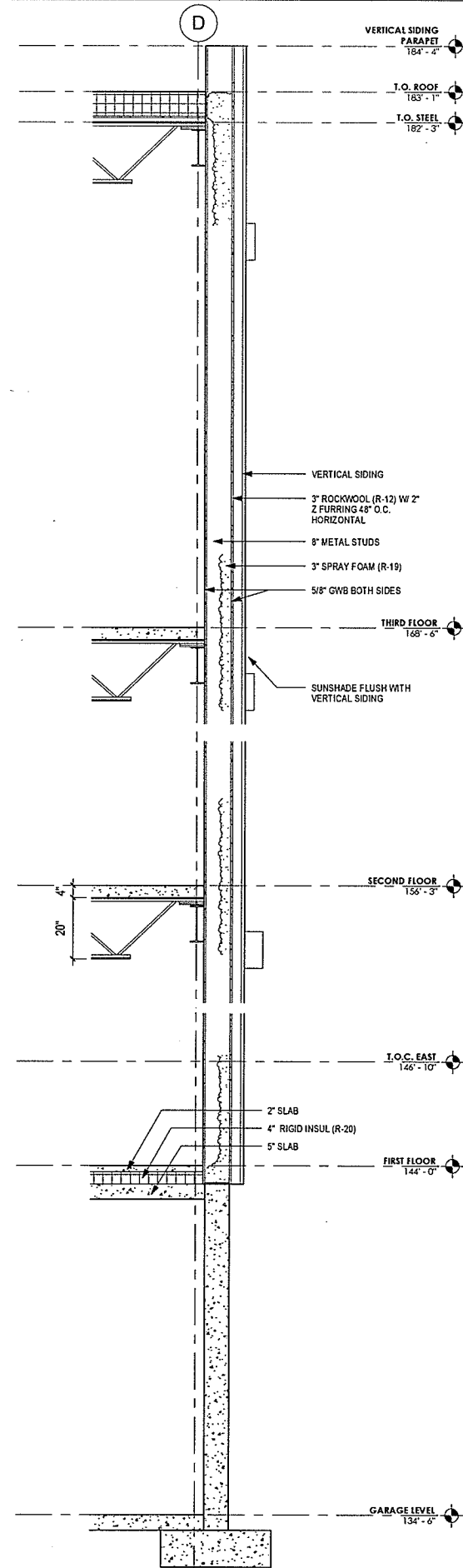
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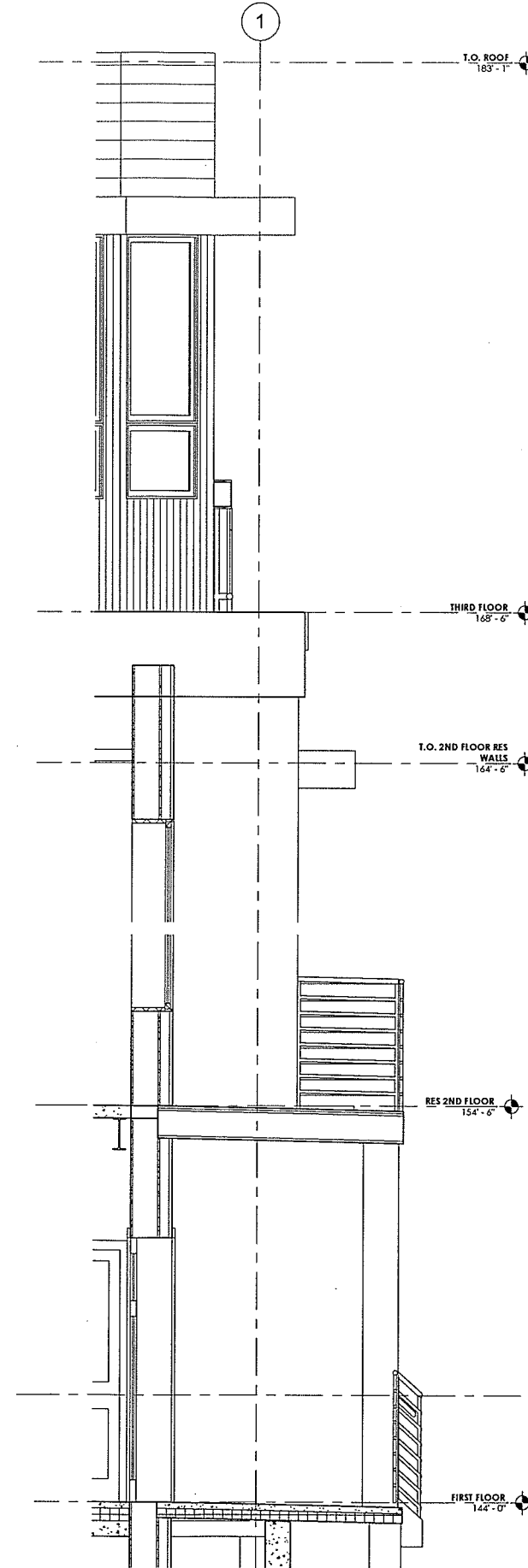
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1 TYPICAL WALL SECTION - HORIZ SIDING  
1/2" = 1'-0"



2 TYPICAL WALL SECTION - VERT SIDING  
1/2" = 1'-0"



3 SECTION @ SOUTH ENTRY  
1/2" = 1'-0"

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

DRAWING:  
WALL  
SECTION

SHEET:  
A4

PROGRESS SET

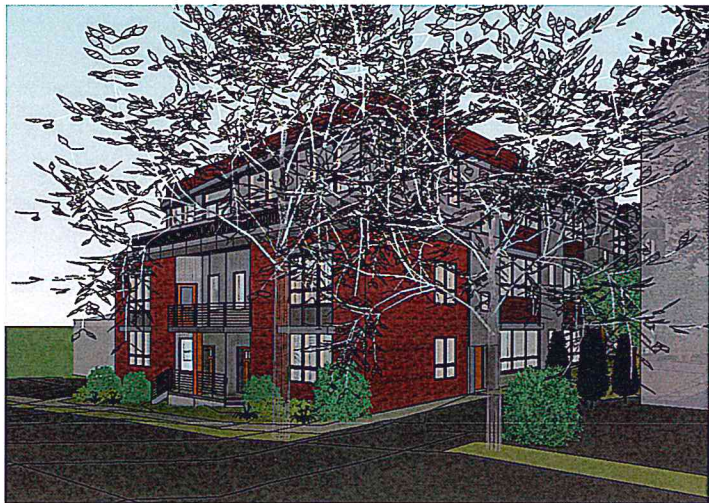




1 NE VIEW



2 NW VIEW



3 SE VIEW



4 SW VIEW

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SCALE:

DRAWING:

3D VIEW

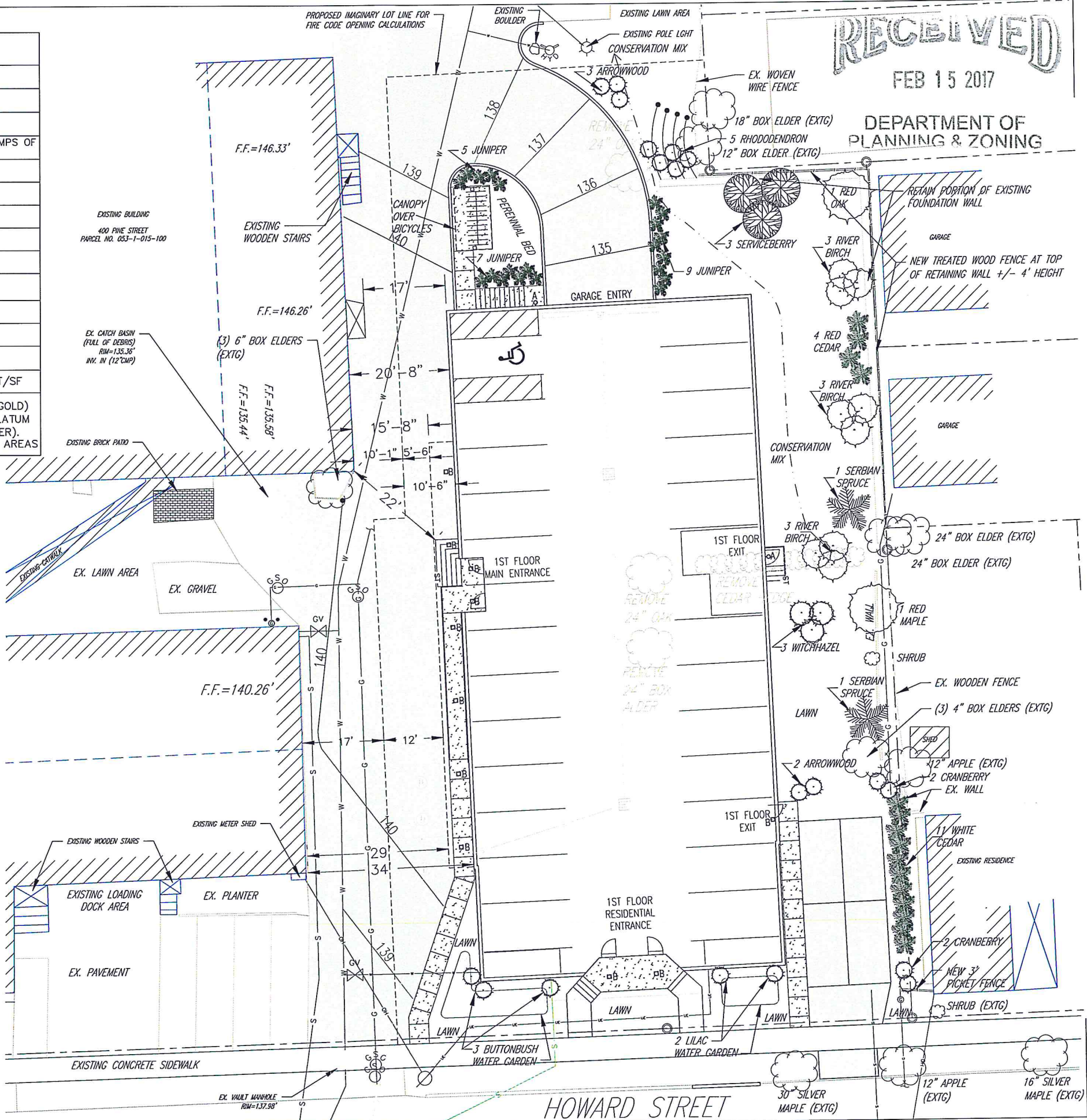
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A9

PROGRESS SET



| PLANTING SCHEDULE |                           |                                                                                                                                                                                                       |                    |          |                      |
|-------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------|----------------------|
| QTY               | LATIN NAME                | CULTIVAR                                                                                                                                                                                              | COMMON NAME        | SIZE     | NOTES                |
| 1                 | ACER RUBRUM               | NORTHWOOD                                                                                                                                                                                             | RED MAPLE          | 0'-3"    | B&B                  |
| 3                 | AMELANCHIER LAEVIS        | ALLEGHENY                                                                                                                                                                                             | SERVICEBERRY       | 4'-5'    | B&B                  |
| 9                 | BETULA NEGRA              | RIVER BIRCH                                                                                                                                                                                           | DURAHEAT BNMTF     | 5'-6'    | PLANT IN CLUMPS OF 3 |
| 3                 | CEPHALANTHUS OCCIDENTALIS | -                                                                                                                                                                                                     | BUTTONBUSH         | 3 GAL    |                      |
| 3                 | HAMAMELIS VIRGINIANA      | -                                                                                                                                                                                                     | COMMON WITCHHAZEL  | 3 GAL    |                      |
| 21                | JUNIPERUS CONFERTA        | BLUE PACIFIC                                                                                                                                                                                          | SPREADING JUNIPER  | 1 GAL    |                      |
| 2                 | PICEA OMORIKA             | SERBIAN                                                                                                                                                                                               | SPRUCE             | 6'-8' HT |                      |
| 1                 | QUERCUS RUBRA             | NORTHERN                                                                                                                                                                                              | RED OAK            | 3" CAL   |                      |
| 5                 | RHODODENDRON CANADENSIS   | RHODORA                                                                                                                                                                                               | RHODODENDRON       | 3 GAL    |                      |
| 15                | THUJA OCCIDENTALIS        | SMARGD                                                                                                                                                                                                | WHITE CEDAR        | 3'-4'    |                      |
| 7                 | VIBURNUM DETATEM          | -                                                                                                                                                                                                     | ARROWWOOD          | 3 GAL    |                      |
| 4                 | VIBURNUM OPULUS           | TRILOBUM                                                                                                                                                                                              | HIGHBUSH CRANBERRY | 3 GAL    |                      |
| 1                 | PERRENIAL BED             | MIX OF HEIGHT, COLOR AND BLOOM TIME; 1 PLANT/SF                                                                                                                                                       |                    |          |                      |
| 2                 | WATER GARDEN              | IRIS VARICOLOR, CALTHA PALUSTRIS (MARSH MARIGOLD) CHELONEGLABRA (TURTLEHEAD) EUPATORIUM MACULATUM (JOE PIEWEED) TIARELLA CORDIFOLIA (FOAM FLOWER). PLANT WITH SHORT PLANTS IN FRONT AND SHALLOW AREAS |                    |          |                      |



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property of Guillot Vivian  
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in part, for this or for any  
other project without the  
written authorization.

CONSULTANTS:

THE VAULTS  
20 HOWARD STREET, BURLINGTON, VT.  
GUILLOT VIVIAN VIEHMANN ARCHITECTS, INC. Burlington, VT 802.862.9631

DATE: 11-30-2016  
REVISED:  
2-13-2017 - fence

SCALE:  
1" = 10'-0"

DRAWING:  
LANDSCAPE  
PLAN

SHEET:  
LS1





THE VAULTS - BURLINGTON VT

RECEIVED  
FEB 15 2017

DEPARTMENT OF  
PLANNING & ZONING

| Symbol | Label | Quantity | Manufacturer      | Catalog Number                  | Description                                                        | Lamp | Number | Filename                           | Lumen Per Lamp | Wattage |
|--------|-------|----------|-------------------|---------------------------------|--------------------------------------------------------------------|------|--------|------------------------------------|----------------|---------|
|        | D     | 12       | ATLANTIC LIGHTING | LED6X6-SQ-LED                   | WITH SPECULAR REFLECTOR AND LENS                                   |      | 1      | 12001.Jes                          | 889            | 12.2    |
|        | PG    | 20       | Lithonia Lighting | DMW2 4000LM PCL MVOLT 50K SDCPL | DMW2 L24 4000LM PCL MVOLT 50K SDCPL                                | LED  | 1      | DMW2_4000 LM_V01_PCL_50K_SDCPL.Jes | 4567           | 39.9    |
|        | WM    | 2        | Lithonia Lighting | WST LED P1 40K VV MVOLT         | WST LED, performance package 1, 4000 K, visual comfort wide, MVOLT | LED  | 1      | WST_LED_P1_40K_VV_MVOLT.Jes        | 1659           | 12      |

**RECESSED**  
LED 6"x6" square lensed  
1100, 1500, 2000 or 3000 lumens

**frame-in kit**

- Includes recessed LED fixture, frame, and mounting hardware.
- Frame is made of aluminum and is available in black or white.
- Fixture is made of aluminum and is available in black or white.
- Mounting hardware is made of stainless steel.

**ordering data**

| Quantity | Manufacturer      | Catalog Number | Description                      | Lamp | Number | Filename  | Lumen Per Lamp | Wattage |
|----------|-------------------|----------------|----------------------------------|------|--------|-----------|----------------|---------|
| 12       | ATLANTIC LIGHTING | LED6X6-SQ-LED  | WITH SPECULAR REFLECTOR AND LENS |      | 1      | 12001.Jes | 889            | 12.2    |

**WST LED**  
Architectural Wall Scape

**Specifications**

| Feature | Value           |
|---------|-----------------|
| Height  | 12" (305mm)     |
| Width   | 12" (305mm)     |
| Depth   | 3" (76mm)       |
| Weight  | 1.5 lbs (0.7kg) |

**Optional Back Box (BBV)**

| Feature | Value           |
|---------|-----------------|
| Height  | 12" (305mm)     |
| Width   | 12" (305mm)     |
| Depth   | 3" (76mm)       |
| Weight  | 1.5 lbs (0.7kg) |

**Ordering Information**

| Order Code | Quantity | Manufacturer      | Catalog Number | Description                      | Lamp | Number | Filename  | Lumen Per Lamp | Wattage |
|------------|----------|-------------------|----------------|----------------------------------|------|--------|-----------|----------------|---------|
| WST LED    | 12       | ATLANTIC LIGHTING | LED6X6-SQ-LED  | WITH SPECULAR REFLECTOR AND LENS |      | 1      | 12001.Jes | 889            | 12.2    |

**Accessories**

| Accessories | Quantity | Manufacturer      | Catalog Number | Description                      | Lamp | Number | Filename  | Lumen Per Lamp | Wattage |
|-------------|----------|-------------------|----------------|----------------------------------|------|--------|-----------|----------------|---------|
| WST LED     | 12       | ATLANTIC LIGHTING | LED6X6-SQ-LED  | WITH SPECULAR REFLECTOR AND LENS |      | 1      | 12001.Jes | 889            | 12.2    |

**LITHONIA LIGHTING**

**DMW2**

**FEATURES & SPECIFICATIONS**

- DMW2 is a high performance LED fixture that is designed for use in commercial and industrial applications.
- It is available in a variety of sizes and configurations to meet your specific needs.
- DMW2 is made of aluminum and is available in black or white.
- Mounting hardware is made of stainless steel.

**PHOTOMETRICS**

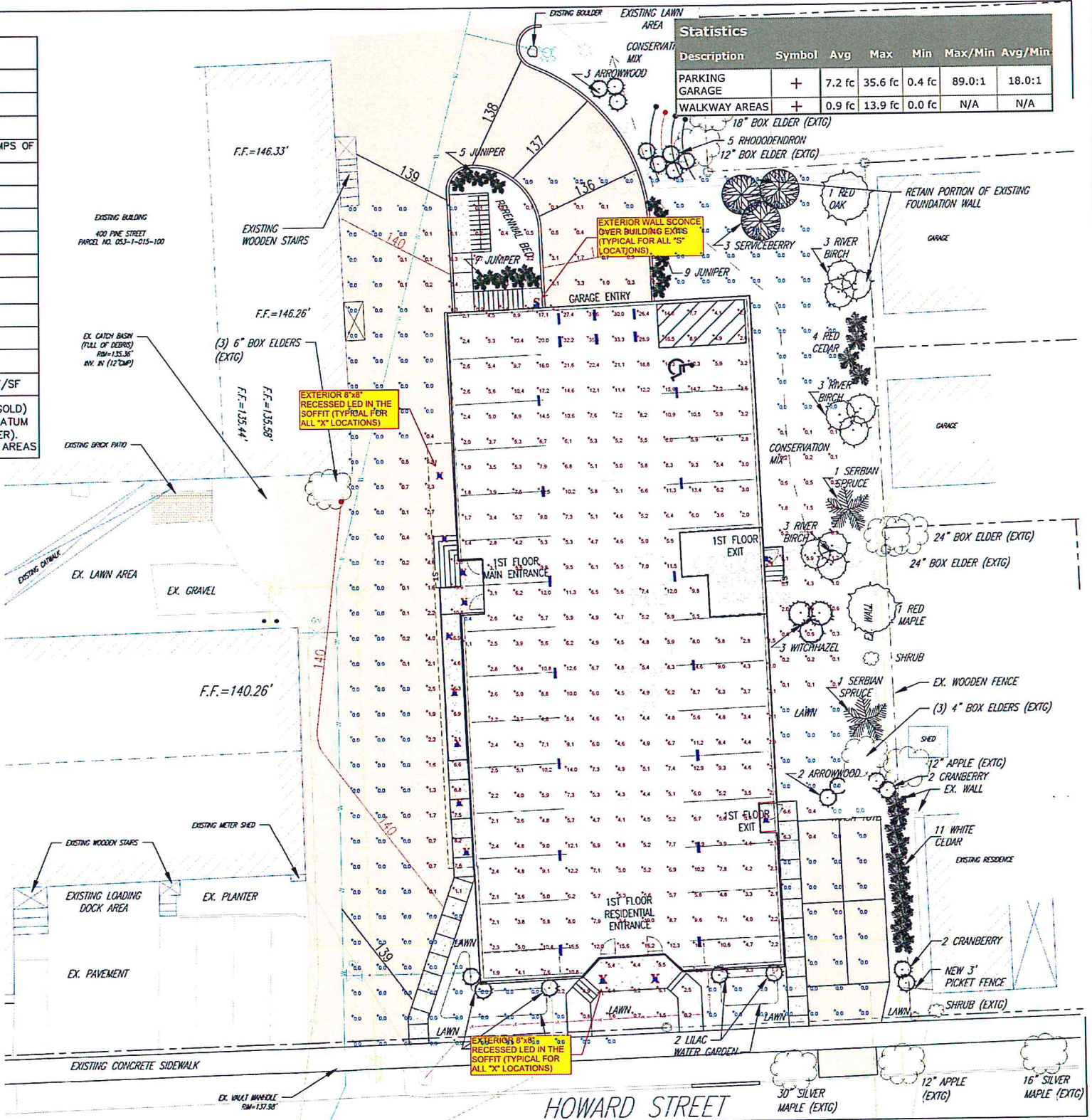
**Beam Spread**

| Beam Spread | Value       |
|-------------|-------------|
| Beam Spread | 12" (305mm) |

**Beam Spread**

| Beam Spread | Value       |
|-------------|-------------|
| Beam Spread | 12" (305mm) |

| QTY | LATIN NAME                | CULTIVAR                                                                                                                                                                                                 | COMMON NAME        | SIZE     | NOTES                |
|-----|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------|----------------------|
| 1   | ACER RUBRUM               | NORTHWOOD                                                                                                                                                                                                | RED MAPLE          | 0'-3"    | B&B                  |
| 3   | AMELANCHIER LAEVIS        | ALLEGHENY                                                                                                                                                                                                | SERVICEBERRY       | 4'-5'    | B&B                  |
| 9   | BETULA NEGRA              | RIVER BIRCH                                                                                                                                                                                              | DURAHEAT BNMFT     | 5'-6"    | PLANT IN CLUMPS OF 3 |
| 3   | CEPHALANTHUS OCCIDENTALIS | -                                                                                                                                                                                                        | BUTTONBUSH         | 3 GAL    |                      |
| 3   | HAMAMELIS VIRGINIANA      | -                                                                                                                                                                                                        | COMMON WITCHHAZEL  | 3 GAL    |                      |
| 21  | JUNIPERUS CONFERTA        | BLUE PACIFIC                                                                                                                                                                                             | SPREADING JUNIPER  | 1 GAL    |                      |
| 2   | PICEA OMORICA             | SERBIAN                                                                                                                                                                                                  | SPRUCE             | 6'-8" HT |                      |
| 1   | QUERCUS RUBRA             | NORTHERN                                                                                                                                                                                                 | RED OAK            | 3" CAL   |                      |
| 5   | RHODODENDRON CANADENSIS   | RHODORA                                                                                                                                                                                                  | RHODODENDRON       | 3 GAL    |                      |
| 15  | THUJA OCCIDENTALIS        | SMARGO                                                                                                                                                                                                   | WHITE CEDAR        | 3'-4'    |                      |
| 7   | VIBURNUM DETATUM          | -                                                                                                                                                                                                        | ARROWWOOD          | 3 GAL    |                      |
| 4   | VIBURNUM OPULUS           | TRILOBUM                                                                                                                                                                                                 | HIGHBUSH CRANBERRY | 3 GAL    |                      |
| 1   | PERENNIAL BED             | MIX OF HEIGHT, COLOR AND BLOOM TIME; 1 PLANT/SF                                                                                                                                                          |                    |          |                      |
| 2   | WATER GARDEN              | IRIS VARICOLOR, CALTHA PALUSTRIS (MARSH MARIGOLD), CHELONEGLABRA (TURTLEHEAD), EUPATORIUM MACULATUM (JOE PIEWEED), TIARELLA CORDIFOLIA (FOAM FLOWER). PLANT WITH SHORT PLANTS IN FRONT AND SHALLOW AREAS |                    |          |                      |



**Statistics**

| Description    | Symbol | Avg    | Max     | Min    | Max/Min | Avg/Min |
|----------------|--------|--------|---------|--------|---------|---------|
| PARKING GARAGE | +      | 7.2 fc | 35.6 fc | 0.4 fc | 89.0:1  | 18.0:1  |
| WALKWAY AREAS  | +      | 0.9 fc | 13.9 fc | 0.0 fc | N/A     | N/A     |

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DATE: 11-30-2016  
REVISED:  
1-3-2017 - fence

SCALE:  
1" = 10'-0"

DRAWING:  
LANDSCAPE PLAN

SHEET:  
LS1

Plan View  
Scale = 1" = 12'

Designer  
Date  
1/29/2017  
Scale  
Not to Scale  
Drawing No.



# COLCHESTER AVENUE HOUSING

## BURLINGTON, VERMONT



**PROJECT DESCRIPTION:**  
THIS PROJECT IS A PLANNED UNIT DEVELOPMENT (PUD) WITH A MIX OF COMMERCIAL AND RESIDENTIAL USES. THE PUD WILL INCORPORATE THE EXISTING BUILDINGS AND USES AT 66, 72, 80, 94 AND 96 COLCHESTER AVENUE AND PROVIDE FOR THE CONSTRUCTION OF A NEW 75 UNIT RESIDENTIAL BUILDING AT 80 COLCHESTER AVENUE.

**Owners/Applicants**  
EASTERN DEVELOPMENT CORPORATION, AGENT  
C/O LAW OFFICES OF F.J. VON TURKOVICH, P.C.  
ONE NATIONAL LIFE DRIVE  
MONTPELIER, VT 05604  
(802)-229-3431

**Architect:**  
RABIDEAU ARCHITECTS  
550 HINESBURG ROAD  
SOUTH BURLINGTON, VT 05403  
(802) 863-0222

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

| Sheet List Table |                                           |
|------------------|-------------------------------------------|
| Sheet Number     | Sheet Title                               |
| C1-00            | COVER SHEET                               |
| C1-01            | LEGEND & NOTES                            |
| C1-02            | PRELIMINARY BOUNDARY LINE ADJUSTMENT PLAT |
| C1-03            | PRELIMINARY PLANNED UNIT DEVELOPMENT PLAT |
| C1-04            | EXISTING CONDITIONS & DEMOLITION PLAN     |
| C2-01            | OVERALL SITE PLAN                         |
| C2-02            | UTILITY SITE PLAN                         |
| C2-03            | SITE GRADING & LAYOUT PLAN                |
| C2-04            | PAVEMENT MARKING & SIGNAGE PLAN           |
| L1-01            | LANDSCAPING PLAN                          |
| L1-02            | STORMWATER LANDSCAPING PLAN               |
| L2-01            | LIGHTING PLAN                             |
| C5-01            | EPSC CONSTRUCTION PLAN                    |
| C5-02            | EPSC STABILIZATION PLAN                   |
| C6-01            | WATERLINE PROFILE                         |
| C6-02            | SANITARY PROFILE                          |
| C8-01            | SANITARY DETAILS                          |
| C8-02            | STORMWATER DETAILS                        |
| C8-03            | PUMP STATION PROFILE DETAIL               |
| C8-04            | PUMP STATION PLAN VIEW DETAIL             |
| C8-05            | WATER DETAILS                             |
| C8-06            | WATER DETAILS                             |
| C8-07            | SITE DETAILS                              |
| C8-08            | EROSION DETAILS                           |
| C8-09            | EROSION DETAILS                           |
| A101             | GARAGE PLAN                               |
| A102             | FIRST FLOOR PLAN                          |
| A105             | ROOF PLAN                                 |
| A201             | EXTERIOR BUILDING ELEVATIONS              |
| A202             | EXTERIOR BUILDING ELEVATIONS              |
| A300             | WALL SECTION                              |
| A901             | 3D VIEWS                                  |

|                   |              |
|-------------------|--------------|
| Stormwater Update | 01/17/17 AGM |
| DAB Comments      | 01/10/17 AGM |
| City Comments     | 12/2/16 JMM  |

| USE AND INTERPRETATION OF THE DRAWINGS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 1. Unless otherwise noted, these drawings are intended for preliminary planning, coordination with other disciplines or utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such or marked approved by a regulatory authority.                                                                                                                                                                                                                                                              |                                  |
| 2. By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable professional disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction. |                                  |
| 3. Owner and Architect are responsible for final design and location of buildings shown, including an area measured to minimum five (5) feet around any building and coordinating final utility connections shown on these plans.                                                                                                                                                                                                                                                                                                                                  |                                  |
| 4. Prior to using these plans for construction layout, the user shall contact TCE to ensure the plan contains the most current revisions.                                                                                                                                                                                                                                                                                                                                                                                                                          |                                  |
| 5. These Drawings are specific to the Project and are not transferable. As instruments of service, these drawings, and copies thereof, furnished by TCE are its exclusive property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, they shall be brought to the attention of TCE immediately.                                                                                                                                                                                                                             |                                  |
| 6. It is the User's responsibility to ensure this copy contains the most current revisions. If unsure, please contact TCE.                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                  |
| BEFORE USING THESE PLANS ENSURE THAT YOU HAVE THE LATEST REVISION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  |
| LAST REVISED:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 01/23/17 PRELIMINARY APPLICATION |

TCE PROJECT NO: 16-077

RECEIVED  
JAN 27 2017  
DEPARTMENT OF  
PLANNING & ZONING

**tce**  
TRUDELL CONSULTING ENGINEERS  
478 BLAIR PARK ROAD | WILLISTON, VERMONT 05495  
802.879.6331 | WWW.TCEVT.COM

STATE OF VERMONT  
No. 79726  
CIVIL  
LICENSED PROFESSIONAL ENGINEER  
1993/01/01

| SITE                                 | LINE                |                     |                     |
|--------------------------------------|---------------------|---------------------|---------------------|
|                                      | EXISTING            | PROPOSED            | REMOVED/ABANDONED   |
| PAVED DRIVE OR ROAD                  | —————               | —————               | —————               |
| GRAVEL DRIVE OR ROAD                 | -----               | -----               | -----               |
| PAVED DRIVE OR ROAD WITH CURB        | =====               | =====               | =====               |
| TREE LINE                            | ~~~~~               | ~~~~~               | ~~~~~               |
| TRAIL                                | -----               | -----               | -----               |
| WETLAND LIMIT                        | -----               | -----               | -----               |
| TOPOGRAPHIC CONTOURS                 | ----- 124 -----     | ----- 124 -----     | ----- 124 -----     |
| STREAM                               | -----               | -----               | -----               |
| GUARD RAIL                           | -----               | -----               | -----               |
| <b>UTILITIES</b>                     |                     |                     |                     |
| SEWER MAINS AND SERVICES             | ----- S -----       | ----- S -----       | ----- S -----       |
| SEWER FORCEMAIN                      | ----- FM -----      | ----- FM -----      | ----- FM -----      |
| WATER MAINS AND SERVICES             | ----- W -----       | ----- W -----       | ----- W -----       |
| STORM DRAINAGE                       | ----- D -----       | ----- D -----       | ----- D -----       |
| CURTAIN DRAIN                        | ----- CD -----      | ----- CD -----      | ----- CD -----      |
| UNDERDRAIN                           | ----- UD -----      | ----- UD -----      | ----- UD -----      |
| ROOF DRAIN                           | ----- RD -----      | ----- RD -----      | ----- RD -----      |
| FOOTING DRAIN                        | ----- FD -----      | ----- FD -----      | ----- FD -----      |
| LIQUID PROPANE OR NATURAL GAS        | ----- G -----       | ----- G -----       | ----- G -----       |
| OVERHEAD POWER                       | ----- OHP -----     | ----- OHP -----     | ----- OHP -----     |
| UNDERGROUND POWER                    | ----- UP -----      | ----- UP -----      | ----- UP -----      |
| OVERHEAD TELEPHONE                   | ----- OHT -----     | ----- OHT -----     | ----- OHT -----     |
| UNDERGROUND TELEPHONE                | ----- UT -----      | ----- UT -----      | ----- UT -----      |
| OVERHEAD POWER & TELEPHONE           | ----- OHP&T -----   | ----- OHP&T -----   | ----- OHP&T -----   |
| UNDERGROUND POWER & TELEPHONE        | ----- UP&T -----    | ----- UP&T -----    | ----- UP&T -----    |
| OVERHEAD POWER, TELEPHONE & CABLE    | ----- OHP&T&C ----- | ----- OHP&T&C ----- | ----- OHP&T&C ----- |
| UNDERGROUND POWER, TELEPHONE & CABLE | ----- UP&T&C -----  | ----- UP&T&C -----  | ----- UP&T&C -----  |
| CABLE TELEVISION                     | ----- CTV -----     | ----- CTV -----     | ----- CTV -----     |
| FIBER OPTIC                          | ----- FO -----      | ----- FO -----      | ----- FO -----      |
| <b>SURVEY</b>                        |                     |                     |                     |
| PROPERTY LINE                        | -----               | -----               | -----               |
| EASEMENTS                            | -----               | -----               | -----               |
| FENCE                                | ----- X -----       | ----- X -----       | ----- X -----       |
| STONEWALL                            | -----               | -----               | -----               |
| SETBACKS                             | -----               | -----               | -----               |

#### LEGEND NOTE:

SOME INFORMATION MAY BE PROVIDED BY OTHERS AND COULD BE SHOWN WITH A DIFFERENT SYMBOL NOT SHOWN ON THIS LEGEND. HOWEVER, THEY ARE LABELED ON RESPECTIVE PLANS. IN SOME CASES A CHANGE IN SCALE OR PRINTER CAN ALTER INFORMATION TO NOT SHOW AN EXACT MATCH ON THIS LEGEND. IF ANY QUESTIONS EXIST CONTACT THE ENGINEER TO CLARIFY. ADDITIONAL LEGEND INFORMATION IS SUPPLIED SEPARATELY ON EROSION CONTROL PLANS AND SOME SURVEY PLATS.

#### PARCEL INFORMATION:

66 COLCHESTER AVE.  
BURLINGTON PROPERTY ID NO. 045-4-016-000  
SPAN 114-035-16367

66 COLCHESTER AVENUE, LLC  
66 COLCHESTER AVE.  
BURLINGTON, VT 05401

72 COLCHESTER AVE.  
BURLINGTON PROPERTY ID NO. 045-4-017-000  
SPAN 114-035-16368

VON TURKOVICH, EDWARD B AND VON TURKOVICH, MICHELE A  
41 BREWER PKWY.  
S. BURLINGTON, VT 05403

80 COLCHESTER AVE.  
BURLINGTON PROPERTY ID NO. 045-4-018-000  
SPAN 114-035-16366

MILLER, RANDALL J.; VON TURKOVICH, EDWARD B.; VON TURKOVICH, FRANCIS J.  
C/O JERICHO MANAGEMENT COMPANY, LLC  
ONE NATIONAL LIFE DR.  
MONTPELIER, VT 05604

94 COLCHESTER AVE.  
BURLINGTON PROPERTY ID NO. 045-4-019-000  
SPAN 114-035-16370

MILLER, RANDALL J.; VON TURKOVICH, EDWARD B.; VON TURKOVICH, FRANCIS J.  
C/O JERICHO MANAGEMENT COMPANY, LLC  
ONE NATIONAL LIFE DR.  
MONTPELIER, VT 05604

96 COLCHESTER AVE.  
BURLINGTON PROPERTY ID NO. 045-4-020-000  
SPAN 114-035-16371

CLIFFORD, PATRICK P. MD; BLAKE, TIMOTHY R. MD; BLAKE, KIMBERLY D. MD; LACROIX, JOHN JR., MD; LACROIX, DALE JEAN, MD  
96 COLCHESTER AVE.  
BURLINGTON, VT 05401

VON TURKOVICH, EDWARD B.; VON TURKOVICH, FRANCIS J.; 72 COLCHESTER AVENUE, LLC  
C/O JERICHO MANAGEMENT COMPANY, LLC  
ONE NATIONAL LIFE DR.  
MONTPELIER, VT 05604

49 FLETCHER PLACE  
BURLINGTON PROPERTY ID NO. 045-4-023-000  
SPAN 114-035-16374

REID, NANCY  
49 FLETCHER PL.  
BURLINGTON, VT 05401

#### LEGEND

| SITE                                              | SYMBOL   |          |                   |
|---------------------------------------------------|----------|----------|-------------------|
|                                                   | EXISTING | PROPOSED | REMOVED/ABANDONED |
| SGN                                               | ◊        | ◊        | ◊                 |
| <b>UTILITIES</b>                                  |          |          |                   |
| SEWER, STORM OR TELEPHONE MANHOLE (SWH/STH/TM/H)  | ○        | ●        | ○                 |
| CLEANOUT (CO)                                     | ◦        | ◦        | ◦                 |
| STORM DRAINAGE MANHOLE (DMH)                      | ○        | ●        | ○                 |
| CATCH BASIN (CB)                                  | □        | ■        | □                 |
| OUTLET OR END SECTION                             | <        | <        | <                 |
| VALVE                                             | ✕        | ✕        | ✕                 |
| CURB STOP (CS)                                    | ●        | ●        | ●                 |
| FIRE HYDRANT (HYD)                                | ★        | ★        | ★                 |
| WATER SUPPLY WELL                                 | ⊙        | ⊙        | ⊙                 |
| END CAP                                           | ⌈        | ⌈        | ⌈                 |
| BLOWOFF                                           | δ        | δ        | δ                 |
| UTILITY POLE                                      | ⊖        | ⊖        | ⊖                 |
| MTC OR TRANSFORMER                                | □        | ■        | □                 |
| TELEPHONE OR TELEVISION PEDESTAL (TEL-PED/TV-PED) | □        | ■        | □                 |
| LUMINAIRE                                         | ⊕        | ⊕        | ⊕                 |
| BOLLARD LIGHT                                     | ✦        | ✦        | ✦                 |
| <b>FIELD</b>                                      |          |          |                   |
| CALCULATED POINT                                  | △        | △        | △                 |
| TCE CONTROL POINT                                 | ▲        | ▲        | ▲                 |
| STEEL REBAR                                       | ●        | ●        | ●                 |
| TCE CONTROL POINT                                 | ●        | ●        | ●                 |
| MAG NAIL                                          | ●        | ●        | ●                 |
| OBSERVATION WELL                                  | ▲        | ▲        | ▲                 |
| PERCOLATION TEST                                  | ⊕        | ⊕        | ⊕                 |
| SOIL TEST PIT                                     | ⊕        | ⊕        | ⊕                 |
| SOIL BORING                                       | ⊕        | ⊕        | ⊕                 |
| BENCHMARK                                         | ⊕        | ⊕        | ⊕                 |
| <b>SURVEY</b>                                     |          |          |                   |
| FOUND                                             | ●        | ●        | ●                 |
| TO BE SET                                         | ●        | ●        | ●                 |
| SET                                               | ●        | ●        | ●                 |
| IRON PPE                                          | ●        | ●        | ●                 |
| STEEL REBAR                                       | ●        | ●        | ●                 |
| CONCRETE MONUMENT                                 | ■        | ■        | ■                 |
| MARBLE OR STONE MONUMENT                          | ■        | ■        | ■                 |
| IRON PIN (PI)                                     | ●        | ●        | ●                 |

#### RECORD DRAWING REQUIREMENTS:

- CLEANEST OF UP TO DATE RECORD DRAWINGS IS TO BE AVAILABLE FOR REVIEW ON SITE AT ALL TIMES. FOR JOBS LASTING MORE THAN 4 WEEKS A REVIEW OF THE RECORD DRAWINGS WILL BE DONE BY THE ENGINEER EVERY 2 WEEKS AND COMMENTS OR DEFICIENCIES MAY BE PROVIDED.
- TIES TO ALL BENDS, VALVES, JOINTS, CONNECTIONS AND DESIGN FEATURES SHALL BE PROVIDED. TIES SHALL BE PULLED FROM EASILY LOCATABLE PERMANENT ABOVE GROUND FEATURES THAT ARE VISIBLE YEAR AROUND SUCH AS BUILDING CORNERS, HYDRANTS, SEWER AND STORM DRAIN COVERS THAT WILL BE CLEARED IN WATER, UTILITY POLES, ETC. REFRAIN FROM PROVIDING TIES WITH ACUTE ANGLES. TIES SHOULD BE PULLED AT ANGLES AS CLOSE TO 90 DEGREES AS POSSIBLE. TIES WITH ANGLE TOO ACUTE MAY BE REJECTED.
- RECORD INFORMATION NEEDS TO BE PROVIDED ON THE APPROPRIATE DESIGN PLANS ON A WEEKLY BASIS. RECORD INFORMATION REGARDING TCE DESIGN ITEMS PLACED ON INAPPROPRIATE DESIGN PLANS WILL NOT BE ACCEPTED.
- IF ENGINEERING SERVICES FOR BI-WEEKLY REVIEW OF RECORD INFORMATION HAVE NOT BEEN OBTAINED FOR THE PROJECT ALL RECORD INFORMATION FOR TCE DESIGN ITEMS SHALL BE PROVIDED TO TCE WITHIN 7 BUSINESS DAYS OF THE COMPLETION OF THE WORK.
- PLANS SUBMITTED AT THE END OF THE PROJECT SHALL BE REVIEWED FOR COMPLETENESS. ALL REQUIREMENTS LISTED ABOVE APPLY.
- IF DESIGN FEATURES WERE INSTALLED EXACTLY PER THE DESIGN PLANS TIES TO THE FEATURE ARE STILL REQUIRED TO BE PROVIDED BY THE CONTRACTOR FOR THE OWNERS USE. ANY FEATURE NOT INDICATED AS DIFFERENT IN RED WILL BE CONSIDERED TO BE EXACTLY PER DESIGN.
- RECORD INFORMATION SHALL INCLUDE BOTH VERTICAL AND HORIZONTAL LOCATIONS. THIS INCLUDES BUT IS NOT LIMITED TO FINISHED FLOOR ELEVATIONS, RIMS AND INVERTS OF STRUCTURES AND PIPING, INVERTS AT CROSSINGS, ETC.
- ANY UTILITIES ENCOUNTERED THAT ARE NOT SHOWN ON THE PLANS SHALL BE ADDED TO THE PLANS WITH APPROPRIATE TIES.
- TIES SHALL INCLUDE ALL UTILITIES INSTALLED BY CONTRACTOR WHICH INCLUDE BUT ARE NOT LIMITED TO SEWER, WATER, STORM, ELECTRIC, CABLE, TELEPHONE, GAS, ETC.
- RECORD DRAWINGS SHALL BE SUPPLIED ON BOTH HARD COPY AND ELECTRONIC DATA. ELECTRONIC DATA SHALL BE COMPUTER-AIDED DESIGN (CAD) FILES INCLUDING NATIVE FILE FORMATS (DWG).
- THE CONTRACTOR SHALL SUBMIT ON A WEEKLY BASIS PROJECT PHOTOGRAPHS. THE INFORMATION WILL BE SUBMITTED TO THE ENGINEER IN ELECTRONIC FORMAT WITH EACH PICTURE BEING LABELED BY DATE, LOCATION AND ACTIVITY. AT A MINIMUM THE CONTRACTOR WILL SUBMIT PICTURES OF ALL THRUST BLOCKS, CONNECTIONS TO EXISTING FACILITIES AND STRUCTURES BEFORE AND AFTER BACKFILL. PROVIDE AUXILIARY LIGHTING AS REQUIRED TO PRODUCE CLEAR, WELL-LIT PHOTOGRAPHS WITHOUT OBSCURING SHADOWS. THE CONTRACTOR SHALL MAINTAIN ONE CHECK SET OF PHOTOGRAPHS AT THE SITE FOR REFERENCE. UPON REQUEST THE CONTRACTOR SHALL PROVIDE PICTURES OF VARIOUS AREAS DEEMED NECESSARY BY THE ENGINEER OR OWNER.
- CERTIFICATIONS BY THE ENGINEER AND SUCCESSFUL TEST RESULTS DO NOT RELIEVE THE CONTRACTOR OF FULL COMPLIANCE WITH THE DESIGN PLANS, SPECIFICATIONS AND PERMITS SHOULD A DEFICIENCY BE DISCOVERED AFTER SAID CERTIFICATION OR TESTING.

#### EPSC LEGEND

|  |                  |  |                                     |
|--|------------------|--|-------------------------------------|
|  | PROJECT AREA     |  | STABILIZED CONSTRUCTION ENTRANCE    |
|  | PHASE LIMIT      |  | SEDIMENT TRAP                       |
|  | BARRIER TAPE     |  | FIBER ROLL                          |
|  | SILT FENCE       |  | TEMPORARY VEGETATED DIVERSION SWALE |
|  | SOIL STOCK PILE  |  |                                     |
|  | STONE CHECK DAM  |  |                                     |
|  | INLET PROTECTION |  |                                     |

#### PROJECT INFORMATION:

- OWNER OF RECORD: R. MILLER & E. & F. VON TURKOVICH  
80 COLCHESTER AVE.  
BURLINGTON, VERMONT 05401  
TAX ID: 045-4-018  
PARCEL SIZE: 1.09 AC  
  
N. REID  
49 FLETCHER PLACE  
BURLINGTON, VERMONT 05401  
TAX ID: 045-4-023  
PARCEL SIZE: 0.91 AC  
  
72 COLCHESTER AVE., LLC  
27 FLETCHER PLACE  
BURLINGTON, VERMONT 05401  
TAX ID: 046-2-004  
PARCEL SIZE: 1.48 AC
- ZONING DISTRICT: INSTITUTIONAL

#### CONSTRUCTION NOTES FOR CONTRACTOR & CLIENT/OWNER:

- CONTRACT DOCUMENTS: THESE PLANS WERE PREPARED BY TRUDEL CONSULTING ENGINEERS (TCE) AND ARE INTENDED TO BE USED IN CONJUNCTION WITH THE STANDARD GENERAL CONDITIONS OF THE CONSTRUCTION CONTRACT, #C-700 PREPARED BY THE ENGINEERS' JOINT CONTRACT DOCUMENTS COMMITTEE (EJCDC), LATEST EDITION. COPIES ARE AVAILABLE AT [WWW.NSPE.ORG/EJCDC](http://WWW.NSPE.ORG/EJCDC).
- UNDERGROUND IMPROVEMENTS: THE LOCATION OF EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS SHOWN ARE ASSUMED BASED ON RESEARCH, UTILITY PLANS PROVIDED BY OTHERS, AND/OR SURFACE EVIDENCE AVAILABLE AND WERE OBTAINED IN A MANNER CONSISTENT WITH THE ORDINARY STANDARD OF PROFESSIONAL CARE AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE DESIGN ENGINEER.
- DIFFERING SUBSURFACE OR PHYSICAL CONDITIONS: IF CONTRACTOR BELIEVES THAT ANY SUBSURFACE OR PHYSICAL CONDITION AT OR CONTIGUOUS TO THE SITE THAT IS UNCOVERED OR REVEALED EITHER: (1) IS OF SUCH A NATURE AS TO ESTABLISH THAT ANY "TECHNICAL DATA" ON WHICH CONTRACTOR RELED IS MATERIALLY INACCURATE; OR (2) IS OF SUCH A NATURE AS TO REQUIRE A CHANGE IN THE PLANS/CONTRACT DOCUMENTS; OR (3) DIFFERS MATERIALLY FROM THAT SHOWN OR INDICATED IN THE PLANS/CONTRACT DOCUMENTS; OR (4) IS OF AN UNUSUAL NATURE, AND DIFFERS MATERIALLY FROM CONDITIONS ORDINARILY ENCOUNTERED AND GENERALLY RECOGNIZED AS INHERENT IN WORK OF THE CHARACTER PROVIDED FOR IN THE PLANS/CONTRACT DOCUMENTS; THEN CONTRACTOR SHALL, PROMPTLY AFTER BECOMING AWARE THEREOF AND BEFORE FURTHER DISTURBING THE SUBSURFACE OR PHYSICAL CONDITIONS OR PERFORMING ANY WORK IN CONNECTION THEREWITH (EXCEPT IN AN EMERGENCY), NOTIFY OWNER AND ENGINEER ABOUT SUCH CONDITION. CONTRACTOR SHALL NOT FURTHER DISTURB SUCH CONDITION OR PERFORM ANY WORK IN CONNECTION THEREWITH (EXCEPT AS AFORESAID) UNTIL RECEIPT OF WRITTEN ORDER TO DO SO. ALL PARTIES INVOLVED (OWNER, ENGINEER, ARCHITECT AND MUNICIPALITY IF APPLICABLE) SHALL AGREE UPON HOW TO PROCEED AND ANY RELATED COST IMPLICATIONS.
- UTILITIES: PRIVATE AND PUBLIC UTILITIES SUCH AS ELECTRIC, TELEPHONE, GAS, CABLE, FIBER OPTIC ETC. ARE THE RESPONSIBILITY OF THE RESPECTIVE UTILITY COMPANY. ANY INFORMATION SHOWN BY TCE SHOULD BE CONSIDERED PRELIMINARY (USUALLY TO ASSIST WITH PERMITTING.) FINAL DESIGN, CONSTRUCTION AND MAINTENANCE ARE THE RESPONSIBILITY OF RESPECTIVE UTILITY COMPANIES. COMPLIANCE WITH EASEMENTS AND REGULATIONS (STATE AND LOCAL) ARE THE RESPONSIBILITY OF RESPECTIVE UTILITY COMPANY.
- DIGSAFE: IN ACCORDANCE WITH VERMONT STATE LAW (VSA TITLE 30 CHAPTER 86 AND PSB RULE 3.800) THE CONTRACTOR SHALL BE RESPONSIBLE TO CONTACT DIGSAFE SYSTEMS, INC. "DIGSAFE" AT LEAST 48 HOURS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BUT NOT MORE THAN 30 DAYS BEFORE COMMENCING EXCAVATION ACTIVITIES, EXCEPT IN AN EMERGENCY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRE-MARKING THE SITE AND MAINTAINING DESIGNATED MARKINGS. FOR MORE INFORMATION ON DIGSAFE REQUIREMENTS SEE [WWW.DIGSAFE.COM](http://WWW.DIGSAFE.COM).
- JOB SITE SAFETY: NEITHER THE PROFESSIONAL ACTIVITIES OF TRUDEL CONSULTING ENGINEERS (TCE), NOR THE PRESENCE OF TCE OR ITS EMPLOYEES AND SUB CONSULTANTS AT A CONSTRUCTION SITE SHALL RELIEVE THE GENERAL CONTRACTOR AND ANY OTHER ENTITY OF THEIR OBLIGATIONS, DUTIES AND RESPONSIBILITIES INCLUDING, BUT NOT LIMITED TO, CONSTRUCTION MEANS, METHODS, SEQUENCE, TECHNIQUES OR PROCEDURES NECESSARY FOR PERFORMING, SUPERINTENDING OR COORDINATING ALL PORTIONS OF THE WORK OF CONSTRUCTION IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND ANY HEALTH OR SAFETY PRECAUTIONS REQUIRED BY ANY REGULATORY AGENCIES. TCE AND ITS PERSONNEL HAVE NO AUTHORITY TO EXERCISE ANY CONTROL OVER ANY CONSTRUCTION CONTRACTOR OR OTHER ENTITY OR THEIR EMPLOYEES IN CONNECTION WITH THEIR WORK OR ANY HEALTH OR SAFETY PRECAUTIONS. THE CLIENT AGREES THAT THE GENERAL CONTRACTOR IS SOLELY RESPONSIBLE FOR JOB SITE SAFETY, AND WARRANTS THAT THIS INTENT SHALL BE MADE EVIDENT IN THE CLIENTS AGREEMENT WITH THE GENERAL CONTRACTOR. THE CLIENT ALSO AGREES THAT THE CLIENT, TCE AND TCE'S CONSULTANTS SHALL BE INDEMNIFIED AND SHALL BE MADE ADDITIONALLY INSURED UNDER THE GENERAL CONTRACTOR'S GENERAL LIABILITY INSURANCE POLICY.
- CODES AND STANDARDS COMPLIANCE: TCE SHALL EXERCISE USUAL AND CUSTOMARY PROFESSIONAL CARE IN ITS EFFORTS TO COMPLY WITH CODES, STANDARDS, REGULATIONS AND ORDINANCES IN EFFECT. THE OWNER ACKNOWLEDGES THAT SUCH REQUIREMENTS MAY BE SUBJECT TO VARIOUS AND CONTRADICTORY INTERPRETATIONS. TCE, THEREFORE, WILL USE ITS REASONABLE PROFESSIONAL EFFORTS AND JUDGMENT TO INTERPRET APPLICABLE REQUIREMENTS AS THEY APPLY TO THE PROJECT. TCE, HOWEVER, CANNOT AND DOES NOT WARRANT OR GUARANTEE THAT THE PROJECT WILL COMPLY WITH ALL INTERPRETATIONS OF SUCH REQUIREMENTS.
- CONSTRUCTION OBSERVATION: TCE MAY VISIT THE PROJECT AT APPROPRIATE INTERVALS DURING CONSTRUCTION TO BECOME GENERALLY FAMILIAR WITH THE PROGRESS AND QUALITY OF THE CONTRACTOR'S WORK AND TO DETERMINE IF THE WORK IS PROCEEDING IN GENERAL ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE OWNER HAS NOT RETAINED TCE TO MAKE DETAILED INSPECTIONS OR TO PROVIDE EXHAUSTIVE OR CONTINUOUS PROJECT REVIEW AND OBSERVATION SERVICES. TCE DOES NOT GUARANTEE THE PERFORMANCE OF, AND SHALL NOT HAVE RESPONSIBILITY FOR, THE ACTS OR OMISSIONS OF ANY CONTRACTOR, SUB-CONTRACTOR, SUPPLIER OR ANY OTHER ENTITY FURNISHING MATERIALS OR PERFORMING ANY WORK ON THE PROJECT. TCE SHALL NOT SUPERVISE, DIRECT OR HAVE CONTROL OVER THE CONTRACTOR'S WORK NOR HAVE ANY RESPONSIBILITY FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OF THE CONTRACTOR. IF THE OWNER DESIRES MORE EXTENSIVE PROJECT OBSERVATION OR FULL-TIME PROJECT REPRESENTATION, THE OWNER SHALL REQUEST SUCH SERVICES BE PROVIDED BY TCE AS ADDITIONAL SERVICES.
- UTILITIES SHOWN ARE APPROXIMATE AND DO NOT NECESSARILY REPRESENT ALL UTILITIES LOCATED ON OR ADJACENT TO THE AREA SURVEYED. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY CONFLICTS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER.
- ALL EXISTING UTILITIES NOT INCORPORATED INTO THE FINAL DESIGN ARE TO BE REMOVED OR ABANDONED AS INDICATED ON THE PLANS.
- THE CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS WITH TIES FOR ALL UNDERGROUND UTILITIES. THOSE PLANS SHALL BE SUBMITTED TO THE OWNER AT THE COMPLETION OF THE PROJECT.
- THE CONTRACTOR SHALL REPAIR/RESTORE ALL DISTURBED AREAS (ON OR OFF THE SITE) AS A DIRECT OR INDIRECT RESULT OF THE CONSTRUCTION.
- ALL GRASSED AREAS SHALL BE MAINTAINED UNTIL FULFILLMENT OF THE PROJECT.
- MAINTAIN ALL TREES OUTSIDE OF CONSTRUCTION LIMITS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK NECESSARY FOR COMPLETE AND OPERABLE FACILITIES AND UTILITIES.
- IN ADDITION TO THE REQUIREMENTS SET IN THESE PLANS AND SPECIFICATIONS, THE CONTRACTOR SHALL COMPLETE THE WORK IN ACCORDANCE WITH ALL PERMIT CONDITIONS, LOCAL PUBLIC WORKS STANDARDS AND ALL CONSTRUCTION SAFETY REGULATIONS.
- ANY DEWATERING NECESSARY FOR THE COMPLETION OF THE SITEWORK SHALL BE CONSIDERED AS PART OF THE CONTRACT, AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
- IF THERE ARE ANY CONFLICTS OR INCONSISTENCIES WITH THE PLANS OR SPECIFICATIONS, THE CONTRACTOR SHALL CONTACT THE ENGINEER FOR VERIFICATION BEFORE WORK CONTINUES ON THE ITEMS IN QUESTION.
- ALL SYSTEM COMPONENTS (TANKS, PIPES, JOINTS) SHALL BE WATERTIGHT.
- CONTRACTOR TO ADJUST ANY POTABLE WATER LINE CROSSINGS AND CONSULT WITH ENGINEER TO MEET REQUIREMENTS SHOWN ON THE DETAIL SHEET "WATER/SEWER CROSSING" DETAIL.
- SEWER LATERAL CONNECTIONS ARE SOMETIMES NOT SHOWN FOR CLARITY. CONTRACTOR TO CONSULT WITH ENGINEER AND SUPPLY BENDS, CLEANOUTS, ETC. AS NECESSARY TO FACILITATE PROPER CONNECTION BETWEEN FOUNDATION WALL AND SEWER MAIN LINE.
- CONTRACTOR IS RESPONSIBLE FOR COORDINATION WITH ALL RELEVANT PARTIES (INCLUDING, BUT NOT LIMITED TO OWNER, ARCHITECT AND UTILITY COMPANIES) TO DETERMINE FINAL LAYOUT AND DESIGN.
- DESIGN AND CONSTRUCTION OF PEDESTRIAN WALKS, RAMPS AND DECKS BETWEEN BUILDINGS AND PARKING LOTS IS PROVIDED BY THE ARCHITECT AND INCORPORATED INTO THE BUILDING DESIGN.
- ALL CURB STOP VALVES TO BE INSTALLED WITH ACCESS COVER AT FINISHED GRADE.
- ALL WATER LINE TAPS SHALL BE LIVE TAPS; EXISTING WATER LINE MUST REMAIN IN SERVICE DURING CONNECTION, UNLESS INDICATED OTHERWISE.
- ROOF DOWNSPOUT CAN CONNECT TO ROOF DRAIN MANIFOLD (RD) AS DETERMINED BY ARCHITECT AND OWNER. THIS CONNECTION PIPE IS INCLUDED AS PART OF THE DESIGN PLAN BUT NOT SHOWN TO ALLOW FLEXIBILITY IN LOCATION AS NEEDED.
- THRUST BLOCKS FOR PRESSURE LINES NOT SHOWN FOR CLARITY. PROVIDE THRUST BLOCKS AT ALL BENDS, TEE AND REDUCES. PROJECT ENGINEER TO OBSERVE ALL THRUST BLOCKS PRIOR TO BACKFILL.
- WATER MAIN OPERATED AT HIGH PRESSURE. ALL BUILDINGS SHALL CONFIRM STATIC INTAKE PRESSURE AND PROVIDE PRESSURE-REDUCING VALVES AS DEEMED APPROPRIATE BY THE MECHANICAL ENGINEER (OR ARCHITECT).
- CONTRACTOR TO SUPPLY DAYLIGHT PIPING FOR FOOTING DRAINS WITHIN CONSTRUCTION LIMITS. THE EXACT LOCATION MAY NOT BE CRITICAL. COORDINATE WITH OWNER AND PROJECT ENGINEER.
- FOOTING DRAINS AROUND BUILDING MAY BE SHOWN BY OTHERS (BECAUSE IT IS WITHIN THE 5' ZONE AROUND BUILDING.) FOOTING DRAINS AND PIPE TO DAYLIGHT SHALL BE INCLUDED EVEN IF NOT SHOWN. DAYLIGHT PIPE LOCATION TO SWALE MAY NOT BE CRITICAL SO LONG AS IT DOES NOT CREATE ANY CONFLICT WITH OTHER UTILITIES, OR IMPACT ENVIRONMENTALLY SENSITIVE AREAS SUCH AS WETLANDS.
- SEWER CONNECTIONS TO EXISTING MANHOLES SHALL INCLUDE WATERTIGHT CONNECTIONS, REFORMING INVERT TO PROVIDE SMOOTH FLOW STREAM AND TESTING TO ENSURE STRUCTURE IS WATERTIGHT. IF AN EXISTING MANHOLE IS FOUND NOT TO BE WATERTIGHT IT SHALL BE EXPOSED AND REPAIRED ON THE OUTSIDE. PRIOR TO CONNECTING TO EXISTING MANHOLES, SUBMIT SHOP DRAWINGS ON CORE LOCATION, ANY REQUIRED PIPING (FOR DROP MANHOLES) AND CHANGES TO INVERT FORM.
- FINAL RIMS OF SEWER MANHOLES AND WATER VALVES SHALL BE CONFIRMED AND COORDINATED WITH FINAL SITE GRADING. MINOR ADJUSTMENTS FROM DESIGN GRADES MAY BE REQUIRED BY OWNER OR ENGINEER AND SHALL BE INCLUDED.
- ROCK REMOVAL WORK FOR BOULDERS UNDER 2.5 CUBIC YARDS IS INCLUDED AS PART OF EXCAVATION. ANY ROCK REMOVAL FOR 2.5 CUBIC YARDS OR GREATER SHALL BE TREATED AS LEDGE REMOVAL. THIS SHOULD BE REVIEWED AND AGREED UPON BY OWNER PRIOR TO CONDUCTING ROCK REMOVAL.
- THE GENERAL CONTRACTOR IS REQUIRED TO CONFORM TO THE STRICTEST INTERPRETATION OF THE CONTRACT DRAWING, SPECIFICATION, PERMITS AND CONSTRUCTION CONTRACT. ALL EARTH MATERIAL RECEIVED OR DISPOSED FROM OUTSIDE SOURCES SHALL COMPLY WITH APPLICABLE PERMITS AND REGULATIONS. SHOP DRAWING SUBMITTALS SHALL INCLUDE CONTRACTOR'S CERTIFICATION STATEMENT OF COMPLIANCE AND COPIES OF RELEVANT PERMITS FOR OUTSIDE SOURCES.
- CONTRACTOR SHALL PAY FOR ALL REQUIRED TESTING. THIS SHALL INCLUDE BUT IS NOT LIMITED TO: SOIL TESTING, COMPACTION TESTING, SEVE ANALYSIS, CONCRETE TESTING, ASPHALT PENETRATION TESTING, BACTERIOLOGICAL TESTING FOR WATER AND OTHER TESTING AS PART OF STANDARD PRACTICE FOR A CONSTRUCTION PROJECT OF THIS NATURE, UNLESS INDICATED OTHERWISE AND APPROVED BY THE OWNER.

#### CONSTRUCTION PHASE:

LISTED BELOW IS A BRIEF SUMMARY OF CONSTRUCTION PHASE REQUIREMENTS. THIS LIST IS NOT INTENDED TO BE ALL-INCLUSIVE. CONSTRUCTION SPECIFICATIONS, PERMIT REQUIREMENTS AND SUBSEQUENT CONTRACTUAL AGREEMENTS FROM PARTIES INVOLVED SHALL PREVAIL.

##### PRE-CONSTRUCTION

- OWNER TO ESTABLISH SCOPE OF SERVICES WITH PROJECT ENGINEER(S)
- OWNER TO IDENTIFY WORK SCOPE AND SCHEDULE
- UPON OWNER REQUEST, ASSIST WITH CONTRACTOR BID AND SELECTION PROCESS
- FINALIZE PLANS FOR CONSTRUCTION READINESS INCLUDING SPECIFICATIONS
- MEETING BETWEEN OWNER, ENGINEER(S), CONTRACTOR(S), ARCHITECT(S), REGULATORY AUTHORITIES AND OTHER PERTINENT PARTIES TO REVIEW AND DISCUSS THE WORK

##### PRE-CONSTRUCTION MEETING

- CONTRACTOR TO IDENTIFY SUBCONTRACTORS
- CONTRACTOR TO ESTABLISH SCHEDULE
- CONTRACTOR TO DESIGNATE RESPONSIBLE PERSONNEL
- CONFIRM PROCEDURE FOR RFIs, CHANGE ORDERS, EXTRAS AND PAY REQUESTS
- CONTRACTOR TO SUBMIT SHOP DRAWINGS
- CONTRACTOR TO OUTLINE SAFETY, SECURITY, AND WORKING HOURS
- CONTRACTOR OR OWNER TO IDENTIFY TESTING COMPANY

##### CONSTRUCTION PHASE

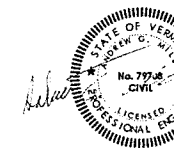
- INITIAL CONTROL SUPPLIED BY OWNER AND CONTRACTOR RESPONSIBLE FOR LAYOUT
- OWNER TO PROVIDE PROJECT ENGINEER TO OBSERVE CONSTRUCTION PERIODICALLY, DURING CRITICAL PHASES AND TESTING
- WEEKLY JOB MEETINGS DURING CONSTRUCTION
- OWNER TO PROVIDE PROJECT ENGINEER TO REVIEW AND DISCUSS PLANS, ANSWER QUESTIONS, RESPOND TO CHANGES AND OTHER BUSINESS COMMON TO CONSTRUCTION SERVICES
- OBSERVE TESTING AND COLLECT RESULTS
- OWNER AND CONTRACTOR TO COMPLY WITH PERMITS



Revisions  
No. Description  
△ City Comments  
△ Stormwater Update

#### TAX ID:

- Use of these Drawings  
1. Unless otherwise noted, these Drawings are preliminary planning, coordination with utilities, and/or approval from the regulatory agencies. They are not intended as construction documents as such or marked approved by a regulatory agency.
- By use of these drawings for construction, the Owner represents that they have read and accepted the drawings, obtained and have met with all applicable parties, including but not limited to, the Engineer, to ensure these plans are properly coordinated with all contract documents, applicable laws, private and public utilities, and for construction.
- Owner and Architect are responsible for location of buildings shown, including minimum five (5) feet around any building. Final utility connections shown on these drawings are for informational purposes only.
- Prior to using these plans for construction, the Owner shall ensure that the plans shall conform to the most current revisions.
- These Drawings are specific to the project and are not to be transferred. As instruments of service, copies thereof, furnished by TCE are for the use of the client only. Changes to the drawings may only be made if the drawings are discovered to contain errors or omissions or if the client requests a change. The client shall notify TCE immediately.
- It is the User's responsibility to ensure that the drawings are used in accordance with the most current revisions. If unsure, please contact TCE.



Project Title

Colchester Area Housing  
Burlington, Vermont

Sheet Title

Legend & Notes

Date:

Scale:

Project Number:

Drawn By:

Project Engineer:

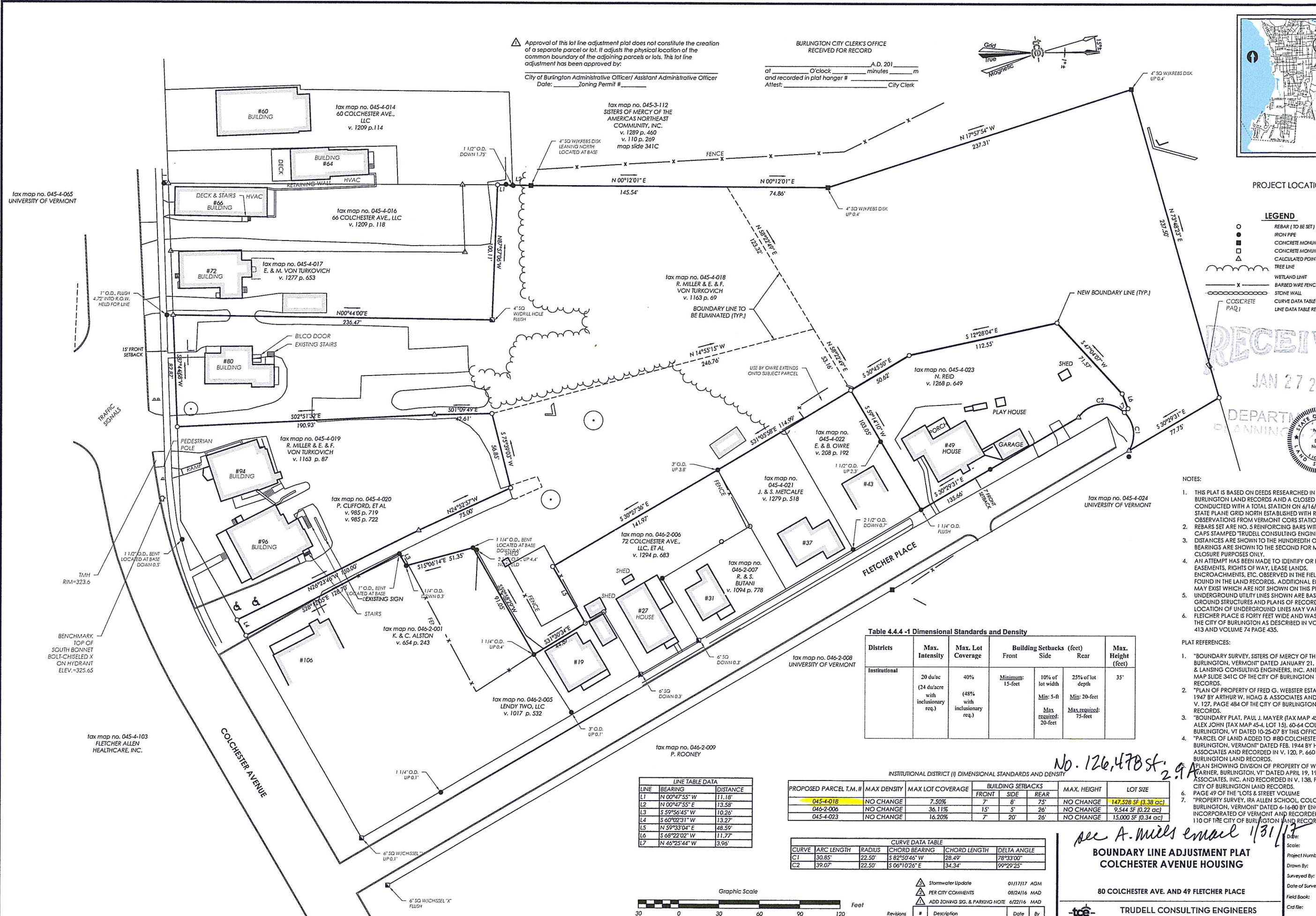
Approved By:

Field Book:

C1-

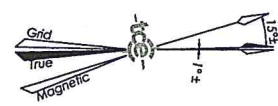


is an original inkjet on mylar.



Approval of this lot line adjustment plat does not constitute the creation of a separate parcel or lot. It adjusts the physical location of the common boundary of the adjoining parcels or lots. This lot line adjustment has been approved by:  
City of Burlington Administrative Officer/ Assistant Administrative Officer  
Date: \_\_\_\_\_ Zoning Permit # \_\_\_\_\_

BURLINGTON CITY CLERK'S OFFICE  
RECEIVED FOR RECORD  
at \_\_\_\_\_ A.D. 201\_\_\_\_\_  
O'clock \_\_\_\_\_ minutes \_\_\_\_\_  
and recorded in plat hanger # \_\_\_\_\_  
Attest: \_\_\_\_\_ City Clerk



PROJECT LOCATION

LEGEND

- REBAR (TO BE SET)
- IRON PIPE
- CONCRETE MONUMENT
- CONCRETE MONUMENT
- CALCULATED POINT
- TREE LINE
- WETLAND LIMIT
- BARBED WIRE FENCE
- STONE WALL
- CURVE DATA TABLE REFERENCE
- LINE DATA TABLE REFERENCE



NOTES:

- THIS PLAT IS BASED ON DEEDS RESEARCHED IN THE BURLINGTON LAND RECORDS AND A CLOSED FIELD CONDUCTED WITH A TOTAL STATION ON 4/16/16. STATE PLANE GRID NORTH ESTABLISHED WITH RTK OBSERVATIONS FROM VERMONT CORS STATION V. 127. PAGES 484 OF THE CITY OF BURLINGTON LAND RECORDS.
- REBAR SET ARE NO. 5 REINFORCING BARS WITH CAPS STAMPED "TRUDELL CONSULTING ENGINEERS".
- DISTANCES ARE SHOWN TO THE HUNDREDTH OF A FOOT. BEARINGS ARE SHOWN TO THE SECOND FOR MATHEMATICAL CLOSURE PURPOSES ONLY.
- AN ATTEMPT HAS BEEN MADE TO IDENTIFY OR DETERMINE EASEMENTS, RIGHTS OF WAY, LEASE LANDS, ENCROACHMENTS, ETC. OBSERVED IN THE FIELD OR FOUND IN THE LAND RECORDS. ADDITIONAL ENCROACHMENTS WHICH ARE NOT SHOWN ON THIS PLAT ARE BASED ON UNDERGROUND UTILITY LINES SHOWN ARE BASED ON GROUND STRUCTURES AND PLANS OF RECORD. LOCATION OF UNDERGROUND LINES MAY VARY.
- FLETCHER PLACE IS FORTY FEET WIDE AND WAS C. 1947 BY ARTHUR W. HOAG & ASSOCIATES AND RECORDED IN V. 127, PAGE 484 OF THE CITY OF BURLINGTON LAND RECORDS.
- THE CITY OF BURLINGTON AS DESCRIBED IN VOLUME 413 AND VOLUME 74 PAGE 435.

PLAT REFERENCES:

- "BOUNDARY SURVEY, SISTERS OF MERCY OF THE DISTRICT OF BURLINGTON, VERMONT" DATED JANUARY 21, 1979 & LANSING CONSULTING ENGINEERS, INC. AND RECORDED IN MAP SLIDE 341C OF THE CITY OF BURLINGTON LAND RECORDS.
- "PLAN OF PROPERTY OF FRED G. WEBSTER ESTATE 1947 BY ARTHUR W. HOAG & ASSOCIATES AND RECORDED IN V. 127, PAGE 484 OF THE CITY OF BURLINGTON LAND RECORDS.
- "BOUNDARY PLAT, PAUL J. MAYER (TAX MAP 45-4) ALEX JOHN (TAX MAP 45-4, LOT 15), 60-64 COLCHESTER AVENUE, BURLINGTON, VT DATED 10-25-07 BY THIS OFFICE.
- "PARCEL OF LAND ADDED TO #80 COLCHESTER AVENUE, BURLINGTON, VERMONT" DATED FEB. 1944 BY HOAG & ASSOCIATES AND RECORDED IN V. 120, P. 660 OF BURLINGTON LAND RECORDS.
- "PLAN SHOWING DIVISION OF PROPERTY OF W.K. FARNER, BURLINGTON, VT" DATED APRIL 19, 1956 & ASSOCIATES, INC. AND RECORDED IN V. 138, P. 2 CITY OF BURLINGTON LAND RECORDS.
- PAGE 49 OF THE "LOTS & STREET VOLUME
- "PROPERTY SURVEY, IRA ALLEN SCHOOL COLCHESTER, BURLINGTON, VERMONT DATED 6-16-80 BY ENGINEERS INCORPORATED OF VERMONT AND RECORDED IN V. 110 OF THE CITY OF BURLINGTON LAND RECORDS

Table 4.4.4 -1 Dimensional Standards and Density

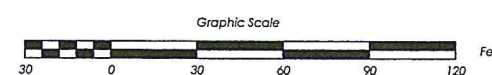
| Districts     | Max. Intensity                             | Max. Lot Coverage                | Building Setbacks (feet) |                                                        |                                                           | Max. Height (feet) |
|---------------|--------------------------------------------|----------------------------------|--------------------------|--------------------------------------------------------|-----------------------------------------------------------|--------------------|
|               |                                            |                                  | Front                    | Side                                                   | Rear                                                      |                    |
| Institutional | 20 du/ac (24 du/ac with inclusionary req.) | 40% (48% with inclusionary req.) | Minimum: 15-feet         | 10% of lot width<br>Min: 5-ft<br>Max required: 20-feet | 25% of lot depth<br>Min: 20-feet<br>Max required: 75-feet | 35'                |

INSTITUTIONAL DISTRICT (I) DIMENSIONAL STANDARDS AND DENSITY

| PROPOSED PARCEL T.M.# | MAX DENSITY | MAX LOT COVERAGE | BUILDING SETBACKS |      |      | MAX. HEIGHT | LOT SIZE             |
|-----------------------|-------------|------------------|-------------------|------|------|-------------|----------------------|
|                       |             |                  | FRONT             | SIDE | REAR |             |                      |
| 045-4-018             | NO CHANGE   | 7.50%            | 7'                | 8'   | 75'  | NO CHANGE   | 147,528 SF (3.38 ac) |
| 046-2-006             | NO CHANGE   | 36.11%           | 15'               | 5'   | 26'  | NO CHANGE   | 9,544 SF (0.22 ac)   |
| 045-4-023             | NO CHANGE   | 16.20%           | 7'                | 20'  | 26'  | NO CHANGE   | 15,000 SF (0.34 ac)  |

| CURVE DATA TABLE |            |        |               |             |
|------------------|------------|--------|---------------|-------------|
| CURVE            | ARC LENGTH | RADIUS | CHORD BEARING | DELTA ANGLE |
| C1               | 30.85'     | 22.50' | S 82°50'46" W | 28.49°      |
| C2               | 39.07'     | 22.50' | S 06°10'26" E | 34.34°      |

| LINE TABLE DATA |          |
|-----------------|----------|
| LINE            | DISTANCE |
| L1              | 11.18'   |
| L2              | 13.58'   |
| L3              | 10.26'   |
| L4              | 13.27'   |
| L5              | 48.59'   |
| L6              | 11.77'   |
| L7              | 3.96'    |



| Revisions |                               |          |     |
|-----------|-------------------------------|----------|-----|
| #         | Description                   | Date     | By  |
| 1         | Stormwater Update             | 01/17/17 | AGM |
| 2         | PER CITY COMMENTS             | 08/24/16 | MAD |
| 3         | ADD ZONING SG. & PARKING NOTE | 6/22/16  | MAD |

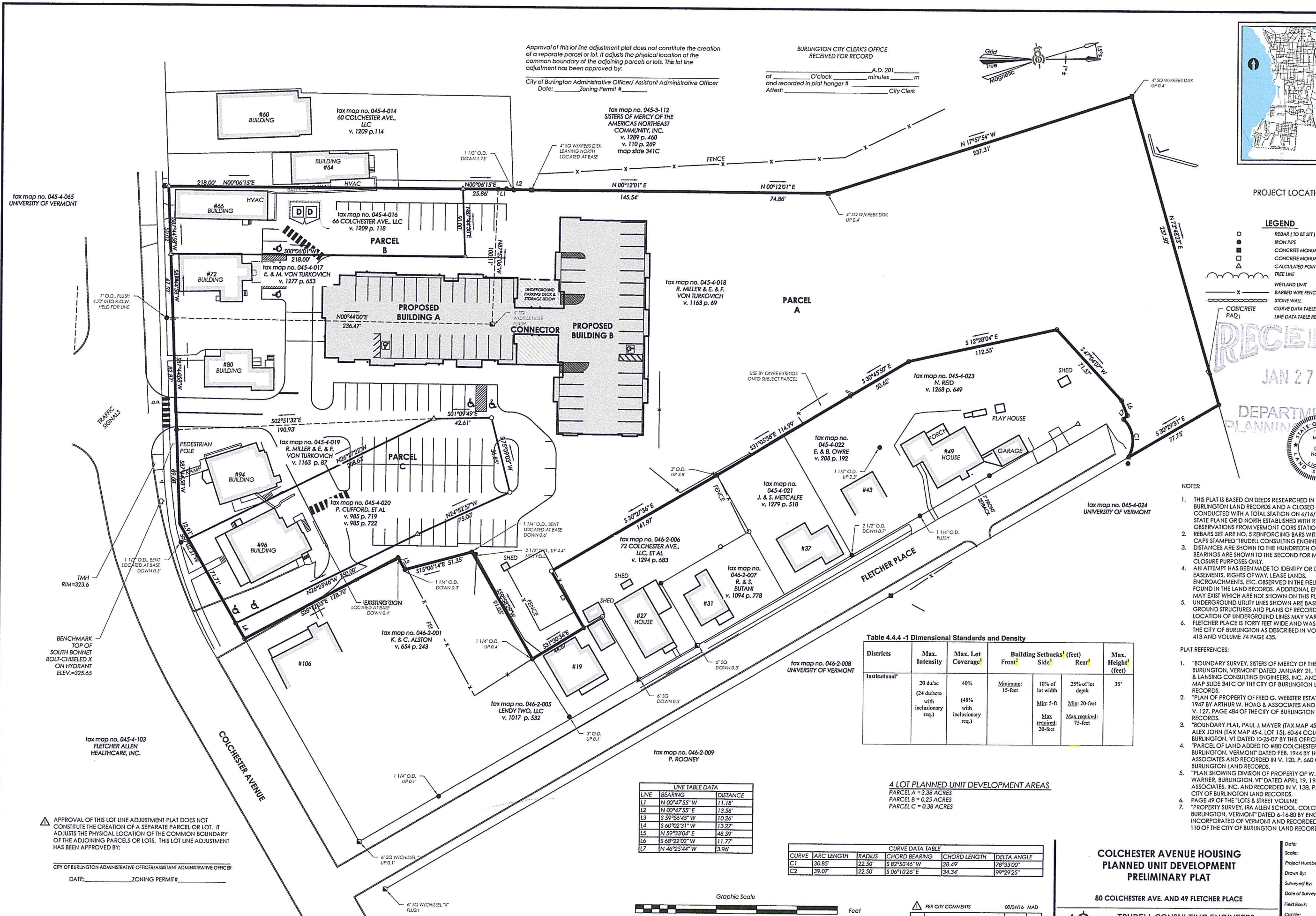
BOUNDARY LINE ADJUSTMENT PLAT  
COLCHESTER AVENUE HOUSING

80 COLCHESTER AVE. AND 49 FLETCHER PLACE

TRUDELL CONSULTING ENGINEERS

No. 126,478 St. 2.9A  
see A. Mills email 1/31/17





PROJECT LOCATION

LEGEND

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- IRON PIPE
- CONCRETE MONUMENT
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  - UNDERGROUND UTILITY LINES SHOWN ARE BASED GROUND STRUCTURES AND PLANS OF RECORD. A LOCATION OF UNDERGROUND LINES MAY VARY.
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  - "PROPERTY SURVEY, IRA ALLEN SCHOOL, COLCHE BURLINGTON, VERMONT" DATED 6-16-80 BY ENGIN INCORPORATED OF VERMONT AND RECORDED IN 110 OF THE CITY OF BURLINGTON LAND RECORDS.

Table 4.4.4 -1 Dimensional Standards and Density

| Districts                  | Max. Intensity                               | Max. Lot Coverage <sup>1</sup>   | Building Setbacks <sup>1</sup> (feet) |                                                        |                                                           | Max. Height <sup>1</sup> (feet) |
|----------------------------|----------------------------------------------|----------------------------------|---------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|---------------------------------|
|                            |                                              |                                  | Front                                 | Sides                                                  | Rear                                                      |                                 |
| Institutional <sup>1</sup> | 20 du/ac (24 du/acre with inclusionary req.) | 40% (48% with inclusionary req.) | Minimum: 15-feet                      | 10% of lot width<br>Min: 5-ft<br>Max required: 20-feet | 25% of lot depth<br>Min: 20-feet<br>Max required: 75-feet | 35'                             |

4 LOT PLANNED UNIT DEVELOPMENT AREAS  
PARCEL A = 3.38 ACRES  
PARCEL B = 0.25 ACRES  
PARCEL C = 0.38 ACRES

LINE TABLE DATA

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 00°47'55" W | 11.18'   |
| L2   | N 00°47'55" E | 13.98'   |
| L3   | S 59°56'45" W | 10.26'   |
| L4   | S 60°02'31" W | 13.27'   |
| L5   | N 59°33'04" E | 48.59'   |
| L6   | S 68°22'02" W | 11.77'   |
| L7   | N 46°25'44" W | 3.96'    |

CURVE DATA TABLE

| CURVE | ARC LENGTH | RADIUS | CHORD BEARING | CHORD LENGTH | DELTA ANGLE |
|-------|------------|--------|---------------|--------------|-------------|
| C1    | 30.85'     | 22.50' | S 82°50'46" W | 28.49'       | 78°33'00"   |
| C2    | 39.07'     | 22.50' | S 06°10'26" E | 34.34'       | 99°29'25"   |



PER CITY COMMENTS

| Revisions | # | Description | Date | By |
|-----------|---|-------------|------|----|
|           |   |             |      |    |

COLCHESTER AVENUE HOUSING  
PLANNED UNIT DEVELOPMENT  
PRELIMINARY PLAT

80 COLCHESTER AVE. AND 49 FLETCHER PLACE

TRUDELL CONSULTING ENGINEERS

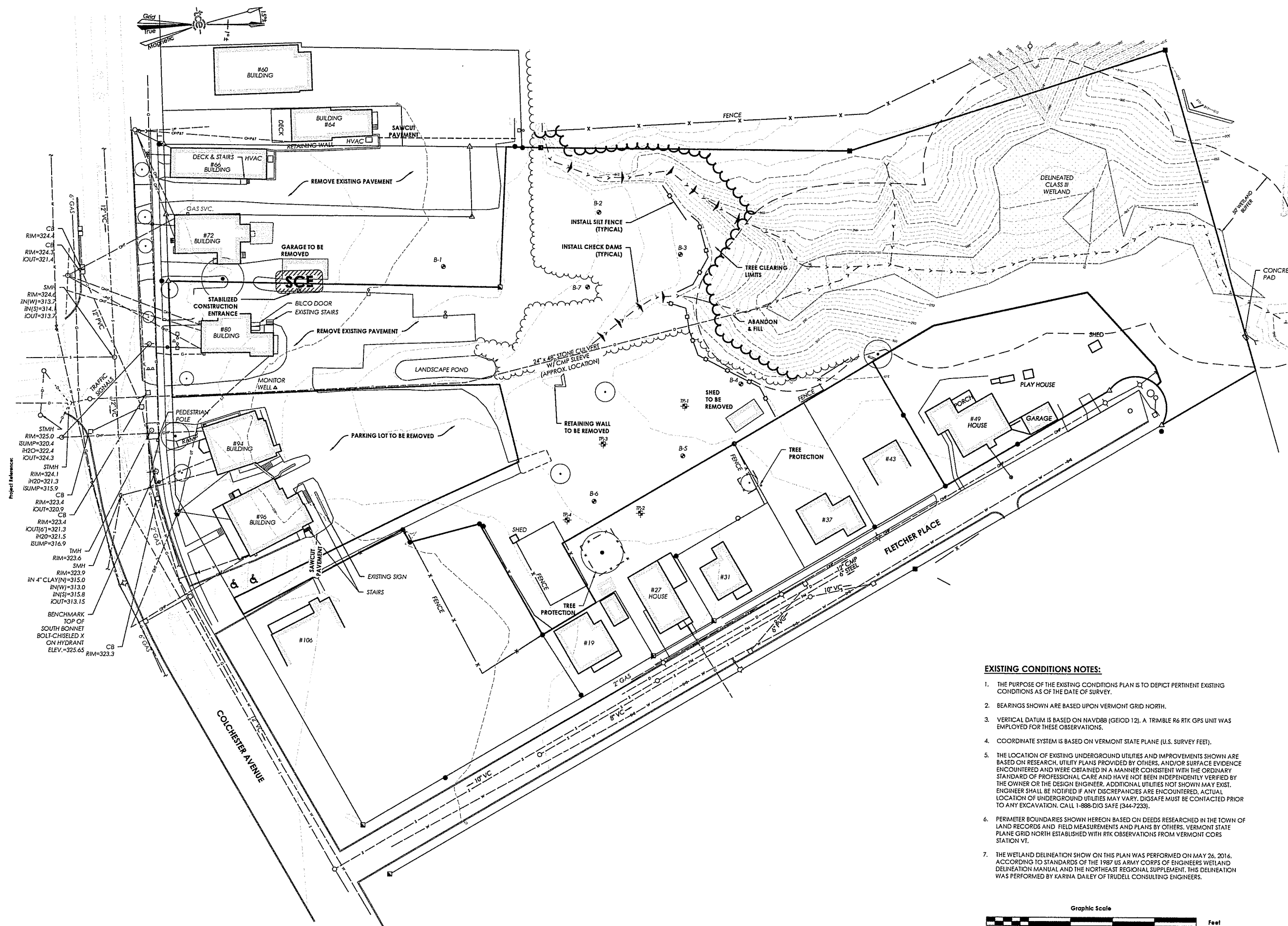
APPROVAL OF THIS LOT LINE ADJUSTMENT PLAT DOES NOT CONSTITUTE THE CREATION OF A SEPARATE PARCEL OR LOT. IT ADJUSTS THE PHYSICAL LOCATION OF THE COMMON BOUNDARY OF THE ADJOINING PARCELS OR LOTS. THIS LOT LINE ADJUSTMENT HAS BEEN APPROVED BY:

CITY OF BURLINGTON ADMINISTRATIVE OFFICER/ASSISTANT ADMINISTRATIVE OFFICER

DATE: \_\_\_\_\_ ZONING PERMIT# \_\_\_\_\_

This is an original inkjet on mylar.





Project Reference:  
RIM=324.4  
CB  
RIM=324.3  
IOUT=321.4  
SMH  
RIM=324.6  
IN(W)=313.7  
IN(S)=314.1  
IOUT=313.7  
STMH  
RIM=325.0  
ISUMP=320.4  
IH2O=322.4  
IOUT=324.3  
STMH  
RIM=324.1  
IH2O=321.3  
ISUMP=315.9  
CB  
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IOUT=320.9  
CB  
RIM=323.4  
IOUT(6)=321.3  
IH2O=321.5  
ISUMP=316.9  
TMH  
RIM=323.6  
SMH  
RIM=323.9  
IN 4" CLAY(N)=315.0  
IN(W)=313.0  
IN(S)=315.8  
IOUT=313.15  
BENCHMARK  
TOP OF  
SOUTH BONNET  
BOLT-CHISELED X  
ON HYDRANT  
ELEV.=325.65  
CB  
RIM=323.3

- EXISTING CONDITIONS NOTES:**
1. THE PURPOSE OF THE EXISTING CONDITIONS PLAN IS TO DEPICT PERTINENT EXISTING CONDITIONS AS OF THE DATE OF SURVEY.
  2. BEARINGS SHOWN ARE BASED UPON VERMONT GRID NORTH.
  3. VERTICAL DATUM IS BASED ON NAVD83 (GEOID 12). A TRIMBLE R6 RTK GPS UNIT WAS EMPLOYED FOR THESE OBSERVATIONS.
  4. COORDINATE SYSTEM IS BASED ON VERMONT STATE PLANE (U.S. SURVEY FEET).
  5. THE LOCATION OF EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS SHOWN ARE BASED ON RESEARCH, UTILITY PLANS PROVIDED BY OTHERS, AND/OR SURFACE EVIDENCE ENCOUNTERED AND WERE OBTAINED IN A MANNER CONSISTENT WITH THE ORDINARY STANDARD OF PROFESSIONAL CARE AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE DESIGN ENGINEER. ADDITIONAL UTILITIES NOT SHOWN MAY EXIST. ENGINEER SHALL BE NOTIFIED IF ANY DISCREPANCIES ARE ENCOUNTERED. ACTUAL LOCATION OF UNDERGROUND UTILITIES MAY VARY. DIGSAFE MUST BE CONTACTED PRIOR TO ANY EXCAVATION. CALL 1-888-DIG SAFE (344-7233).
  6. PERIMETER BOUNDARIES SHOWN HEREON BASED ON DEEDS RESEARCHED IN THE TOWN OF LAND RECORDS AND FIELD MEASUREMENTS AND PLANS BY OTHERS. VERMONT STATE PLANE GRID NORTH ESTABLISHED WITH RTK OBSERVATIONS FROM VERMONT CORN STATION V1.
  7. THE WETLAND DELINEATION SHOWN ON THIS PLAN WAS PERFORMED ON MAY 26, 2016. ACCORDING TO STANDARDS OF THE 1987 US ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL AND THE NORTHEAST REGIONAL SUPPLEMENT. THIS DELINEATION WAS PERFORMED BY KARINA DAILEY OF TRUDELL CONSULTING ENGINEERS.



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PLANNING • ENVIRONMENTAL  
418 ELAIP PARK ROAD | WILLISTON, VT 05495  
802.879.4331 | WWW.TCE-ENGINEERS.COM

Revisions  
No. Description  
1 City Comments  
2 DAB Comments  
3 Stormwater Update

TAX ID:  
Use of these Drawings  
1. Unless otherwise noted, these Drawings are for preliminary planning, coordination with utilities, and/or approval from the regulatory agencies. They are not intended as construction documents or marked approved by a regulatory agency.  
2. By use of these drawings for construction, the Owner represents that they have reviewed and accepted the drawings, obtained all necessary permits, and have met with all applicable parties including but not limited to the Engineer, to ensure these plans are properly coordinated with all applicable parties, including but not limited to, contract documents, special owner/contractor agreements, building codes, private and public utilities, and other relevant information.  
3. Owner and Architect, are responsible for the location of buildings shown, including but not limited to the minimum five (5) feet around any building, to ensure these plans are properly coordinated with all applicable parties, including but not limited to, contract documents, special owner/contractor agreements, building codes, private and public utilities, and other relevant information.  
4. Prior to using these plans for construction, the Owner shall contact TCE to ensure the plan is current and accurate.  
5. These Drawings are specific to the Project and are not transferable. As Instruments of Service, copies thereof, furnished by TCE are the property of TCE and shall remain the property of TCE. Changes to the drawings may only be made if approved in writing by TCE. If the User's responsibility to ensure the most current revisions, if unsure, please contact TCE.  
6. If the User's responsibility to ensure the most current revisions, if unsure, please contact TCE.

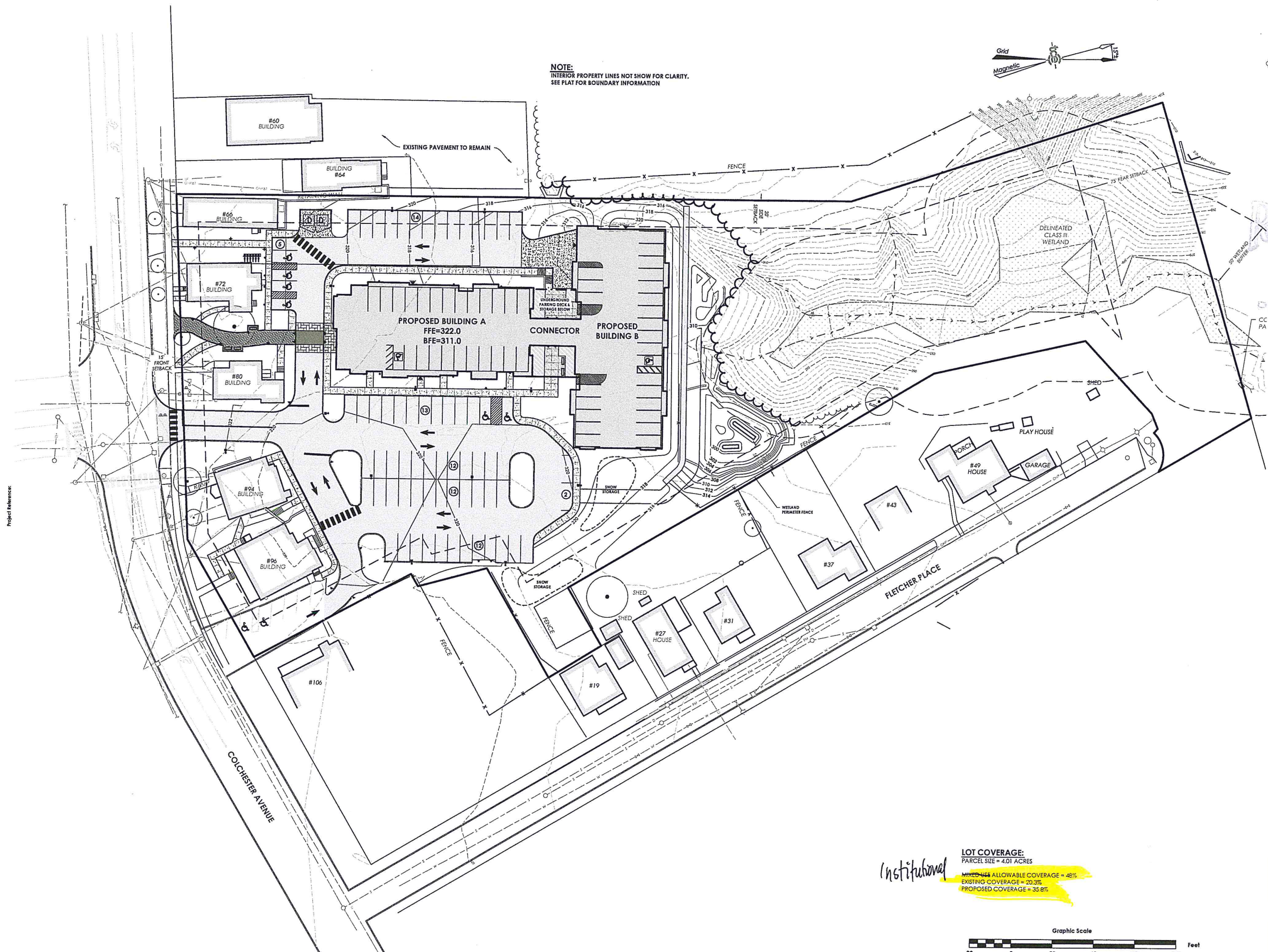
Project Title  
**Colchester Affordable Housing**  
Burlington, Vermont

Sheet Title  
**Existing Conditions & Demolition**

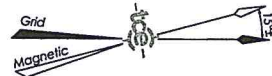
Date: \_\_\_\_\_  
Scale: \_\_\_\_\_  
Project Number: \_\_\_\_\_  
Drawn By: \_\_\_\_\_  
Project Engineer: \_\_\_\_\_  
Approved By: \_\_\_\_\_  
Field Book: \_\_\_\_\_

**C1-0**





NOTE:  
INTERIOR PROPERTY LINES NOT SHOWN FOR CLARITY.  
SEE PLAT FOR BOUNDARY INFORMATION



| Revisions         | No. | Description |
|-------------------|-----|-------------|
| City Comments     |     |             |
| DAB Comments      |     |             |
| Stormwater Update |     |             |

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JAN 27 2024  
DEPARTMENT OF  
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- TAX ID:**  
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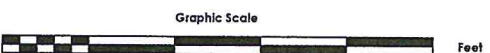


Project Title  
**Colchester Avenue Housing**  
Burlington, Vermont

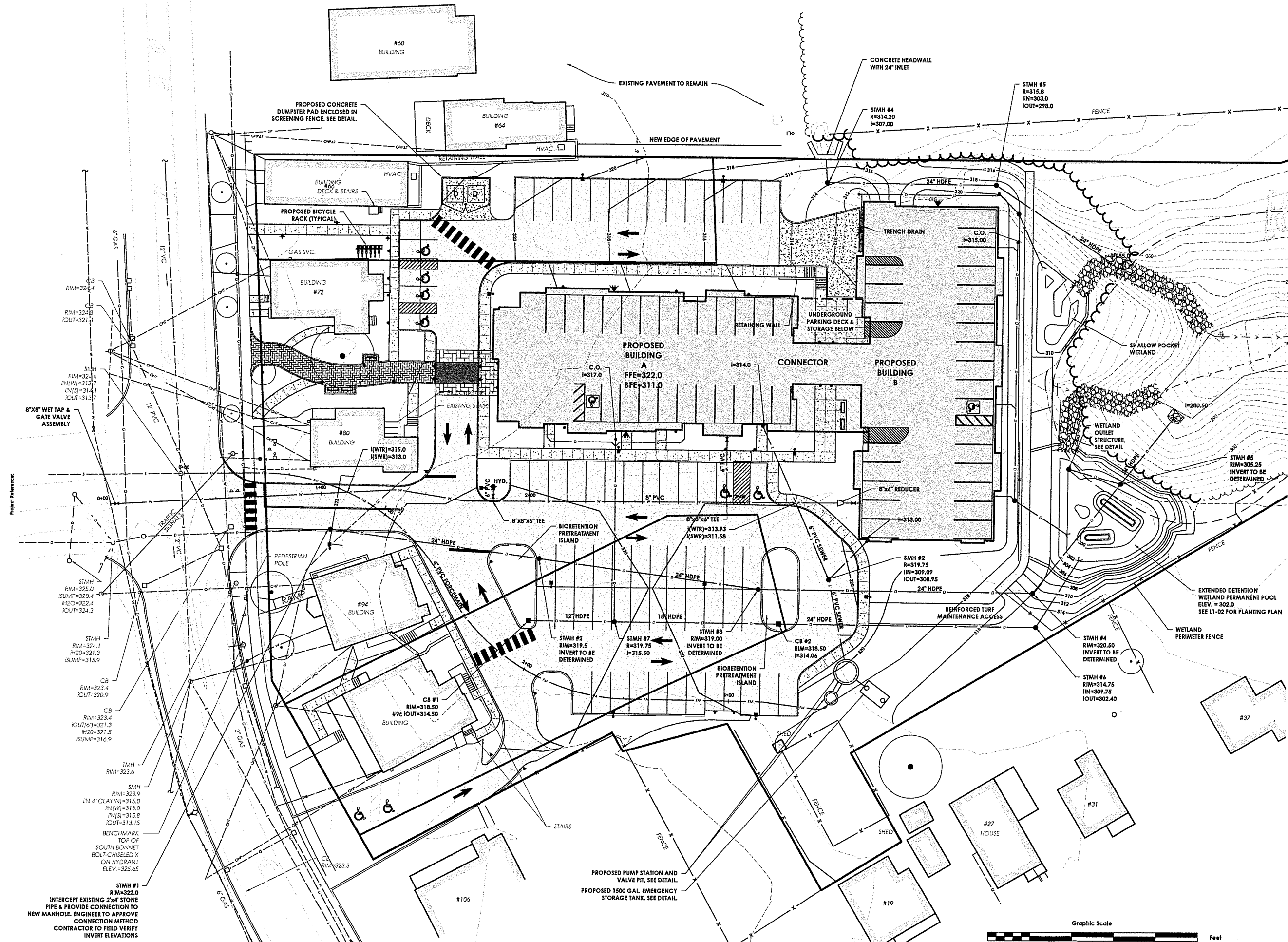
Sheet Title  
**Overall Site**

Date: \_\_\_\_\_  
Scale: \_\_\_\_\_  
Project Number: \_\_\_\_\_  
Drawn By: \_\_\_\_\_  
Project Engineer: \_\_\_\_\_  
Approved By: \_\_\_\_\_  
Field Book: \_\_\_\_\_

*Institutional*  
**LOT COVERAGE:**  
PARCEL SIZE = 4.01 ACRES  
MIXED USE ALLOWABLE COVERAGE = 48%  
EXISTING COVERAGE = 20.3%  
PROPOSED COVERAGE = 35.8%



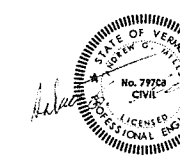




| Revisions         | No. | Description |
|-------------------|-----|-------------|
| City Comments     |     |             |
| DAB Comments      |     |             |
| Stormwater Update |     |             |

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3. Owner and Architect are responsible for location of buildings shown, including minimum five (5) feet around any building and utility connections shown on these drawings.
4. Prior to using these plans for construction, the user shall contact TCE to ensure the plan contains current revisions.
5. These Drawings are specific to the project and site. As instruments of service, they are not to be reproduced, copied, or altered in any way without the written consent of TCE. Changes to the drawings may only be made by TCE. Errors or omissions are discovered, the attention of TCE immediately.
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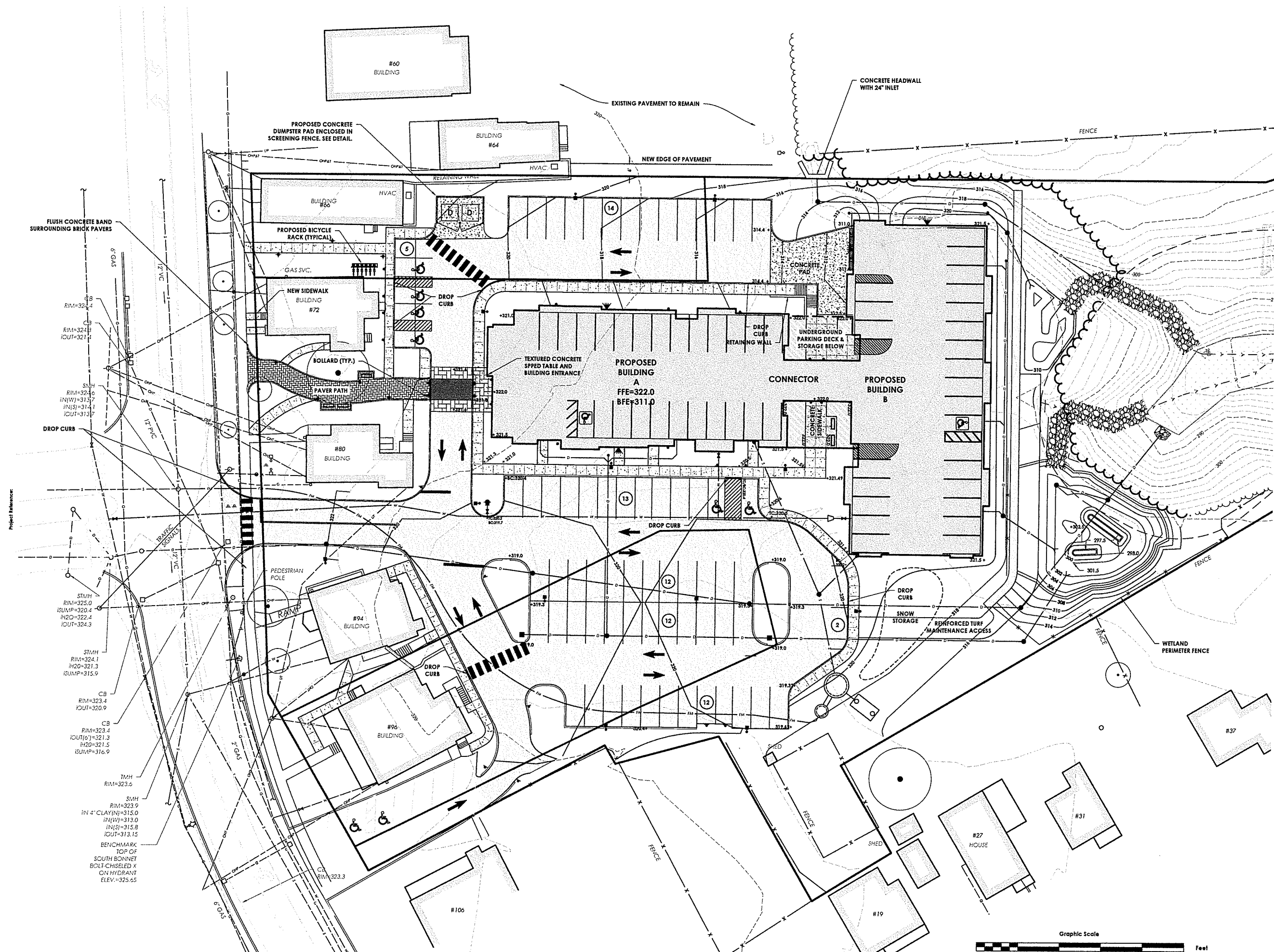
Project Title

**Colchester Affordable Housing**  
Burlington, Vermont

Sheet Title

**Utility Site Plan**

Date: \_\_\_\_\_  
Scale: \_\_\_\_\_  
Project Number: \_\_\_\_\_  
Drawn by: \_\_\_\_\_  
Project Engineer: \_\_\_\_\_  
Approved by: \_\_\_\_\_  
Field Book: \_\_\_\_\_



Project Reference:

FLUSH CONCRETE BAND SURROUNDING BRICK PAVERS

6" GAS  
RIM=324.4  
CB  
RIM=324.3  
IOUT=321.4

SMH  
RIM=324.6  
IN(W)=313.7  
IN(S)=314.1  
IOUT=313.7

STMH  
RIM=325.0  
ISUMP=320.4  
H2O=322.4  
IOUT=324.3

STMH  
RIM=324.1  
H2O=321.3  
ISUMP=315.9

CB  
RIM=323.4  
IOUT=320.9

CB  
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IOUT=321.3  
H2O=321.5  
ISUMP=316.9

TMH  
RIM=323.6

SMH  
RIM=323.9  
IN 4" CLAY(IN)=315.0  
IN(W)=313.0  
IN(S)=315.8  
IOUT=313.15

BENCHMARK  
TOP OF  
SOUTH BONNET  
BOLT-CHEISEL X  
ON HYDRANT  
ELEV.=325.55

CB  
RIM=323.3

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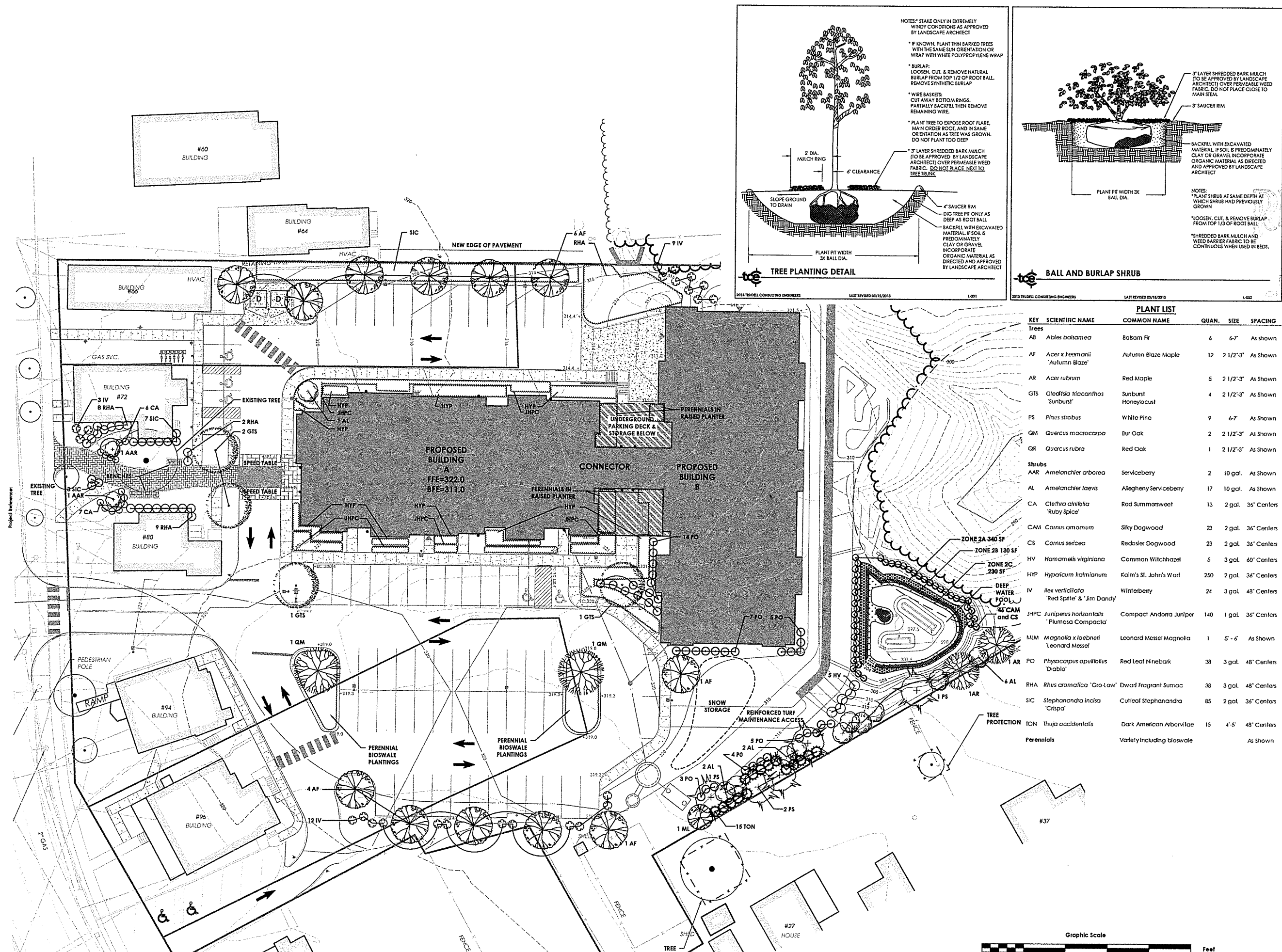
#96

#106

#19







| PLANT LIST        |                                              |                            |       |           |             |
|-------------------|----------------------------------------------|----------------------------|-------|-----------|-------------|
| KEY               | SCIENTIFIC NAME                              | COMMON NAME                | QUAN. | SIZE      | SPACING     |
| <b>Trees</b>      |                                              |                            |       |           |             |
| AB                | Abies balsamea                               | Balsam Fir                 | 6     | 6-7'      | As Shown    |
| AF                | Acer x freemanii 'Autumn Blaze'              | Autumn Blaze Maple         | 12    | 2 1/2'-3' | As Shown    |
| AR                | Acer rubrum                                  | Red Maple                  | 5     | 2 1/2'-3' | As Shown    |
| GTS               | Gleditsia triacanthos 'Sunburst'             | Sunburst Honeylocust       | 4     | 2 1/2'-3' | As Shown    |
| PS                | Pinus strobus                                | White Pine                 | 9     | 6-7'      | As Shown    |
| QM                | Quercus macrocarpa                           | Bur Oak                    | 2     | 2 1/2'-3' | As Shown    |
| QR                | Quercus rubra                                | Red Oak                    | 1     | 2 1/2'-3' | As Shown    |
| <b>Shrubs</b>     |                                              |                            |       |           |             |
| AAR               | Amelanchier arborea                          | Serviceberry               | 2     | 10 gal.   | As Shown    |
| AL                | Amelanchier laevis                           | Allegheny Serviceberry     | 17    | 10 gal.   | As Shown    |
| CA                | Clethra alnifolia 'Ruby Spice'               | Red Summersweet            | 13    | 2 gal.    | 36" Centers |
| CAM               | Cornus amomum                                | Silky Dogwood              | 23    | 2 gal.    | 36" Centers |
| CS                | Cornus sericea                               | Redosier Dogwood           | 23    | 2 gal.    | 36" Centers |
| HV                | Hamamelis virginiana                         | Common Witchhazel          | 5     | 3 gal.    | 60" Centers |
| HYP               | Hypoxis kalmianum                            | Kalm's St. John's Wort     | 250   | 2 gal.    | 36" Centers |
| IV                | Ilex verticillata 'Red Sprite' & 'Jim Dandy' | Winterberry                | 24    | 3 gal.    | 48" Centers |
| JHPC              | Juniperus horizontalis 'Plumosa Compacta'    | Compact Andorra Juniper    | 140   | 1 gal.    | 36" Centers |
| LM                | Magnolia x laebei 'Leonard Messel'           | Leonard Messel Magnolia    | 1     | 5' - 6'   | As Shown    |
| PO                | Physocarpus opulifolius 'Diablo'             | Red Leaf Ninebark          | 38    | 3 gal.    | 48" Centers |
| RHA               | Rhus aromatica 'Gro-Low'                     | Dwarf Fragrant Sumac       | 38    | 3 gal.    | 48" Centers |
| SIC               | Stephanandra incisa 'Crispa'                 | Cutleaf Stephanandra       | 85    | 2 gal.    | 36" Centers |
| TON               | Thuja occidentalis                           | Dark American Arborvitae   | 15    | 4'-5'     | 48" Centers |
| <b>Perennials</b> |                                              |                            |       |           |             |
|                   |                                              | Variety including bioswale |       |           | As Shown    |

**ENGINEERING**  
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418 ELKHART PARK ROAD | WILLISTON  
802 875 4331 | WWW.TCE-NE.COM

Revisions

| No. | Description       |
|-----|-------------------|
| 1   | DAB Comments      |
| 2   | Stormwater Update |

TAX ID: 14-0000000

Use of these Drawings

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Project Title: **Colchester Affordable Housing**  
Burlington, Vermont

Sheet Title: **Landscaping**

Date: \_\_\_\_\_

Scale: \_\_\_\_\_

Project Number: \_\_\_\_\_

Drawn By: \_\_\_\_\_

Project Engineer: \_\_\_\_\_

Approved By: \_\_\_\_\_

Field Book: \_\_\_\_\_

**L1-0**



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OF JUSTICE

## Feet

Date: \_\_\_\_\_  
Scale: \_\_\_\_\_  
Project Number: \_\_\_\_\_  
Drawn By: \_\_\_\_\_  
Project Engineer: \_\_\_\_\_  
Approved By: \_\_\_\_\_  
Field Book: \_\_\_\_\_





| LUMINAIRE SCHEDULE |       |     |                        |                                                                     |                                 |
|--------------------|-------|-----|------------------------|---------------------------------------------------------------------|---------------------------------|
| SYMBOL             | LABEL | QTY | CATALOG NUMBER         | DESCRIPTION                                                         | MOUNT HEIGHT                    |
|                    | A     | 11  | DSX0LED20C53040KTFTMWS | Lithonia D-Series<br>Size 0 - Forward Throw<br>w/ House-side Shield | 20 LED, 35W<br>15 FT            |
|                    | B     | 2   | DSX0LED20C53040KTSM    | Lithonia D-Series<br>Size 0 - TYPE S Medium                         | 20 LED, 72W<br>15 FT            |
|                    | C     | 3   | LUNA 1.6605K           | LUNA Wall Sconce<br>Down Cast                                       | 75W CFL<br>8 FT (per elevation) |
|                    | D     | 12  | PL642EU-23-2C-WH       | Juno 4" Vertical Housing<br>Recessed Fixture                        | 42W CFL<br>8 FT (per elevation) |
|                    | E     | 11  | BRI-42-42-CF           | McGraw-Edition 42"<br>Round Louvered Ballast                        | 42W CFL<br>3.5 FT               |

|              |            | AVG. ILLUMINATION<br>LEVEL | UNIFORMITY RATIO<br>(MAX:MIN) | MAX. POINT<br>ILLUMINATION | MIN. POINT<br>ILLUMINATION | MAX @ 2' |
|--------------|------------|----------------------------|-------------------------------|----------------------------|----------------------------|----------|
| PARKING AREA | REQUIRED   | -                          | 20:1                          | 4.0 fc                     | -                          | 0.1 fc   |
|              | CALCULATED | 1.2 fc                     | 14.0:1                        | 2.8 fc                     | 0.2 fc                     | 0.0 fc   |
| WALKWAYS     | REQUIRED   | 0.5 fc                     | -                             | 2.0 fc                     | -                          | -        |
|              | CALCULATED | 0.5 fc                     | -                             | 1.9 fc                     | -                          | -        |

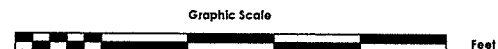
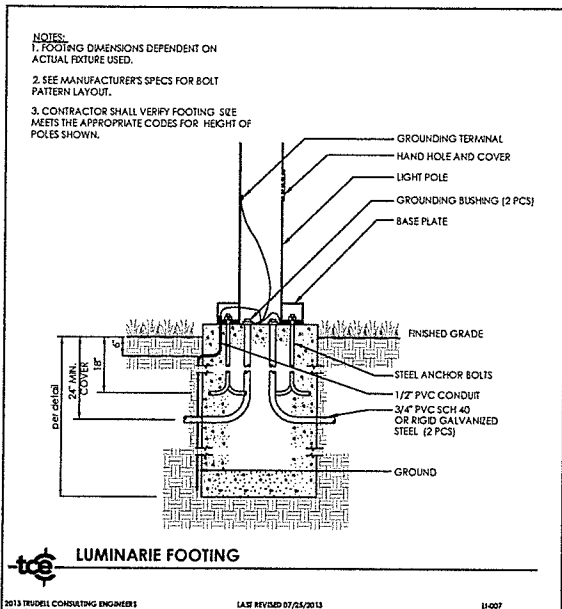
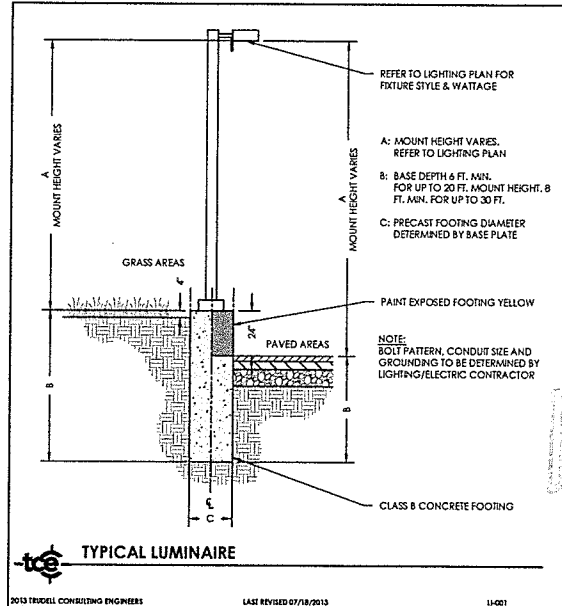
**LEGEND**

0.1 FOOTCANDLES (fc)

0.5 FOOTCANDLES (fc)

1.0 FOOTCANDLES (fc)

- NOTES:**
- AREA LIGHT AND BUILDING LAYOUT AS SHOWN FOR PERMITTING PURPOSES. BUILDING-MOUNTED FIXTURES ARE SHOWN FOR PERMITTING PURPOSES ONLY.
  - DISCREPANCIES BETWEEN L2-01 AND OTHER CIVIL, ELECTRICAL OR ARCHITECTURAL PLANS SHOULD BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO INSTALLATION.
  - QUANTITIES AND CATALOG NUMBER SHOWN IN TABLE SHOULD BE VERIFIED BY ELECTRIC CONTRACTOR PRIOR TO ORDERING.
  - LUMENS PER ACRE OVER SITE = 35,700 lumens/acre



- TAXID:**
- Use of these Drawings
- Unless otherwise noted, these Drawings are preliminary planning, coordination with utilities, and/or approval from the relevant authority. They are not intended as construction documents as such or marked approved by a registered professional engineer.
  - By use of these drawings for construction, the Owner represents that they have read and accepted the drawings, obtained and have met with all applicable parties including but not limited to, the Engineer to insure these plans are properly coordinated and not in conflict with any other plans, private and public utilities, and other construction.
  - Owner and Architect, are responsible for location of buildings shown, including a minimum five (5) feet around any building. First utility connections shown on these drawings.
  - Prior to using these plans for construction, the user shall contact TCE to ensure the plan is current and correct.
  - These Drawings are specific to the Project. As instruments of service, copies thereof, furnished by TCE are its property. Changes to the drawings may only be made if the drawings are discovered, they are the property of TCE immediately.
  - It is the user's responsibility to ensure the most current revisions. If unused, please do not use.



Project Title  
**Colchester Avenue Housing**  
Burlington, Vermont

Sheet Title  
**Lighting Plan**

Date: \_\_\_\_\_

Scale: \_\_\_\_\_

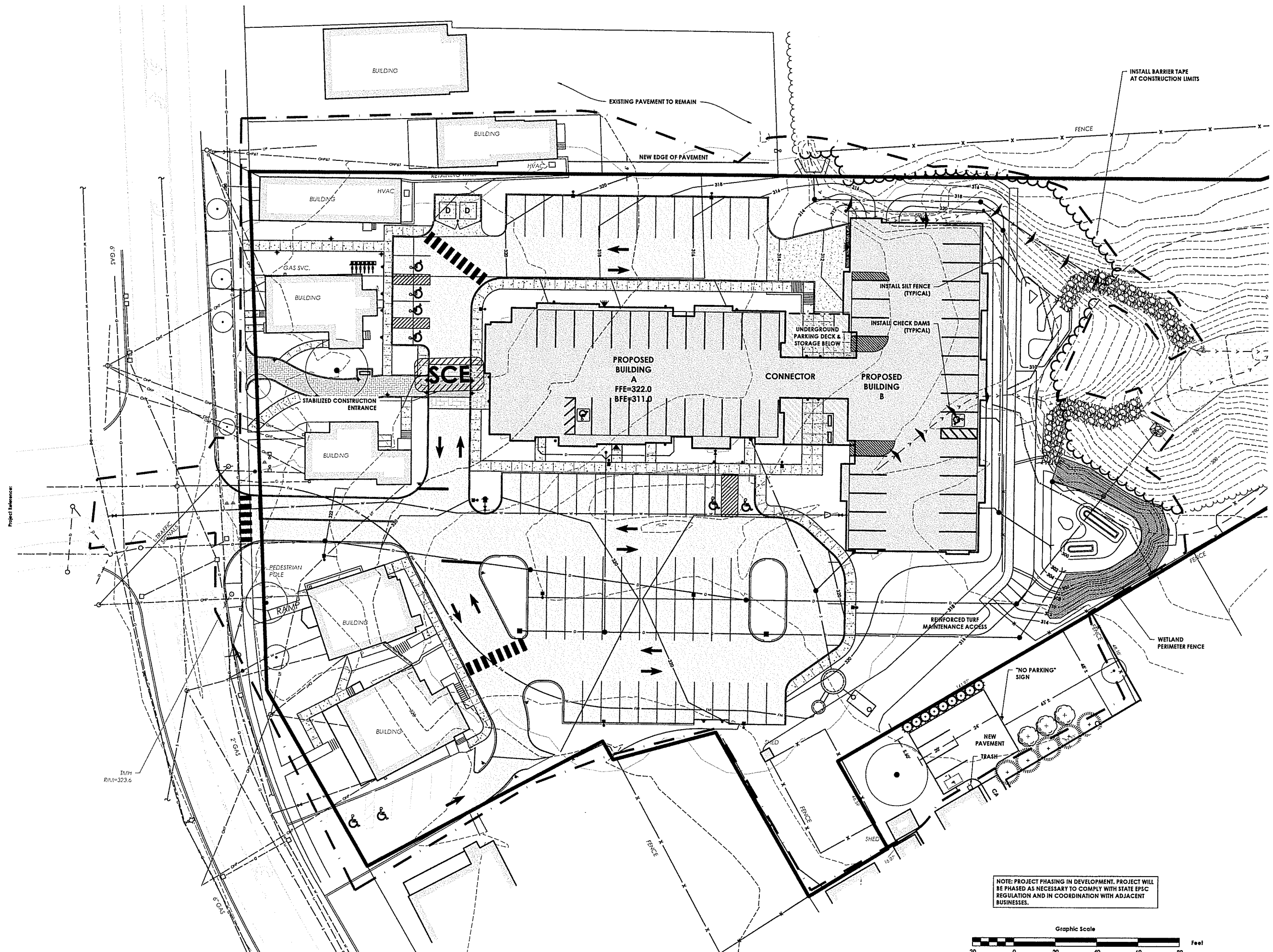
Project Number: \_\_\_\_\_

Drawn By: \_\_\_\_\_

Project Engineer: \_\_\_\_\_

Approved By: \_\_\_\_\_

Field Book: \_\_\_\_\_



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405 ELGIN PARK ROAD | WILLOUGHBY, VT 05361  
802.875.6321 | WWW.TCE-ENG.COM

Revisions  
No. Description  
City Comments  
Stormwater Update

TAX ID:  
Use of these Drawings  
1. Unless otherwise noted, these Drawings are preliminary planning, coordination with utilities, and/or approved from the region. They are not intended as construction documents as such or marked approved by a registered professional.  
2. By use of these drawings for construction, the Owner represents that they have read and accepted the drawings, obtained and have met with all applicable parties including but not limited to, the Engineer, to ensure these plans are properly coordinated not limited to, contract documents, special owner/contractor agreements, building plans, private and public utilities, and other for construction.  
3. Owner and Architect, are responsible for location of buildings shown, including minimum five (5) feet around any building and utility connections shown on these drawings.  
4. Prior to using these plans for construction, the user shall contact TCE to ensure the plan is current and revisions.  
5. These Drawings are specific to the project and are not transferable. As instruments of service, copies thereof, furnished by TCE are its property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, the user shall notify TCE immediately.  
6. It is the user's responsibility to ensure the most current revisions. If unsure, please contact TCE.



Project Title

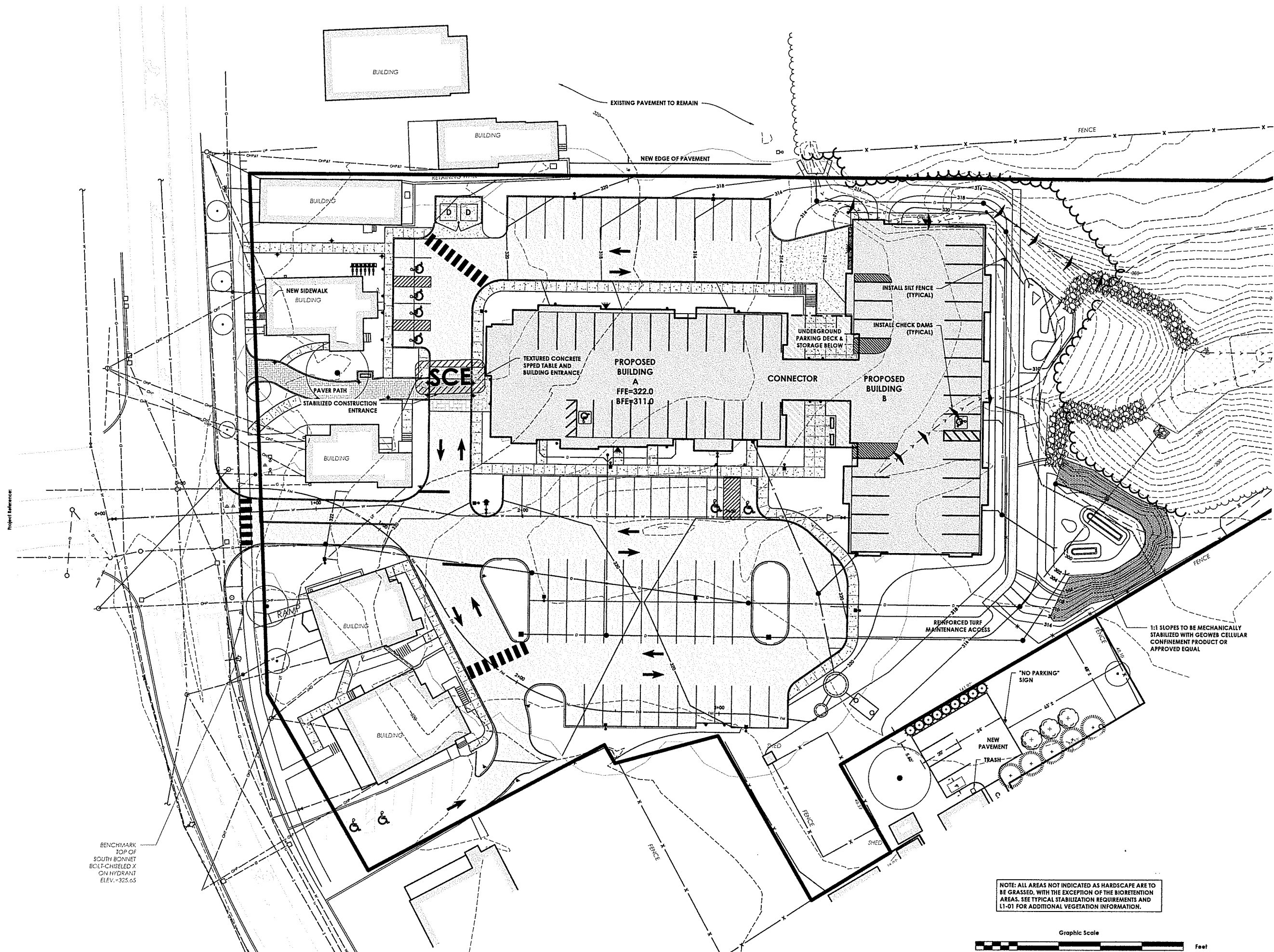
Colchester Affordable Housing  
Burlington, Vermont

Sheet Title

EPSC Construction

Date: \_\_\_\_\_  
Scale: \_\_\_\_\_  
Project Number: \_\_\_\_\_  
Drawn By: \_\_\_\_\_  
Project Engineer: \_\_\_\_\_  
Approved By: \_\_\_\_\_  
Field Book: \_\_\_\_\_

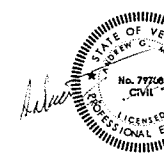
C5-0



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| Revisions         | No. | Description |
|-------------------|-----|-------------|
| City Comments     |     |             |
| Stormwater Update |     |             |

- TAX ID:
- Use of these Drawings for construction shall require the Owner to obtain all necessary permits, approvals, and/or other required documents from the appropriate authorities. The Engineer shall be responsible for obtaining all necessary permits, approvals, and/or other required documents from the appropriate authorities. The Engineer shall be responsible for obtaining all necessary permits, approvals, and/or other required documents from the appropriate authorities.
  - By use of these drawings for construction, the Owner represents that they have read and accepted the drawings, obtained all necessary permits, approvals, and/or other required documents from the appropriate authorities, and have met with all applicable parties, including but not limited to, the Engineer, to ensure these plans are properly coordinated and that all necessary permits, approvals, and/or other required documents have been obtained.
  - Owner and Architect, are responsible for the location of buildings shown, including but not limited to, the minimum five (5) feet around any building, and for ensuring that all utility connections shown on these drawings are properly coordinated and that all necessary permits, approvals, and/or other required documents have been obtained.
  - Prior to using these plans for construction, the user shall contact TCE to ensure the plan is the most current revision.
  - These Drawings are specific to the project shown. As instruments of service, copies thereof, furnished by TCE are its property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, the user shall contact TCE immediately.
  - It is the user's responsibility to ensure the most current revisions are used.



Project Title  
**Colchester Affordable Housing**  
Burlington, Vermont

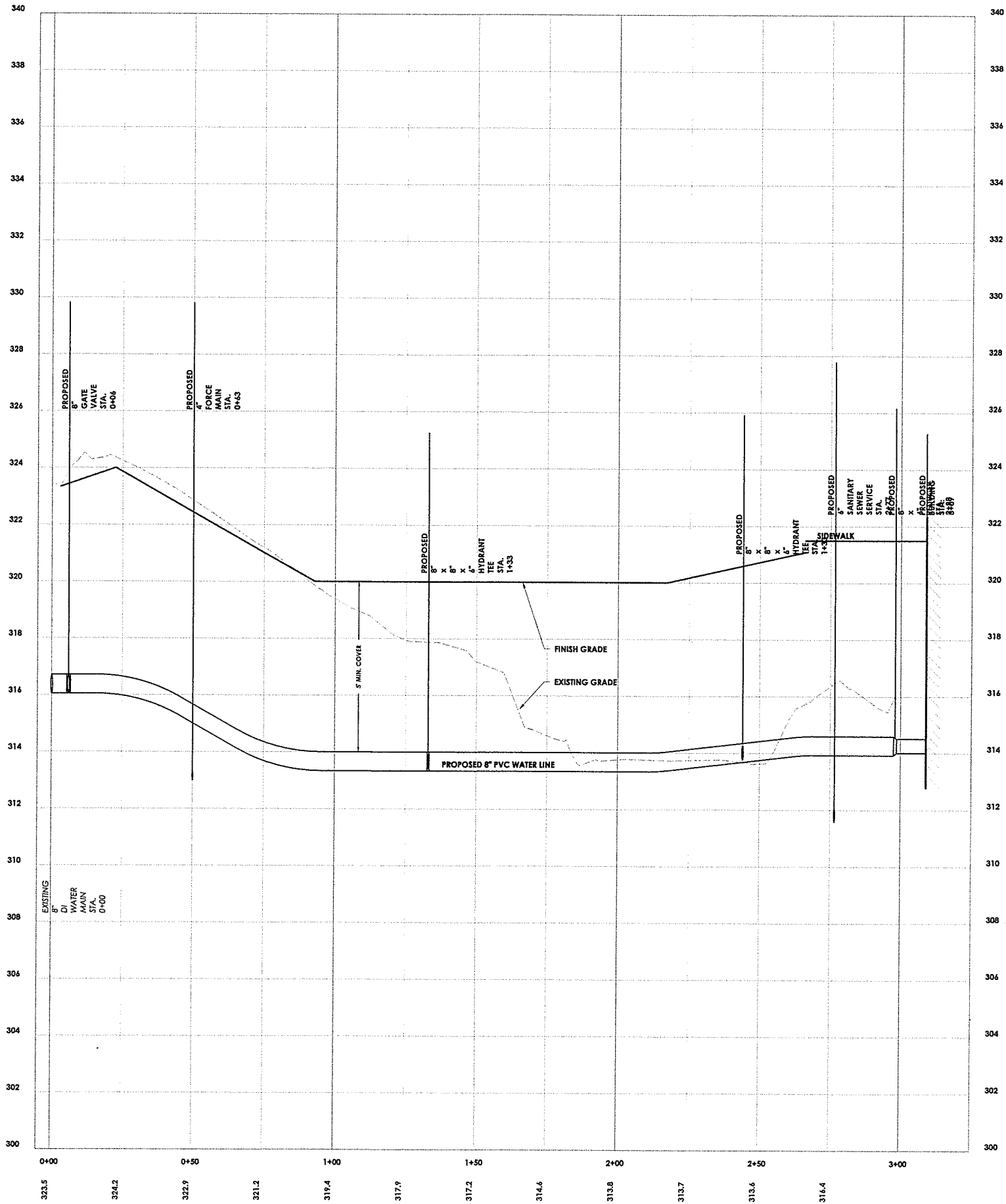
Sheet Title  
**EPSC Stabilization**

|                   |  |
|-------------------|--|
| Date:             |  |
| Scale:            |  |
| Project Number:   |  |
| Drawn by:         |  |
| Project Engineer: |  |
| Approved by:      |  |
| Field book:       |  |

C5-0



Project Reference:

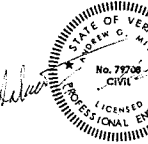


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Revisions  
No. Description  
1 Stormwater Update

DESIGNED BY  
JAN 27 2024  
DEPARTMENT OF  
PUBLIC WORKS

TAX ID:  
Use of These Drawings  
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3. Owner and Architect, are responsible for location of buildings shown, including a minimum five (5) feet around any building and utility connections shown on these drawings.  
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Project Title

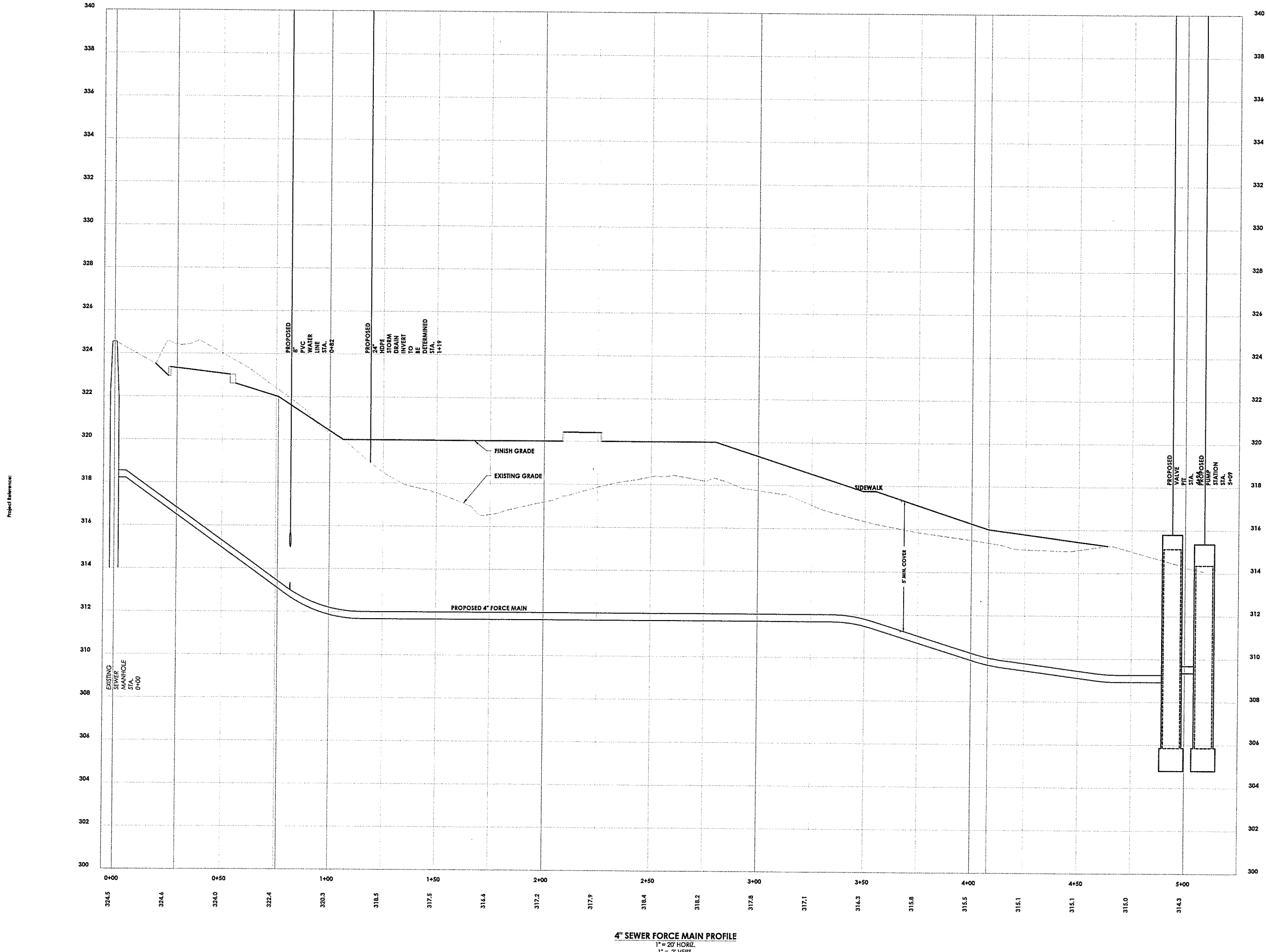
Colchester Affordable Housing  
Burlington, Vermont

Sheet Title

Waterline Profile

Date: \_\_\_\_\_  
Scale: \_\_\_\_\_  
Project Number: \_\_\_\_\_  
Drawn By: \_\_\_\_\_  
Project Engineer: \_\_\_\_\_  
Approved By: \_\_\_\_\_  
Field Book: \_\_\_\_\_

C6-0



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Revisions

| No. | Description       |
|-----|-------------------|
| 1   | Stormwater Update |

JAN 27 2025

DEPARTMENT OF PUBLIC WORKS

TAX ID:

Use of These Drawings

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Project Title

Colchester Affordable Housing  
Burlington, Vermont

Sheet Title

Sanitary Sewer

Date: \_\_\_\_\_

Scale: \_\_\_\_\_

Project Number: \_\_\_\_\_

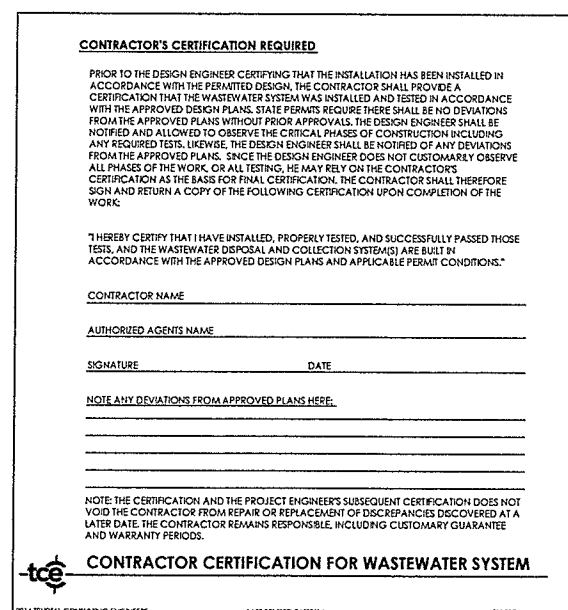
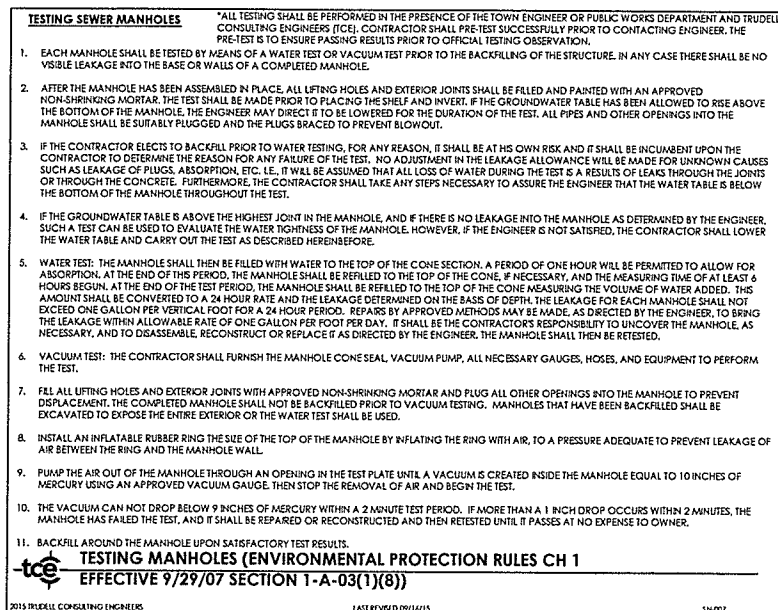
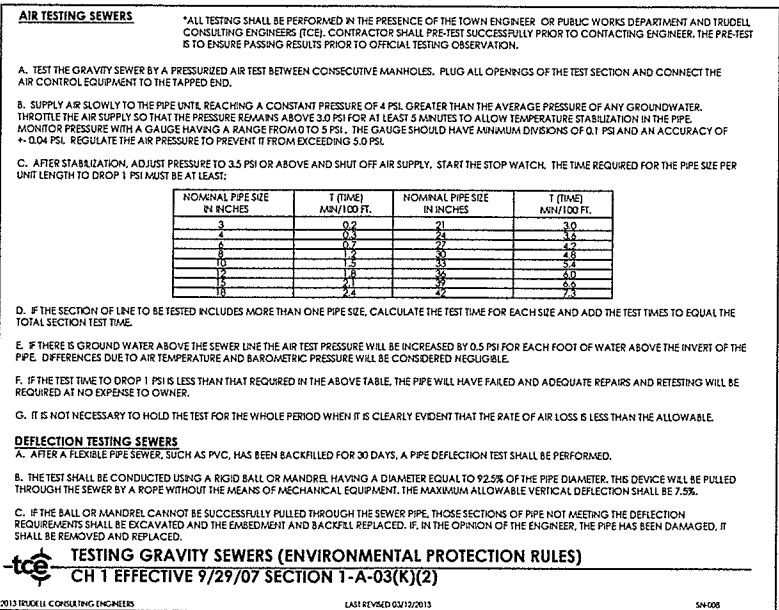
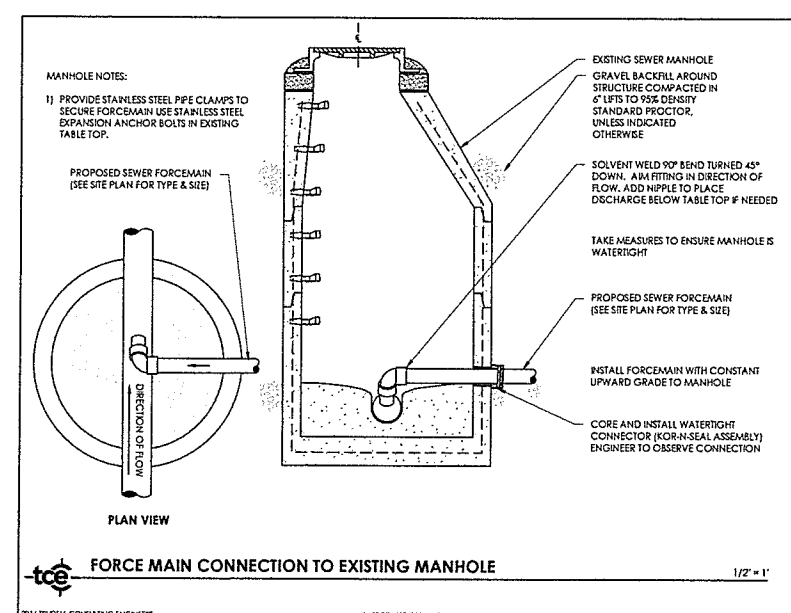
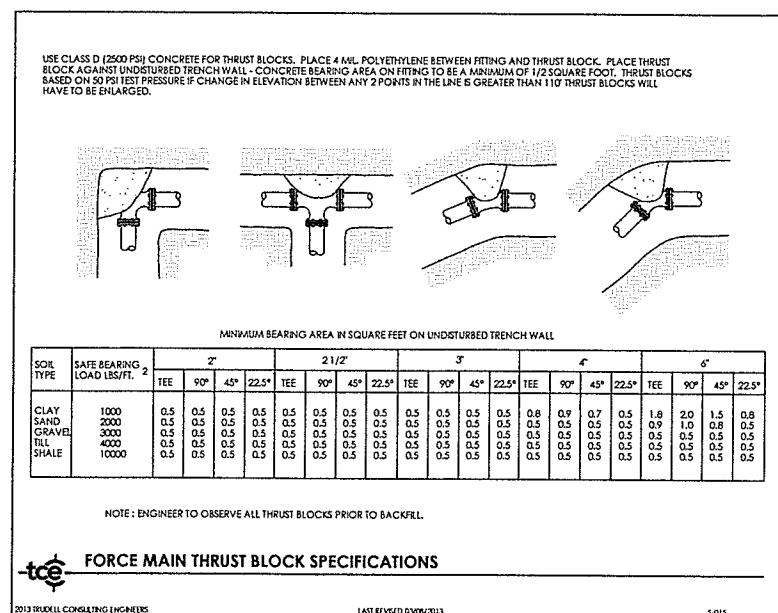
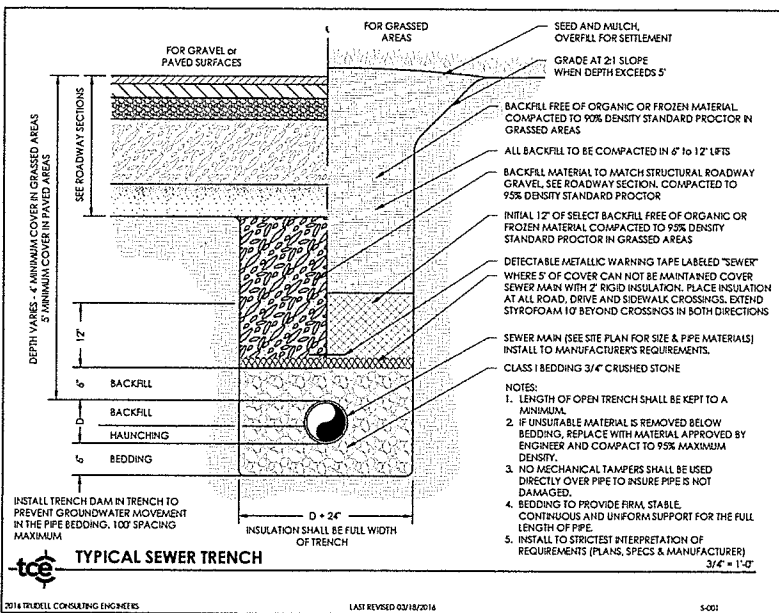
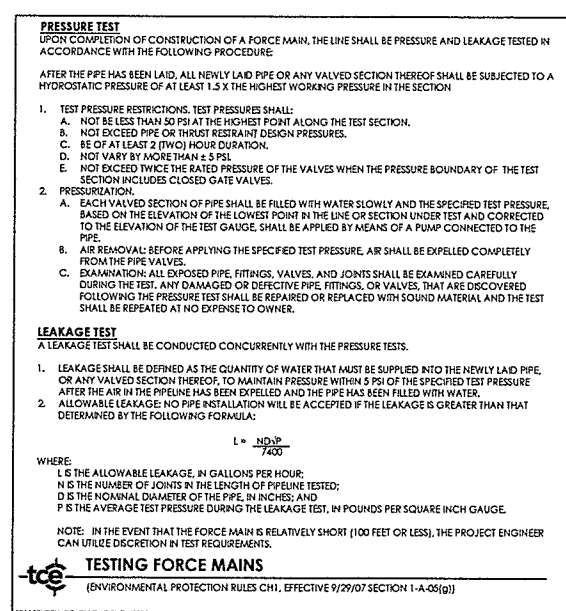
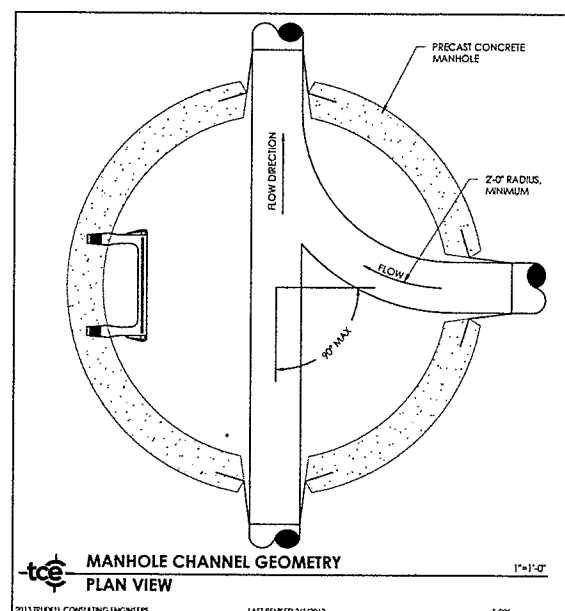
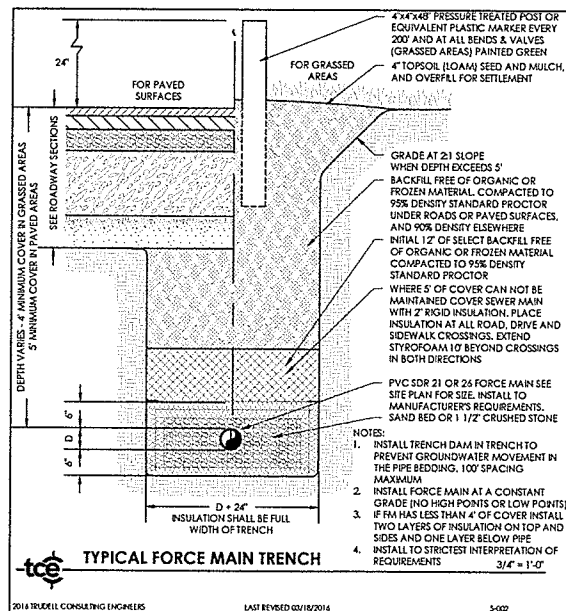
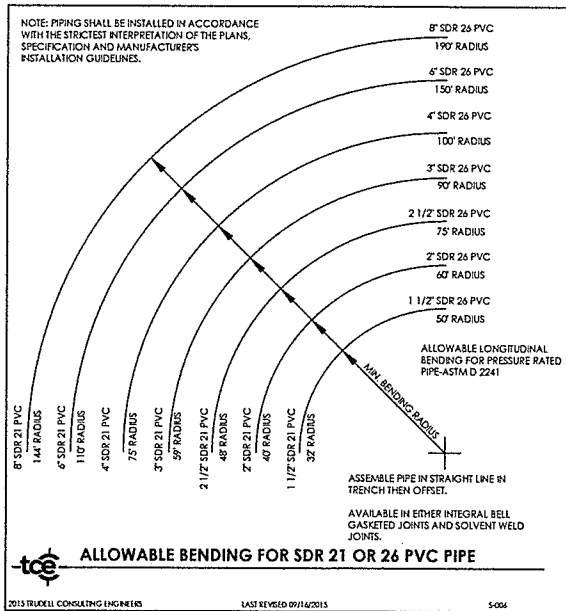
Drawn By: \_\_\_\_\_

Project Engineer: \_\_\_\_\_

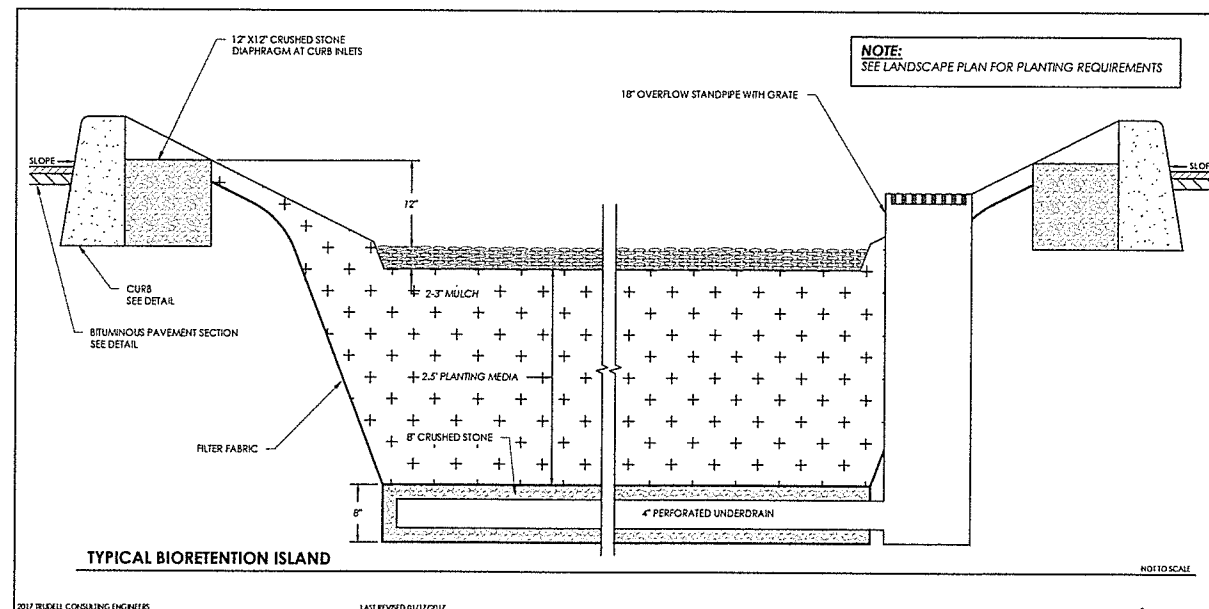
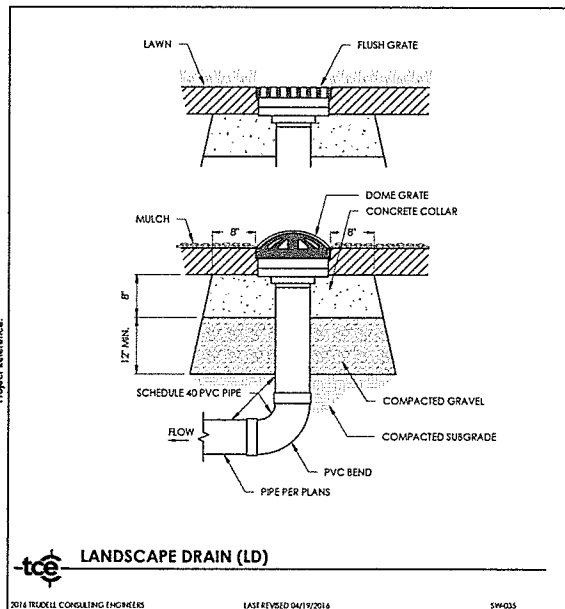
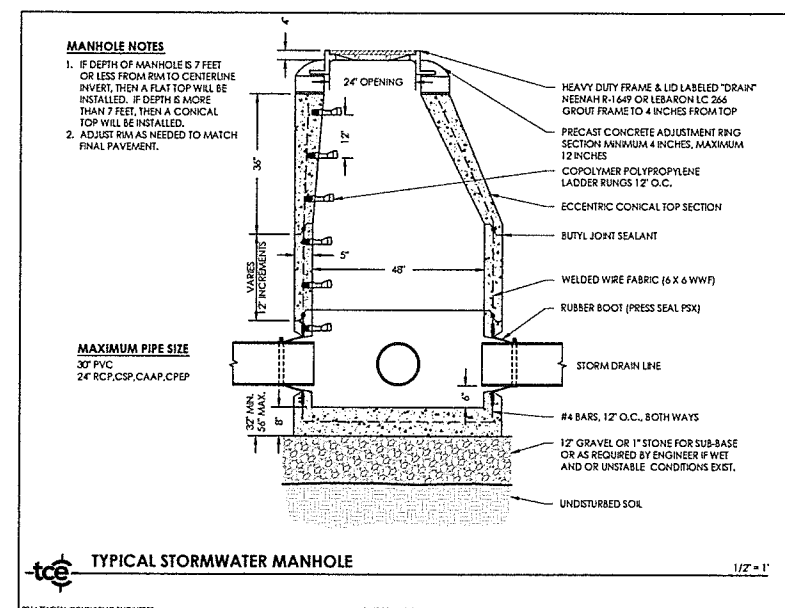
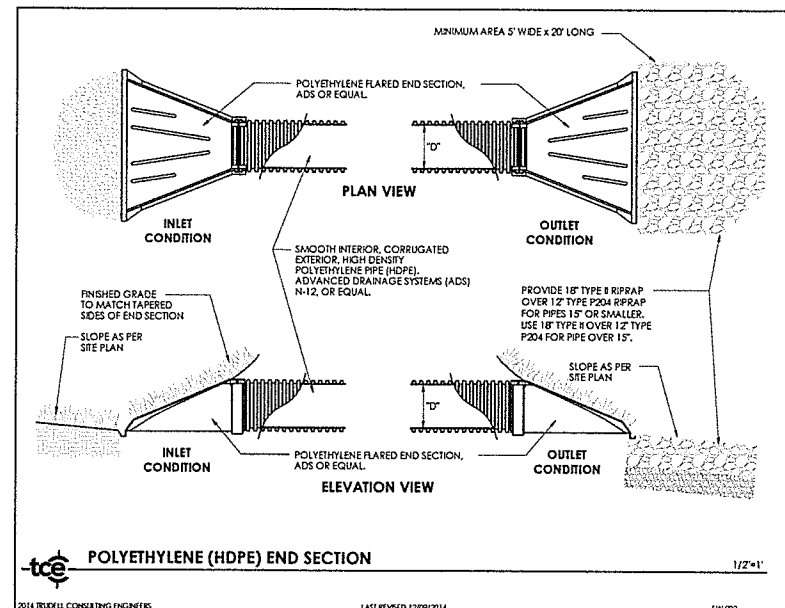
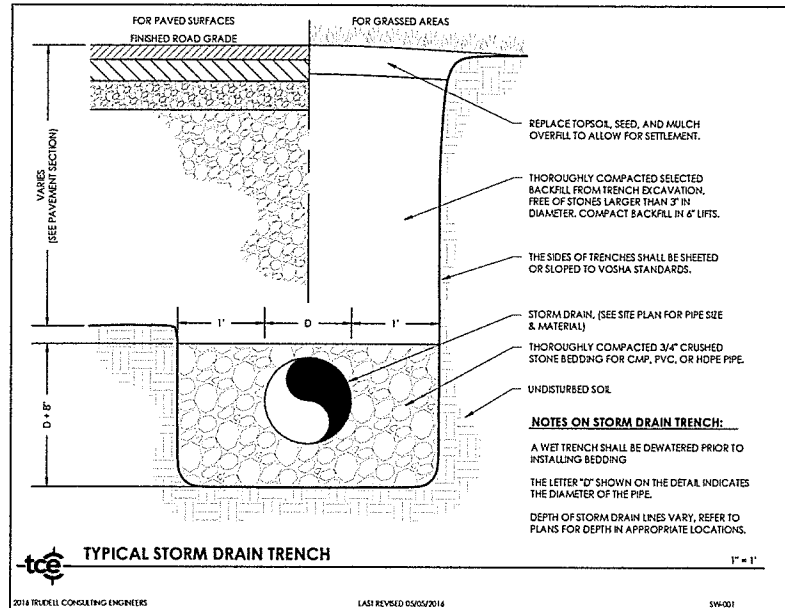
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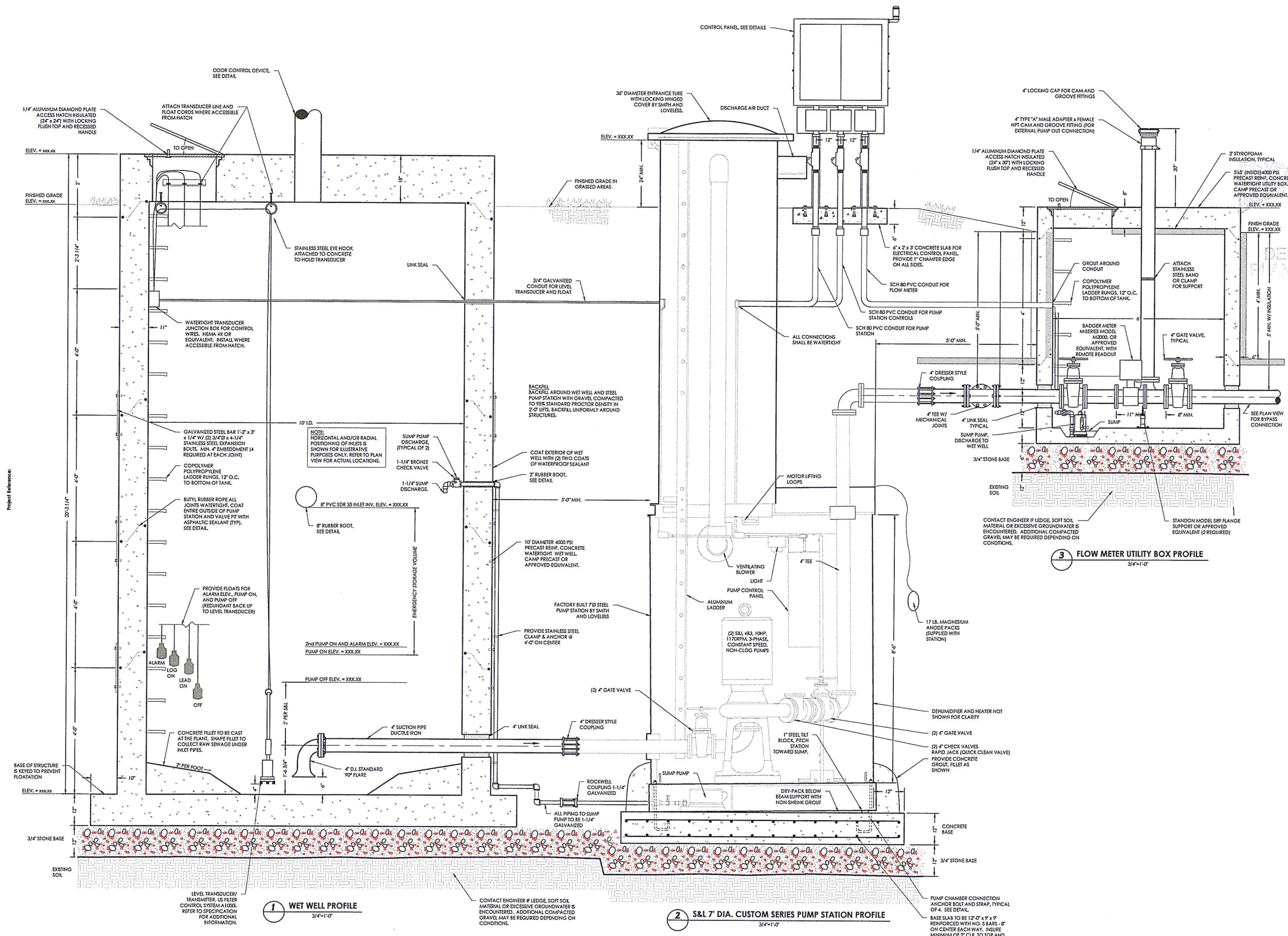
Field Book: \_\_\_\_\_

C6-0









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Revisions

| No. | Description       |
|-----|-------------------|
| 1   | Stormwater Update |

TAX ID:

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Project Title

Colchester Affordable Housing  
Burlington, Vermont

Sheet Title

Pump Station Detail

Dated:

Scale:

Project Number:

Drawn By:

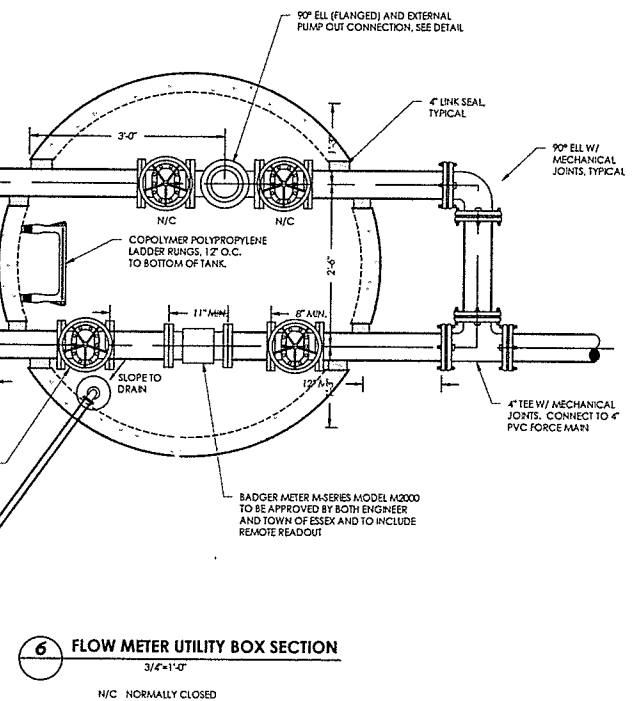
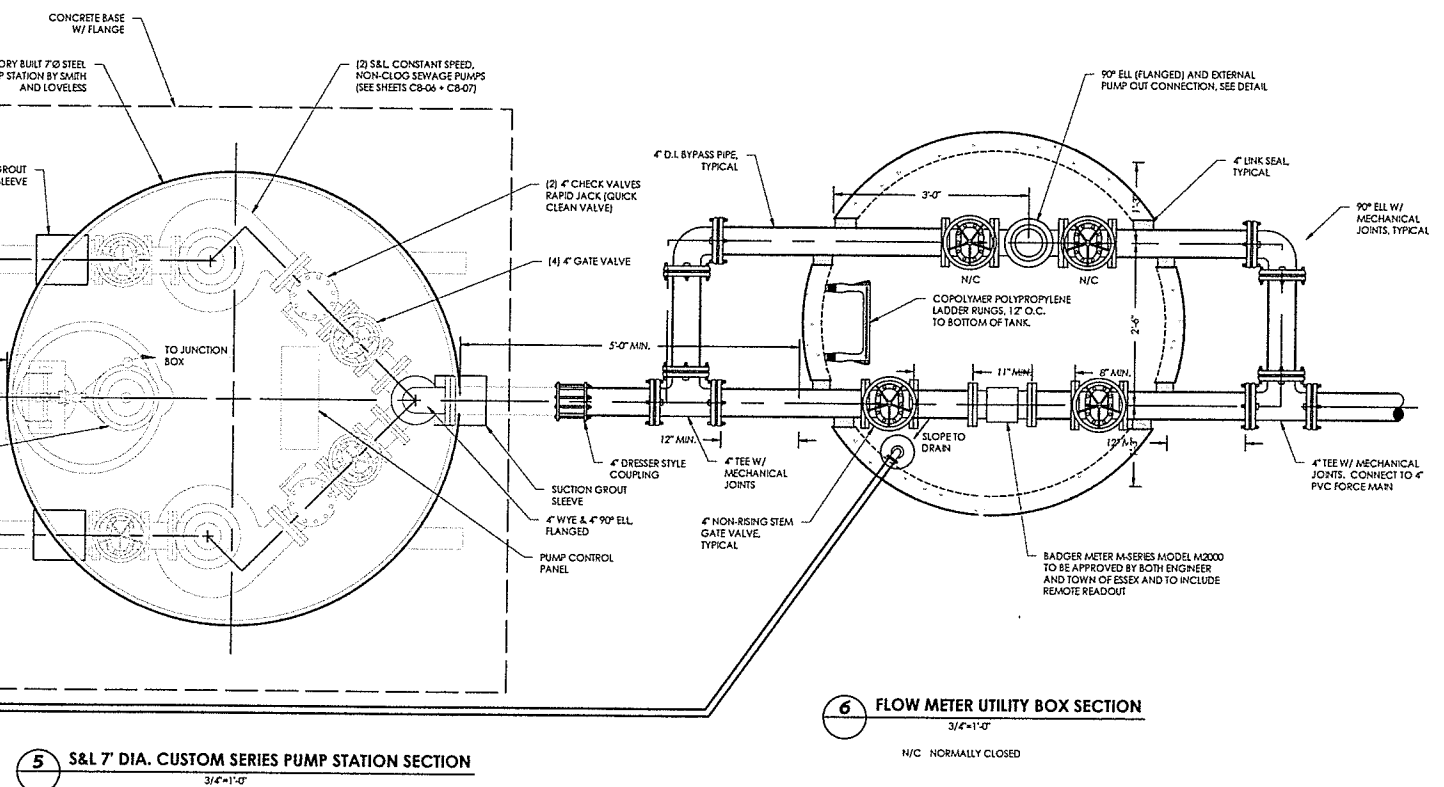
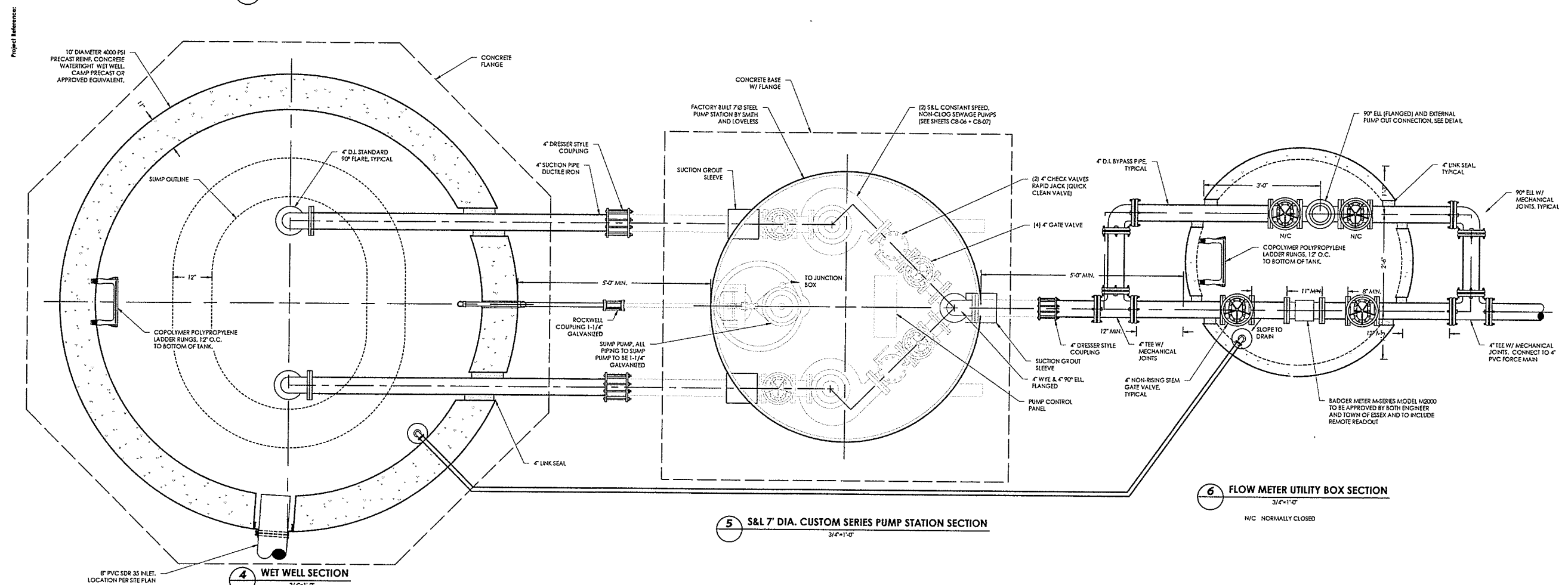
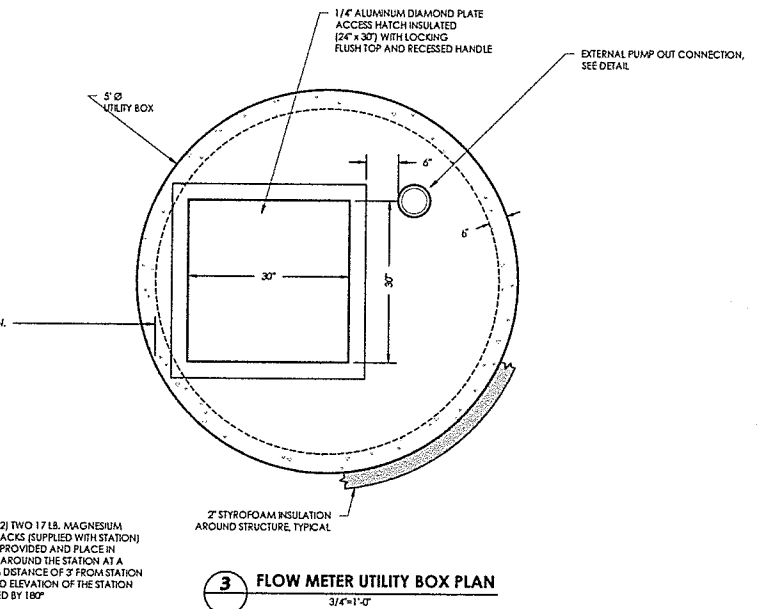
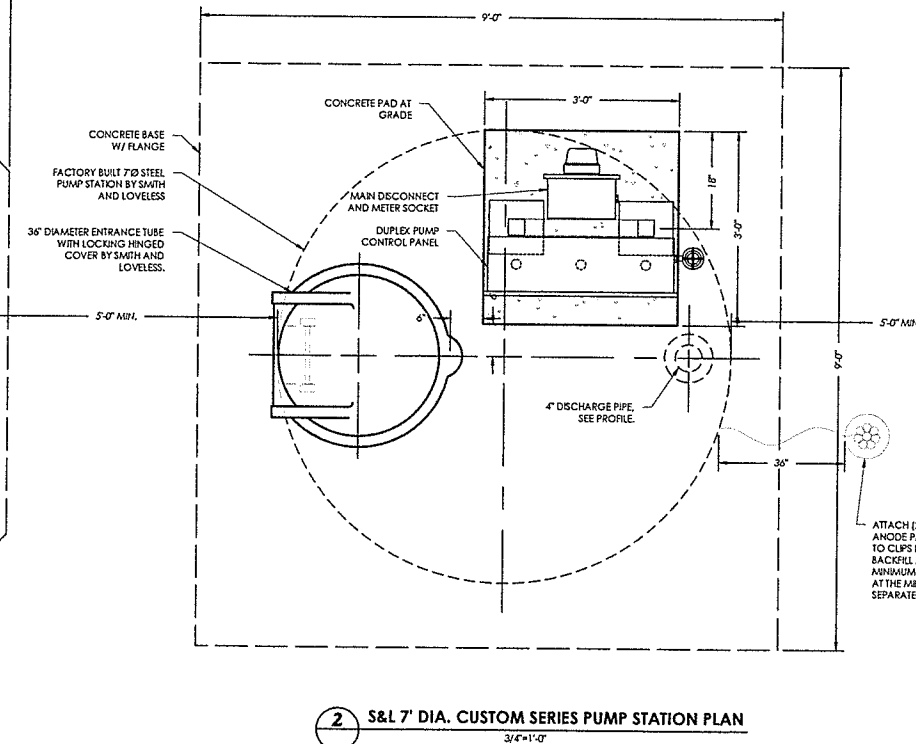
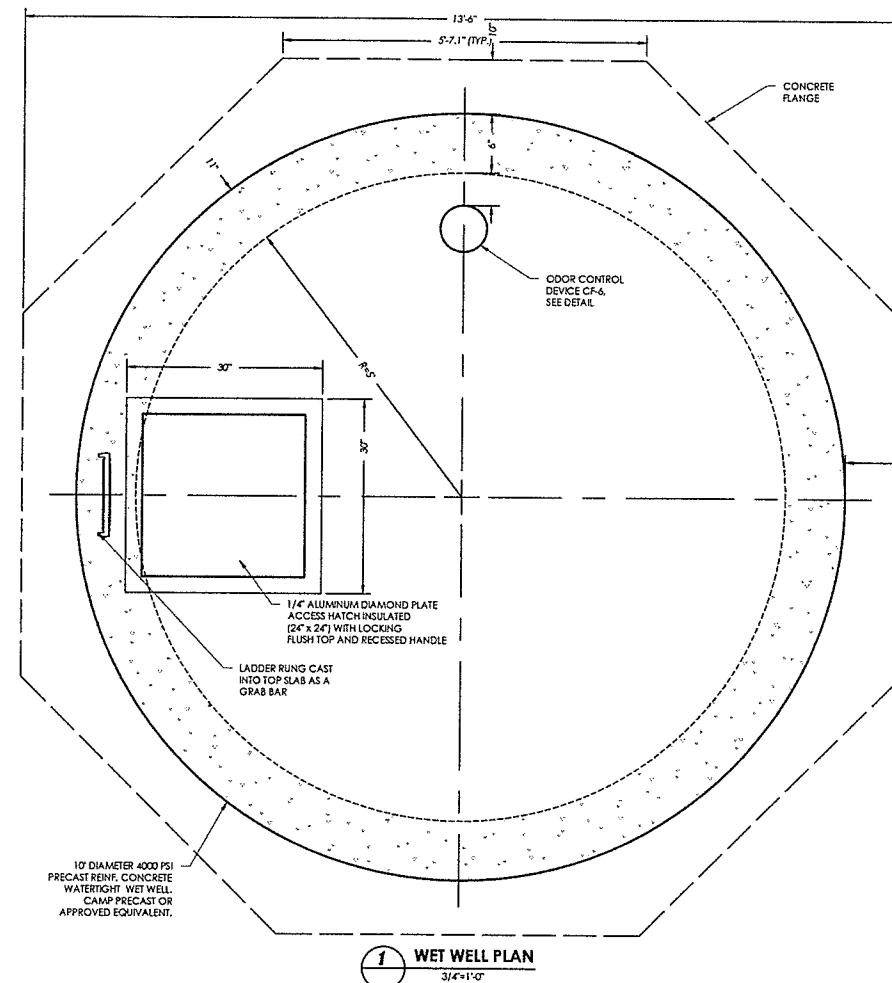
Project Engineer:

Approved By:

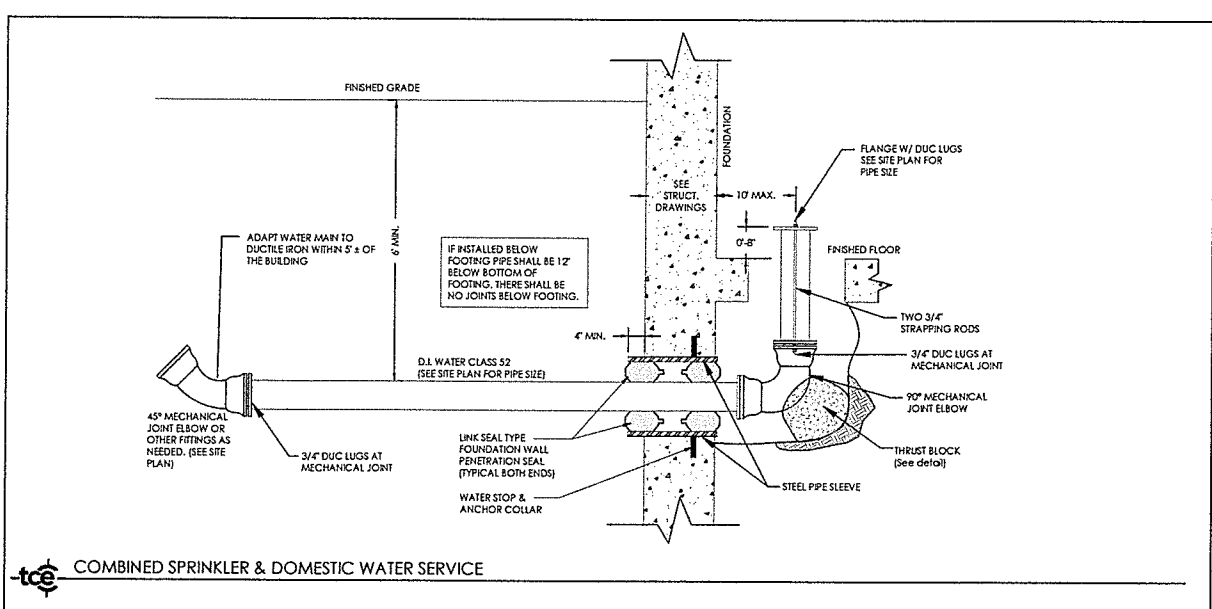
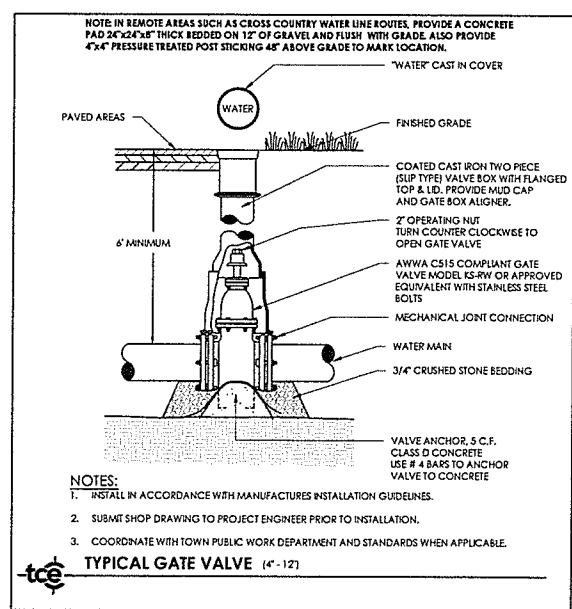
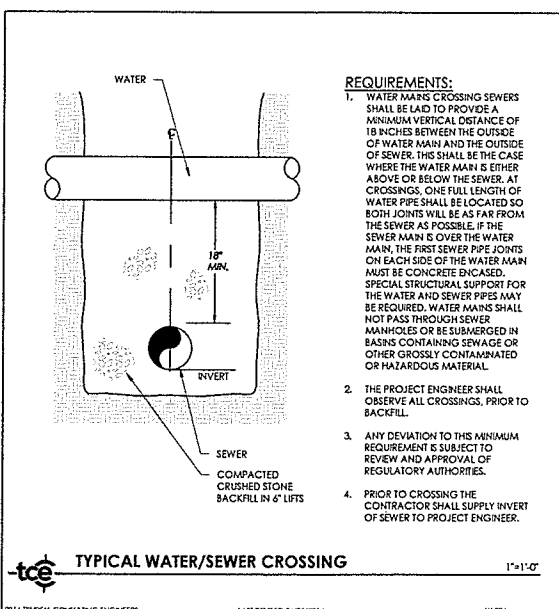
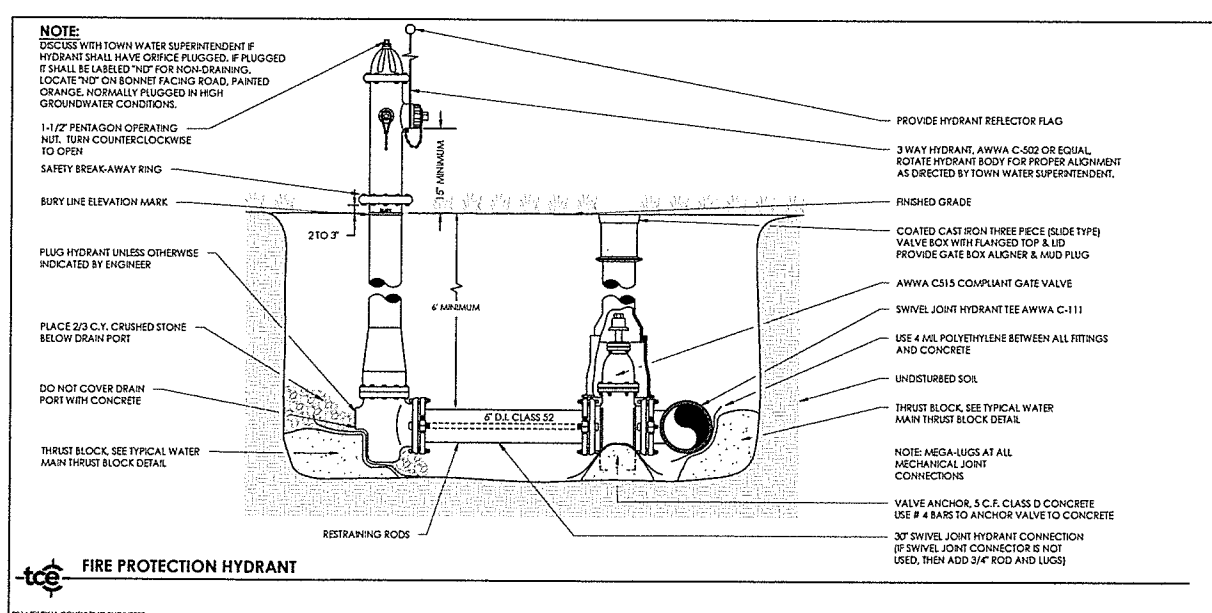
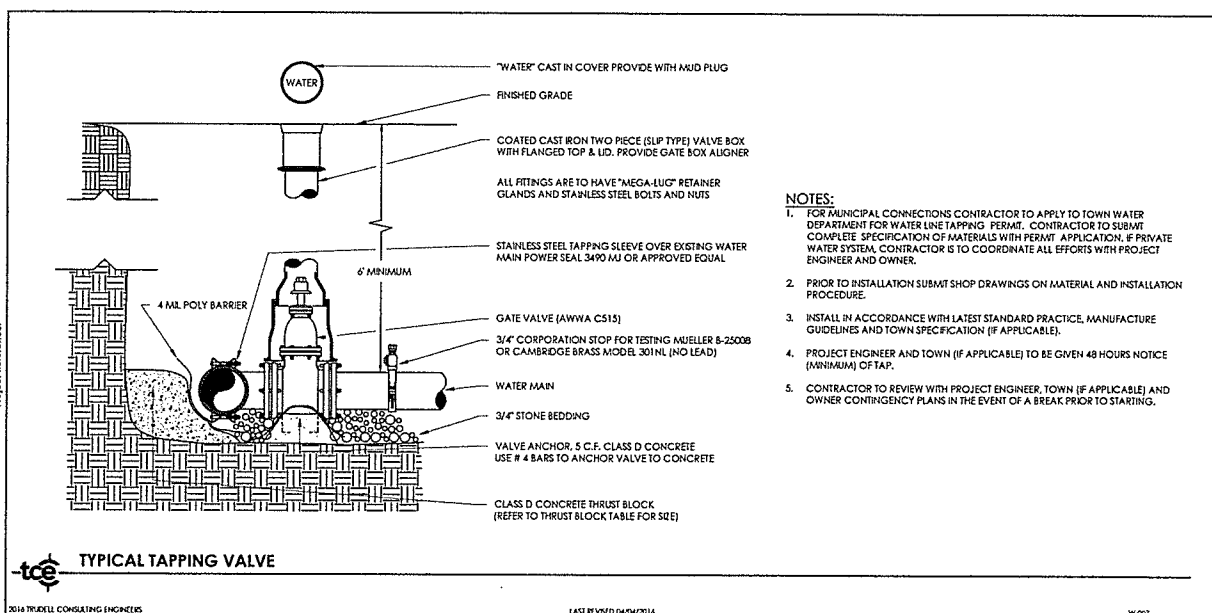
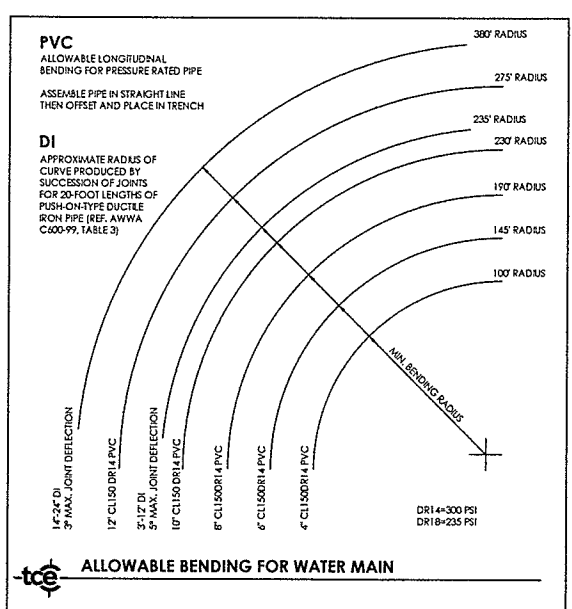
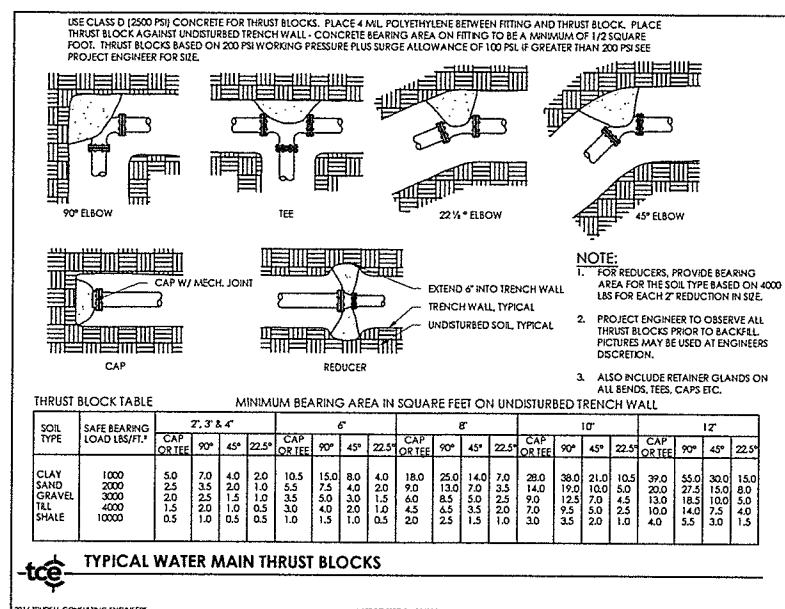
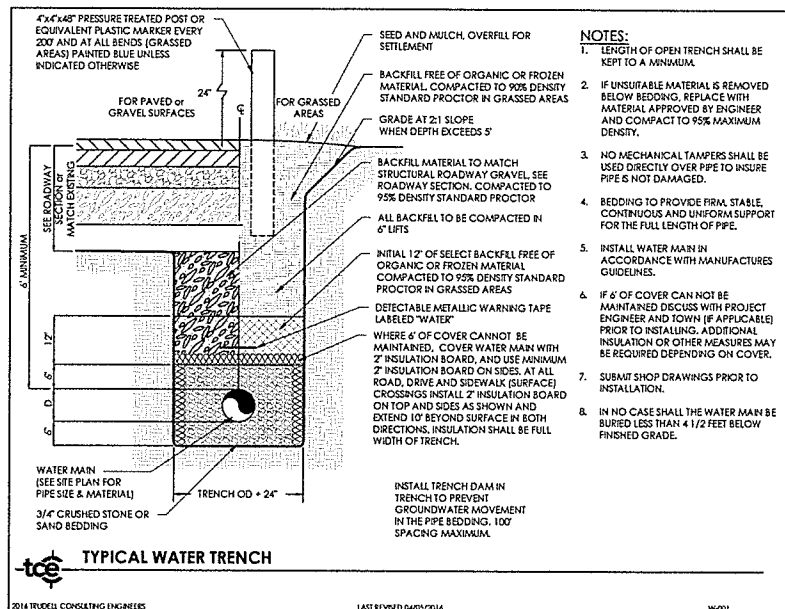
Field Book:

C8-0









CONTRACTOR'S CERTIFICATION REQUIRED

PRIOR TO THE DESIGN ENGINEER CERTIFYING THAT THE INSTALLATION HAS BEEN INSTALLED IN ACCORDANCE WITH THE PERMITTED DESIGN, THE CONTRACTOR SHALL PROVIDE A CERTIFICATION THAT THE WATER SYSTEM WAS INSTALLED AND TESTED IN ACCORDANCE WITH THE APPROVED DESIGN PLANS. STATE PERMITS REQUIRE THERE SHALL BE NO DEVIATIONS FROM THE APPROVED PLANS WITHOUT PRIOR APPROVALS. THE DESIGN ENGINEER SHALL BE NOTIFIED AND ALLOWED TO OBSERVE THE CRITICAL PHASES OF CONSTRUCTION INCLUDING ANY REQUIRED TESTS. HOWEVER, THE DESIGN ENGINEER SHALL BE NOTIFIED OF ANY DEVIATIONS FROM THE APPROVED PLANS. SINCE THE DESIGN ENGINEER DOES NOT CUSTOMARILY OBSERVE ALL PHASES OF THE WORK, OR ALL TESTING, HE MAY RELY ON THE CONTRACTOR'S CERTIFICATION AS THE BASIS FOR FINAL CERTIFICATION. THE CONTRACTOR SHALL THEREFORE SIGN AND RETURN A COPY OF THE FOLLOWING CERTIFICATION UPON COMPLETION OF THE WORK:

"I HEREBY CERTIFY THAT I HAVE INSTALLED, PROPERLY TESTED, AND SUCCESSFULLY PASSED THOSE TESTS, AND THE WATER SYSTEM(S) ARE BUILT IN ACCORDANCE WITH THE APPROVED DESIGN PLANS AND APPLICABLE PERMIT CONDITIONS."

CONTRACTOR NAME:

AUTHORIZED AGENT'S NAME:

SIGNATURE:DATE:

NOTE ANY DEVIATIONS FROM APPROVED PLANS HERE:

NOTE: THE CERTIFICATION AND THE PROJECT ENGINEER'S SUBSEQUENT CERTIFICATION DOES NOT VOID THE CONTRACTOR FROM REPAIR OR REPLACEMENT OF DISCREPANCIES DISCARDED AT A LATER DATE. THE CONTRACTOR REMAINS RESPONSIBLE, INCLUDING CUSTOMARY GUARANTEE AND WARRANTY PERIODS.

2015 TRICKELL CONSULTING ENGINEERS

LAST REVISED 11/10/2015

VW-002

CONTRACTOR'S CERTIFICATION FOR POTABLE WATER SYSTEMS

2015 TRICKELL CONSULTING ENGINEERS

LAST REVISED 11/10/2015

VW-002

DISINFECTING WATER MAINS AND SYSTEMS

\*ALL TESTING SHALL BE PERFORMED IN THE PRESENCE OF THE TOWN ENGINEER OR PUBLIC WORKS DEPARTMENT AND PROJECT ENGINEER (AS DESIGNATED BY OWNER).

A. PRIOR TO BEING PUT INTO SERVICE, WATER MAINS SHALL BE DISINFECTED ACCORDING TO THE LATEST EDITION OF AWWA SPECIFICATION C-651. THE TABLE METHOD IN AWWA STANDARD 651 IS NOT ACCEPTABLE.

B. THE NEW LINE SHALL BE FLUSHED AT A VELOCITY OF NOT LESS THAN 2.5 FEET PER SECOND (OPEN 2-1/2 INCH HYDRANT CONNECTION). FLUSH FOR A PERIOD DETERMINED BY THE PROJECT ENGINEER FOR THE LENGTH OF MAIN TO BE DISINFECTED.

C. CHLORINATION SHALL BE ACCOMPLISHED BY INTRODUCING A SODIUM HYPOCHLORITE SOLUTION FOR A RESULTANT CONCENTRATION OF GREATER THAN 25 PARTS PER MILLION OF FREE CHLORINE.

D. USING A NOZZLE AT EACH END HYDRANT, CONTROL THE RATE OF FLOW INTO THE NEW MAIN AND PROPORTIONALLY FEED THE SODIUM HYPOCHLORITE SOLUTION INTO THE MAIN. AFTER THE SOLUTION HAS REACHED ALL POINTS IN THE SYSTEM, CLOSE THE VALVE SUPPLYING WATER FROM THE EXISTING MAIN AND THE END HYDRANTS. MAINTAIN THE HEAVILY CHLORINATED WATER IN THE MAIN FOR 24 HOURS DURING WHICH TIME ALL MAIN LINE VALVES SHOULD BE OPERATED. AFTER 24 HOURS THE MINIMUM CHLORINE RESIDUAL MUST BE AT LEAST 10 PARTS PER MILLION.

E. FLUSH HEAVILY CHLORINATED WATER FROM THE LINE AND REFILL THE LINE FOR SERVICE (USE CHLORINE DIFFUSER). TAKE AND SUBMIT TWO BACTERIOLOGICAL SAMPLES (TAKEN 24 HOURS APART) OF THE WATER TO THE STATE OF VERMONT OR A STATE APPROVED TESTING LABORATORY. IF THE RESULTS ARE UNSATISFACTORY, THE DISINFECTION PROCEDURE WILL BE REPEATED UNTIL SATISFACTORY RESULTS ARE OBTAINED.

F. FINISHED WATER STORAGE STRUCTURES SHALL BE DISINFECTED IF APPLICABLE, IN ACCORDANCE WITH CURRENT AWWA STANDARD C-652. TWO OR MORE SUCCESSIVE SETS OF SAMPLES, TAKEN AT 24 HOUR INTERVALS, SHALL INDICATE MICROBIOLOGICALLY SATISFACTORY WATER BEFORE THE FACILITY IS PLACED INTO OPERATION.

G. DISPOSAL OF HEAVILY CHLORINATED WATER FROM THE DISINFECTION PROCESS SHALL BE DE-CHLORINATED OR OTHERWISE HANDLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE VERMONT AGENCY OF NATURAL RESOURCES.

H. THE DISINFECTION PROCEDURE (AWWA CHLORINATION METHOD 3, SECTION 4.3 C-652) WHICH ALLOWS USE OF THE CHLORINATED WATER HELD IN THE STORAGE TANK FOR DISINFECTION PURPOSES IS NOT RECOMMENDED. WHEN THAT PROCEDURE IS USED, IT IS REQUIRED THAT THE INITIAL HEAVILY CHLORINATED WATER BE PROPERLY DISPOSED IN ORDER TO PREVENT RELEASE OF WATER WHICH MAY CONTAIN VARIOUS CHLORINATED ORGANIC COMPOUNDS INTO THE DISTRIBUTION SYSTEM.

DISINFECTION OF WATER SYSTEM

2013 TRICKELL CONSULTING ENGINEERS

LAST REVISED 7/12/2013

VW-003

DISINFECTION OF WATER SYSTEM

2013 TRICKELL CONSULTING ENGINEERS

LAST REVISED 7/12/2013

VW-003

SPRINKLER WATER SERVICE NOTES

1. SCOPE OF WORK:  
Install new 4 inch underground sprinkler water service connection. Work begins 5 feet from building exterior and ends with a flanged adapter connection 12 inches inside building. Flange connection to be restrained from movement by radding back to mechanical joint on a 4" 90° elbow, 90° elbow to be restrained from movement by radding back to mechanical joint on a 4 inch 45° elbow. Foundation penetration shall be sealed on the interior of building with non-shrink grout and on the exterior of the building with 4000 psi ready mix concrete to provide waterproofing. See Civil drawings and specifications for connection outside building. See Mechanical drawings and specifications for connection inside building.

2. CODES AND REGULATIONS  
The equipment and installation shall be in conformity with all city, state, and federal codes, laws, and regulations as well as National Fire Protection Association Standards, as follows:  
A. National Fire Protection Association Standards  
NFPA 13-2002, Installation of Sprinkler Systems  
NFPA 24-2002, Installation of Private Fire Service Mains and Their Appurtenances.  
B. Boca Code (BOCA) 1999.  
C. Local Building Codes.  
The system design and equipment furnished shall be in accordance with the specifications herein and the applicable code requirements of municipally. The Contractor shall be held strictly responsible for any violations of codes, laws, or regulations and shall make all changes in work to conform with the above without cost to the Owner.

3. PIPING  
All underground pipe and fittings shall be listed for fire Protection service and comply with AWWA standards. Steel piping shall not be used. Piping shall be ductile iron class 52.

4. JOINTS  
Joints shall be of an approved type.  
The following apply to joints used with the various types of pipe:  
AWWA C111, Rubber Gasket Joints for Ductile Iron Pressure Pipe and Fittings.  
AWWA C115, Flanged Ductile Iron Pipe with Threaded Flanges.

5. FITTINGS  
Fittings shall be of an approved type with joints and pressure class ratings compatible with the pipe used.  
Fittings shall be ductile iron with joints to specifications of the manufacturer of the particular type of pipe. Sprinkler lead-in shall terminate with flange adapter connection. The following standards apply to fittings:  
AWWA C110, Ductile Iron and Gray Iron Fittings, 3-in. Through 48-in., for Water and Other Liquids.

6. RESTRAINING ROOS  
Restraining rods shall be 3/4 inch. Threaded sections of rods shall not be formed or bent. Rods shall

COMBINED SPRINKLER & DOMESTIC WATER SERVICE NOTES

2013 TRICKELL CONSULTING ENGINEERS

LAST REVISED 11/10/2015

VW-006

COMBINED SPRINKLER & DOMESTIC WATER SERVICE NOTES

2013 TRICKELL CONSULTING ENGINEERS

LAST REVISED 11/10/2015

VW-006

be used in pairs. Rods shall be steel. When more than one section of rod needs to be used, rods shall be joined by approved rod couplings of malleable iron in accordance with ASTM A 197.

7. CORROSION RESISTANCE OF RESTRAINTS  
After installation, rods, nuts, bolts, washers, clamps, and other restraining devices shall be cleaned and thoroughly coated with a bituminous or other acceptable corrosion-retarding material.

8. FLUSHING  
See Engineering drawings for additional flushing requirements.  
Lead-in connections to system risers shall be flushed thoroughly before connection is made to system piping in order to remove foreign material that might have entered the main during the course of installation or that might have been present in existing pipe. The minimum rate of flow shall be not less than the water demand rate of the system, which is determined by the system design, or not less than that necessary to provide a velocity of 10 fps whichever is greater. For all systems the flushing operations shall be continued for sufficient time to ensure thorough cleaning. When planning the flushing operations consideration shall be given to disposal of wastewater from the test. Adequate thrust restraint shall be provided during flushing and testing.

9. TESTING  
See Engineering drawings for additional testing requirements.  
a. The installing company shall furnish a Contractor's Material and Test Certificate for Underground Piping commissioned by the properly owner or representative prior to requesting final approval from the authority having jurisdiction.  
b. The trench shall be backfilled between joints before testing to prevent movement of pipe.  
c. All new lead-in connections shall be tested hydrostatically at not less than 200 psi pressure for two hours, or at 50 psi in excess of the maximum static pressure when the maximum static pressure is in excess of 150 psi.  
d. The amount of leakage in buried piping shall be measured at the specified test pressure by pumping from a calibrated container. For new pipe, the amount of leakage of the joints shall not exceed two quarts per hour per 100 pipe feet at joints irrespective of pipe diameter. See Civil Engineering drawings for additional flushing and testing requirements.  
e. The amount of allowable leakage specified above shall be permitted to be increased by one fluid ounce per inch valve diameter per hour for each metal sealed valve isolating the test section.  
f. Tests shall be made by the contractor in the presence of the authority having jurisdiction or the representative of the owner.  
g. Additives, corrosive chemicals such as sodium silicate, brine, or other chemicals shall not be used while hydrostatically testing systems or for stopping leaks.  
h. All control valves shall be fully closed and opened under system water pressure to ensure proper operation.

ACKNOWLEDGEMENT:  
This information was supplied by the Architect. We have reviewed this and made minor amendments on the note and specification to customize it for Jay Peak Resort. The purpose of this plan is to provide the contractor with a detail and specification that brings the water main into the building.

2013 TRICKELL CONSULTING ENGINEERS

LAST REVISED 11/10/2015

VW-006

2013 TRICKELL CONSULTING ENGINEERS

LAST REVISED 11/10/2015

VW-006

TESTING WATER MAINS

\*ALL TESTING SHALL BE PERFORMED IN THE PRESENCE OF THE TOWN ENGINEER OR PUBLIC WORKS DEPARTMENT IF APPLICABLE OR PRIVATE OWNER/OPERATOR AND PROJECT ENGINEER (AS DESIGNATED BY OWNER). CONTRACTOR SHALL PRE-TEST SUCCESSFULLY PRIOR TO CONTACTING PROJECT ENGINEER. THE PRE-TEST IS TO ENSURE PASSING RESULTS PRIOR TO OFFICIAL TESTING OBSERVATION.

A. AFTER THE PIPE HAS BEEN LAID AND 7 DAYS AFTER THE CONCRETE THRUST BLOCKS AND ANCHORS HAVE BEEN PLACED, THE WATER MAIN SHALL BE HYDROSTATICALLY TESTED ACCORDING TO THE LATEST EDITION OF THE AWWA SPECIFICATION C-600.

B. CONTRACTOR SHALL SUPPLY ALL NECESSARY APPARATUS TO PERFORM THE HYDROSTATIC TEST.

C. TEST PRESSURE SHALL BE 200 POUNDS PER SQUARE INCH OR 1.5 TIMES THE WORKING PRESSURE MEASURED AT OR NEAR THE HIGH POINT IN THE SYSTEM, WHICHEVER IS GREATER. TEST SHALL BE A MINIMUM OF 2 HOURS IN DURATION. TESTING ALLOWANCE SHALL BE DEFINED AS THE QUANTITY OF MAKEUP WATER THAT MUST BE SUPPLIED INTO THE NEWLY LAD PIPE OR ANY VALVED SECTION THEREOF TO MAINTAIN PRESSURE WITHIN 5 PSI (34.5 kPa) OF THE SPECIFIED TEST PRESSURE AFTER THE PIPE HAS BEEN FILLED WITH WATER AND THE AIR HAS BEEN EXPELLED. TESTING ALLOWANCE SHALL NOT BE MEASURED BY A DROP IN PRESSURE IN A TEST SECTION OVER A PERIOD OF TIME. REFER TO PIPE MANUFACTURERS RECOMMENDED TESTING PROCEDURE INCLUDING PIPE STABILIZATION PRIOR TO START OF TEST.

D. THE PROJECT ENGINEER AND THE MUNICIPALITY SHALL BE CONTACTED 48 HOURS PRIOR TO TESTING.

E. ALL VALVES SHOULD BE VERIFIED AS BEING OPEN OR CLOSED AS APPROPRIATE FOR THE PORTION OF THE WATER MAIN BEING TESTED.

F. ALLOWABLE LEAKAGE SHALL BE COMPUTED BY THE FORMULA:  $L = (S \times D \times \sqrt{P}) / 148,000$  WHERE L IS LEAKAGE IN GALLONS PER HOUR, S IS THE LENGTH OF PIPE TESTED IN FEET, D IS THE NOMINAL DIAMETER OF THE PIPE IN INCHES AND P IS THE AVERAGE TEST PRESSURE IN POUNDS PER SQUARE INCH DURING THE TEST.

G. REPLACE AND RETEST ANY WORK FOUND TO BE DEFECTIVE AT NO EXPENSE TO OWNER.

TESTING HYDRANTS (IF APPLICABLE)

A. AFTER TESTING THE WATER MAINS, OPEN THE HYDRANT FULLY AND FILL WITH WATER. TO PREVENT CAPS FROM BEING BLOWN OFF, VENT AIR FROM ONE OF THE CAPS WHILE IT IS BEING FILLED. WHEN ALL THE AIR HAS ESCAPED, TIGHTEN THE CAP.

B. ALLOW THE PRESSURE TO BUILD UP TO MAIN LINE PRESSURE AND CHECK FOR LEAKAGE AT FLANGES, NOZZLES AND THE OPERATING STEEL. RECORD STATIC PRESSURE IN PSI.

C. FLOW HYDRANT AND RECORD FLOW RATE IN GPM AND RESIDUAL PRESSURE IN PSI.

D. CLOSE THE HYDRANT, REMOVE ONE NOZZLE CAP AND PLACE THE PALM OF YOUR HAND OVER THE OPENING. DRAINAGE SHOULD CREATE A NOTICEABLE SUCTION. IF NO SUCTION OR HYDRANT DOESN'T HAVE DRAIN, MANUALLY PUMP WATER OUT OF BARREL.

E. AT PROJECT ENGINEER DISCRETION ASSIST WITH FLOW TESTING. ENGINEER TO RECORD STATIC AND RESIDUAL PRESSURE AS WELL AS FLOW RATE.

TESTING WATER MAINS AND HYDRANTS

2014 TRICKELL CONSULTING ENGINEERS

LAST REVISED 01/17/2016

VW-001

TESTING WATER MAINS AND HYDRANTS

2014 TRICKELL CONSULTING ENGINEERS

LAST REVISED 01/17/2016

VW-001



ENGINEERING  
PLANNING • ENVIRONMENTAL  
435 ELAIN PARK ROAD 1 WILHELMSTADT  
802 879 4331 | WWW.TCE-VERMONT.COM

Revisions  
No. Description  
1. Stormwater Update

2015 TRICKELL CONSULTING ENGINEERS  
LAST REVISED 11/10/2015  
VW-002

TAX ID:  
Use of these Drawings  
1. Unless otherwise noted, these Drawings are preliminary planning. Coordination with the Owner, utilities, and/or approval from the regulatory authority is required. They are not intended as construction documents or as such or marked approved by a registered professional engineer or architect. They are not intended as construction documents or as such or marked approved by a registered professional engineer or architect. They are not intended as construction documents or as such or marked approved by a registered professional engineer or architect.

2. By use of these drawings for construction, the Owner represents that they have read and accepted the drawings, obtained and have met with all applicable parties including but not limited to, the Engineer, to insure these plans are properly coordinated. The Engineer's responsibility is not limited to, contract documents, specifications, owner/contractor agreements, building plans, private and public utilities, and other documents for construction.

3. Owner and Architect, are responsible for location of buildings shown, including a minimum five (5) feet around any building and utility connections shown on these drawings.

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

5. These Drawings are specific to the Project. They are not intended for reuse on other projects. As instruments of service, copies thereof, furnished by TCE are its property. Changes to the drawings may only be made by the Engineer. If errors or omissions are discovered, they shall be corrected by the Engineer. The attention of TCE immediately.

6. It is the User's responsibility to ensure the most current revisions. If unsure, please contact TCE.



Project Title

Colchester Avenue  
Housing  
Burlington, Vermont

Sheet Title

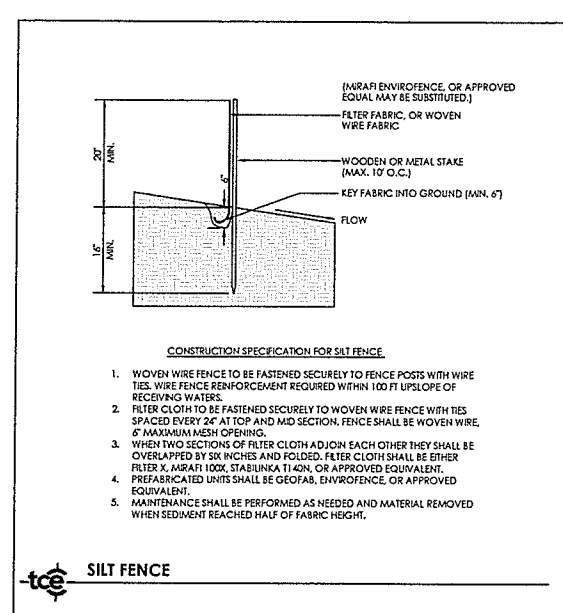
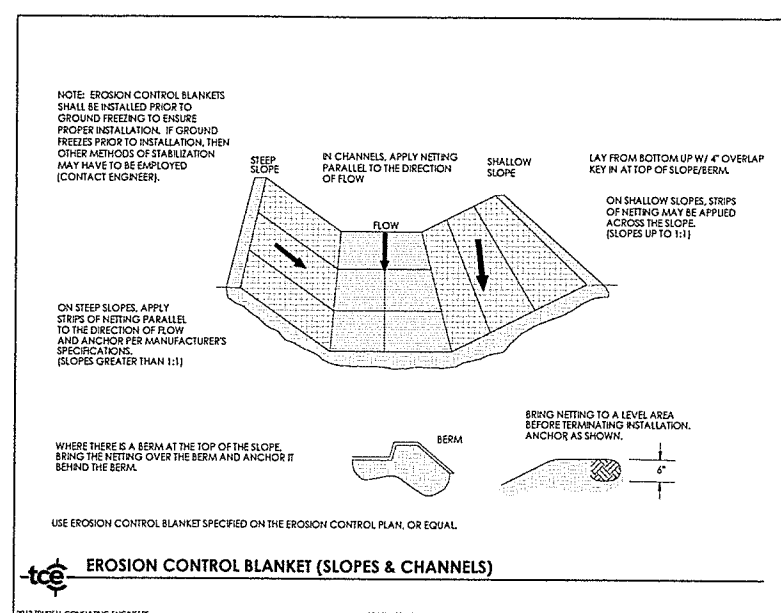
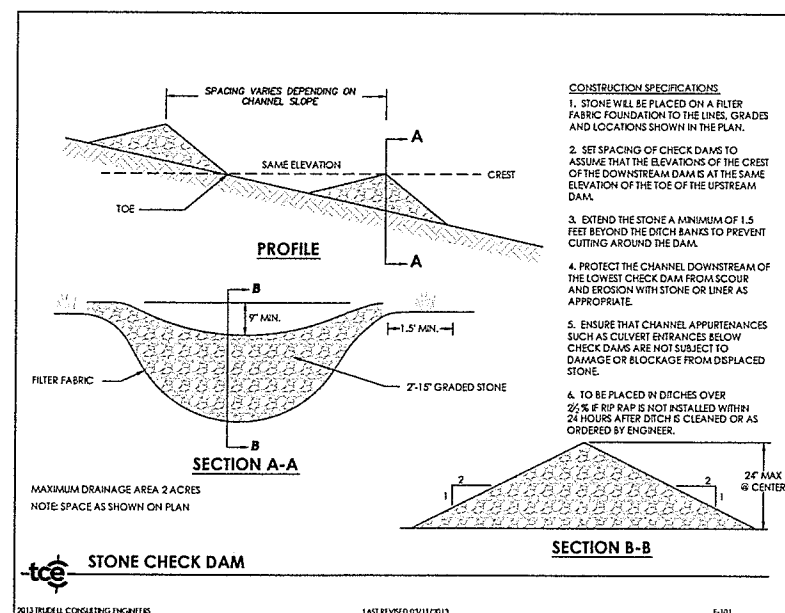
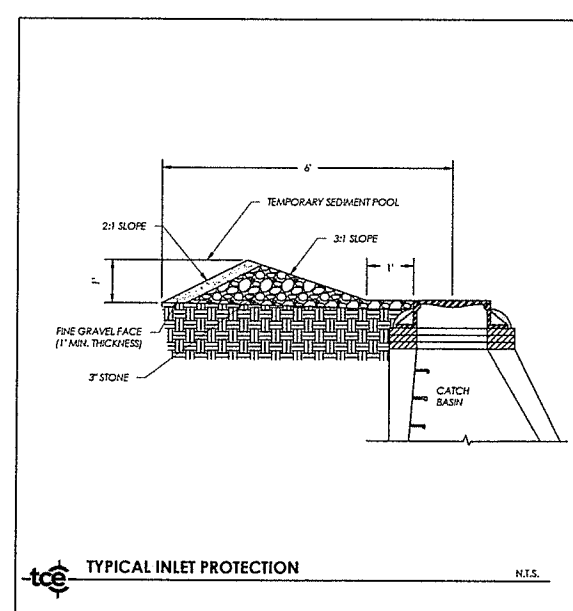
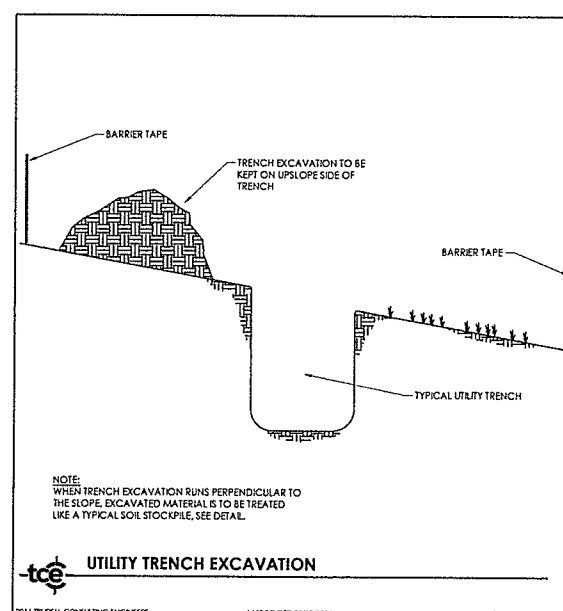
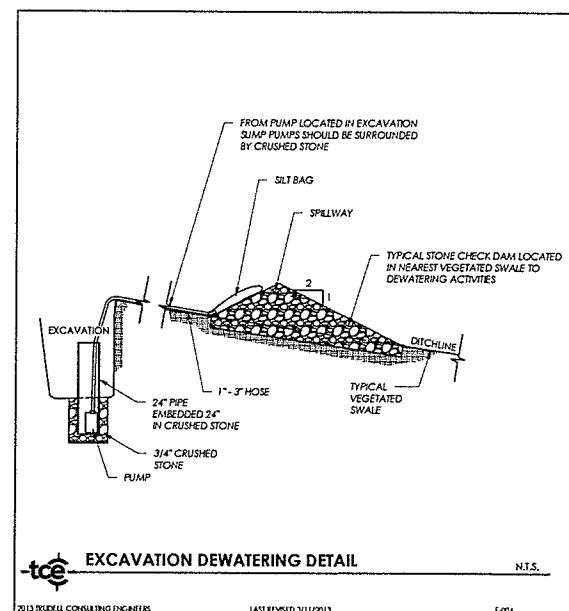
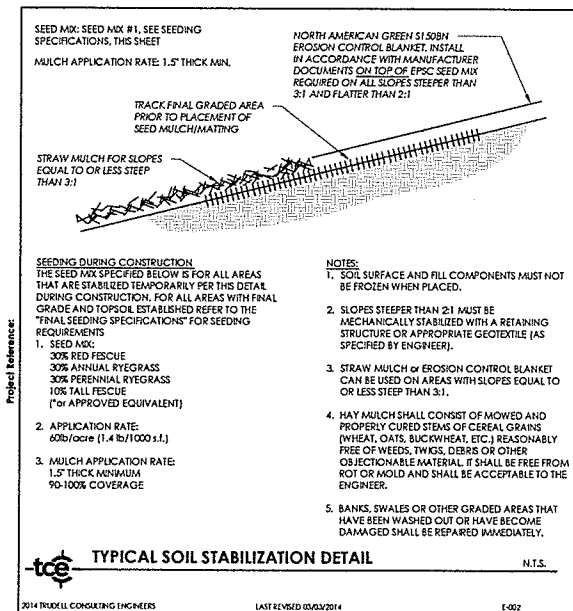
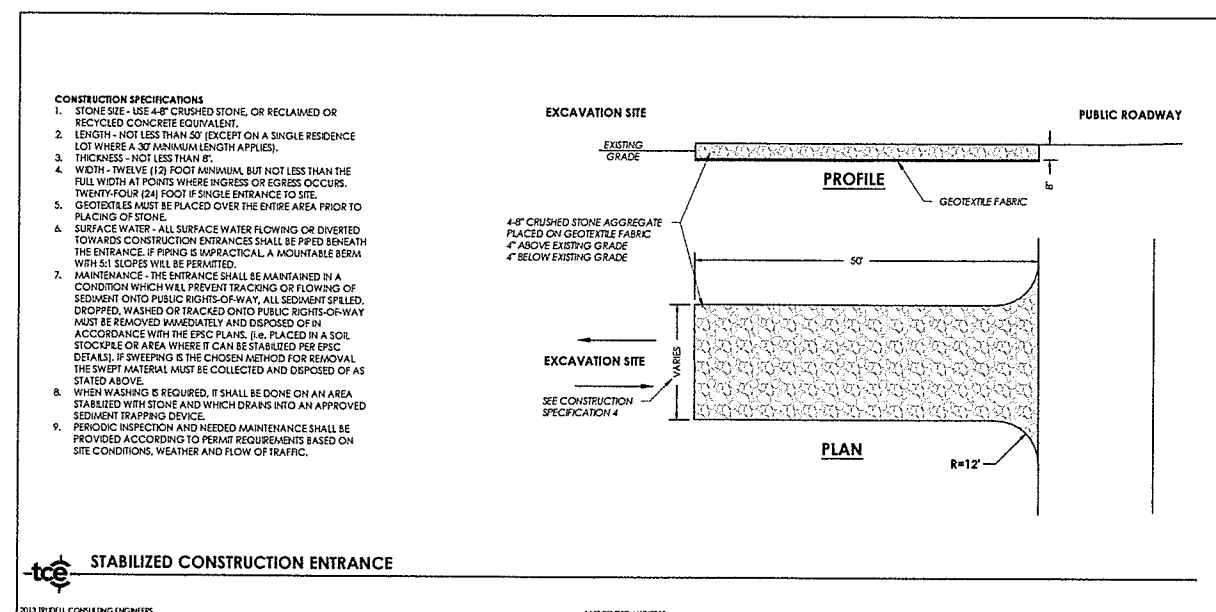
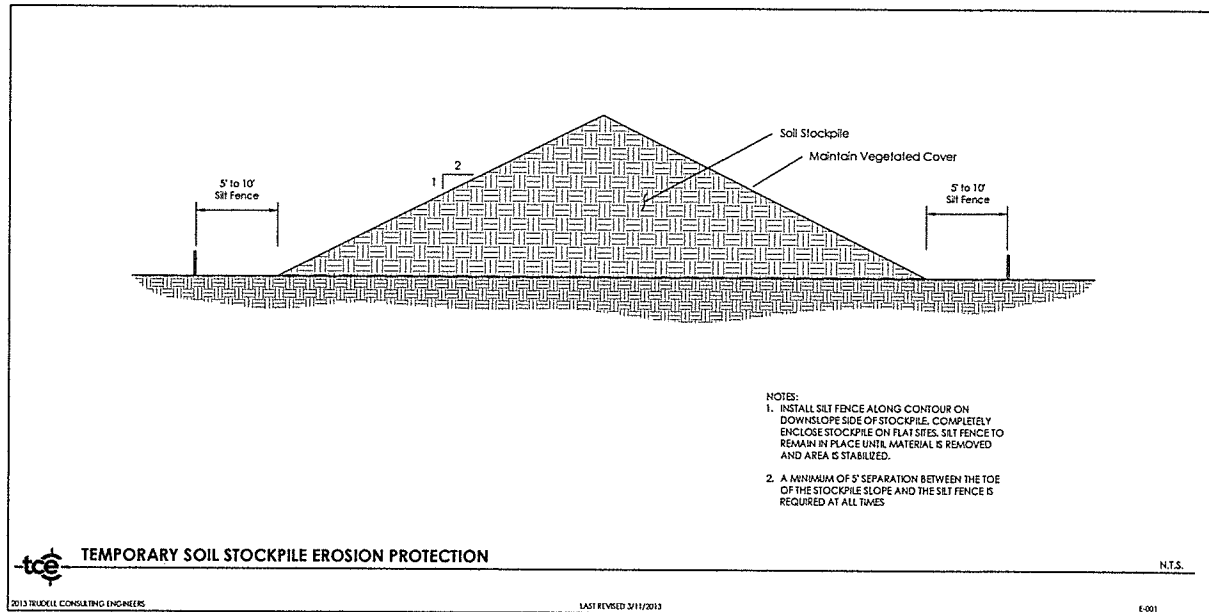
Water Detection

Date: \_\_\_\_\_  
Scale: \_\_\_\_\_  
Project Number: \_\_\_\_\_  
Drawn by: \_\_\_\_\_  
Project Engineer: \_\_\_\_\_  
Approved by: \_\_\_\_\_  
Field Book: \_\_\_\_\_

C8-0

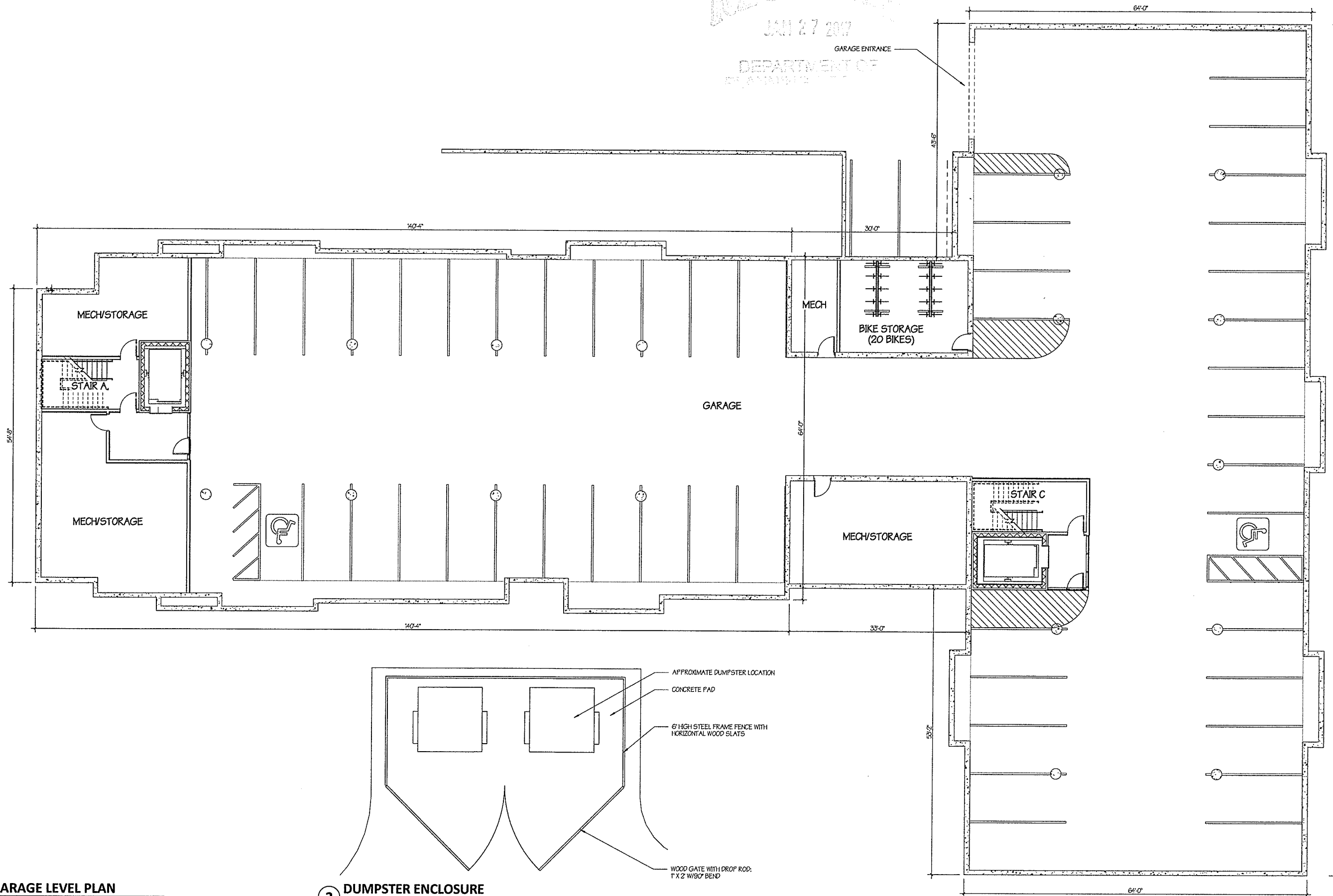








RECEIVED  
JAN 27 2017  
DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION



1 GARAGE LEVEL PLAN  
1/8" = 1'-0"  
Referenced From: A201

2 DUMPSTER ENCLOSURE  
1/4" = 1'-0"  
Referenced From: A202

PREP  
NO  
CONS

| REVISIONS |                | Date       |
|-----------|----------------|------------|
| No.       | Description    |            |
| 1         | DAB SUBMISSION | 11/30/2016 |

GARAGE LEVEL PLAN  
SCALE: As Indicated

250 Veterans Blvd  
Suite 101  
South Burlington, VT 05403

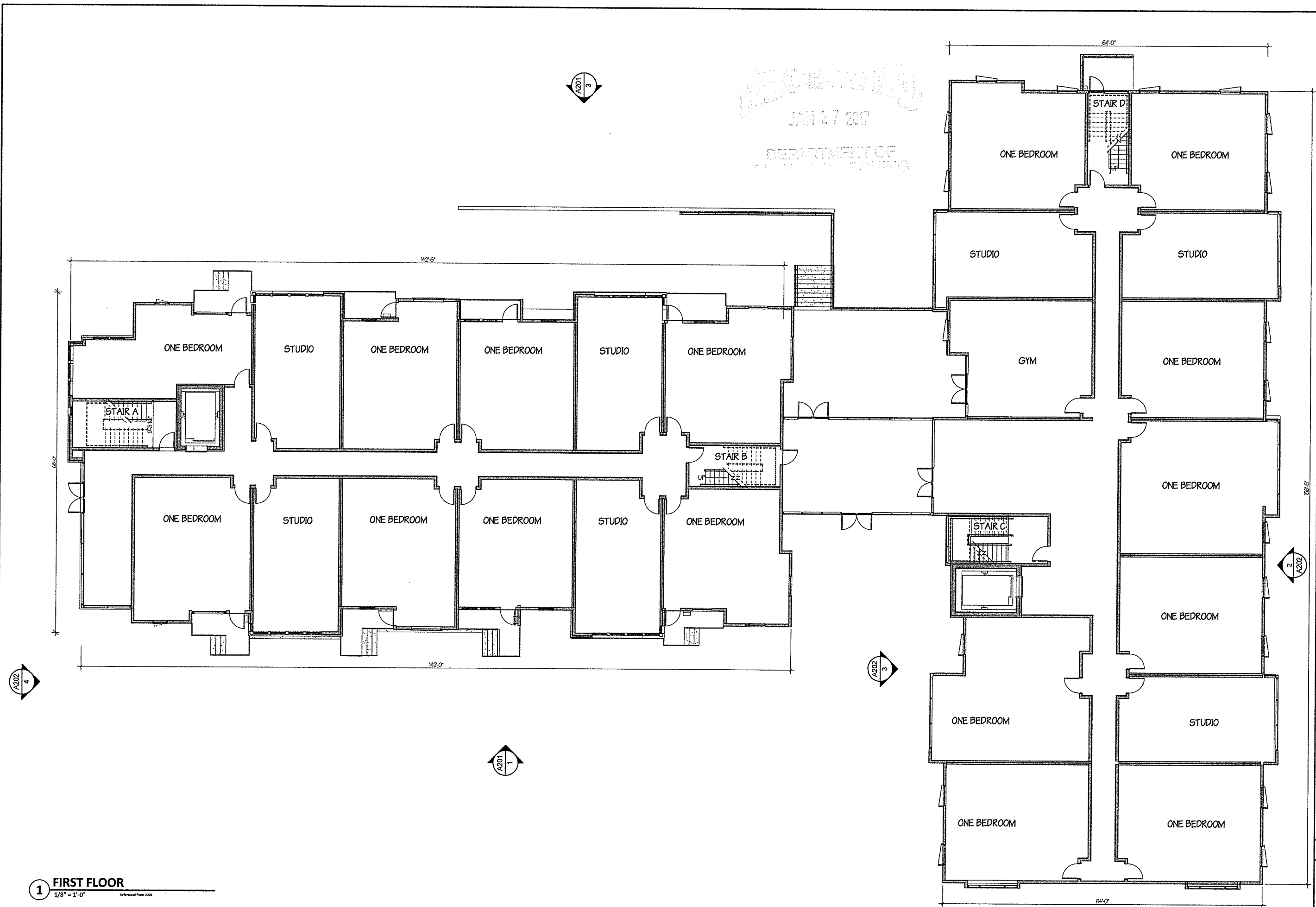


PROJECT #

SHEET

A1





RECEIVED  
JAN 27 2017  
DEPARTMENT OF  
LAND MANAGEMENT

**1 FIRST FLOOR**  
1/8" = 1'-0"  
Referenced From A201

PRELIMINARY  
NO  
CONSULTATION

| REVISIONS | No.            | Description | Date       |
|-----------|----------------|-------------|------------|
| 1         | DAB SUBMISSION |             | 11/30/2016 |

**FIRST FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

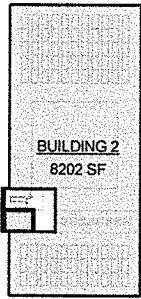
550 Fresh Pond Blvd  
Suite 101  
South Burlington, VT 05403



PROJECT #:

SHEET

**A1**

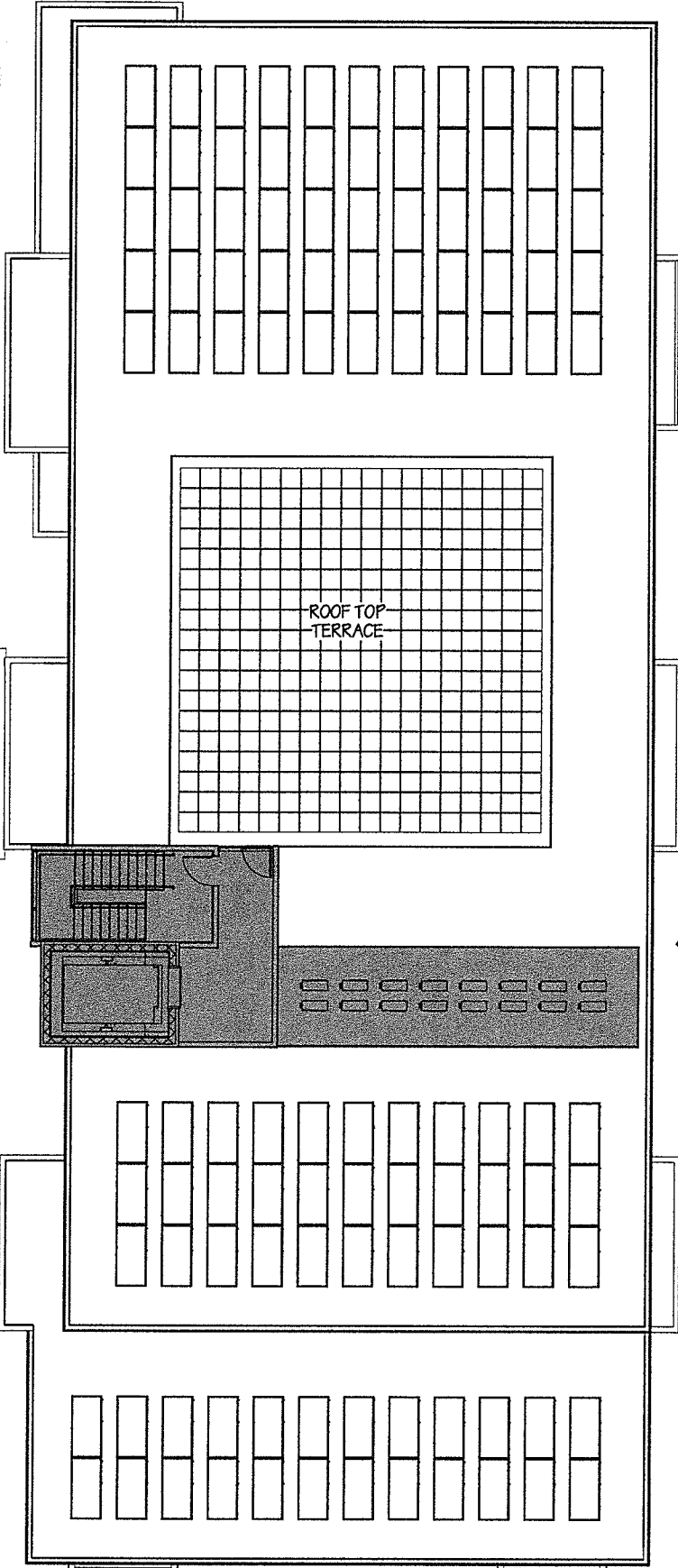
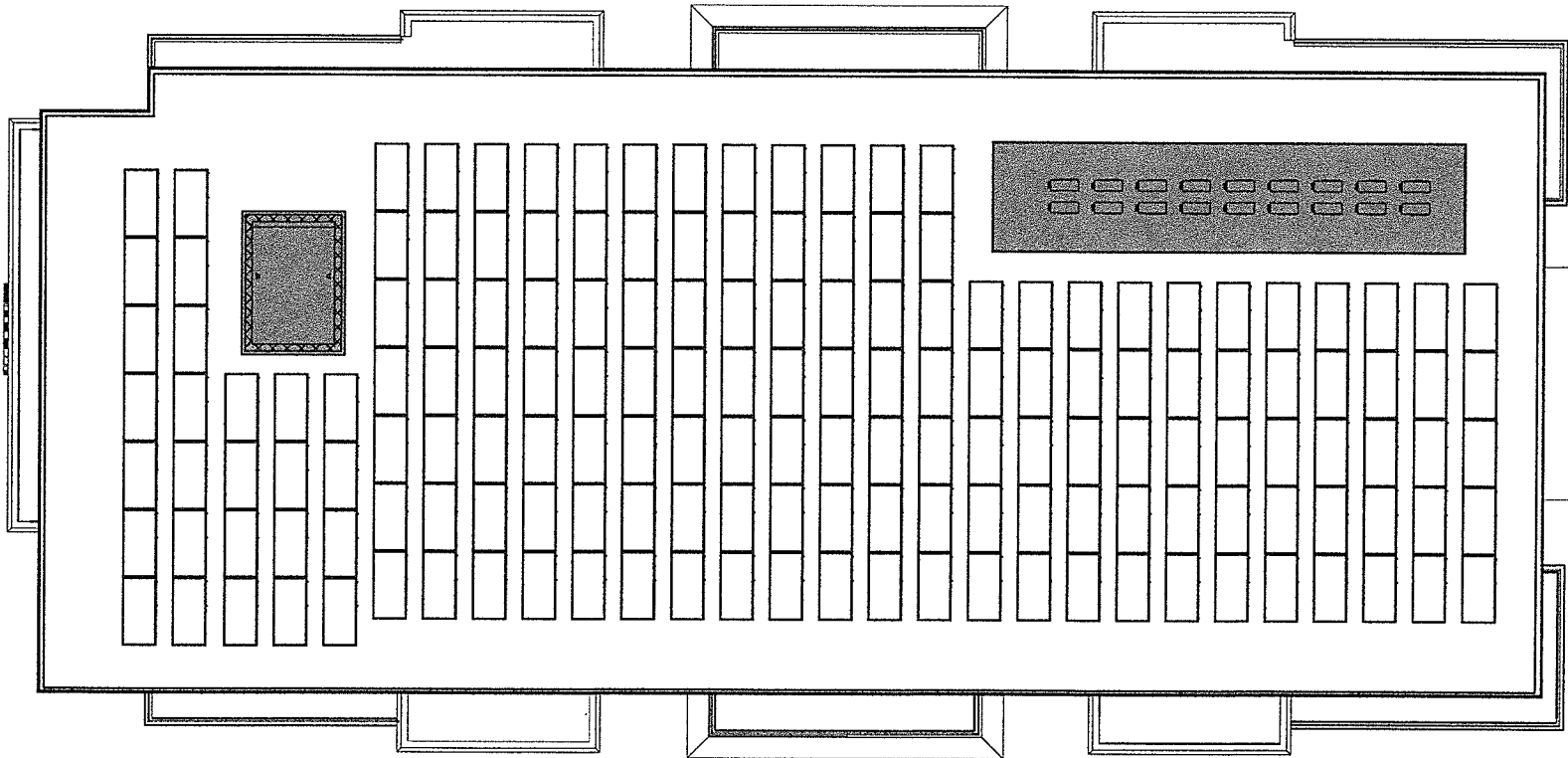


| EXCEPTIONS TO HEIGHT LIMIT<br>ARTICLE 5, SEC. 52.6 (b) 4 |                                       |
|----------------------------------------------------------|---------------------------------------|
|                                                          | TOTAL ROOF AREA: 16,315 SF            |
|                                                          | 10% OF TOTAL ROOF AREA: 1,632.6 SF    |
|                                                          | AREA EXCEEDING HEIGHT LIMIT: 1,515 SF |



RECEIVED  
JUN 27 2017  
DEPARTMENT OF  
REVENUE & TAXES

**2 ROOF AREA**  
1" = 40'-0" Referenced From: A201



**1 ROOF PLAN**  
1/8" = 1'-0" Referenced From: A202



NOT  
CONS

| REVISIONS |             |
|-----------|-------------|
| No.       | Description |
|           |             |
|           |             |
|           |             |

**ROOF PLAN**  
SCALE: As indicated

2014 New Road  
Salem, VT 05483  
South Burlington, VT 05403



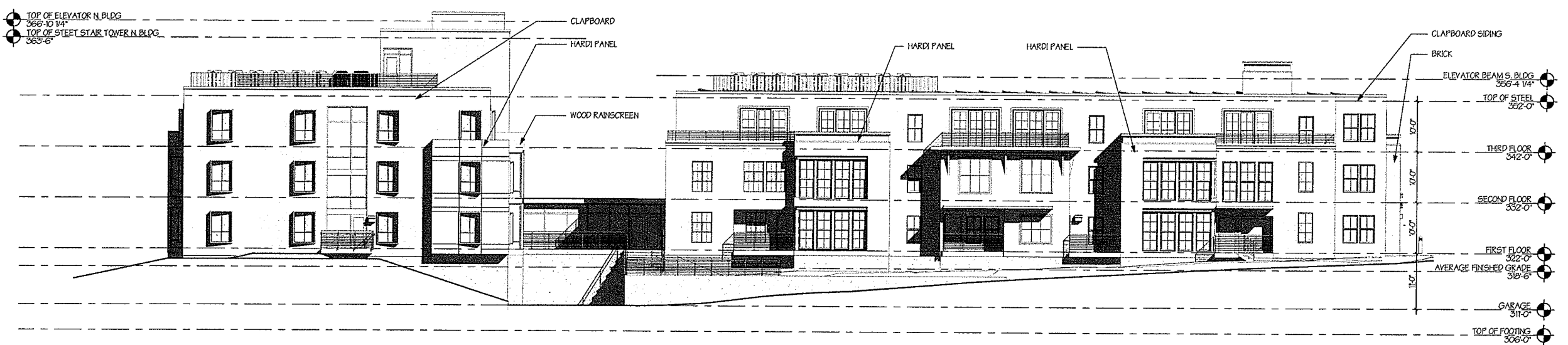
PROJECT #:

SHEET

A1



**1 EAST ELEVATION**  
3/32" = 1'-0" Referenced from A102



**3 WEST ELEVATION**  
3/32" = 1'-0" Referenced from A102

RECEIVED  
JAN 27 2017  
DEPARTMENT OF  
PLANNING & ZONING

PRELIMINARY  
NO  
CONSULTATION

| REVISIONS | Description    | Date       |
|-----------|----------------|------------|
| No. 1     | DAB SUBMISSION | 11/30/2016 |

EXTERIOR BUILDING ELEVATIONS  
SCALE: 3/32" = 1'-0"

100 Haverhill Road  
Suite 101  
South Burlington, VT 05403



PROJECT #

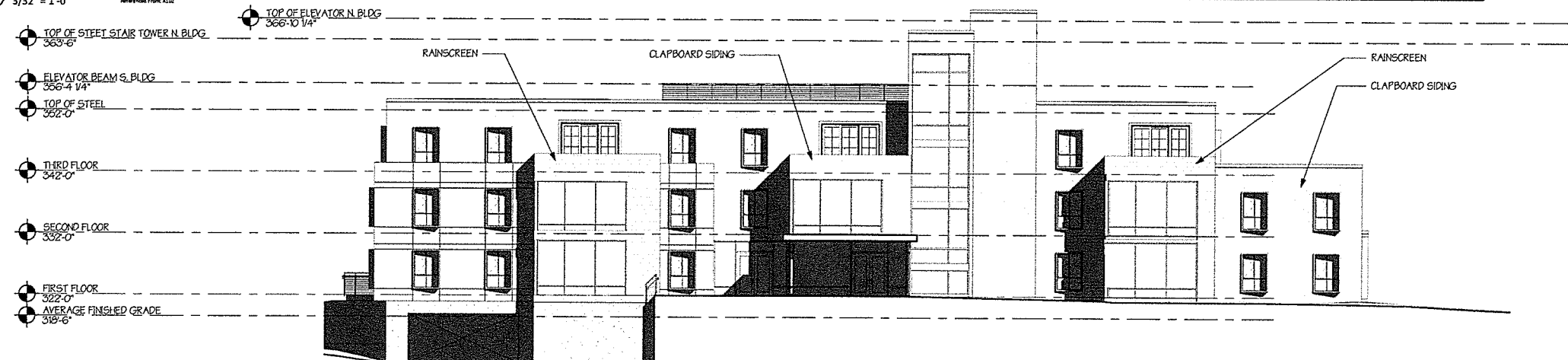
SHEET

A2





2 NORTH ELEVATION BLDG 2  
3/32" = 1'-0"



3 SOUTH ELEVATION BLDG 2  
3/32" = 1'-0"



4 SOUTH ELEVATION BLDG 1  
3/32" = 1'-0"

PRELIMINARY  
NO  
CONS

| REVISIONS | No. | Description    | Date       |
|-----------|-----|----------------|------------|
|           | 1   | DAB SUBMISSION | 11/30/2016 |

EXTERIOR BUILDING ELEVATIONS  
SCALE: 3/32" = 1'-0"

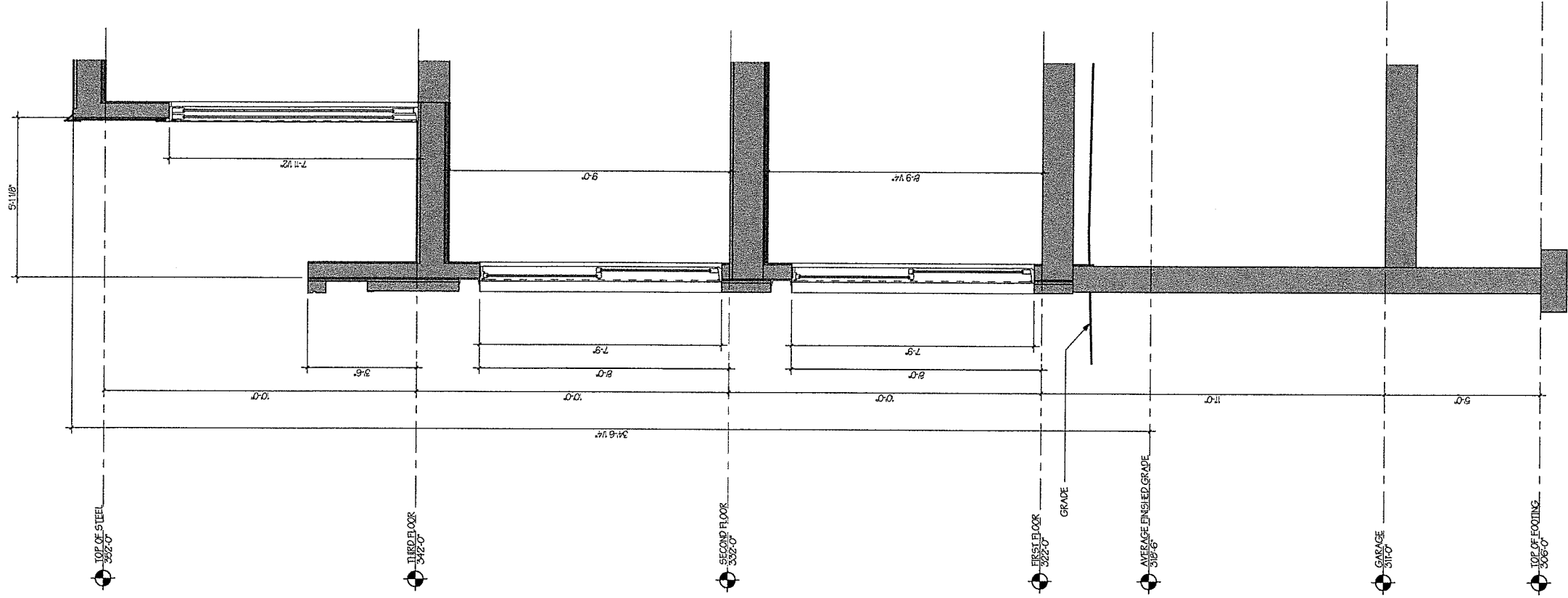
590 Newbury Road  
Suite 101  
South Burlington, VT 05403



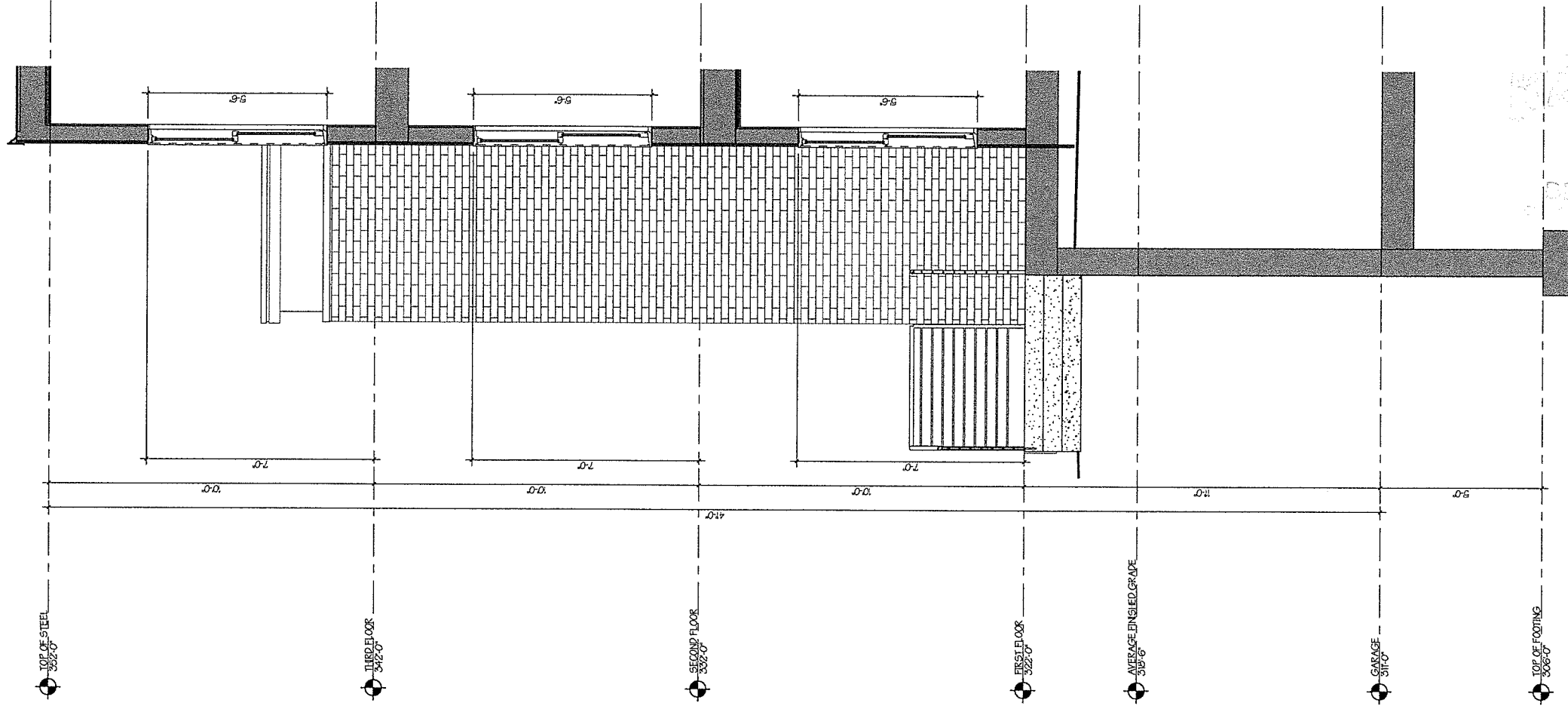
PROJECT #:

SHEET

A2



1 SECTION AT BRICK BAYS  
1/2" = 1'-0"



2 Section 2  
1/2" = 1'-0"

RECEIVED  
JAN 27 2017  
DEPARTMENT OF  
TRANSPORTATION

PRELIMINARY  
NO  
CONSTRUCTION

| REVISIONS |                | No. | Description | Date       |
|-----------|----------------|-----|-------------|------------|
| 1         | DAB SUBMISSION | 1   |             | 11/30/2016 |

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

550 Highland Road  
Suite 101  
South Burlington, VT 05403

PROJECT #:

SHEET

A3





1 VIEW FROM ENTRANCE AT COLCHESTER AVE



2 VIEW FROM PARKING LOT BEHIND DOCTORS OFFICE

PRELIMINARY  
NO  
CONSTRUCTION

| REVISIONS | No. | Description    | Date       |
|-----------|-----|----------------|------------|
|           | 1   | DAB SUBMISSION | 11/30/2016 |

3D VIEWS  
SCALE:

550 N. Main Street  
Suite 100  
South Burlington, VT 05403

PROJECT #

SHEET

AS



Susan and Robert Butani  
31 Fletcher Place  
Burlington, VT 05401

[susan.butani@gmail.com](mailto:susan.butani@gmail.com)  
[robert.butani@gmail.com](mailto:robert.butani@gmail.com)

February 26, 2017

Burlington Development Review Board  
149 Church Street  
Burlington, VT 05401

Attention: Mary O'Neil, Project Manager

**Re: 17-0388CA/M; 66-96 Colchester Ave, 27 Fletcher Place and 49 Fletcher Place  
Frank vonTurkovich  
Development Review Board Public Hearing: March 8, 2017**

Dear Members of the Burlington Development Review Board:

We are live on Fletcher Place. Fletcher Place is a residential community of houses listed on the Vermont State Register of Historic Places. Mr. vonTurkovich's project site sits behind our homes on Fletcher Place.

In June 2016, Mr. vonTurkovich's engineers advised him that there was a concern for urban soils at the project site. "Urban soils" are soils that have been contaminated with hazardous material. As such, Mr. vonTurkovich was informed of the necessary investigations needed to make such a determination. A Phase I Environmental Site Assessment ("Phase I ESA") was needed, according to the engineers, to review the area by non-invasive methods. Such methods include review of records, site inspection and interviews. Mr. vonTurkovich, in conducting his Phase I ESA, apparently chose to do so on only a portion of his project site (*see overlay*).<sup>1</sup>

In addition, Mr. vonTurkovich's engineers noted that due the location and potential history of the project site, there is concern for "contaminated soil."<sup>2</sup>

It is now known that there a basis for that concern. On January 5, 2017, Mr. Rudolf Hirss, the former owner of a large portion of Mr. vonTurkovich's project site, testified in a deposition. In his testimony, Mr. Hirss stated that he filled a ravine, measuring approximately 80 feet wide and 35 feet deep, with construction material from Fletcher Allen Hospital (UVM Medical Center),

---

<sup>1</sup> Ross Environmental Associates, Inc. ("REA") Phase I Environmental Site Assessment, page 28, dated December 1, 2016. Overlaying REA's Phase I test area onto Mr. vonTurkovich's site plan (*see Exhibit 3*).

<sup>2</sup> TCE Trudell Consulting Engineer's letter describes urban soils as soils that have been contaminated with hazardous materials such as arsenic, lead, or polycyclic aromatic hydrocarbons (PAHs) and used as fill soil on a secondary site (*see Exhibit 1*).

the Red Cross building and other unknown construction sources (*see* testimony transcript attached as **Exhibit 2**). This fill area is a large portion of the proposed project site.

Because there is a well-founded basis that contaminated soil may exist on the project site, environmental soil sampling should be conducted (*see* **Exhibit 1**).

Mr. vonTurkovich intends to disturb the soil during construction of the project including the building of underground parking. He proposes to store the mobilized, excavated soil onsite. This could pose serious health risks for the nearby Fletcher Place residents from exposure to that soil.

We hope that the soil is not contaminated. However, there is simply no way of knowing what kind of fill soil we are dealing with absent environmental soil sampling. We are very concerned about possible exposure to asbestos, lead and other carcinogens known to exist in urban landfills and which could exist in the soil of Mr. vonTurkovich's project site.

We urge the DRB not to grant permits for this project until extensive environmental soil sampling is completed and the results are made known to the public.

We request that this communication and attachments be posted to the Burlington Development Review Board's public website.

Thank you for your consideration.

Sincerely,



Susan and Robert Butani

Attachment: Exhibits 1-3

June 20, 2016

Frank Von Turkovich  
Law Offices of F.J. von Turkovich, P.C.  
One National Life Drive - M230  
Montpelier, VT 05604

Subject: Miller-Von Turkovich, New Apartments, Burlington Vermont  
80 Colchester Ave, Burlington, VT

### **Site and Soil Investigation**

Dear Frank,

This memorandum is written to provide information of the necessary investigations needed on the property to determine if any contamination exists on site. First, a Phase I Environmental Site Assessment (ESA) will be needed as an overview investigation of current and historical conditions on and around the site that may have caused the site to become contaminated with hazardous materials or petroleum products. Generally, this investigation does not include any invasive work such as sampling, drilling or digging. However, if it is expected that contamination exists on the site before the Phase I ESA is conducted, it is an efficient option to have both Phase I ESA and environmental soil sampling to occur at the same time and as early as possible.

Due to the location and potential history of this project site there is concern for urban soils. Urban soils are soils that have been contaminated with hazardous materials such as arsenic, lead, or polycyclic aromatic hydrocarbons (PAHs), and used as fill soil on a secondary site. The State of Vermont passed Act 52 in June of 2015, which relates to the transportation and disposal of excavated "development soils" legally categorized as solid waste. "Development soil" is defined as:

"unconsolidated mineral and organic matter overlying bedrock that contains PAHs, arsenic, or lead in concentrations that:

- (A) exceed the relevant soil screening level for residential soil;
- (B) when managed in compliance with section 6604c, 6605, or 6605c of this title:
  - (i) pose no greater risk than the Agency-established soil screening value for the intended reuse of the property; and
  - (ii) pose no unreasonable risk to human health through a dermal, inhalation, or ingestion exposure pathway;
- (C) does not leach compounds at concentrations that exceed groundwater enforcement standards; and



(D) does not result in an exceedance of Vermont groundwater enforcement standards."

If development soils due occur in cut areas of the project site, they will need to be removed and cleaned up according to the requirements of Act 52. This would involve management plans for both the origin site and the proposed receiving site.

Due to the planning that would need to occur in the event that the project area does contain contaminated soil, we would suggest that the Phase I ESA and environmental soil sampling occur in conjunction as soon as possible. TCE has contacted Chris Koenig at Ross Environmental for an estimate on the discussed investigations, which may be reviewed as an attachment. If you have any questions or would like to move forward with this process please contact \_\_\_\_\_ at (802) 879-6331 ext. \_\_\_\_ or \_\_\_\_\_@tcevt.com.

Regards,

Attachments:

A. Ross Environmental Estimate

STATE OF VERMONT  
SUPERIOR COURT ENVIRONMENTAL DIVISION  
DOCKET NO. 83-7-15 Vtec

-----  
IN RE: VON TURKOVICH FLETCHER )  
PLACE CHANGE OF USE )  
-----

D E P O S I T I O N  
-of-  
RUDOLF L. HIRSS

Taken on behalf of the Appellants Robert and  
Susan Butani on Thursday, January 5, 2017  
at the offices of Court Reporters Associates,  
148 College Street, 2nd Floor, Burlington,  
Vermont, commencing at 10:24 AM

APPEARANCES:

ON BEHALF OF THE APPELLANTS:

LISA B. SHELKROT, ESQUIRE  
Langrock Sperry & Wool, LLP  
210 College Street  
Burlington, Vermont 05402-0721  
802.864.0217 | lshelkrot@langrock.com

ON BEHALF OF THE CITY OF BURLINGTON:

KIMBERLEE J. STURTEVANT, ESQUIRE  
Assistant City Attorney  
Office of City Attorney & Corporation Counsel  
City Hall, 149 Church Street, Ste. 11  
Burlington, Vermont 05401  
802.865.7121 | ksturtevant@burlingtonvt.gov

ALSO PRESENT: SUSAN BUTANI

Court Reporter: Darlene L. Falls, RMR, CRR

I N D E X

|                              |      |
|------------------------------|------|
| RUDOLF L. HIRSS              | PAGE |
| EXAMINATION BY MS. SHELKROT: | 3    |

E X H I B I T S

| NUMBER | DESCRIPTION                                                | PAGE |
|--------|------------------------------------------------------------|------|
| 1      | Google Earth map                                           | 10   |
| 2      | Boundary Line Adjustment Plat<br>Colchester Avenue Housing | 20   |

(The original exhibits were retained by Ms.  
Shelkrot.)

\* \* \*

S T I P U L A T I O N S

It is hereby stipulated and agreed  
by and between Counsel for the respective parties that  
this deposition is being taken in accordance with the  
Vermont Rules of Civil Procedure; that all objections  
as to Notice of this deposition are hereby waived; that  
all objections except as to form are reserved until the  
time of trial; and that, additionally, upon conclusion  
of the deposition, the witness waived the right to read  
and sign the deposition transcript.



1 THURSDAY, JANUARY 5, 2017

2 10:24 AM

3 -----  
4 THEREUPON,

5 RUDOLF L. HIRSS,  
6 having first been duly sworn, testified as follows:

7 EXAMINATION

8 BY MS. SHELKROT:

9 Q. Okay. So, Rudy, please state your full name  
10 again for the record.

11 A. Rudolf L. Hirss, H-i-r-s-s.

12 Q. Okay. So I'll just put on the record, as we  
13 start, Rudy, you and I go way back.

14 A. Right.

15 Q. Since I used to live in 31 Fletcher Place,  
16 next door to the 27 Fletcher which is the subject of  
17 this whole thing.

18 A. Right.

19 Q. So I really appreciate you coming in today to  
20 answer some questions.

21 A. Sure.

22 Q. Because you had such a long history with 27  
23 Fletcher Place, it seemed like there was information  
24 that you could give us that nobody else really had.

25 A. Okay.

1 Q. And so I wanted to get that all on record.

2 A. Right.

3 Q. Have you ever had the pleasure of being in a  
4 deposition like this before?

5 A. Yes.

6 Q. I'm sorry to hear that. How long ago was it?

7 A. Last year.

8 Q. Oh, really. What did that have to do with?

9 A. Pardon me.

10 Q. What was that about?

11 A. It's still pending.

12 Q. Okay. Is it a lawsuit?

13 A. Yes.

14 Q. In Vermont?

15 A. Yes.

16 Q. Okay. Well, were you represented in that?  
17 Did you have a lawyer?

18 A. Yes.

19 Q. And who is the lawyer?

20 A. David Barra.

21 Q. So I am still going to go through and just  
22 give you kind of the ground rules here, just to make  
23 sure --

24 A. Right.

25 Q. -- everybody knows exactly what we're doing.

1 A. Right.

2 Q. I'm here representing Robert and Susan  
3 Butani.

4 A. Right.

5 Q. Kim Sturtevant on your right is representing  
6 the City of Burlington.

7 A. Okay.

8 Q. Frank Kochman represents Frank von Turkovich  
9 and Eastern Landshares and some other entities. Frank  
10 and Frank have advised me that they don't plan to come  
11 today.

12 A. Um-hum.

13 Q. So we are not waiting for them.

14 A. Okay.

15 Q. As I said a minute ago, this is just an  
16 opportunity to get some information --

17 A. Right.

18 Q. -- from you. It is not a contest about your  
19 memory or I'm not trying to trip you up. I just want  
20 to find out what you know.

21 A. Okay.

22 Q. Darlene is taking down everything that you  
23 say or I say --

24 A. Right.

25 Q. -- or anybody else says. It is important, if



1 we can, that we try not to interrupt each other so we  
2 don't make her job hard.

3 A. Um-hum.

4 Q. So I'll try to ask a question and then stop  
5 and let you answer.

6 A. Right.

7 Q. And you try to let me finish my question  
8 before you start an answer, even if you think you know  
9 what I'm going to ask.

10 A. Right.

11 Q. Okay. So, Rudy, tell me -- do you have any  
12 questions about any of that?

13 A. No.

14 Q. And you understand you're not represented in  
15 this --

16 A. Right.

17 Q. -- deposition?

18 Okay. So we were talking a minute ago,  
19 before we went on the record, but tell me where you  
20 live now.

21 A. I live on 185 Pine Haven Shores, Shelburne,  
22 Vermont.

23 Q. How long have you lived there?

24 A. Two and a half years.

25 Q. Where did you live before that?

1 A. Georgia, Vermont.

2 Q. Where in Georgia were you?

3 A. On Stone Bridge Road.

4 Q. How long did you live in Georgia?

5 A. A little bit over two years.

6 Q. And where did you live before that?

7 A. 27 Fletcher Place, Burlington, Vermont.

8 Q. How long did you live at 27 Fletcher Place?

9 A. Since '57.

10 Q. So working backwards, so '57 until you sold  
11 it to the -- until you sold it to Frank von Turkovich?

12 A. 2011.

13 Q. And did you own that house throughout that  
14 time at that property?

15 A. Yes.

16 Q. Did you ever -- you owned it with your wife,  
17 I take it?

18 A. Yes.

19 Q. Did you, during your ownership, ever  
20 subdivide the property?

21 A. No.

22 Q. Did you ever buy any additional property, or  
23 was it always the lot just as it existed during your  
24 ownership?

25 A. Right.

1 Q. Okay. So the lot didn't change size during  
2 your ownership?

3 A. It did.

4 Q. Okay. Tell me how it changed size.

5 A. We sold 75 feet of our property to the two  
6 surgeons, Al Mackey and Gordie Page.

7 Q. Okay. And were they on Colchester Avenue?

8 A. Yes.

9 Q. Do you remember what the purpose was of doing  
10 that?

11 A. They wanted to add or something, and I was  
12 going to let them lease it, but they wanted to build,  
13 so subsequently because he was a very good surgeon, I  
14 sold them 75 feet.

15 Q. What can you tell me about the conversations  
16 you had with either Frank or Ed von Turkovich when you  
17 were preparing to sell 27 Fletcher Place to them?

18 A. I'm sorry, I didn't quite understand.

19 Q. Yeah, it's not a very good question, that's  
20 why.

21 So at some point you put 27 Fletcher Place on  
22 the market --

23 A. Yes.

24 Q. -- to sell?

25 And Frank or Ed von Turkovich, one or both of



1       them, approached you and said they were interested?

2           A.     I was dealing through a real estate agent.

3           Q.     Okay. So did you ever have any  
4       communications during the sale process directly with  
5       the von Turkoviches?

6           A.     As far as I can recall, no.

7           Q.     Did you ever meet either of them, even after  
8       the sale?

9           A.     Yes.

10          Q.     Do you remember meeting either of them before  
11       the closing?

12          A.     I honestly don't remember.

13          Q.     Okay. So what do you remember about meeting  
14       them after the closing? Have you met both of them,  
15       both Frank and Ed?

16          A.     Frank primarily, and at the closing I met his  
17       brother also.

18          Q.     Did Frank ever come to the property with you  
19       or walk the property with you?

20          A.     Not before the closing.

21          Q.     Okay. What about afterwards?

22          A.     I believe so, yes.

23          Q.     Tell me what you remember about doing that,  
24       walking the property with him or visiting the property  
25       with him.

1           A.     I had asked his permission to cut some  
2 bushes. We had syringas on either side of the house,  
3 and I used to cut them in the spring and give them to  
4 my friends, so he said I could visit any time.

5           Q.     Did you ever walk the property with him and  
6 point out different features or talk about his  
7 development plans for the property with him?

8           A.     No.

9           Q.     I have brought with me, I brought a map and  
10 an aerial view. Let me see if it's helpful at all in  
11 figuring this out.

12                   (Deposition Exhibit No. 1 was marked for  
13 identification.)

14           Q.     So I'm showing you what we just marked as  
15 Butani Exhibit 1, which it's a Google Earth map of  
16 Fletcher Place and a piece of Colchester Avenue. So  
17 let me try and orient you a little bit. Have you ever  
18 seen this map?

19           A.     No.

20           Q.     Okay. It's sometimes a little hard to figure  
21 out what you're looking at here.

22           A.     Right.

23           Q.     And I'm looking at it upside down, which  
24 isn't helping.

25                   Okay. So I'm going to represent to you that

1       this property right here is 27 Fletcher Place, and that  
2       running along here is Fletcher Place (indicating).

3           A.     Yup.

4           Q.     And there's Colchester, and there's 27  
5       (indicating).

6           A.     Yup.

7           Q.     Is that a help to orient you?

8           A.     Yup.

9           Q.     And so if that's 27 --

10          A.     31.

11          Q.     I'm sorry, that's 31, right. This one is a  
12       house -- I don't remember what the number is, the one  
13       right next to 31.

14          A.     49, is it?

15          Q.     Okay.

16                 MS. BUTANI: No, I think 40 --

17          A.     It's whatever.

18                 MS. BUTANI: Yeah.

19          Q.     Okay. So the two houses at the end of  
20       Fletcher Place --

21          A.     Yes.

22          Q.     -- that you can see here? Do you know who  
23       owns those two houses?

24          A.     The first one is owned by the Orrs.

25          Q.     Okay. And that's the second-to-last one?



1           A.     And the last one is owned by -- there were  
2     two sisters or two ladies.

3           Q.     Is that Nan Reid --

4           A.     Right.

5           Q.     -- and Alison Segar?

6           A.     Yeah. Now it's just one of them.

7           Q.     Okay. Now, going back to 27?

8           A.     Right.

9           Q.     I'm pointing out that. Can you kind of --  
10    I'm not asking you to draw it exactly, but can you give  
11    me just sort of roughly a sense of what the property  
12    was? You had a pretty large yard as part of 27, right?

13          A.     Yes.

14          Q.     So are you able to kind of sketch in kind of  
15    roughly where you owned? Maybe you can use some those  
16    trees as reference points.

17          A.     Well, we went in to roughly here  
18    (indicating), and then it goes in back, the property  
19    goes this way here (indicating), and then it came out  
20    this way (indicating).

21          Q.     Okay. So that cleared area behind 27  
22    Fletcher was all yours?

23          A.     Yes.

24          Q.     Or a lot of it was yours?

25          A.     Yes.

1 Q. And some of the treed area also?

2 A. Yes.

3 Q. Was or is there a ravine that runs in back of  
4 Fletcher Place?

5 A. Yes.

6 Q. Can you point out -- can you see on this  
7 photograph where that runs? Is that possible?

8 A. The ravine started -- okay --

9 Q. If you can't see it on here, that's okay.  
10 I'm just curious.

11 A. It's roughly, the ravine went back to around  
12 here. This was all a gully (indicating).

13 Q. So when you're saying, "This is all a gully,"  
14 you're looking at the cleared area around your  
15 backyard?

16 A. Yes.

17 Q. Okay. So there's something that looks sort  
18 of a keyhole shape in the middle of that backyard, this  
19 little --

20 A. That was a patio, outdoor patio.

21 Q. Okay. That was a patio?

22 A. Yeah.

23 Q. And the patio's kind of -- let me put a  
24 circle around that little keyhole, what I'm calling a  
25 keyhole. So it was a patio. So did the ravine run

1 through that grassy area that --

2 A. Yes.

3 Q. Let me just finish the question. The ravine  
4 ran through the grassy area that's next to what you're  
5 saying was kind of a patio?

6 A. Yes.

7 Q. Okay. Is there a ravine that runs through  
8 there now?

9 A. No.

10 Q. So tell me about that change. How did that  
11 change?

12 A. In the late '50s, we got a chance to fill it  
13 in. That was -- when they were building the  
14 residence -- intern residence at the hospital, the  
15 contractor, the excavating contractor, was hauling the  
16 stuff to Winooski; and the high school graduation, they  
17 had seven students that got killed, so he asked me if  
18 he could dump the fill in there, and I said yes, and  
19 that's when he started filling the gully.

20 Q. What did the high school graduation and the  
21 students have to do with that?

22 A. Well, they were hauling the dirt in Winooski,  
23 and because the -- they had services, they couldn't  
24 haul it.

25 Q. I see. So the contractor asked if they could



1 fill it in your place or you volunteered?

2 A. Dump it, yes.

3 Q. And you said that was in the late '50s, so  
4 that would have been shortly after you bought the  
5 property?

6 A. Yes.

7 Q. So what was the scale of them coming in and  
8 filling the property; do you remember? Like how many  
9 dump truck loads or over what period of time they were  
10 coming?

11 A. I don't remember. There was quite a few.

12 Q. So if it was high school graduation, it would  
13 have been spring and summer?

14 A. Yes.

15 Q. Do you remember -- I know we're talking about  
16 60 years ago, 55 years ago. Do you have any memory at  
17 all about how long they were filling that property?  
18 Was it sort of the whole summer?

19 A. I think it was a good part of the summer,  
20 depending upon, you know, how long it took them to  
21 finish the excavation.

22 Q. How deep was that gully or the ravine before  
23 they started filling it?

24 A. About 35 feet.

25 Q. And they filled that whole 35 feet in?

1 A. Part of it.

2 Q. Did the gully or the ravine, did it run all  
3 the way from Colchester Avenue back into the trees  
4 before it was filled?

5 A. Yes.

6 Q. And, again, I know it's a long time ago, but  
7 do you remember how wide an area, I mean roughly, it  
8 was that was filled?

9 A. I would say roughly about 80 feet.

10 Q. So about 80 feet wide up to 30, 35 feet deep?

11 A. Yes.

12 Q. So the fill was coming from the hospital, you  
13 said; is that right?

14 A. Yes.

15 Q. And is that what's now the -- actually I  
16 don't know what they call it now.

17 A. Medical Center of Vermont.

18 Q. Medical Center of Vermont.

19 A. Right.

20 Q. So from the area across Colchester Avenue?

21 A. Yes.

22 Q. Do you know if there was fill brought in from  
23 any other location?

24 A. After, subsequent, yes, later on.

25 Q. Oh, so tell me about that too.

1           A.    Over the years, whenever I saw somebody  
2   hauling dirt, I used to chase them; and if it was a  
3   shorter distance to mine, I asked them to bring it in,  
4   fill it in.

5           Q.    Because you were trying to flatten out that  
6   yard?

7           A.    Right. Exactly, yes.

8           Q.    And the gain for you was instead of having  
9   this giant ravine running through your backyard, you  
10  ended up with this great big flat lawn basically?

11          A.    Right.

12          Q.    Okay. So you said just over the years you  
13  would get people to come and fill things in?

14          A.    Right.

15          Q.    Do you remember, do you have any memory as  
16  you sit here now, of any of the other places where fill  
17  came from?

18          A.    The only -- the last fill I got came from  
19  the -- when they were putting in the Red Cross blood  
20  center. That was the last of the fill.

21          Q.    That would have been over on Mansfield  
22  Avenue?

23          A.    Yes.

24          Q.    And was that the last because by the time  
25  they finished, it was basically filled, it was flat?



1 A. Well, then I had to level it off, yes.

2 Q. Okay. So any other places that you remember  
3 fill coming from besides Red Cross and the hospital?

4 A. In-between I can't remember who, but whenever  
5 I -- they had hauling dirt it was a shorter distance I  
6 asked them to bring it in.

7 Q. Okay. Could you give any estimate of how  
8 many different places it came from? You know, five,  
9 ten, fifty?

10 It was a lot of places; you're laughing?

11 A. I honestly don't know.

12 Q. It was a lot of different dump trucks that  
13 you were flagging down?

14 A. Right.

15 Q. Okay. So did you ever have any -- associated  
16 with 27 Fletcher Place, there's a driveway right next  
17 to the house, right?

18 A. Yes.

19 Q. And was that a single-width driveway?

20 A. Yes.

21 Q. Did you ever have any car parking behind the  
22 house in the grassy area in back?

23 A. No.

24 Q. Did you ever pave any part of the property  
25 behind the house?

1 A. No.

2 Q. There's a little yellow outline on Exhibit 1  
3 that says "Proposed Parking Area 2 Spaces" and then  
4 "Existing gate location." Did you ever have parking  
5 that abutted this big asphalt parking lot in generally  
6 the location where that proposed parking area is noted?

7 A. I only -- I parked my truck and trailer  
8 there, that's all.

9 Q. Okay. But it wasn't a paved parking lot?

10 A. Right.

11 Q. Was it a graveled parking lot?

12 A. No, it was grass.

13 Q. Okay. But you just put your truck there from  
14 time to time?

15 A. Right.

16 Q. Did you ever do any -- during your ownership,  
17 did you ever try to do any development yourself of this  
18 property?

19 A. I put in a grass tennis court.

20 Q. Which one of you is the tennis player?

21 A. I was.

22 Q. Did you have that there for a while?

23 A. I was trying to get it ready for the practice  
24 before Wimbledon, but the grass didn't come up quick  
25 enough.

1 Q. And there went your career?

2 A. Yes.

3 Q. Yeah, okay. Let me see if this is helpful at  
4 all.

5 (Deposition Exhibit No. 2 was marked for  
6 identification.)

7 MS. SHELKROT: I only have one of these,  
8 Kim.

9 Q. Okay. I'm not a big fan of the giant plans,  
10 but it's what I have. Sometimes it's helpful.

11 So showing you Exhibit 2, and again, to  
12 orient you, here's Fletcher Place (indicating).

13 A. Um-hum.

14 Q. Here's Colchester Avenue (indicating).

15 A. Right.

16 Q. Here's 27, your old house (indicating).

17 A. Yup.

18 Q. And this was a plan that I'll represent to  
19 you was submitted in connection with a lot line  
20 adjustment to change the boundaries.

21 A. Um-hum.

22 Q. But I think it shows -- and you can help me  
23 out -- I think it shows, if you look at it, the old  
24 boundaries, the boundaries as they existed when you  
25 owned the property.



1 A. Right.

2 Q. So would that be -- there's a line running  
3 between 27 and 31, correct?

4 A. Right.

5 Q. And then across the back of 31?

6 A. Right.

7 Q. And then heading back again --

8 A. 37.

9 Q. -- west? Yeah. And then if I'm not  
10 mistaken --

11 A. Straight to over here.

12 Q. -- the line went straight across?

13 A. Right.

14 Q. Right? Toward the edge of 43 -- the line  
15 between 43 and 49, right?

16 A. Right.

17 Q. And then along this dotted line? Oops, I  
18 went too far.

19 A. Right there. Right there (indicating).

20 Q. Right, right there. And then again back  
21 towards Colchester Avenue along the dotted line?

22 A. Right.

23 Q. And then back behind 96?

24 A. Right.

25 Q. And then I actually have to tell you I never

1 completely understood how this went. You tell me where  
2 it goes from there.

3 A. It goes from here to Colchester Avenue  
4 (indicating).

5 Q. Okay. So your property --

6 A. A 15-foot strip right here (indicating).

7 Q. A 15-foot strip goes all the way to  
8 Colchester Avenue?

9 A. Yes.

10 Q. And then you had this little dogleg?

11 A. And then it came down to here (indicating).

12 Q. Right.

13 A. And then back here and then (indicating) --

14 Q. All right. So these are these pins that are  
15 noted on here. And the garden area was yours, and it  
16 went just like this, right (indicating)?

17 A. Right.

18 Q. Oops, to there.

19 Okay. So, here's my question. A couple  
20 questions. First, where's the 75 feet that you sold to  
21 the doctors at some point? Is that the 75 feet that's  
22 noted right here (indicating)?

23 A. Yes, right here (indicating).

24 Q. Okay. And when those trucks were coming in  
25 with all the fill, how would they get to the back of

1 the property?

2 A. Right through here (indicating).

3 Q. Through that strip that -- the dogleg that  
4 runs out to Colchester Avenue?

5 A. Yes.

6 Q. Okay. So they would come in from that  
7 driveway and just fill?

8 A. Right.

9 Q. And, again, not asking you to be a draftsman  
10 here, but can you just kind of mark out the area where  
11 the fill was, where the ravine was and where the fill  
12 was?

13 A. I would say roughly about like so  
14 (indicating).

15 Q. Can you draw it for me? I understand it's  
16 not to scale. I'm just trying to get a sense of what  
17 that area was.

18 A. It went something like about here  
19 (indicating).

20 Q. Okay. So it kind of cut through the middle  
21 of the property?

22 A. Right.

23 Q. Did you ever talk to Frank von Turkovich  
24 about the fill that you put on the property?

25 A. No.



1 Q. Do you know if he was aware of it?

2 A. He must have, yes.

3 Q. Why do you say that?

4 A. Well, because when he -- we were talking  
5 afterwards, because I had to put a culvert in.

6 Q. When did you have to put the culvert in?

7 A. When I bought in '58.

8 Q. Why did you have to put the culvert in?

9 A. Because there was -- this area right in here  
10 (indicating), there was pipe.

11 Q. You're looking at 96 now?

12 A. That came from University Heights -- I mean  
13 the hospital.

14 Q. Okay.

15 A. And that was a 24-inch culvert, and we had to  
16 extend that.

17 Q. And so what about the culvert would have led  
18 Frank von Turkovich to have an understanding about  
19 there being fill on the property? Just that you  
20 couldn't see the culvert anymore?

21 A. Right.

22 Q. Did you ever have any trouble with settling  
23 or anything else associated with the fill?

24 A. No.

25 Q. Do you know what kind of soils it was that

1       were brought in?

2           A.    No.  Other than those two that I mentioned,  
3       one from the hospital and the other one from the Red  
4       Cross, those are the only two that I knew exactly where  
5       it came from.

6           Q.    Okay.  Did you know anything about like the  
7       type of soils or the quality, or did you ever have any  
8       soil testing done before it was brought in?

9           A.    No.

10           MS. SHELKROT:  Okay.  Let's go off the  
11       record.  I'm going to take a quick break.  I'm going to  
12       check with Susan about whether I'm forgetting about  
13       anything, whether I'm forgetting to ask you anything.

14                   (A brief break was taken from 10:50 AM  
15       to 10:51 AM.)

16           MS. SHELKROT:  Okay.  Back on the record.

17           Q.    Rudy, so I've covered the two big areas I  
18       wanted to ask you about, which is the fill in the back  
19       of the property and the parking situation.  Is there  
20       anything else about either of those two subjects that  
21       you can think of that I haven't asked you about?

22           A.    No.

23           MS. SHELKROT:  Okay.  Kim, do you have  
24       any questions?

25           MS. STURTEVANT:  I don't.  Thank you.

1 MS. SHELKROT: All right. Well, that  
2 concludes the deposition. Thank you.

3 (An off-the-discussion was held wherein  
4 the witness waived his right to read and sign the  
5 deposition transcript.)

6 (Whereupon, the deposition was concluded  
7 at 10:52 AM.)  
8  
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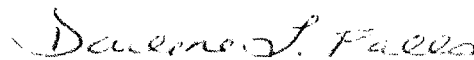


## C E R T I F I C A T E

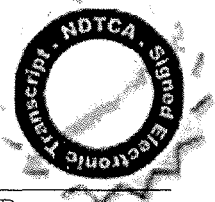
I, Darlene L. Falls, Court Reporter and Notary Public, do hereby certify that the foregoing pages, numbered 3 through 26, inclusive, are a true and accurate record of the Deposition of RUDOLF L. HIRSS, conducted before me as an officer authorized to administer oaths in the state of Vermont, on Thursday, January 5, 2017, commencing at 10:24 AM, in the matter of IN RE: VON TURKOVICH FLETCHER PLACE CHANGE OF USE, STATE OF VERMONT ENVIRONMENTAL DIVISION, DOCKET No. 83-7-15 Vtec, as to which a transcript was duly ordered.

I further certify that I am neither counsel for, nor related to or employed by, any party to said action nor in any way interested in the outcome thereof or in any other way disqualified to stenographically record the proceedings and thereafter produce a transcript.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 9th day of January, 2017.



DARLENE L. FALLS, RMR, CRR  
Commission expires: 2/10/2019









Proposed Parking Area  
2 Spaces

Existing gate location

Google Earth

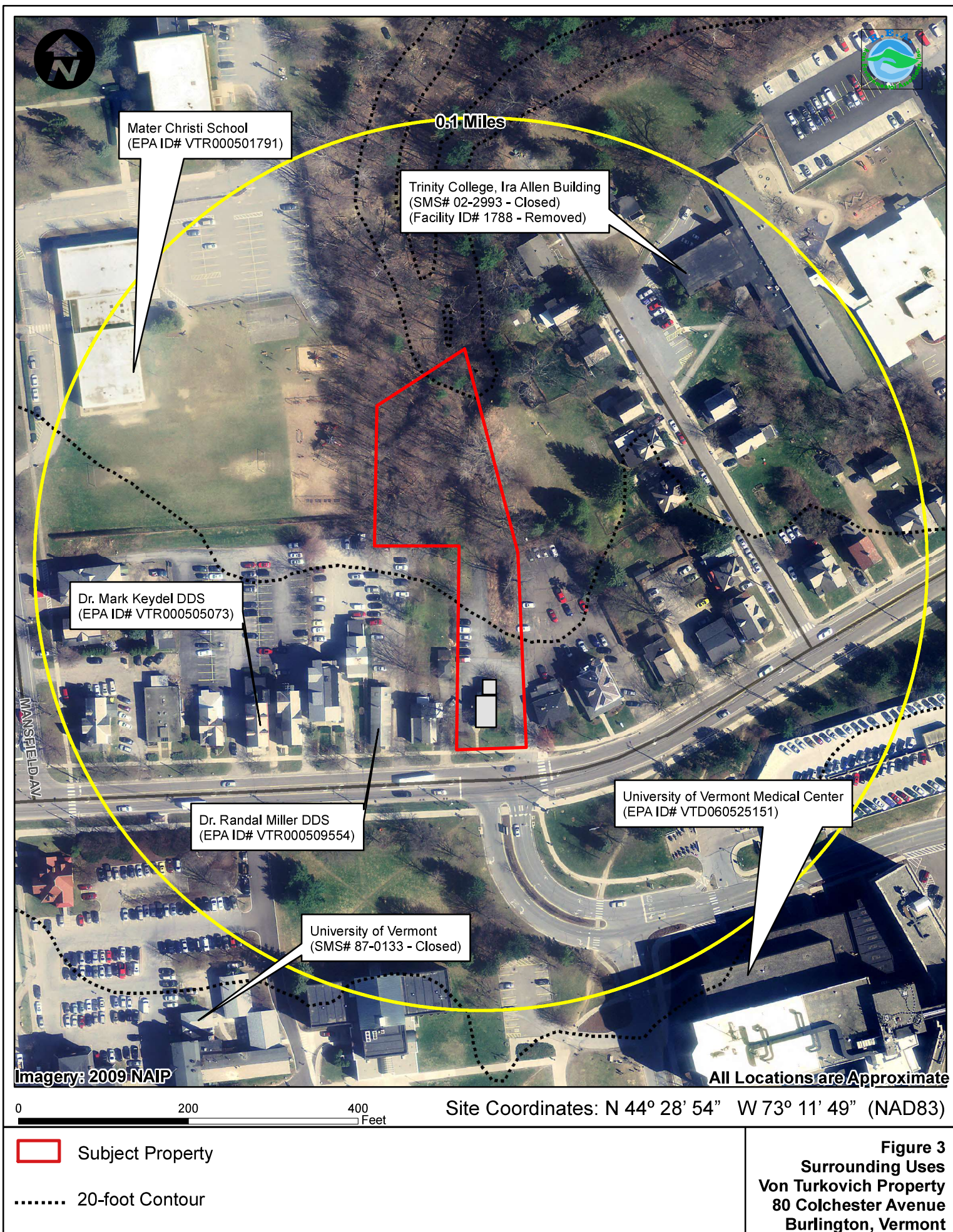
EXHIBIT  
(ATTN:SS)  
Butani, I  
1-5-2017 DF  
PENAD 800-831-6988

Imagery Date: 5/19/2012 44°28'53.72" N 73°11'44.13" W elev 318 ft

5/19/2012

1999







1. What is the purpose of the study?
2. What are the research objectives?
3. What is the research design?
4. What are the variables?
5. What are the hypotheses?
6. What are the results?
7. What are the conclusions?
8. What are the limitations?
9. What are the implications?
10. What are the future research directions?

6

**101 COVERAGE:**  
**7/26/14 101 = 2.35 ACRES**  
**101-001 ACRES (101-001) = 2.35**  
**101-002 ACRES (101-002) = 2.35**

COLCHISTER AVENUE



February 27, 2017

To whom it may concern,

I have been speaking with James Unsworth recently about the proposed "The Vaults" project located next to the South End Arts and Business Association (SEABA) office on Pine St. SEABA has known the Unsworth family & business for over 30 years, and we write this letter of support in full confidence of their proposal.

SEABA is a 30 year old non-profit committed to the cultural and economic vitality of the South End Arts District of Burlington. The South End is a haven for creative entrepreneurs & artists, SEABA provides several outlets for them to start, grow, and thrive in our community. I strongly believe that this project will enhance the South End by creating a physical manifestation of our goal. By having artist studios, small maker space and offices all in one building, this project is aiming to solidify creative business in the South End while fostering a collaborative atmosphere with other businesses.

We are also in need of more small studios. Here at SEABA we receive 20 plus inquiries a month from folks trying to carve out a couple hundred square feet in the vibrant South End. The commitment of the landowner to increase their inventory of these units has been, and is unquestionably a benefit for the South End and Burlington as a whole.

In an era of gentrification and the abandonment of artist studios being transformed into apartments or office space, it is refreshing to see a landowner actually building additional space for artists. This area of Burlington can be a model for the rest of the country as a sustainable, vibrant district that offers something unique to its community. Thank you, and please don't hesitate to contact me with further questions.

Sincerely,

Adam C. Brooks  
Executive Director, South End Arts & Business Association



Brenda and Ed Owre  
43 Fletcher Place  
Burlington, Vt. 05401

Burlington Development Board Hearing  
Re: 66-96 Colchester Avenue  
March 8<sup>th</sup>, 2017

COLCHESTER AVENUE HOUSING:  
Scale It Down, Improve Its Long Term Impact!

The historic residential neighborhood of Fletcher Place (six homes on Vermont's historic register)/Colchester Avenue and its unique surrounding mix of institutional and professional buildings, Queen Anne and earlier style homes, open space, and city forest, are jeopardized by the current proposal. To revitalize and integrate the older neighborhood with new development, to improve environmental impact, to maintain accessible green space for new residents, to fit into the larger character of the university/ and the north-of-Colchester Hill Section, the proposed project needs a smaller footprint and fewer units.

Three Big Problems with the current plan:

I)

Oversized and Out of Scale, Unbroken Massing, too close to single-family Residential Back Yards, Insensitive non-integrated Design. Proposed flat roofed buildings (with mechanicals, elevator tower, solar array, roof deck), with long unbroken facades rising from initially built-up elevations, looming too close and too high over our backyards and second storey windows. A visual insult, minimized and set back perhaps from Colchester Avenue non-residential homes, but not from our backyards on Fletcher Place. The proposed design entirely disregards the "Queen Anne" styles of the adjacent houses, yet it is not compensatorily or innovatively "modern"... but rather "commercial" and serviceable at best-- fitting the most bodies into the smallest space. In short, it's too close to our houses and to a precipitous ravine, and too big for the available buildable space.

II)

The proposed and very large Density Increase overwhelms infrastructure, jeopardizing neighborhood identity. Despite the applicant's assessment, traffic and parking are already difficult problems. The current light backs up traffic on Colchester Ave. often making access on to or out from Fletcher Place difficult and

dangerous. And Fletcher Place serves two child-care facilities: fire and rescue could be further impacted—also potential access into hospital emergency. Privacy and noise will also be a problem, with roof top socializing, and with cars coming in and out during late hours—not a problem for daytime Colchester offices perhaps, but a big problem for Fletcher Place residences, especially at night. (There is no onsite management or supervision proposed for either building.) And proposed outdoor recreational green space for the multiple residents of 75 more units is minimal...mostly taken up as it is by parking, or storm water discharge.

And it's not just Fletcher Place, but the wider area comprising the northern sections of the hospital, the university campus and Fleming museum, Mater Christie and the Sisters of Mercy Property, the Trinity Campus, the professional buildings and the older homes integrated throughout: what's characteristic and special about this successfully mixed neighborhood is the interspersal of open space: lawns, playing fields, grassy pathways, the large heavily wooded watershed down to the Winooski. In other words, breathing room in the midst of the city. The current proposal breaks the spirit and character of this larger neighborhood by trying to jam too much into too small a space.

Neither the hospital nor the university (for whom the zoning designation "institutional" was meant to serve) would actually press so close against a residential neighborhood with such large buildings. It's likely they would observe a more respectful distance and set back and reserve some additional green space for their own residents. The city too should value the special character of the institutional zone, and not support a density more suitable for downtown.

### III)

Significant increase in water discharge and topological stability will endanger the Class II wetland and could cause subsidence and damage to our properties on Fletcher Place. The project proposes to build the north building right up to the very rim of a steep ravine underlain by very unstable soils. But significant subsidence and erosion are already problems in our back yards.

Also excessive coverage of the usable land necessitates a waiver from usual storm water management practices, which normally require direct groundwater recharge. We, the residents of Fletcher Place, unfairly bear the brunt of this potential waiver: the developer proposes "an extended detention permanent wetland pool" crowded right up to our back yards. This "pool" would be permanently filled with street runoff, will breed mosquitoes, and will potentially require a commercial high fence for liability. There is no room left for even the planting of trees which might screen us from that unwelcome "neighbor." (Incidentally, the currently existing screen of mature hemlocks, which we planted decades ago, will surely have to be eliminated—despite the symbols on the plan.)

Yet more unsettling, the plan calls for the deep retention pool perched atop the steep ravine—a potentially unsafe location. Geo webbing may hold it near term, but what about the ten-year or even hundred-year flood? Our properties could be severely damaged in the event of erosion or failure. Such a location with little or no setback from adjacent properties suggests again that the plan is trying to fit in too much.

#### Additional Comments:

For five years, we and/or our neighbors on Fletcher Place have attended every one of the numerous meetings and hearings connected with this project. For five years, we have cited our concerns about the project's impact on our neighborhood and our individual properties. Yet for five years, these concerns have led to no material accommodation or adjustment of the project. In fact, the project has only grown larger, and with the addition of the retention pond right up to our property lines, it is now more intrusive and disturbing than ever.

We understand that at some point in the past, Fletcher Place was swept into the "institutional" zone (although we also understand that such a designation may have been inadvertent, and that we more properly and accurately should be designated as "residential" along with similar streets such as Nash Place.) Unfortunately in this case, the "institutional" designation allows the developer to count as saving "green space" the very steep land that is clearly non-developable under any circumstances. Through that loophole, he is now requesting to crowd onto the only small flat usable land available, two very large buildings, parking lots, entry drives, water recharge facilities, snow storage, etc., all of these features having an outsized and deleterious effect on our small neighborhood.

The applicant has not yet purchased the additional land in the ravine that could technically allow him to build so many units on so small and tight a space. Rather he maintains an option to do so. But nothing compels him to do so. He could go ahead with the property he currently owns, and create a wonderful and welcome infill project.

There is a resolution to the problems expressed here, a win-win solution for the developer, for the neighborhood, for the environment, and for the city's need for more housing. That solution is to significantly scale back the project, perhaps to somewhere around half its proposed size and half its number of proposed units. Such a size would still add a significant number of units and beds, and yes without crowding, it could potentially enhance and enliven the existing neighborhood. It might comprise one or more buildings, but certainly it would preserve more "breathing room" and crowd its residential neighbors less—and it would allow for storm water recharge without a detention pond. Though we might prefer yet more



intimate in-fill housing to a scale and design that actually fits our neighborhood, the solution posed here would serve all interests well.

And most importantly, a somewhat scaled back project would serve the greater long-term goals of the city: new development and reasonable growth while respecting and sensitively integrating that growth with existing and historic neighborhoods such as ours. Fletcher Place is over a hundred years old. We have lived on the street for nearly half that time. We have been lucky to live in a close-knit neighborhood, with both green space and the amenities of first class institutions, and of a great city, close at hand. Please consider the values of preserving and enhancing such a neighborhood for the future when you make your decisions. After five years, we especially appreciate your thoughtful consideration.

Thank you,

Brenda and Edwin Owre  
43 Fletcher Place  
Burlington, Vermont 05401

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## 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*

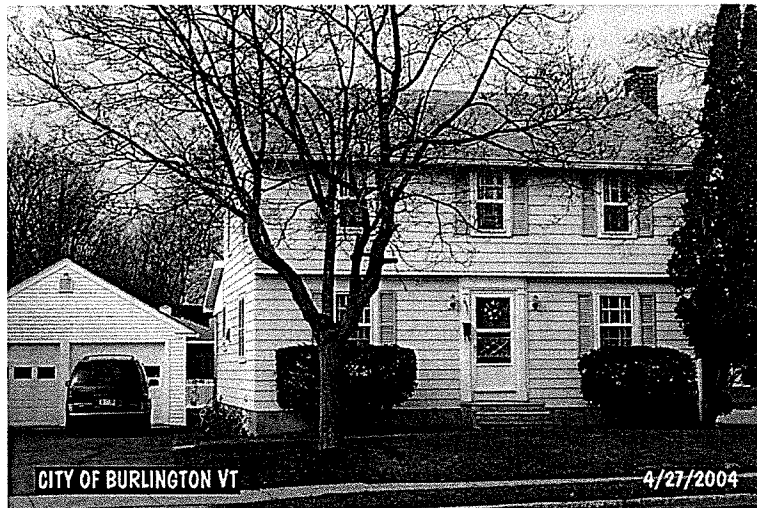


### MEMORANDUM

To: Development Review Board  
From: Ryan Morrison, CFM, Associate Planner  
Date: March 8, 2017  
RE: ZP 17-0751HO 1437 North Avenue

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

**File:** ZP 17-0751HO  
**Location:** 1437 North Avenue  
**Zone:** RL **Ward:** 4N  
**Date application accepted:** January 30, 2017  
**Request:** Home occupation for hair salon.



#### Background:

- **Zoning Permit 94-224;** Single story rear addition, 20' x 28', to existing detached garage for the single family home. Approved November 16, 1993.
- **Zoning Permit 98-127;** Removal of the 4' x 19' existing walkway to cross parkway, and second story overhang on the rear of the single family home. Proposal includes enlargement of the rear porch to run the length of the rear of the structure (5' x 30') and replacement of a second story door with window. Approved September 16, 1997.

- **Zoning permit 02-450;** Install 70' L x 4' H picket style fencing. Approved April 19, 2002.

**Overview:** The application proposes utilizing 480 sf of garage space for a home hair salon. No retail activities are proposed, and there will be no outside employees. Clients will visit the home occupation for hair cuts.

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

## I. Findings

### Article 3: Applications, Permits, and Project Reviews

#### **Section 3.5.6 Review Criteria**

##### **(a) Conditional Use Review Standards**

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

1. *Existing or planned public utilities, facilities, or services are capable of supporting the proposed use in addition to the existing uses in the area.*  
As a limited home activity, no unusual or detrimental demand on city utilities or facilities is expected. **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;*  
This is a low density residential area. The presence of an exterior sign may be the only evidence of a home business. Sec. 5.4.6 (b) limits signage to no more than one, non-illuminated parallel sign, not exceeding 2 sf in size. Additionally, client visitation is expected; however, Sec. 5.4.6 (b) limits these visitations to no more than one at any given time.

From the Municipal Development Plan:

*Promote and support locally owned and controlled small businesses including home occupations appropriate to the character of the neighborhood.” [MDP, Economic Development Plan, p. VI-2.]* **Affirmative finding as conditioned.**

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;*  
A hair salon is a very low-impact, no nuisance activity that will not generate noise, odor, dust, heat or vibration. **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 subject property is interconnected with the City's road/sidewalk network. Minimal additional demand will be placed on transportation infrastructure as a result of the requested home occupation. **Affirmative finding.**

5. *The utilization of renewable energy resources;*

The application will not prevent the utilization of wind, water, solar, geothermal, or any other renewable energy resource. **Affirmative finding.**

*and*

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

The applicant is referred to consult with the Assessor's office to confirm whether the activity will require registration under business personal property. There are no identified conflicts with City bylaws, city or state ordinances. **Affirmative finding.**

### **(C) Conditions of Approval**

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

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

There are no identified nuisance or performance factors requiring such action.

**Affirmative finding.**

2. *Time limits for construction.*

No exterior construction is proposed. Fit-up for the home occupation space will be done within the standard 2-year timeframe for zoning permits. **Affirmative finding.**

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

Staff recommends that the DRB consider setting operation hours between 9:00 AM – 7:00 PM, 5 – 7 days per week. **Affirmative finding as conditioned.**

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

This is a typical standard of Conditional Use Review. Any expansion or alteration will be reviewed under regulations in effect at that time. **Affirmative finding as conditioned.**

*and*

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

This is at the discretion of the DRB.

## **Article 5: Citywide General Regulations**

### **Part 4: Special Use Regulations**

#### **Sec. 5.4.6, Home Occupations**

##### **(b) Conditional Use Review**

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

The applicant indicates the involvement of one (owner) resident. The home occupation is proposed to locate within a 480 sf area of the existing garage. No outside employees are proposed. The property is within the RL zoning district. **Affirmative finding.**

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

The Assessor gives gross floor area of the house (including the basement) and garage, as 3,454 sq. feet. The proposed area for the home occupation is 480 square feet – for a dedication of approximately 14% of the gross floor area for the proposed home occupation. **Affirmative finding.**

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

No site changes are included in this proposal. No equipment that results in a change to the fire rating is allowed. **Affirmative finding as conditioned.**

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

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

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

*A. Occasional garage/lawn/yard type sales (up to twice a year not to exceed two (2) days each); and*

*B. One non-illuminated attached parallel sign that shall not exceed two (2) square feet. No other signs shall be permitted.*

No garage/lawn/yard type sales are included in this proposal. The applicant notes that an outdoor sign is proposed, but no plan for this sign has been submitted. In accordance with the above, signage shall be limited to one, non-illuminated, parallel sign not exceeding 2 sq. ft. in size. A separate sign permit will be necessary for the installation of any sign. **Affirmative finding as conditioned.**

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

As only the resident owner is proposed to be engaged in the home occupation, the only increase in vehicular traffic flow or parking will be a result from client visitation. In accordance with the above, only one additional vehicle at a time will be permitted to visit the home occupation. The applicant notes that no deliveries or commercial vehicles will be used in the exercise of the home occupation.

The applicant proposes to locate the salon in the front half of the garage, which will take away two interior parking spaces. However, the driveway provides more than enough room to accommodate 3 parking spaces: 2 for the single family residence as per Article 8; and one for the home occupation. **Affirmative finding as conditioned.**

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

The home occupation is proposed within an enclosed garage. No nuisance, hazard or unsightliness is anticipated with the exercise of the home occupation. **Affirmative finding.**

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

The home occupation is proposed to be conducted entirely within a portion of the existing garage structure. In that, the activity is clearly secondary and incidental to the primary residential use of the property. **Affirmative finding.**

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

No deliveries are proposed, as indicated on the Home Occupation Questionnaire completed by the applicant. **Affirmative finding.**

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

As noted above, no deliveries are projected, and no commercial vehicles will be associated with the proposed home occupation. **Affirmative finding.**

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

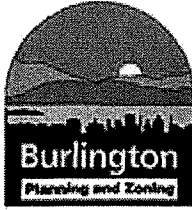
The applicant has stated that she has no intention of selling products. **Affirmative finding.**

## **II. Conditions of Approval:**

1. This home occupation is subject to all of the requirements of Sec. 5.4.6, *Home Occupations*, of the Comprehensive Development Ordinance.
2. The applicant is advised to consult with the Office of the Assessor with regards to the Business Personal Property requirements.
3. No additional equipment or materials that results in a change to the fire rating shall be allowed.
4. There shall be no sale of goods from the property as part of the approved home occupation.
5. There shall be no outside storage of any kind related to the home occupation.
6. There shall be no exterior evidence of the conduct of the home occupation, except for as noted in 5.4.6 (b), 5, above.



7. A separate sign permit shall be obtained for any proposed home occupation sign.
8. The home occupation may not increase vehicular traffic flow or parking by more than one additional vehicle at a time for customers or deliveries.
9. The home occupation shall be limited to operation times of 9:00 AM – 7:00 PM, 5 to 7 days a week.
10. Any expansion or alteration to the home occupation will be required to obtain a new zoning/condition use permit, to be reviewed under regulations in effect at that time.
11. Standard Permit Conditions 1-15.



# Department of Planning and Zoning

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

Phone: (802) 865-7188

Fax: (802) 865-7195

[www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)

# RECEIVED

JAN 30 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: 1437 North Avenue Burlington VT 05408

PROPERTY OWNER\*: Khuyen Tran & Tan Huynh

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

APPLICANT: Khuyen Tran

POSTAL ADDRESS: 1437 North Avenue

POSTAL ADDRESS: \_\_\_\_\_

CITY, ST, ZIP: Burlington VT 05408

CITY, ST, ZIP: \_\_\_\_\_

DAY PHONE: (802) 777 8318

DAY PHONE: \_\_\_\_\_

EMAIL: pacachia65@yahoo.com

EMAIL: \_\_\_\_\_

SIGNATURE: [Signature]

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.

Description of Proposed Project: Hair Salon / Home Occupation

Existing Use of Property: ☒ Single Family ☐ Multi Family: # \_\_\_\_\_ Units ☐ Other: \_\_\_\_\_

Proposed Use of Property: ☒ Single Family ☐ Multi Family: # \_\_\_\_\_ 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)\*: \$ \_\_\_\_\_

(\*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? N Age of House 1950 Lot Size 8750

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

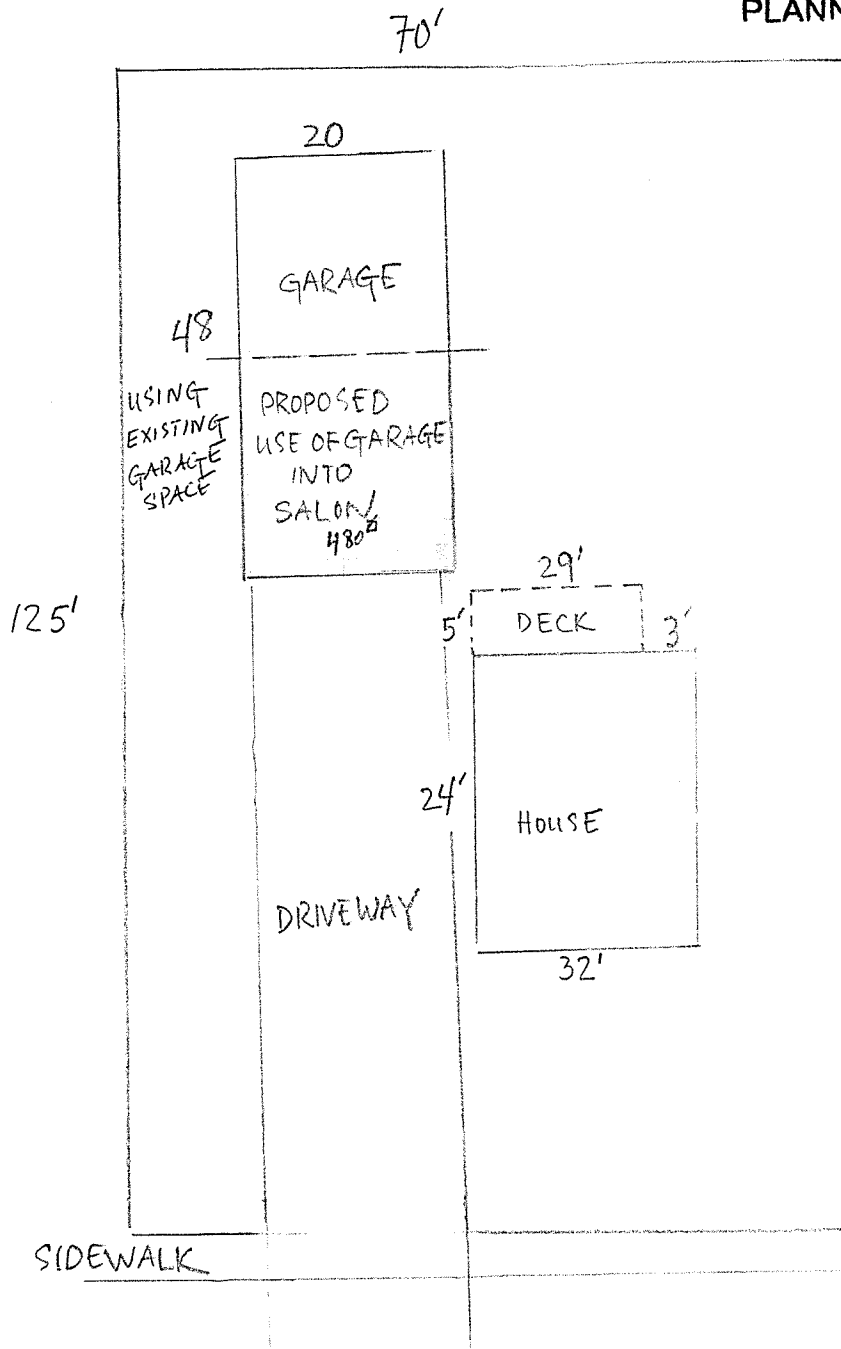
Check No. 1191 Amount Paid \$150. - Zoning Permit # 17-0751 HO

April 20

RECEIVED

JAN 30 2017

DEPARTMENT OF  
PLANNING & ZONING



1437 NORTH AVENUE





## Department of Planning and Zoning

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

Phone: (802) 865-7188

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JAN 30 2017

DEPARTMENT OF  
PLANNING & ZONING

### Home Occupation Application Questionnaire

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

#### Please note:

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

Name of Business Proposed: Tan's Hair Studio

Type of Business Proposed: Hair

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

#### Please respond to the following:

1. How many persons will be involved or employed in the conduct of the proposed Home Occupation:  
Residents of premises: 1 Others        Total Number 1
2. What type of product will be produced, serviced, or repaired in the conduct of your Home Occupation? (For example: repair of clocks or watches, making jewelry, etc.). Explain:  
cutting hair by appointment
3. Describe any alterations to the home or premises that might be required to facilitate your Home Occupation:  
alterations to interior / exterior of garage
4. Describe what rooms will be used in the conduct of the Home Occupation and how these rooms will be used. (For example: garage will be used to store supplies; or den will contain desk and file cabinets, etc.). Indicate the gross floor area(s) that will be used in the conduct of the Home Occupation. Indicate the total gross floor areas of your house and include any accessory structure(s) to be used for the Home Occupation, (Ex. Garage).  
1/2 garage will be used for hair salon
5. Describe the mechanical and/or electrical equipment that will be necessary to conduct your business activity:  
hair trimmer; hair blow dryer; hair clipper
6. Describe how, where and in what amounts the material, supplies and/or equipment related to your Home Occupation will be displayed or stored:  
will be displayed on hair station

PLEASE TURN OVER

7. Will people come to your home to obtain any product or utilize any service connected with the proposed Home Occupation activity? Yes ☒ No ☐  
If yes, please explain in detail: people come to get hair cut.
8. Are any signs necessary or proposed relative to the Home Occupation?  
Yes ☒ No ☐  
If yes, you are required to file for a Sign Permit. An application form can be obtained at the Planning and Zoning Department or on our website.
9. If trucks or other equipment will be used in your Home Occupation, where will they be parked or stored?  
n/a
10. Will the Home Occupation involve the use of commercial vehicles for delivery of materials to or from the premises? Yes ☐ No ☒  
If yes, please explain:
11. How many parking spaces will be provided for the home occupation? 2 driveway  
Where will they be located? Indicate parking spaces on a site plan of this property as part of your application submission.
12. Is your proposed Home Occupation in conformance with the conditions, covenants and restrictions pertaining to your property? Yes ☐ No ☐  
We suggest checking your deed for conditions, covenants and restrictions.

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

Applicant's Signature: [Signature]

Date: 1/29/2017

Property Owner's Signature: [Signature]

Date: 1/29/2017

## Ryan Morrison

---

**From:** tan huynh <papachia65@yahoo.com>  
**Sent:** Sunday, February 26, 2017 12:03 AM  
**To:** Ryan Morrison  
**Subject:** Application

Hello,

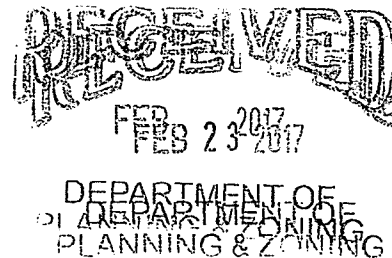
Thank you for reaching out to clarify things with us. As of now, I have no intention of selling products. I don't have a need for outside storage. As for interior, I would like to make it looks nice and cozy. A very simple 1 station hair salon client at a time. Thank you so much.

Sent from my iPhone





Burlington Development Review Board. Austin Hart, Chair  
149 Church St, City Hall, Burlington, VT 05401



February 21, 2017

Dear Mr. Hart and members of the board,

I am writing in regards to the hearing scheduled for March 8th, in relation to the item 17-0751HO: 1437 North Avenue, Home occupation for a hair salon.

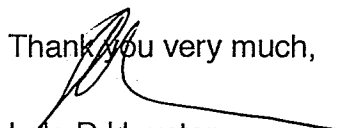
I wish to express my concern about this proposed project as well as my support.

I do support the concept of a home-based business. we need this in Vermont, we need to foster jobs and ways to earn a living. So in this regard, I fully supportive of this project.

My concern is with the parking. This home has a 2 car garage, and is located directly on the avenue. It kitty-corners Cross Parkway. While I am not privy to details about the business model itself, it seems likely that there would be more than one client showing up at a time - therein lies the problem. Where might more than one client park? We have just installed the new bike lanes - something I think is a wonderful concept and should be fully implemented. I am concerned that client overflow for this project might well obstruct the bike lane. It may also result in a backlog and subsequent shortage of parking on the side streets (Cross Parkway, and my own, Staniford Road). Where I reside, this is surprisingly common, even without any local home businesses. Adding more cars exacerbates an already difficult situation.

I would request that the proposal include specific mention that clients must be able to park in the driveway that currently adjoins the house. The presence of a 2 car garage suggests to me that there is ample space for the owners to park inside the garage during business hours. This would cap the clients, possibly at 2 or 3, but would alleviate any possible parking problems or bike lane obstructions.

Thank you very much,

  
Lola D Houston  
30 Staniford Road  
Burlington, VT 05408





## Department of Planning and Zoning

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

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



**TO:** Development Review Board  
**FROM:** Scott Gustin   
**DATE:** March 8, 2017  
**RE:** 17-0744CA/CU; 109-111 Shelburne Street  
17-0745CA; 97 Locust Street

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

Zone: RL & RCO-RG      Ward: 5S

Owner/Applicant: Champlain Housing Trust (109-111 Shelburne St) & City of Burlington (97 Locust St)

**Request:** Convert existing motel into 8 apartments with related building and parking improvements

### **Applicable Regulations:**

Article 3 (Applications, Permits, & Project Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking), and Article 9 (Inclusionary and Replacement Housing)

### **Background Information:**

The applicant is seeking approval for conversion of the existing Bel Aire motel into 8 apartments. Minimal site work related to parking configuration is proposed, as are some minor exterior building changes. The modified parking area would provide 3 shared parking spaces for the adjacent community gardens at 97 Locust Street. As the parking area straddles the property line, two permit applications have been filed. They are reviewed concurrently. The majority of the project is located in the RL zone (109-111 Shelburne St). The small amount of pavement work extending onto 97 Locust St is in the RCO-RG zone.

The application qualifies for the Residential Conversion Bonus of Article 4. As a result, conditional use review is required.

Previous zoning actions for this property are noted below.

- 3/14/97, Approval to install a 5' tall vinyl coated chain link fence

**Recommendation:** Certificate of appropriateness and conditional use approval as per, and subject to, the following findings and conditions.

### **I. Findings**

### **Article 3: Applications and Reviews**

#### **Part 5, Conditional Use & Major Impact Review:**

##### **Section 3.5.6 (a) Conditional Use Review Standards**

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

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

The existing motel is served by municipal water and sewer. The conversion to apartments is unlikely to have much effect on water and sewer demands. The change in use; however, may trigger the need for a state wastewater permit. A capacity letter from the Department of Public Works is required. **(Affirmative finding as conditioned)**

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

The subject property is located within the residential low density (RL) zone. The RL zone is intended primarily for development in the form of single detached dwellings and duplexes. The existing motel is a nonconforming commercial use. Its conversion to residential apartments brings about greater consistency with the intent of the RL zone. The residential conversion bonus provides for greater residential density in order to incentivize residential conversion of preexisting nonconforming commercial uses. Such is the case on the subject property. **(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 residential use is not expected to generate nuisance impacts any more significant than those associated with other residential properties in the residential low density zone. **(Affirmative finding)**

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

No traffic analysis has been provided nor is required for a project of this size. Conversion of the motel to 8 residential apartments may affect trip generation numbers, and more likely, traffic patterns; however, impacts are expected to remain modest. **(Affirmative finding)**

*and,*

- 5. The utilization of renewable energy resources;*

No renewable energy resources are utilized in this conversion. Future utilization of such energy resources is not precluded by the 8 apartments. **(Affirmative finding)**

and,

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

Adherence to applicable building, fire, and energy codes will be required. As noted above, a state wastewater permit is also likely required. **(Affirmative finding as conditioned)**

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

(c) Conditions of Approval:

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

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

The proposed residential conversion is not expected to generate offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

2. *Time limits for construction.*

No special time limits for construction are proposed. For a project of this small scope, none are needed. **(Affirmative finding)**

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

Hours of operation do not apply to the proposed apartments.

No days or hours of construction are included in the application. For a project of this small size, the typical days and hours of construction of Monday – Friday, 7:00 AM – 6:00 PM should be more than adequate. **(Affirmative finding as conditioned)**

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

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

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

To be addressed in conditions of approval.

#### **Article 4: Maps & Districts**

##### ***Sec. 4.4.5, Residential Districts:***

###### ***(a) Purpose***

###### ***(1) Residential Low Density (RL)***

The subject property is located in the RL zone. The RL zone is intended primarily for development in the form of single detached dwellings and duplexes. The existing motel is a nonconforming commercial use. Its conversion to residential apartments brings about greater consistency with the intent of the RL zone. **(Affirmative finding)**

***(b) Dimensional Standards & Density***

The subject property is 0.49 acres in size. The standard density in RL is 7 units/acre. The residential conversion bonus in combination with the inclusionary housing bonus increases allowable density up to 16.75 units/acre. The proposed 8 apartments fall within this density limitation.

Lot coverage, setbacks, and building height remain unchanged within the RL portion of the property. **(Affirmative finding)**

***(c) Permitted & Conditional Uses***

The proposed multi-family housing is allowed as a conditional use in the RL zone via the provisions for residential conversion. **(Affirmative finding)**

***(d) District Specific Regulations***

***1. Setbacks***

No setback encroachment is sought under this criterion.

***2. Height***

No height exceptions are sought.

***3. Lot Coverage***

No lot coverage exceptions are sought.

***4. Accessory Residential Structures and Uses***

No new accessory residential structures or uses are proposed.

***5. Residential Density***

All of the proposed residential units are subject to an occupancy limit of 4 unrelated adults or a family as defined in the CDO. **(Affirmative finding)**

***6. Uses***

Not applicable.

***7. Residential Development Bonuses***

The applicant is seeking a residential conversion bonus under item D of this criterion. This bonus allows for a maximum of 8 dwelling units/acre for the conversion of a nonresidential use (in this case, a motel) to a residential use subject to the following criterion:

- 1) The structure proposed for demolition (or, in this case, conversion) shall not be listed or eligible for listing on the National or Vermont Register of Historic Places. The motel is not historically significant.

The project, due to the number of proposed dwelling units (i.e. more than 5), is also subject to inclusionary zoning requirements. In this case, all of the residential units will qualify as inclusionary. As a result, an additional density of 8.75 dwelling units per acre applies.

Together, these two bonuses result in a density limit of 16.75 units per acre and are under the limits noted in Table 4.4.5-8, *Maximum Density, Lot Coverage and Building Heights with Bonuses*. Based on the 0.49 acre lot size, 8 dwelling units are the maximum potential density. This



same combination of density bonuses was used for the SD Ireland concrete plan conversion to apartments at 140 Grove Street. **(Affirmative finding)**

***Sec. 4.4.6, Recreation, Conservation, and Open Space Districts:***

***(a) Purpose***

***(2) RCO-Recreation/Greenspace (RCO-RG)***

A small portion of parking area work extends onto 97 Locust Street and into the RCO-RG zone. This property is Calahan Park and is consistent with the intent of the RCO-RG zone: to provide a diversity of passive and active recreational opportunities and other urban green spaces that provide for public use and enjoyment. The parking improvements are intended to serve folks using the community gardens at the park. **(Affirmative finding)**

***(b) Dimensional Standards & Density***

Lot coverage will increase by 291 sf – an increase of 0.03%. Existing lot coverage is about 9%. Up to 15% is permissible.

Side yard setbacks do not apply to the shared parking area. There are no changes to building height. **(Affirmative finding)**

***(c) Permitted & Conditional Uses***

The existing park use will remain unchanged. **(Affirmative finding)**

***(d) District Specific Regulations***

**(Not applicable)**

**Article 5: Citywide General Regulations**

***Sec. 5.2.3, Lot Coverage Requirements***

See Sec. 4.4.5 (b) above.

***Sec. 5.2.4, Buildable Area Calculation***

Not applicable.

***Sec. 5.2.5, Setbacks***

See Sec. 4.4.5 (b) above.

***Sec. 5.2.6, Building Height Limits***

See Sec. 4.4.5 (b) above.

***Sec. 5.2.7, Density and Intensity of Development Calculations***

See Sec. 4.5.5 (b) above.

***Sec. 5.5.1, Nuisance Regulations***

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

***Sec. 5.5.2, Outdoor Lighting***

No new outdoor lighting is indicated in the application materials. A number of existing doorways will be modified and replaced with new. There are existing light fixtures. Indication as to whether

the existing fixtures or new ones will be installed is needed. **(Affirmative finding as conditioned)**

***Sec. 5.5.3, Stormwater and Erosion Control***

No changes to stormwater management are proposed or required for the small additional area of pavement. The small amount of earthwork proposed does not require an erosion control plan. **(Affirmative finding)**

**Article 6: Development Review Standards:**

***Part 1: Land Division Design Standards***

***Sec. 6.1.2 Review Standards***

**(Not applicable)**

***Part 2, Site Plan Design Standards***

***Sec. 6.2.2, Review Standards***

Very little about the site is changing. Building orientation, topography, and circulation all remain unchanged. The existing concrete walkway in front of the present-day motel rooms will be modified so that it is flush with the converted apartment entries. More significantly, the southern edge of the surface parking area will be extended to the south by 291 sf. This small expansion will allow sufficient area for 3 new parking spaces to be shared with the adjacent community gardens. **(Affirmative finding)**

***Part 3, Architectural Design Standards***

***Sec. 6.3.2, Review Standards***

As with the site, very little about the building's exterior will change. Side-by-side doors will be replaced with individual doors for the converted apartments. A single door on the north elevation will be removed and infilled with siding. A new ramp, stairs, and associated railing work are also proposed. The end result differs little from existing conditions. **(Affirmative finding)**

**Article 8: Parking**

***Sec. 8.1.8, Minimum Off-Street Parking Requirements***

The subject property is located in the neighborhood parking district. As a result, each of the 8 apartment units requires 2 parking spaces – a total of 16 parking spaces in this case. As proposed, 12 parking spaces will be provided. Of those 12 spaces, 3 are to be shared with the adjacent community gardens. A parking waiver is sought as noted in Sec. 8.1.15 below. **(Affirmative finding)**

***Sec. 8.1.9, Maximum Parking Spaces***

**(Not applicable)**

***Sec. 8.1.10, Off-Street Loading Requirements***

**(Not applicable)**

***Sec. 8.1.11, Parking Dimensional Requirements***

The 9 angled parking spaces are dimensionally compliant at 9' X 18' (with 2' overhang). The 3 parallel parking spaces are also dimensionally compliant at 9' X 22'. Back-up space provided is somewhat shy of the standard at 20'; however, it is sufficient to allow 10' aisles for vehicles entering and leaving the parking lot. **(Affirmative finding)**

***Sec. 8.1.12, Limitations, Location, Use of Facilities***

***(a) Offsite parking facilities***

**(Not applicable)**

***(b) Downtown street level setback***

**(Not applicable)**

***(c) Front yard parking restricted***

Parking spaces are configured such that they are behind the front yard setback.

**(Affirmative finding)**

***(d) Shared parking in the Neighborhood Parking Districts***

The proposed parking arrangement provides for shared use of 3 spaces. While this criterion is aimed at multiple uses within a single building or lot, the effect is the same. A single parking area will serve two adjacent uses. **(Affirmative finding)**

***(e) Single story structures in Shared Use Districts***

**(Not applicable)**

***(f) Joint use of facilities***

See Sec. 8.1.15.

***(g) Availability of facilities***

None of the proposed parking will be used for the storage or display of vehicles or materials by offsite users. Parking will be for residents or community gardeners only.

**(Affirmative finding)**

***(h) Compact car parking***

**(Not applicable)**

***Sec. 8.1.13, Parking for Disabled Persons***

The site plans depict 2 handicap parking spaces in close proximity to the walkway connecting to the apartment entries. Associated striping is also shown. ADA compliance is administered via the city's building permit process. **(Affirmative finding as conditioned)**

***Sec. 8.1.14, Stacked and Tandem Parking Restrictions***

**(Not applicable)**

***Sec. 8.1.15, Waivers from Parking Requirements/Parking Management Plans***

Within this neighborhood parking district, 16 parking spaces are required for the 8 apartments. A total of 12 parking spaces are provided, including 3 spaces to be shared with the adjacent community gardens during the gardening season.

Properties owned and operated by the applicant, Champlain Housing Trust, have a demonstrated history of lower than average vehicle ownership per dwelling unit. Such is the case anticipated here. Of the 8 apartments, 6 will be 1-bedroom or efficiency units and can be reasonably

supported by 1 parking space each. The remaining 6 spaces are more than enough to serve the remaining 2 apartments.

During the gardening season, 3 of the parking spaces would be made available for shared use with the adjacent community gardens. The number of plots is unclear. The required parking is 1 space per 10 plots. The community gardens have no onsite parking now, and any proposed parking would reduce their degree of parking nonconformity. While this shared use arrangement may well work, the proposed parking management plan does not clearly articulate how these 3 spaces will be shared during the gardening season. There need to be clear parameters around how and when the spaces will be shared and how demand for concurrent use by the apartment residents and community gardeners will be avoided. Additional detail is needed. The parking management plan must be made acceptable to the City Attorney.

As with all parking waivers, the applicant must provide to the Department of Planning & Zoning numbers tallying actual onsite parking demand each year for a total of 3 years following approval. **(Affirmative finding as conditioned)**

#### ***Sec. 8.2.5, Bicycle Parking Requirements***

As the 8 apartments would require less than 4 bike parking spaces, no onsite bike parking is required per Sec. 8.2.3, *Existing Structures*. **(Affirmative finding)**

### **Article 9: Inclusionary and Replacement Housing**

#### ***Sec. 9.1.5, Applicability***

As the proposed development includes more than 5 new dwelling units, it is subject to the inclusionary housing provisions of this Article. Typically, 15% of the total unit count must be inclusionary (15% of 8 is 1 dwelling unit) in this zone. As noted previously, all of the apartments are intended to qualify as inclusionary units. A certificate of compliance from the manager of the city's Housing Trust Fund is required. **(Affirmative finding as conditioned)**

## **II. Conditions of Approval**

1. **Prior to release of the zoning permit**, written confirmation of adequate wastewater capacity from the Dept. of Public Works shall be obtained.
2. **Prior to release of the zoning permit**, written approval of the inclusionary housing proposal shall be obtained from the manager of the city's Housing Trust Fund.
3. **Prior to release of the zoning permit**, details as to fixtures, locations, and illumination levels of all new outdoor lighting shall be submitted, subject to staff review and approval.
4. **Prior to release of the zoning permit**, a revised parking management plan shall be submitted, subject to staff review and approval. The revised plan shall provide clear parameters around how and when the 3 shared use parking spaces will be shared and how demand for concurrent use by the apartment residents and community gardeners will be avoided. The management plan shall be made acceptable to the City Attorney. The applicant shall report back to the Department of Planning & Zoning every year for 3 years following construction with a written summary of actual parking demands.
5. Days and hours of construction shall be limited to Monday – Friday, 7:00 AM – 6:00 PM.
6. Any encroachments into the public street right-of-way (permanent or temporary and) will require an encumbrance permit via the Department of Public Works.
7. Occupancy of each dwelling unit is limited to “family” as defined in Article 13: Definitions of the Comprehensive Development Ordinance.



8. It is the applicant's responsibility to comply with all applicable ADA requirements.
9. All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
10. Standard Conditions 1-15.



111 Shelburne Road  
Parking Plan  
January 2017

RECEIVED  
JAN 26 2017

DEPARTMENT OF  
PLANNING & ZONING

**Background:**

The property at 111 Shelburne Road, the Bel Aire Motel, was purchased by the Champlain Housing Trust in December 2016. CHT is proposing converting the property from the non-conforming motel use to 8 apartments.

The existing parking lot has two rows of diagonal parking spots with a total of 13 spots. The spots do not meet dimensional requirements and a portion of the southern row is on the adjacent City park land.

CHT is proposing to reconfigure and slightly expand the parking lot to provide 9 spots for the apartments including one ADA-compliant spot, and 3 spots that would be shared with the Parks Department for use by gardeners using the Callahan Park Community Gardens. The Parks Department is supportive of our request for an easement to support this plan.

The 8 newly created apartments will include 1 efficiency, 5 with one-bedroom, 1 with two-bedrooms and 1 with four-bedrooms. They will house people who are patients of the UVM Medical Center who are homeless or in need of a safe, convenient home to recover from medical procedures. These will be residents who are very low-income and unlikely to own cars. We are therefore requesting a 25% waiver of the parking requirement.

- a) **Required parking:** The property is in the Residential Low Density district which requires 2 parking spaces per dwelling unit. With 8 apartments, the site is required to have 16 parking spaces.
- b) **Parking Plan:** The site is able to support 75% of the total parking requirement – 12 spots. Of these, three will be shared with gardeners. Because of the low-income population to be served and its close proximity to downtown and public transportation one spot per unit, with shared use of three spots for visitors will be more than adequate.
- c) **Parking Demand:** The 8 apartments will house homeless and very low-income people who are unlikely to have vehicles. Of the eight apartments, six are efficiency and 1 bedroom units, so if the resident has a car, there would only be one. More likely than resident vehicles will be parking needed for short-term visitors and service providers including Visiting Nurses and Meals on Wheels. There will be staff from Safe Harbor on-site to coordinate services to the residents who will need two parking spots. The parking demand for gardeners will be highest at the beginning and end of the growing season, with no demand over the winter. Because of a lack of resident-owned vehicles, the parking will be adequate to meet these other parking demands.
- d) **Strategies to reduce demand:** As a policy, the Champlain Housing Trust requires that tenants identify any cars they own at the signing of the rental lease. A parking permit is issued for that vehicle. On-site Safe Harbor staff will monitor parking and regular parking of un-permitted vehicles, except by gardeners in the shared spots, will be prohibited.



**Champlain Housing Trust**  
**Bel Aire Motel Redevelopment**  
**111 Shelburne Road**

DEPARTMENT OF  
PLANNING & ZONING

Non-conforming motel use in RL district

.49 acres; existing lot coverage 57.1%

**Proposed change: 8 apartments**

Section 5.3.4(a)(1) Non-Conforming Uses:

Allows a combination of bonuses, up to a maximum of 20 du/ac in RL:

Inclusionary Housing bonus allows: 8.75 du/ac in RL

Residential Conversion Bonus allows: 8 du/ac 8 in RL

Total of 16.75 du/ac allowed x .49 acres = 8.20 units = **8 units**

**Lot coverage:**

Adaptive Reuse Bonus: maximum lot coverage not more than 125% of pre-existing coverage

Proposed = no change

**Parking:**

Existing - 13 non-conforming

Proposed – 12 including 2 ADA spots. 18' deep spots with 20' drive lane.

3 spots will be shared use with City gardens at Callahan Park



## Scott Gustin

---

**From:** Michael Monte <MMonte@champlainhousingtrust.org>  
**Sent:** Tuesday, February 28, 2017 9:59 AM  
**To:** Scott Gustin  
**Cc:** Amy Demetrowitz  
**Subject:** Clarification on Zoning  
**Attachments:** Parking plan.doc

Scott:

Hope you are well.

Here's the clarification to the attached:

- There will be five (5) permanent long term apartments available to lease on a yearly basis
- There will be three (3) shorter term apartments with leases with tenants that run week to week. The length of the stays are expected to be up to 6 months, but could be longer or shorter.
- There will be no day to day agreements, and this will not be operated like a Motel.

Michael Monte  
Chief Operating and Financial Officer  
Champlain Housing Trust

802.861.7300 Direct Line  
802.578.9735 Cell  
802.862.6244 Main Line  
802.864.0734 Fax

88 King Street  
Burlington, Vermont 05401

[Web](#) / [Facebook](#) / [Twitter](#)

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## Door Details



Email



Post It

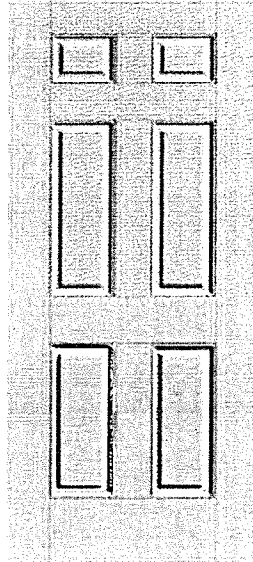


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Save My Door



Door Type "A"

RECEIVED  
JAN 26 2017

DEPARTMENT OF  
PLANNING & ZONING

Create curb appeal with plenty of color options. Smooth-Star features crisp, clean lines with a smooth, paintable surface. A much more attractive and durable alternative to steel, it has the look of a real wood door with all the benefits of fiberglass. From curb appeal to convenience, Smooth-Star entry doors are made to keep up with your lifestyle.

## Fiberglass Entry Door Systems: Smooth-Star

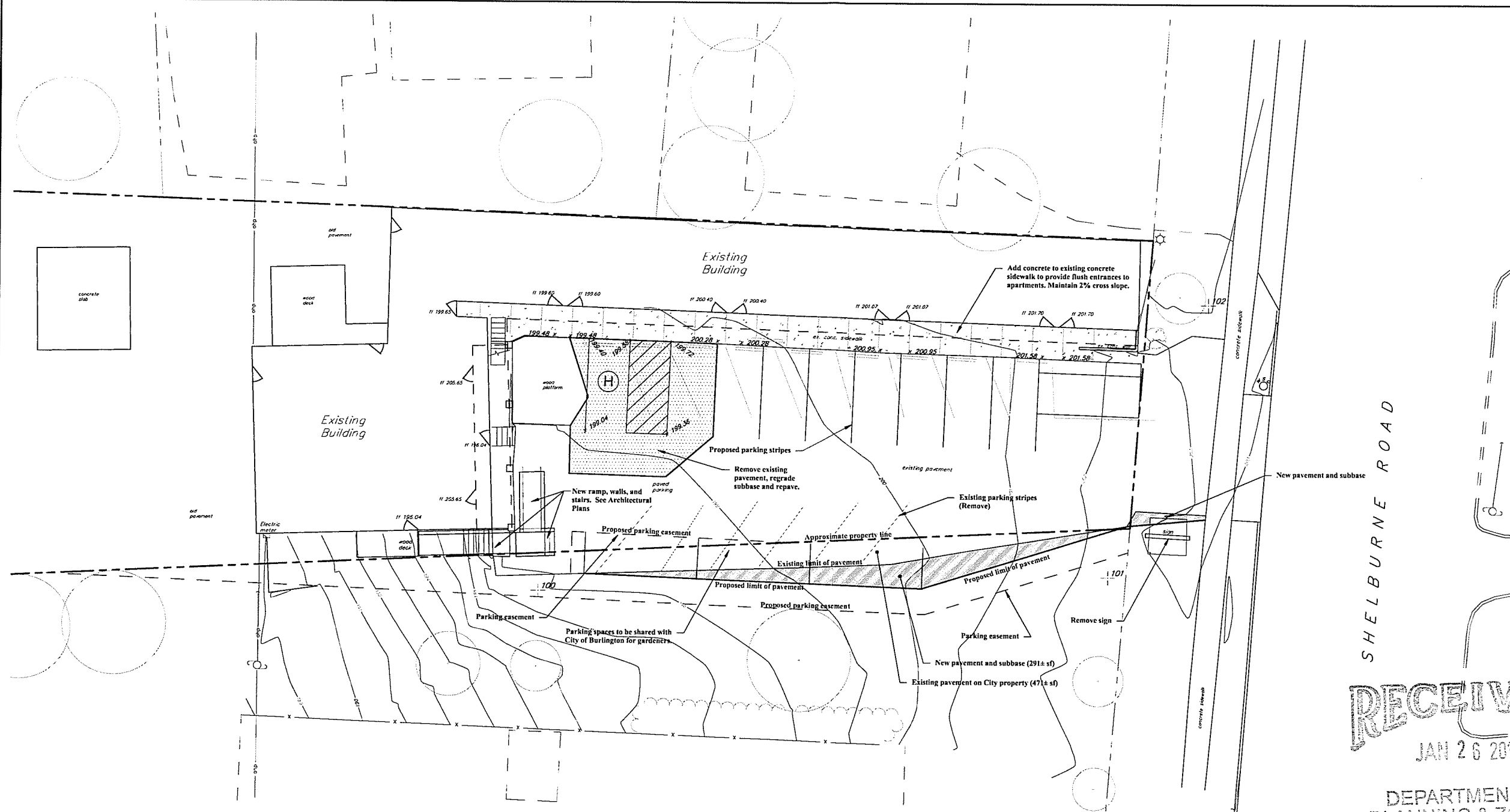
### About this entry door system

This entry door system is available with different features. The table below breaks down the various product options by size and available features. You should work with an authorized Therma-Tru dealer and/or your builder to determine the best option for your home based on environment and region of the country.

### Door

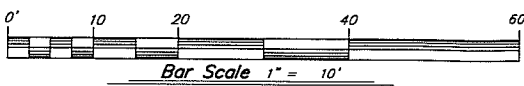
| 6 Panel<br>Style IDs | Available Sizes | Available<br>Options |
|----------------------|-----------------|----------------------|
| S210                 | 2'6" N x 6'8"   |                      |
|                      | 2'8" x 6'8"     |                      |
|                      | 2'10" x 6'8"    |                      |
|                      | 3'0" x 6'8"     |                      |
|                      | 2'8" x 7'0"     |                      |
|                      | 2'10" x 7'0"    |                      |
|                      | 3'0" x 7'0"     |                      |

**Finish Option:** Paintable



**Legend**

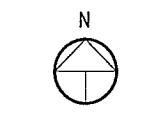
- Pre-construction Excavation
- Finish Grade Spot Grade Elevation
- Finish Grade Direction of Flow
- Finish Grade 5-foot Contour Interval
- Finish Grade 1-foot Contour Interval
- New Gas Line/Valve
- New Sewer Line/Manhole
- New Storm Line/Manhole/Basin
- New Water Line/Hydrant/Valve/Shutoff
- New Underground Power
- New Concrete Surface by Others
- New Pavement and Subbase
- Remove pavement, regrade, and new pavement



**Notes:**

- The Contractor shall be responsible for repairing all disturbed areas back to original condition, including but not limited to curbing, sidewalks, road parking areas, landscaping, site lighting, electrical, and etc. All asphalt shall be sawcut prior to paving.
- All stumps, rock, and other non-approved trench backfill material discovered during construction is the exclusive property of the Contractor and shall be removed from the property and disposed of in a State approved disposal location.
- All passing compaction and sieve testing expenses shall be paid by Owner. Testing coordination and expenses for failed tests shall be the Contractor's responsibility.
- The Contractor shall be responsible for all construction barrier/safety fencing required for the project.
- Definition of "Preconstruction Excavation" for these contract documents shall be: The site contractor shall expose utility and obtain all necessary information, including but not limited to, invert elevation, size, depth, pipe type, joint location, etc. Contractor shall transit survey the location and elevations of the utility. Contractor shall provide the engineer with sketches indicating horizontal and vertical information of pipe or conduit type and size, cross-section information, concrete encasement information (top and bottom elevations, width, etc.), joint location, etc. of each required existing underground utility. Accuracy of horizontal location is within 1 foot, and accuracy of vertical elevation is within 0.02 ft. (1/4"). Coordinate all excavation with City, Owner, and Engineer. Preconstruction excavations shall occur prior to ordering structures and prior to utility construction, to facilitate redesign if necessary.
- Contractor shall be responsible for importing topsoil as required to complete the project. Contractor shall test topsoil for approval by the Owner and Engineer. On-site topsoil may be reused but shall be screened and modified as necessary to meet the soil specifications (See Details).
- The Contractor shall be responsible for all signage and fencing necessary to providing safe vehicular and pedestrian access through or around the site during construction.
- Contractor shall be responsible for obtaining the necessary Construction Permit(s) for work within the City Right of Way. The fee and all relevant material for obtaining the permit(s) (traffic control plan, etc.) will be the Contractor's responsibility.
- Refer to Architectural/Structural Plans for design of all concrete building pads and other reinforced concrete.
- Where plans indicate restore to vegetation, Contractor shall remove and dispose of impervious surface and subbase. Install on site soil to within 4" of finish grade, place 4" topsoil, and hydrosed (or seed and stabilize with rated erosion matting).
- All new sidewalks shall be constructed with a 2% cross slope unless specifically indicated.

**CIVIL ENGINEER**  
K&L  
Krebs & Lansing Consulting Engineers, Inc.  
164 Main Street, Suite 201  
Colchester, VT 05446  
T: (802) 878-0375  
F: (802) 878-9818  
email@krebsslansing.com



**Bel-Aire Motel**

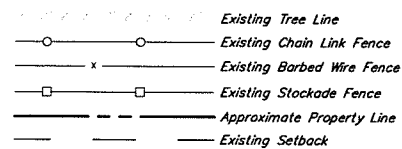
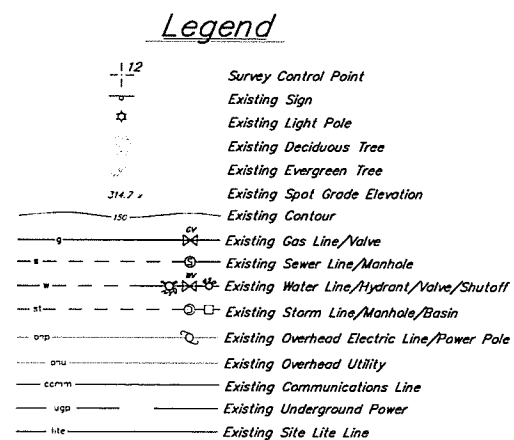
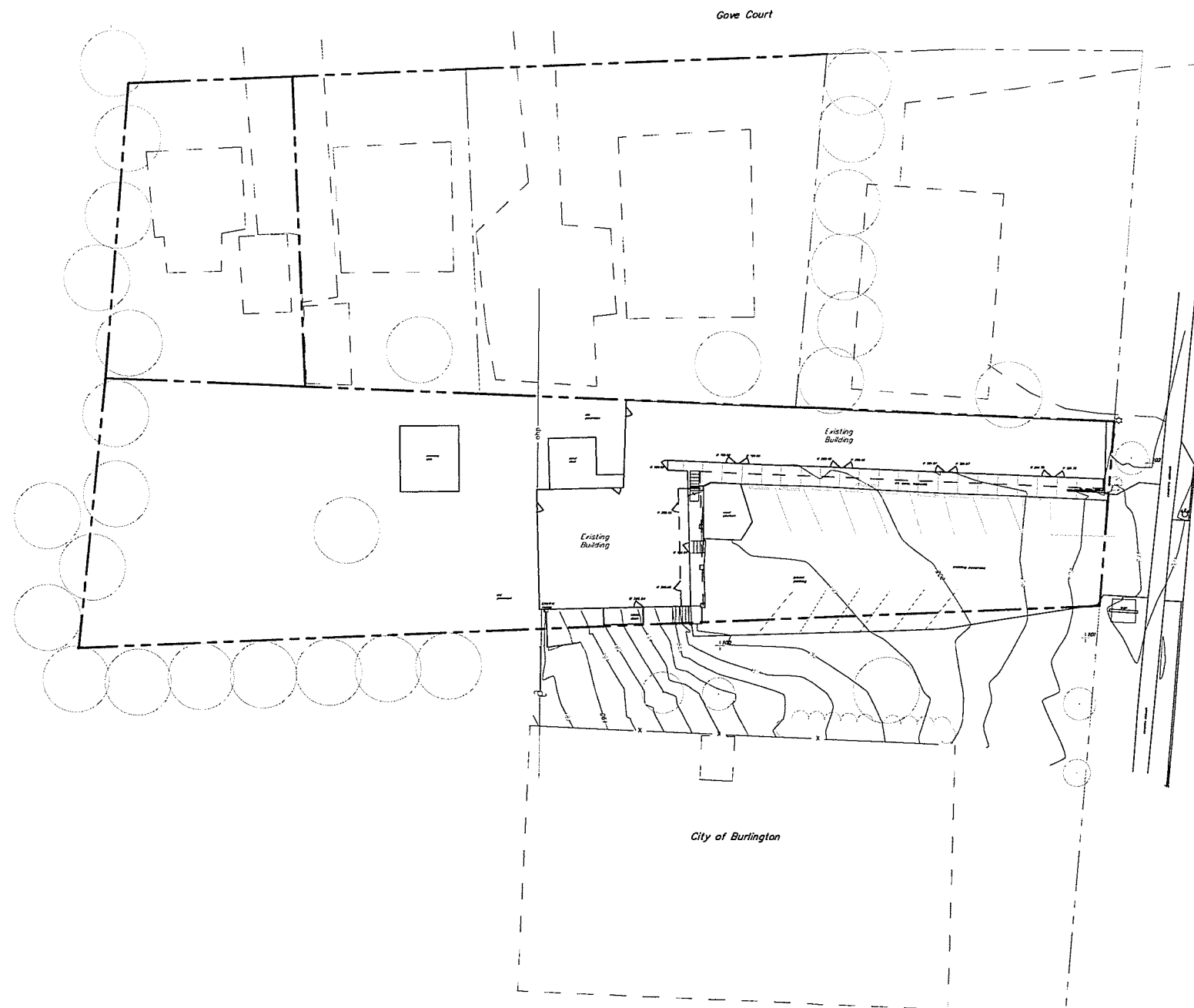
| NO. | DESCRIPTION | DATE |
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RECEIVED  
JAN 26 2017  
DEPARTMENT OF  
PLANNING & ZONING

**CIVIL  
SITE PLAN**

|                                             |            |
|---------------------------------------------|------------|
| 16298/dwg/16298 Bel-Aire Site Base 2017.dwg |            |
| DRAWN BY                                    | SUM        |
| PROJECT NO                                  | 16298      |
| DATE                                        | 01/24/2017 |
| REVISED                                     |            |
| SCALE                                       | 1" = 10'   |

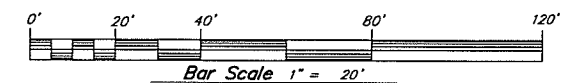
**SP-1**  
Project Phase  
CONCEPT DRAWINGS



| Lot Coverage:                        | Existing        | Proposed        |
|--------------------------------------|-----------------|-----------------|
| Total Area: 0.49 acres (21,305 s.f.) |                 |                 |
| Buildings                            | 5,233 sf 24.6%  | 5,233 sf 24.6%  |
| Total lot coverage                   | 12,169 sf 57.1% | 12,169 sf 57.1% |

**Notes:**

- This plan is not a boundary survey. Property line information is based on City of Burlington digital tax map information and one monument found at the southwest corner. The boundary information is considered approximate.
- The existing conditions and underground utilities shown on this plan are based on visible features and utilities located during a topographic survey performed by Krebs & Lansing in January 2017. Underground utilities are approximate and not warranted to be exact or complete. Dig Safe and other non-member utilities shall be contacted prior to any excavation.
- Elevations are based on GPS observations that reference the NAVD 88 vertical datum in survey feet.
- Project Horizontal Coordinates derived from GPS observation using reference frame NAD83 (2011) 2010.00 epoch. Project vertical datum based on NAVD 88 (Geoid 12A).



**CIVIL ENGINEER**

Krebs & Lansing Consulting Engineers, Inc.  
164 Main Street, Suite 201  
Colchester, VT 05448  
T: (802) 878-0375  
F: (802) 878-0618  
email@krebsslansing.com



PERMIT REVIEW ONLY

N



**Bel-Aire Motel**

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
|-----|-------------|------|

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**EXISTING CONDITIONS PLAN**

16298/dwg/16298 Bel-Aire Site Base 2017.dwg

DRAWN BY: SLM

PROJECT NO: 16298

DATE: 01/24/2017

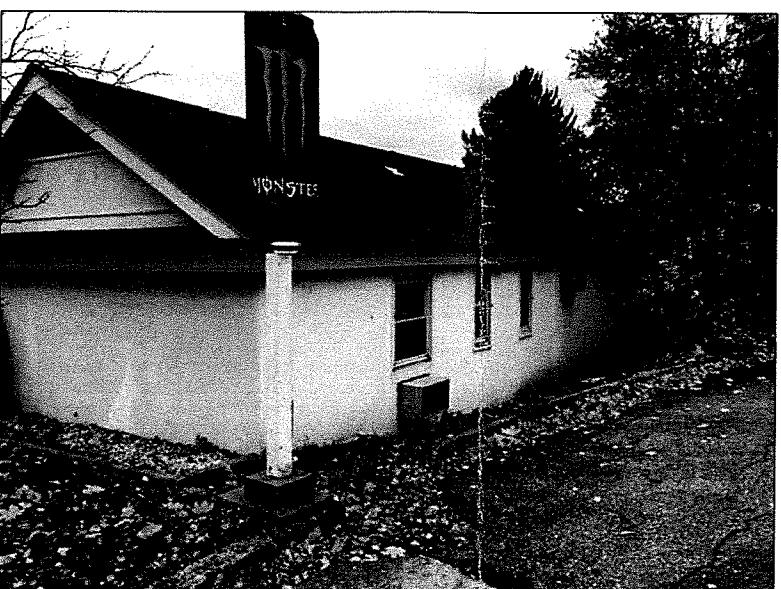
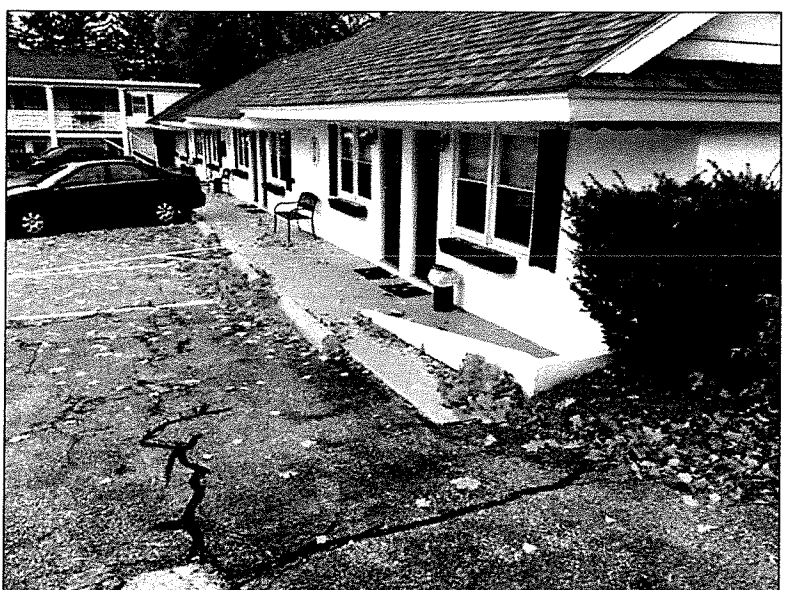
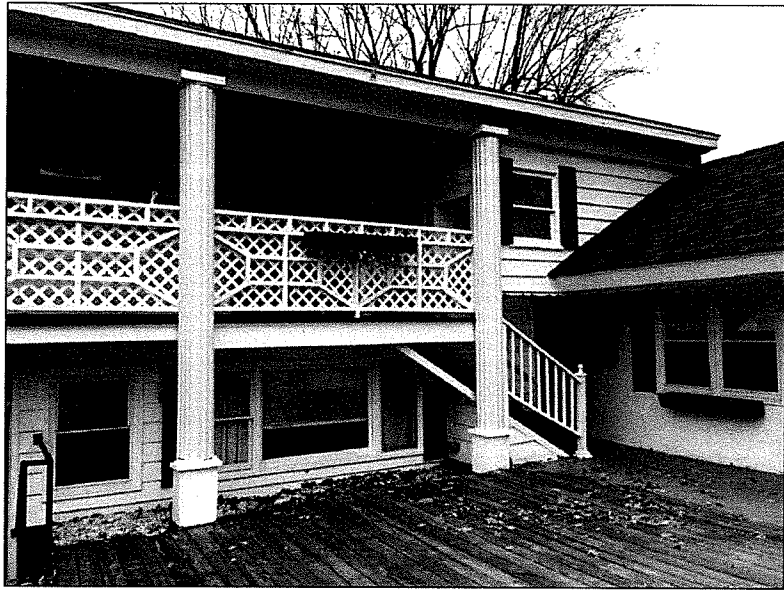
REVISED:

SCALE: 1" = 20'

EX-1

Project Phase: CONCEPT DRAWINGS





## BEL AIRE

Shelburne Rd.  
Burlington, VT

**OWNER:**  
Champlain Housing Trust  
88 King Street  
Burlington, VT 05401  
Phone: (802) 862-6244

**ARCHITECT:**  
S2 Architecture  
5224 Shelburne Rd.  
Shelburne, VT 05482  
(802) 985-5595

**CIVIL ENGINEER:**  
Krebs & Lansing  
Consulting Engineers, Inc.  
164 Main St., #201  
Colchester, VT 05446  
(802) 878-0375

PRELIMINARY  
NOT FOR  
CONSTRUCTION

DATE: 01.20.2017

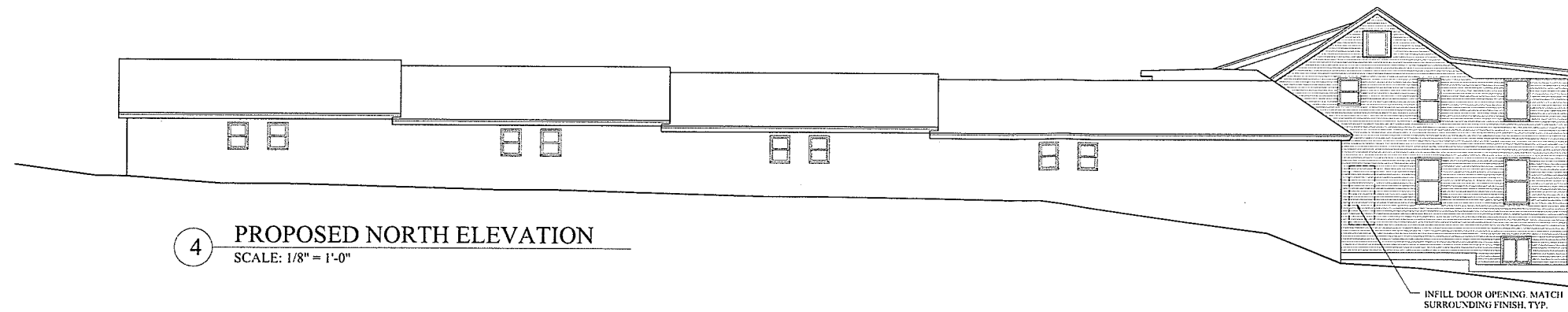
REVISIONS

EXISTING CONDITIONS  
PHOTOS

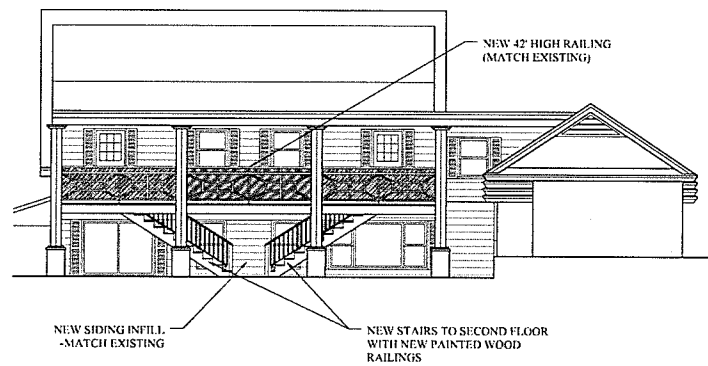
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RECEIVED  
JAN 26 2017

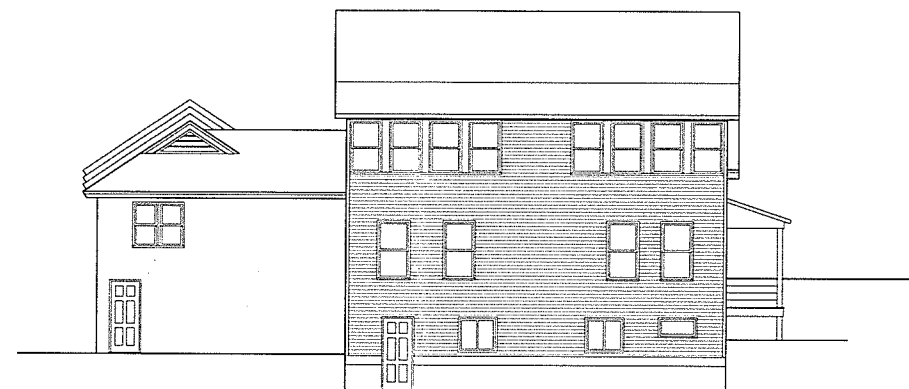
DEPARTMENT OF  
PLANNING & ZONING



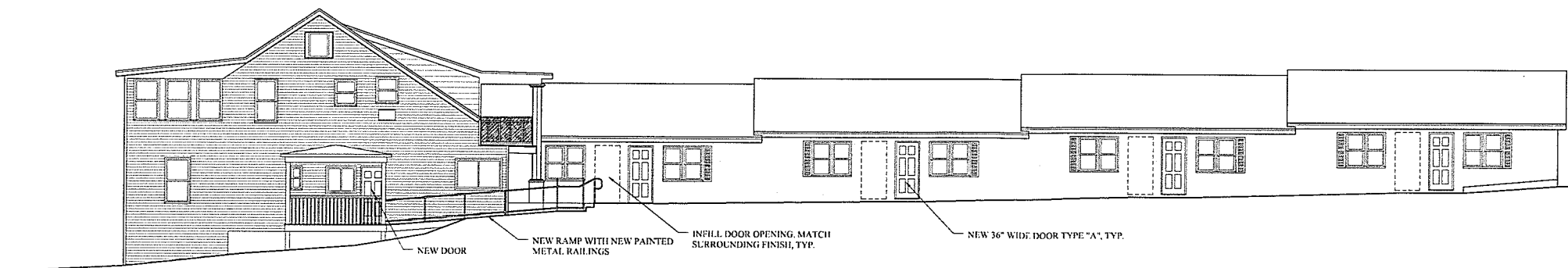
4 PROPOSED NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



2 PROPOSED EAST ELEVATION  
SCALE: 1/8" = 1'-0"



3 PROPOSED WEST ELEVATION  
SCALE: 1/8" = 1'-0"



1 PROPOSED SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



0 2' 4' 8' 16' 24'

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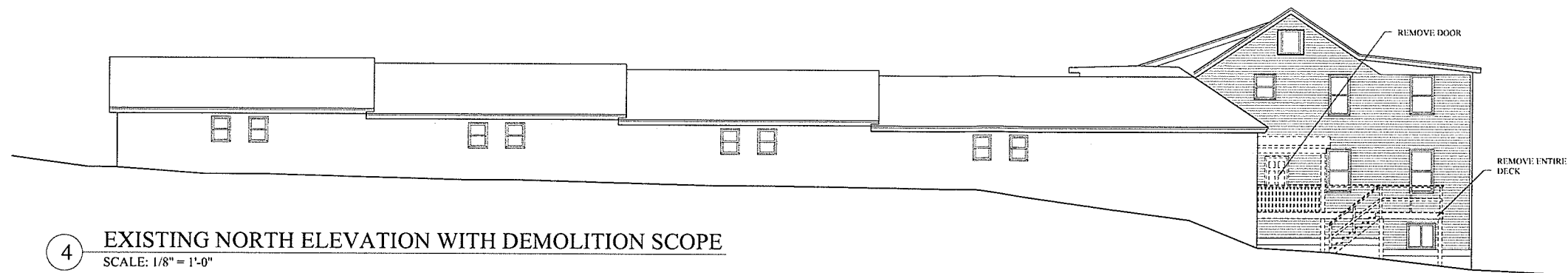
PRELIMINARY  
NOT FOR  
CONSTRUCTION

DATE: 01.20.2017

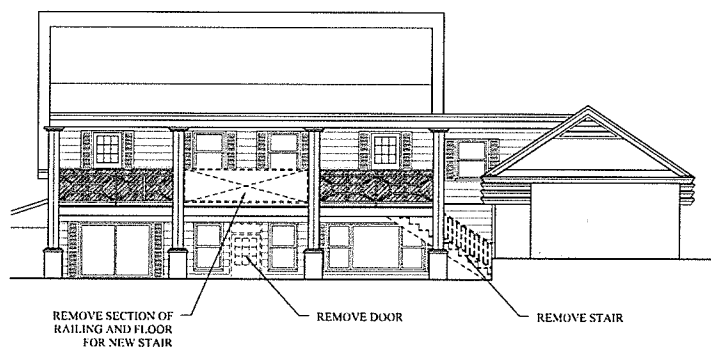
REVISIONS

PROPOSED ELEVATIONS

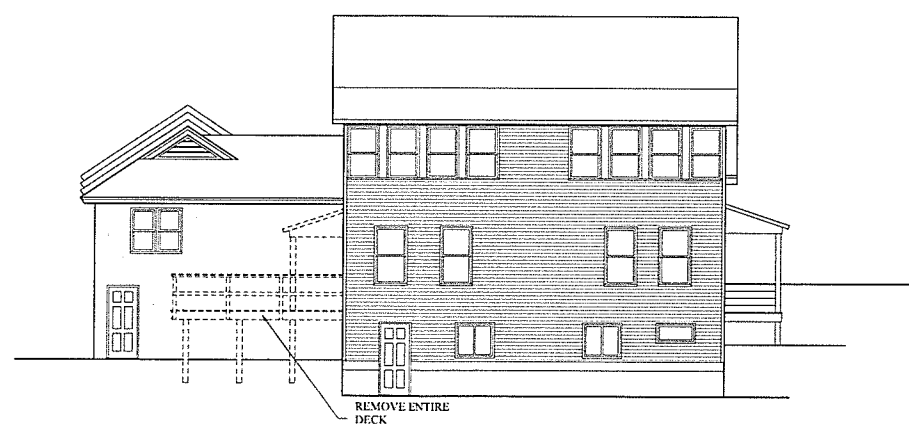
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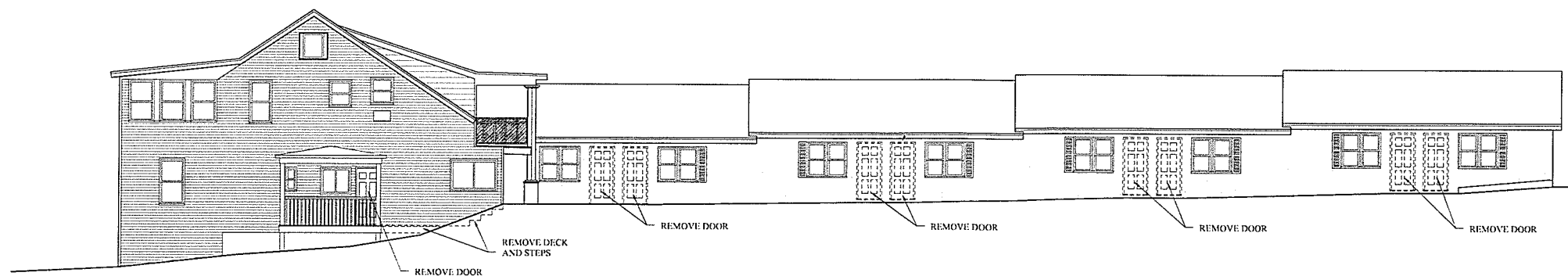
4 EXISTING NORTH ELEVATION WITH DEMOLITION SCOPE  
SCALE: 1/8" = 1'-0"



2 EXISTING EAST ELEVATION WITH DEMOLITION SCOPE  
SCALE: 1/8" = 1'-0"



3 EXISTING WEST ELEVATION WITH DEMOLITION SCOPE  
SCALE: 1/8" = 1'-0"



1 EXISTING SOUTH ELEVATION WITH DEMOLITION SCOPE  
SCALE: 1/8" = 1'-0"



0 2' 4' 8' 16' 24'

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DATE: 01.20.2017

REVISIONS

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JAN 26 2017

DEPARTMENT OF  
PLANNING & ZONING

EXISTING ELEVATIONS

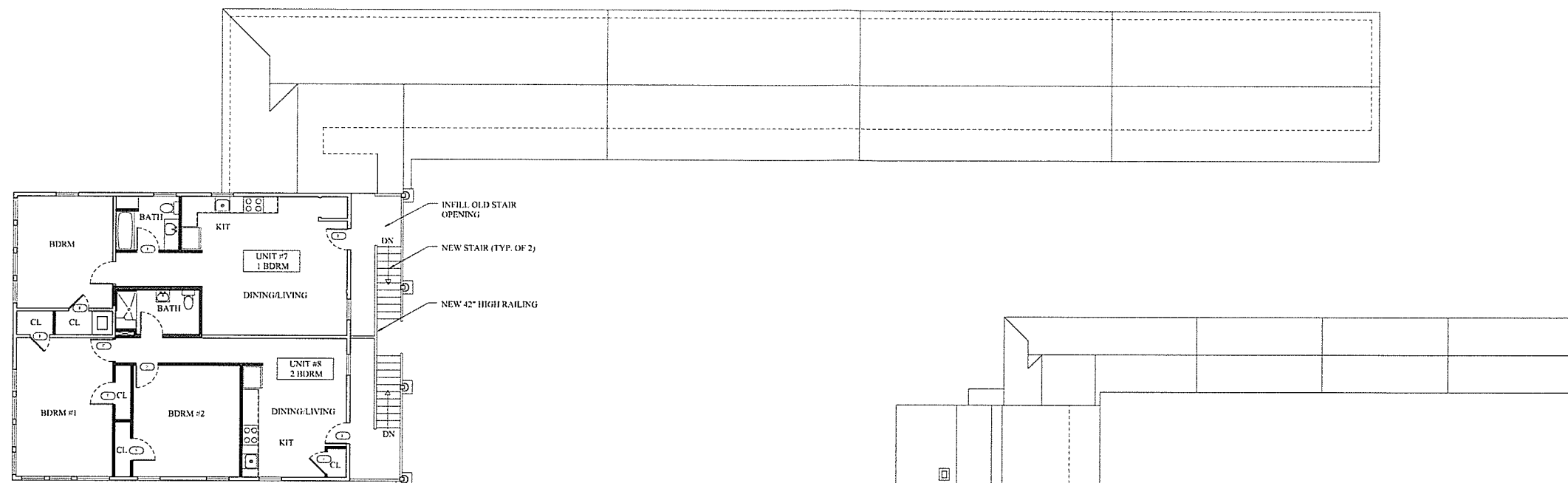
A1.2

Shelburne Rd.  
Burlington, VT

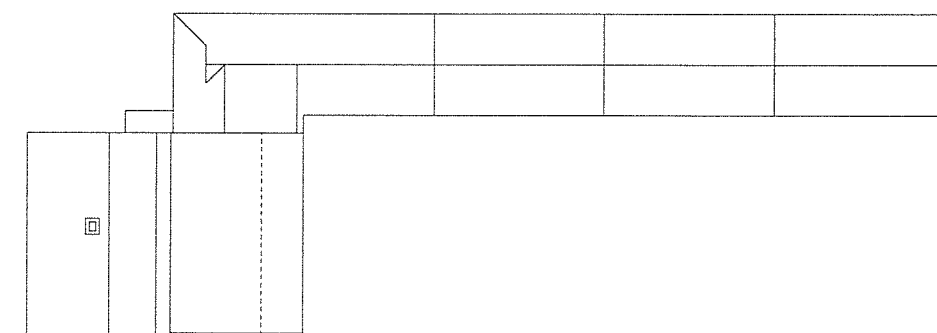
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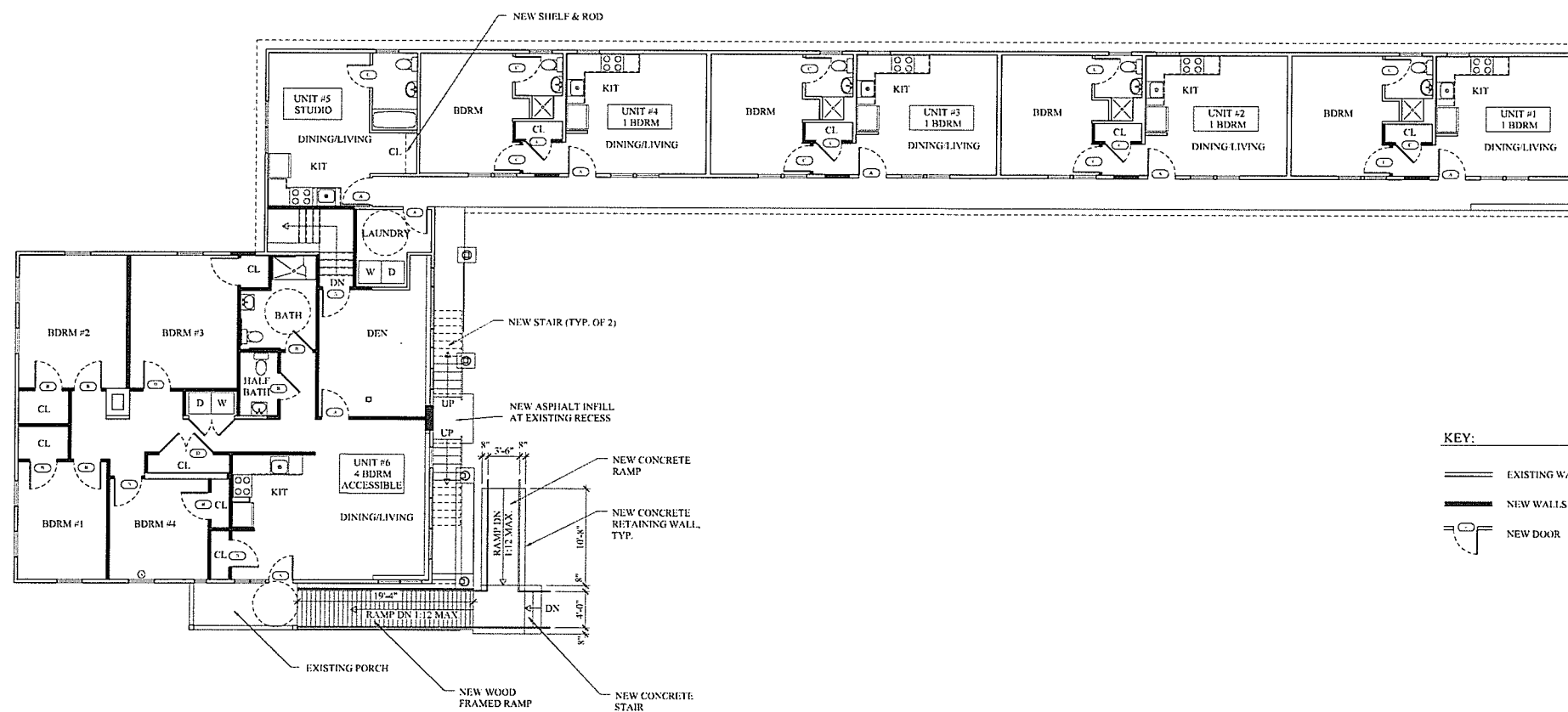
**CIVIL ENGINEER:**  
Krebs & Lansing  
Consulting Engineers, Inc.  
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2 PROPOSED SECOND FLOOR PLAN  
SCALE: 1/8" = 1'-0"



3 PROPOSED ROOF PLAN  
SCALE: 1/16" = 1'-0"



1 PROPOSED FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"

**KEY:**

===== EXISTING WALLS

NEW WALLS



NEW DOOR

RECEIVED  
JAN 26 2007

JAN 26 2014

DEPARTMENT OF  
PLANNING & ZONING



PRELIMINARY  
NOT FOR  
CONSTRUCTION

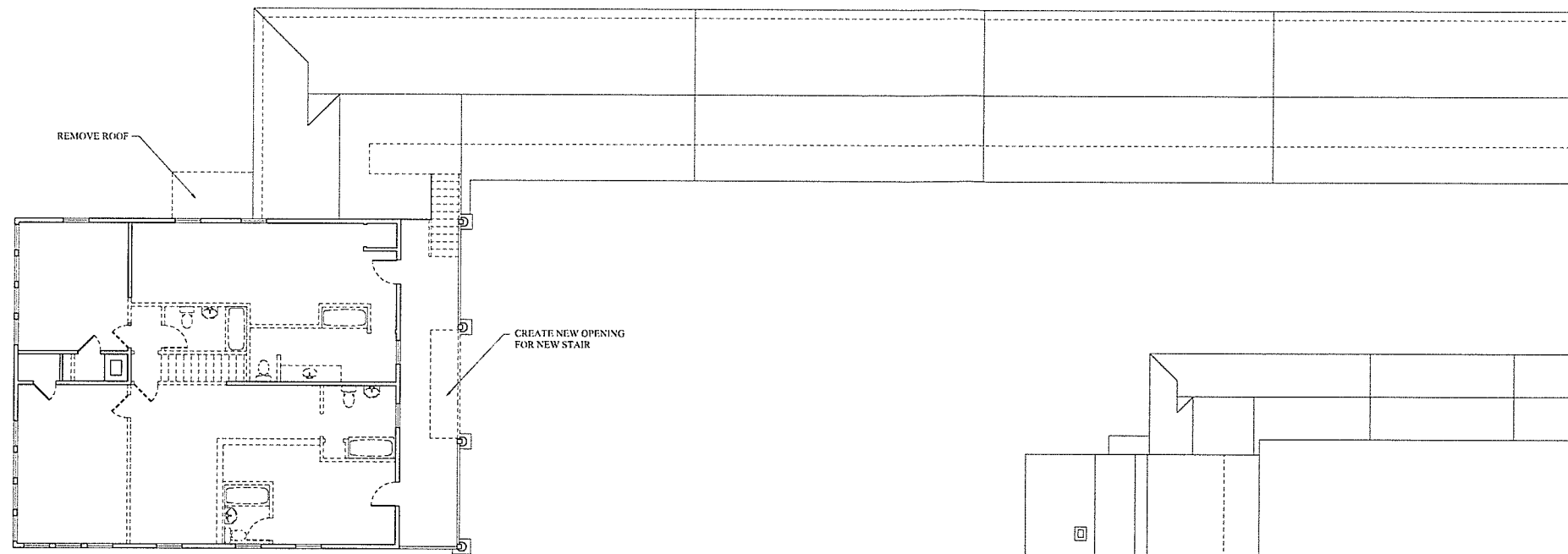
DATE: 01.20.2017

## REVISIONS

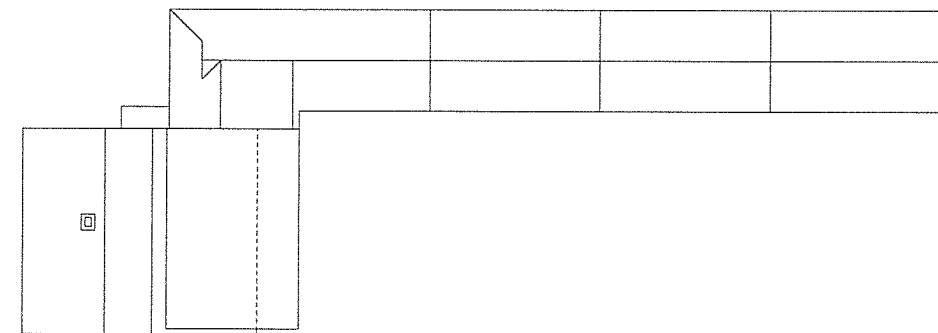
## PROPOSED FLOOR PLANS

## A2.1

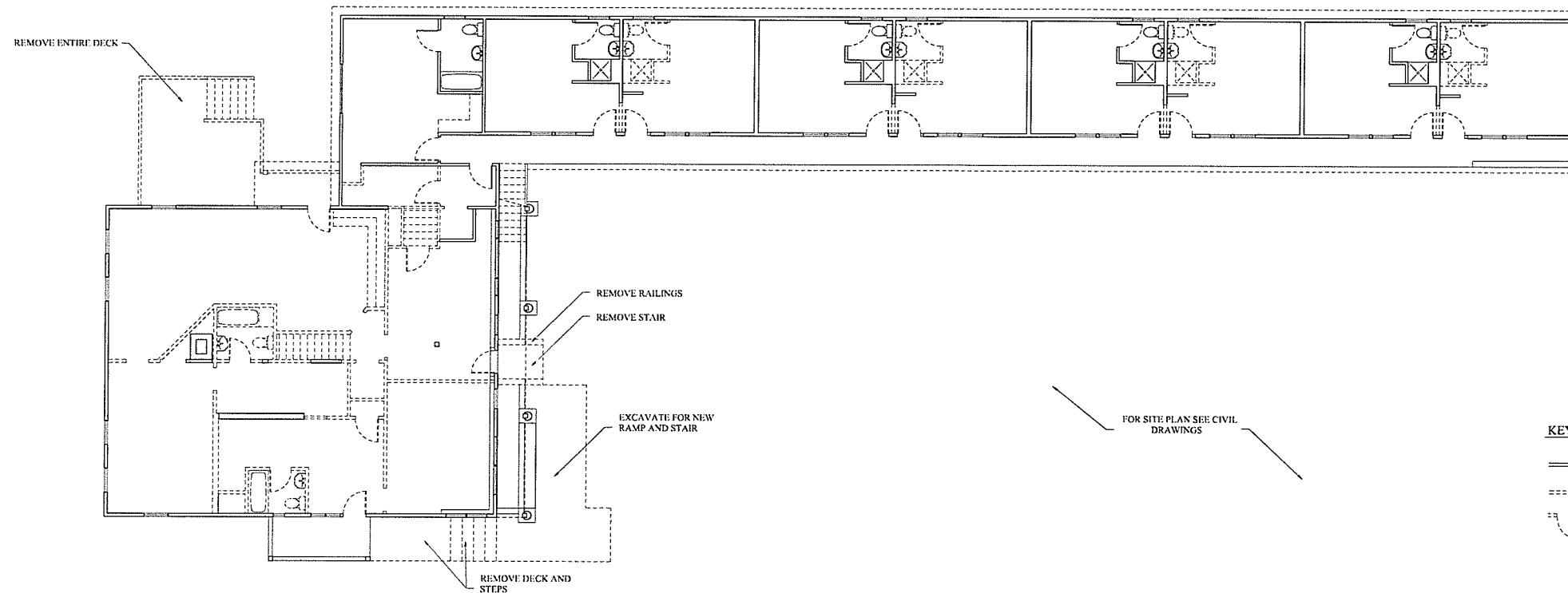




2 EXISTING SECOND FLOOR PLAN WITH DEMOLITION SCOPE  
SCALE: 1/8" = 1'-0"



3 EXISTING ROOF PLAN  
SCALE: 1/16" = 1'-0"



1 EXISTING FIRST FLOOR PLA WITH DEMOLITION SCOPE  
SCALE: 1/8" = 1'-0"

FOR SITE PLAN SEE CIVIL  
DRAWINGS

KEY:

- EXISTING WALL TO REMAIN
- - - - - EXISTING WALL TO BE REMOVED
- - - - - EXISTING DOOR TO BE REMOVED



0 2' 4' 8' 16' 24'

BEL AIRE

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Colchester, VT 05446  
(802) 878-0375

PRELIMINARY  
NOT FOR  
CONSTRUCTION

DATE: 01.20.2017

REVISIONS

EXISTING / DEMO  
FLOOR PLANS

A1.1

## 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: March 8, 2017

RE: ZP17-0388CA/MA; 66, 72, 80, 94 and 96 Colchester Avenue

---

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

**File:** ZP17-0388CA/MA

**Location:** 66, 72, 80, 94, 96 Colchester Avenue

**Zone:** I **Ward:** 1E

**Date application accepted:** September 23, 2016

**Applicant/ Owner:** Colchester Avenue Housing LLC/Frank Von Turkovich

**Request:** Planned Unit Development, construct 3 story residential building containing 75 apartment units, combine and reconfigure surface parking areas.

**1<sup>st</sup> DAB review:** October 12, 2016

**2<sup>nd</sup> DAB review:** October 25, 2016

**Receipt of supplementary materials:** December 2 and 8, 2016

**3<sup>rd</sup> DAB review:** January 10, 2017

**Revised Plans received:** January 12 and 18, 2017

**1<sup>st</sup> DRB review:** January 31, 2017



**Recommendation:** Table the application and **continue** to a future hearing when additional information, including traffic and waste/water capacity information is available.

**Background:**

**66 Colchester Avenue**

- **Sketch Plan Review ZP16-0904SP;** Sketch Plan Review for 66, 72, 80, 94 and 96 Colchester Avenue; 27 and 49 Fletcher Place, Construct 2 three story buildings containing 78 apartment units with above-ground and underground parking. April 2016.
- **Sketch Plan Review 16-0746SP;** Sketch Plan review for proposed three story, two building multi-residential building complex with associated parking. December 2015. (Design Advisory review.)
- **Sketch Plan Review ZP16-0393SP,** Construct 79 apartment units in 3 story building with underground and above-ground parking facilities. November 2015.
- **Zoning Permit 87-853;** construct 250 sf. addition to rear of existing office use, provide one additional parking space. (5 + 1 = 6) Approved May 1988.
- **Zoning Permit,** install a 2' x 24' drain trough on the west side of the building. June 1974.
- **Zoning Permit;** convert property to a dental office. Five paved parking spaces. January 1961.

**72 Colchester Avenue**

- **Sketch Plan Review ZP16-0904SP;** Sketch Plan Review for 66, 72, 80, 94 and 96 Colchester Avenue; 27 and 49 Fletcher Place, Construct 2 three story buildings containing 78 apartment units with above-ground and underground parking. April 2016.
- **Sketch Plan Review 16-0746SP;** Sketch Plan review for proposed three story, two building multi-residential building complex with associated parking. December 2015. (Design Advisory review.)
- **Sketch Plan Review ZP16-0393SP,** Construct 79 apartment units in 3 story building with underground and above-ground parking facilities. November 2015.
- **CU-97-050;** Housing replacement exemption. Approved with conditions March 1997.
- **Zoning Permit 89-051 / COA 89-013;** construct 18' x 20' second story addition on rear of existing single family home, no change to site plan. Approved February 27, 1989.

**80 Colchester Avenue**

- **Zoning Permit 16-1400LL;** lot line adjustment with 27 and 49 Fletcher Place. September, 2016. Appealed to DRB; DRB upheld administrative approval 12/15/2016.

- **Sketch Plan Review ZP16-0904SP**; Sketch Plan Review for 66, 72, 80, 94 and 96 Colchester Avenue; 27 and 49 Fletcher Place, Construct 2 three story buildings containing 78 apartment units with above-ground and underground parking. April 2016.
- **Sketch Plan Review 16-0746SP**; Sketch Plan review for proposed three story, two building multi-residential building complex with associated parking. December 2015. (Design Advisory review.)
- **Sketch Plan Review ZP16-0393SP**, Construct 79 apartment units in 3 story building with underground and above-ground parking facilities. November 2015.
- **Sketch Plan Review 15-0896SP**, construct 79 apartment units in 3 story building with underground and above-ground parking facilities, April 2015.
- **Zoning Permit 15-0390SN**; install new freestanding sign for Hillel. Approved October, 2014.
- **Zoning Permit 15-0042CA/CU**, change of use from office to membership club; exterior staircase and install bike rack. Approved August 2014.
- **Zoning Permit CU 2004-016**; application for use by UVM affiliated Center for Children, Youth and Families Administrative offices. Approved with conditions, January 2004.
- **Zoning Permit 01-389**; installation of an externally illuminated freestanding sign for the existing medical (chiropractic) office. Approved April 2001; not pick up and confirmed expired in 2011.
- **Zoning Permit CU 2001-035**; change of use of first floor space from office to medical chiropractic office. Removed from agenda as determined that the proposed conversion from a medical billing office to a chiropractic office on the first floor does not require conditional use review. February 2001.
- **Zoning Permit 00-516**; refurbish existing side porch to allow ramping of deck for handicapped accessibility to the existing medical office. No increase in footprint. December, 2000.
- **Zoning Permit 99-277**; removal of slate roofing material, replacing with asphalt shingles for the existing medical office. Approved December 1998.
- **Zoning Permit 92-123**; construction of ten additional parking spaces for a total of sixteen for the existing medical office and residential unit. Existing curb cut to be eliminated, with joint use of adjacent property's (medical office / 94 Colchester Avenue) curb cut. Approved September 1991.
- **Zoning Permit CU92-011 / COA 92-025**; eliminate curb cut and driveway from #80 and utilize widened drive at traffic light at #94. Remove existing garage, change configuration and size of paved parking area. No change to use of #80 as office and apartment. Approved with conditions September 1991.
- **Request for Conditional Use Permit** to construct a private parking lot. July 1990. Application withdrawn by applicant.



- Notice of appeal to the Zoning Board of Adjustment seeking a special exception to erect a 16' x 16' addition to the northeast corner of existing doctor's office. Approved July 1968.

#### 94 Colchester Avenue

- **Sketch Plan Review ZP16-0904SP**; Sketch Plan Review for 66, 72, 80, 94 and 96 Colchester Avenue; 27 and 49 Fletcher Place, Construct 2 three story buildings containing 78 apartment units with above-ground and underground parking. April 2016.
- **Sketch Plan Review 16-0746SP**; Sketch Plan review for proposed three story, two building multi-residential building complex with associated parking. December 2015. (Design Advisory review.)
- **Sketch Plan Review ZP16-0393SP**, Construct 79 apartment units in 3 story building with underground and above-ground parking facilities. November 2015.
- **Sketch Plan Review 15-0896SP**, construct 79 apartment units in 3 story building with underground and above-ground parking facilities, April 2015.
- **Non-Applicability of Zoning Permit Requirements 07-703NA**; replace asphalt shingle roof with same. May 2007.
- **Zoning Permit 92-025**; site changes for combined access with #80. See above. Approved September 1991.
- **Zoning Permit 91-154**; remove two windows and one door from north elevation and install three windows on same side. No change in use. See 89-012. October 1990.
- **Zoning Permit 89-042 / COA 89-012?** (Illegible); replace existing vestibule, new siding and windows, new walkways and landscaping. February 1989.
- **Zoning Permit 780073**; erect an 18' x 30 addition in rear of existing building. June 1977.
- **Zoning Permit**; desire to rent portion of premises for doctor's office. Approved May 1963.

#### 96 Colchester Avenue

- **Zoning Permit 10-0979CA**; convert 304 sf. Of basement into apartment. May 2010.
- **Zoning Permit 08-158SN**; Freestanding sign for OB-Gyn Affiliates. August 2007.
- **Zoning Permit 81-383**; 36' long ramp for handicapped access. March 1981.
- **Zoning Permit 78-109**; connect inside of building to accommodate one physician. No additional coverage. September 1978.
- **Zoning Permit**, erect a 28' x 68'6" addition to the rear of the existing building to be used for two doctor's offices. February 1969.

**Overview:** The application seeks to construct two connected three story residential buildings. The buildings will contain 75 new apartments configured as studio and one bedroom units. Both buildings will have underground parking. Surface parking, access driveways and interior circulation paths will be reconfigured to serve all associated parcels.

As boundary line adjustment have occurred between 80 Colchester Avenue and 27 and 49 Fletcher Place, the latter properties are now segregated from the development area and are therefore no longer included within the PUD.

**Applicable Regulations:**

Article 3 (Applications, Permit and Project Reviews), Article 4 (Zoning Maps and Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards), Article 8 (Parking), Article 9 (Inclusionary and Replacement Housing), Article 10 (Subdivision), and Article 11 (Planned Unit Development)

**Article 3: Applications and Reviews**

**Section 3.2.1 (c) Sketch Plan Review**

*Upon request of the applicant, or as may be required under Article 10 – Subdivision or Article 11 – Planned Development of this ordinance, A Sketch Plan Review may be scheduled before the DRB prior to the submission of an application in order to provide the applicant with constructive suggestions regarding a conceptual development proposal.*

The project has had 4 prior Sketch Plan reviews. See dates, above.

**Part 3: Impact Fees**

**Article 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.*

Impact fees will be calculated by staff based on the gross new area. New gross area has been provided as 77,222 sq. ft, including the parking decks. An estimate of applicable Impact Fees are as follows:

SF of  
Project 77,222

| Department   | Residential |                      |
|--------------|-------------|----------------------|
|              | Rate        | Fee                  |
| Traffic      | 0.190       | 14,672.18            |
| Fire         | 0.216       | 16,679.95            |
| Police       | 0.043       | 3,320.55             |
| Parks        | 0.723       | 55,831.51            |
| Library      | 0.448       | 34,595.46            |
| Schools      | 0.934       | 72,125.35            |
| <b>Total</b> | 2.554       | <b>\$ 197,225.00</b> |

Impact Fees may be waived in whole or in part by the Housing Trust Fund Manager, based upon the number of inclusionary units. See Article 9, below. **Affirmative finding as conditioned.**

**Section 3.3.7 Time and Place of Payment**

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

As noted. **Affirmative finding as conditioned.**

## **Part 5, Conditional Use & Major Impact Review:**

### **Section 3.5.6 Review Criteria**

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

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

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

The proposed development would be served by municipal water and sewer. A request for an allocation letter has been forwarded to the Water department, but as of January 13, 2017, no water/sewer letter has been provided. Wastewater and service capacity is available, but anticipated demand is not yet known. A state wastewater permit will also be needed prior to construction. Impact Fees will be assessed for impacts to public services, which will address newly introduced demand. **No finding possible.**

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

The project is proposed within the Institutional zone, where greater scale and intensity of use can be considered; however, respect for historic residential buildings and sensitive transitions are required. The character of the area is divided by Colchester Avenue: To the north are existing residential scale buildings; many of those converted to medical offices.

66 Colchester Avenue was permitted as a dental office in 1961, yet retains its historic residential character and massing. 72 Colchester Avenue remains a single dwelling unit. 80 Colchester Avenue is home to Hillel; both structures reflect the residential character associated with historic Colchester Avenue. 94 Colchester Avenue is a medical office, however residential in appearance and scale.

Fletcher Place properties are no longer part of the PUD.

See Section 3.5.6 (b) 10 for conformance with Municipal Development Plan.

As most of the structures on the north side of Colchester Avenue / west side of Fletcher Place are residential, additional residential development would be in keeping with the current use of the area.

Architectural elevations have been updated for this application. Three stories is generally greater in size than existing buildings within the project area, but the scale is ameliorated with the location behind existing buildings and a distance from public roads. **Affirmative finding as conditioned.**

*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 new residential units will be located within the rear area, behind existing medical offices, institutional uses and residential units. Impacts will be consistent with existing residential use.

The traffic circulation has been formalized (see Trudell Consulting Engineers memo, dated August 10, 2016); however, several of these parcels already have significant but unorganized parking areas associated with their medical practices. The reorganization and formalization of parking and circulation will benefit all involved parcels, and minimize vehicular access drives along the bus corridor.

The dumpster location has been re-defined to facilitate access for trash haulers and minimize visibility.

Odor, dust, heat and vibration are not anticipated as associated impacts. **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 new development proposes to utilize the traffic signal that currently serves UVM Medical Center; organizing the traffic circulation for all uses within the PUD to the traffic light. In-bound access will remain available east of the medical office at 96 Colchester Avenue at an existing entry, which will join the interior circulation path. Two other driveways along Colchester Avenue will be removed. A traffic analysis has been provided (dated August 10, 2016) that anticipates approximately 39 trips during the AM peak hour and 47 trips during the PM peak hour. These apartment units are likely to serve UVM Medical Center employees resulting in an overall reduction in the estimated peak hour project generated traffic. Additionally, the proposal, within the Institutional zoning district, is anticipated in its proximity to local medical and institutional facilities to provide opportunities for pedestrian and bicycle transportation options.

The applicant team has made contact with CarShare to initiate membership and potentially siting a vehicle within the project area.

An email from the Department of Public Works 1/18/2018 withholds support of the project without further detail as it relates to the connections to Colchester Avenue and the public ROW. A traffic engineer (Laura Wheelock PE) attended the 1.31.2017 DRB hearing, and testified that she felt the traffic memo offered conservative numbers. Only generating 48 trips at peak doesn't warrant any action. Her gut feeling was that the project would not require turn lanes. Her continued comments:

- Configuration of driveway access suggests crosswalk, aid detection. There is no pedestrian actuation there now.
- Curb radius has been reduced down to 15'.
- Ensure bike lane parkings on Colchester Avenue.
- She noted that the corridor study recommended rapid flashing beacons in 2 places.
- After a question from the Board about daily traffic totals and Level of Service, she responded that her conversation with the transportation planner resulted in no concern about the issue.



A memorandum to the DRB from DPW included the following:

*The Department of Public Works (DPW) has reviewed the plans and traffic memo prepared for this project and have the following comments*

***Traffic Impact Assessment (TIA):***

*DPW has requested that the applicant follow up with DPW with a signal analysis to review the levels of service and confirm turn lane configurations shown on the revised plans dated 1/27/17 are adequate to address project traffic. The traffic memo shall address any new vehicular or pedestrian infrastructure enhancements that are needed to support the new leg of the intersection. Those costs shall be the responsibility of the applicant.*

***Progress Plans Dated 1/27/2017:***

*DPW reviewed the project plans for impacts on Colchester Ave and have the following comments:*

- Driveway access to the project site should be at grade as shown at the western signalized entrance, and include a high visibility crosswalk across the project's drive approach to the intersection.*
- ADA detectible warning plates and curb ramps shall be installed at the signalized project drive approach. The eastern entrance only shall remain as a driveway access where sidewalk crosses the driveway.*
- Bike lane marking consistent with DPW standards shall be used at the signal.*
- Curb radius entering the signalized western project drive shall be 15' per DPW standard unless otherwise waived by DPW.*
- Applicant shall work with DPW for the location of the existing eastern crosswalk on Colchester Ave and the curb ramp for that crosswalk relative to the work to construct the project's drive.*

No parking waiver is sought with this application; however, the application remains incomplete relative to traffic analysis as no further information has been received by the Department of Public Works.

**No finding possible.**

*And*

5. *The utilization of renewable energy resources;*

Building plans include the inclusion of a significant solar array on a flat rooftop of both buildings. See Plan A105. **Affirmative finding.**

*And*

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

Zoning Amendment ZA17-03 (now Section 2.7.8 of the Comprehensive Development Ordinance) will require correcting any open violations and closing all expired permits on all involved parcels prior to application of a Final Certificate of Occupancy for this project.

All requirements for Erosion Protection, Sediment Control and Stormwater management, as defined by conditions imposed by the Stormwater Division will be applicable.

A state waste water permit will be required. This, and Act 250 Review (if appropriate) are the responsibility of the applicant/owners. **Affirmative finding as conditioned.**

### **(b) Major Impact Review Standards**

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

Stormwater Management and EPSC plans have been forwarded to the Department of Public Works. The applicant has a third review with the Conservation Board, January 23, 2017, and received their approval. The Stormwater Plan has been approved by the Stormwater Division.

As the proposed use (aside from the existing Colchester Avenue medical offices and the Hillel use) is exclusively residential, no undue air or noise pollution is anticipated. **Affirmative finding as conditioned.**

*2. Have sufficient water available for its needs;*

Written assurance from the city water engineers of adequate water and sewer capacity will be a condition of approval. A request for a water/sewer letter has been made of that department.

**Affirmative finding as conditioned.**

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

An assessment of city water engineers will be critical to understanding demand and capacity. See Section 3.5.6 (a) 4.

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

An erosion prevention and sediment control plan in compliance with Chapter 26, Wastewater, Stormwater, & Pollution Control will be required. Approval has been received from the Stormwater Administrator. **Affirmative finding.**

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

See Section 3.5.6 (a) 4.

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

Plan A102 (First Floor Plan) defines 16 one bedroom units and 7 studio apartments. Units are limited to one bedroom and studio units. The applicant has defined the intention to serve a professional population associated with area institutions. These limited size units are less likely to have school age children; higher bedroom count increases the possibility. Given the floor plan, the development is unlikely to have school age children; however, required Impact fees will help offset any impact to the school system. **Affirmative finding as conditioned.**

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

The proposed development will generate additional impacts on city services; however, Impact Fees will offset those impacts. See condition about providing assurance of waste and water capacity. **Affirmative finding as conditioned.**

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

See Section 5.4.8, 6.2.2. and 6.2.3.

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

The project seeks to utilize open space on the interior of multiple lots. There will be increased demands on city infrastructure; however, the location is advantageous in its proximity to area institutions, travel ways, pedestrian paths and the downtown. Technical Review of this project was held December 11, 2014 (with a differently configured building layout), but the project applicants observed the comments made by department representatives in revised plans.

**Affirmative finding as conditioned.**

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

The project supports the aspirations of the MDP in the following ways:

- *Support the development of additional housing opportunities within the city, with concentrations of higher-density housing within neighborhood activity centers, the downtown and institutional core campuses. (MDP, Housing Plan, Page IX-1.)* Technically, the project site is within the Institutional zone, not core campus. The addition of new housing units, however, is a consistent theme in the MDP.
- *Provide a range of housing types that meet the needs and interests of the student population. These should include apartments that give students an opportunity to get away from the typical dormitory living situation. (MDP, Housing Plan, Page IX-11.)*
- *Addressing Parking and Circulation. Every effort should be made to provide parking either underground or within a structure to minimize the amount of land dedicated to surface parking. Additionally, traffic circulation patterns within residential neighborhoods and through the University campus must be evaluated to minimize through traffic off campus, and the need to use cars all together. (MDP, Housing Plan, Page IX-11.)*
- *Support the creation of new rental and owner-occupied housing on every parcel of land in Burlington that is zoned for residential development at the number of units allowed by zoning. Identify buildable sites for eventual housing construction/conversion. (MDP, Housing Plan, Page IX-12.)* **Affirmative finding.**

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

The proposal is infill in undeveloped rear yards of existing adjoining neighborhoods. The proposed new residential units will moderately contribute to the city's housing stock. Inclusionary housing units will be required. The location is probably the most desirable feature; in close proximity to area institutions: UVM Medical Center, the university, and downtown. The project will be providing an estimated 11 inclusionary housing units as well. **Affirmative finding as conditioned.**

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

Modest impacts on the city's park and recreation needs are anticipated. Payment of impact fees will help offset such impacts. The project will be enhanced with on-site gardens, park benches, bike racks and similar amenities for use of the immediate residents. **Affirmative finding.**

### **(c) Conditions of Approval for Conditional Use applications**

*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 application includes an evolved landscape plan (See Plan L1-01.) Trees are proposed around the eastern edge of the central parking area, and the western edge of the parking area behind 66 Colchester Avenue; reducing the likelihood of headlight trespass. Additionally, heavy plantings are proposed behind the adjacent properties of Fletcher Place.

Tree requirements must be consistent and compliant with the requirements of 6.2.2. (l).

**Affirmative finding as conditioned.**

*2. Time limits for construction.*

Zoning permits are valid for two years; however, the applicant may request an extended period under a phasing schedule. The applicant here requests an initial phase to complete either the north or south building within 30 months from the date of issuance of the zoning permit. A second phase will see completion of the 2<sup>nd</sup> building within 42 months from issuance of the zoning permit. Overall, the permit life requested is 3 ½ years. Any phasing plan is at the discretion of the DRB. Given the scope of the project, the requested phasing schedule seems reasonable.

The specific hours of construction are typically limited to M-F 7:00 am to 5:30 pm, with Saturday hours restricted to interior work. The DRB has the discretion to alter those hours based on the demands of the project and the context of the development area. **Affirmative finding as conditioned.**

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

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

As a PUD and a Major Impact/Conditional Use, this is a statutory requirement. Any future enlargement or alteration will be reviewed under the regulations in effect at the time of the request. **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.*

Any such performance standards are at the discretion of the DRB.

#### **Article 4: Maps & Districts**

*(a) Purpose: The Institutional District allows for an increased development scale and intensity than would typically be found in the adjacent residential districts to support continued growth and flexibility of the city's major educational and health care*



*institutions within their respective institutional missions. New development is intended to be sensitive to the historic development pattern of the existing campuses as well as the surrounding residential neighborhoods.*

*The district is intended to support a broad range of related uses reflecting the resident institutions role as regional educational, health care, cultural and research centers. Buildings should be designed with a high level of architectural detailing to provide visual interest and create enjoyable, human-scale spaces. Sensitive transitions between adjacent lower scale residential areas and larger scale institutional development should be provided. Sites should be designed to be pedestrian friendly and encourage walking between buildings. Where parking is provided onsite, it is intended to be hidden behind, to the side, within, or underneath structures.*

The proposed building is larger in scale than those that surround it on Colchester Avenue and Fletcher Place, but the articulated purpose of the district confirms the anticipation of increased scale and intensity. In this project, the difference is largely ameliorated with the siting of the building far within the parcel and placement behind existing buildings. The design of the building has been articulated with developed exteriors, including plane changes, building recesses, balconies, articulated window and roofline treatments and site amenities. There is an enhanced pedestrian and parking circulation system that will permit residents to traverse from building to vehicle or building to off site with relative ease and safety. Parking for residents will be undergrounded; the remaining parking to serve on-site existing uses has been reorganized and arranged for broad user benefit. As development is interior to the lot, surface parking is located behind and to the rear of existing buildings. **Affirmative finding.**

**Table 4.4.4-1 Dimensional Standards and Density**

**Calculation of total acreage** (as confirmed by Andrew Mills, PE, Trudell Consulting Engineers)  
Parcel identification per Plan C1-03. No change to actual lot lines proposed.

|                                            |            |
|--------------------------------------------|------------|
| Parcel A (72, 80 and 95 Colchester Avenue) | 3.38 A     |
| Parcel B (66 Colchester Avenue)            | 0.25 A     |
| Parcel C (96 Colchester Avenue)            | 0.38 A     |
| Total area                                 | 4.01 Acres |

| Institutional District | Max. Intensity<br>20 du/acre<br>24 du/acre with IZ                                                        | Max. Lot Coverage<br>40%<br>48% with IZ | Building setbacks                    |                                                                                                                                     |                                             | Max. Height<br>35'                                                                                                                                                                                    |
|------------------------|-----------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                        |                                                                                                           |                                         | Front <sup>2</sup><br>Minimum<br>15' | Side <sup>3</sup><br>10% of lot width, Min. 5',<br>Max 20'.                                                                         | Rear<br>25% lot depth, min.<br>20', max 75' |                                                                                                                                                                                                       |
| Proposed development   | 15 existing / equivalent units + 75 new = 90/4.01 acres = 22.44, less than the 24-unit limitation with IZ | 35.8% (See Plan C2-01)                  | No change to Colchester Avenue.      | New building meets max 20' side yard setback from west; parking area on east will meet minimum 5' setback. See plan C2-03 or L1-01. | Meets maximum setback.                      | Measurement from average grade to roof is < 35' (see Plans A201, 202); calculation for allowable exceptions to height limits defined in roof plan A105 (areas exceeding height limit See ZA 16-14 for |

|  |  |  |  |  |  |                                         |
|--|--|--|--|--|--|-----------------------------------------|
|  |  |  |  |  |  | amended zoning standards.) <sup>1</sup> |
|--|--|--|--|--|--|-----------------------------------------|

Boundary line adjustments have already occurred between 80 Colchester Avenue, 27 Fletcher Place and 49 Fletcher Place. Reciprocal easement arrangements for parking and access will be effected for all involved parcels and will be a condition of approval. See submitted memorandum dated January 30, 2017; Section 6. a-f.

As 66, 94 and 96 Colchester Avenue will remain separate lots, their side yard setbacks remain as existing and will only be analyzed for setback compliance along the periphery of the project which is the ultimate consideration for a PUD.

Internal setbacks are not considered, as only setbacks around the periphery of the PUD are scrutinized.

**Affirmative finding.**

**Section 4.4.4 (c) Permitted and Conditional Uses**

Attached dwellings, multi-family are a conditional use in the Institutional Zone, per Appendix A. Seer 3.5.6, above and Appendix A. **Affirmative finding as conditioned.**

**Article 5: Citywide General Regulations**

**Section 5.2.3 Lot Coverage Requirements**

See Table 4.4.4-1, above. A calculation of coverage for all lots within the PUD will be required.

**Affirmative finding.**

**Section 5.2.4 Buildable Area Calculation**

Although the combined parcels exceed the 2-acre threshold, all are within the Institutional Zone which is not subject to this criterion. Not applicable.

**Section 5.2.5 Setbacks**

See Table 4.4.4-1, above.

**Section 5.2.6 Building Height Limits**

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<sup>1</sup> Section 5.2.6 (b), as amended under ZA-16-14 – Downtown Mixed Use Core Overlay.

3. Ornamental and symbolic architectural features, including towers, spires, cupolas, belfries and domes; greenhouses, garden sheds, gazebos, rooftop gardens, terraces, and similar features; and fully enclosed stair towers, elevator towers and mechanical rooms, where such features are not used for human occupancy or commercial identification, **are exempt from specific height limitations** but shall be subject to the design review provisions of Art. 3 and 6. Such features and structures shall be designed and clad in a manner consistent and complementary with the overall architecture of the Building. 4. Exposed mechanical equipment shall be allowed to encroach beyond the maximum building height by no more than 15-feet provided that portion exceeding the height limit does not exceed **20%** of the roof area.

Exposed mechanical equipment shall be fully screened on all sides to the full height of the equipment, and positioned on the roof to be unseen from view at the street level. Screening may consist of parapets, screens, latticework, louvered panels, and/or other similar methods. Such features and structures shall be designed and clad in a manner consistent and complementary with the overall architecture of the Building. Where mechanical equipment is incorporated into and hidden within the roof structure, or a mechanical penthouse setback a minimum of 10-ft from the roof edge, no such area limit shall apply and the structure shall be considered pursuant with 4 above.

Height is limited to 35', except under provisions of Section 5.2.6 (b). Exceptions to Height Limits has recently undergone amendment (ZA16-14, see excerpt in footnote above) which excludes elevator towers. The mechanical equipment is screened, and collectively does not exceed 20% of the roof area. **Affirmative finding.**

#### **Section 5.2.7. Density and Intensity of Development Calculations**

See Table 4.4.4-1, above. This meets the limitation for intensity of use including IZ.

**Affirmative finding.**

### **Part 3: Non-Conformities**

#### **Section 5.3.5 Nonconforming Structures**

##### **(a) Changes and modifications:**

*Any change or modification to a nonconforming structure, other than to full conformity under this Ordinance, shall only be allowed subject to the following:*

- 1. Such change or modification may reduce the degree of nonconformity and shall not increase the nonconformity except as provided below.*
- 2. Such change or modification shall not create any new nonconformity,*

There are no changes to the existing non-conformity to setback of 66 or 72 Colchester Avenue. The new building meets the maximum setback of 20' on the easterly boundary of the 80 Colchester Avenue parcel. Other, independent lots (66, 94 and 96 Colchester Avenue will have no implications for setbacks, as they are existing and the lots are within the PUD. A small sliver of the 80 Colchester Avenue parcel connects to Colchester Avenue next to 96, and that will retain its existing setback.

**Affirmative finding.**

#### **Sec. 5.4.8 Historic Buildings and Sites**

72, 80, and 94 Colchester Avenue are all listed on the Vermont State Register of Historic Resources. As the development is proposed for the interior of these combined parcels, the most significant concern may be that of compatibility, particularly in regard to massing and proportion.

##### *(b) Standards and Guidelines:*

- 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

Each of the identified historic resources along Colchester Avenue and Fletcher Place were constructed as residential dwellings. The addition of new housing in the rear of these combined parcels will not alter the historic or current use of each structure.

The single car garage behind 72 Colchester Avenue is proposed for removal, to accommodate the interior circulation and parking plan. See Section 5.4.8 (d), below.

- 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

No alterations to the principal structures at 66, 72, 80, 94 or 96 Colchester Avenue are proposed. The roadway that is proposed as the principle entrance to the development between 80 and 94

Colchester Avenue is currently an access to a parking area. Two driveways west of 80 Colchester Avenue will be eliminated. The most significant change will be the introduction of a large extended residential structure in the rear of the assembled lots. The structure will occupy an area of the backyards behind these older structures, and introduce a building of a larger scale and mass than those on the north side of Colchester Avenue or Fletcher Place. The significant setback from existing buildings and the streetfront tempers the change in massing.

The single car, wood frame garage behind 72 Colchester Avenue is proposed to be removed to accommodate the new circulation and parking plan. It, also, is listed on the Vermont State Register as associated with 72 Colchester Avenue, and dates from 1930-50. In appearance and presentation, the small accessory building clearly recalls the single family residential use of the property. See Section 5.4.8 (d), below.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

There is no proposal for conjectural features on any of the subject properties. **Affirmative finding.**

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

Other than the removal of the garage at 72 Colchester Avenue, the application does not include alteration to the existing historic properties. See Section 5.4.8 (d), below for discussion of the garage. **Affirmative finding.**

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

No changes to features or finishes are proposed. **Affirmative finding.**

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*

No replacement of historic features is proposed. **Affirmative finding.**

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

No chemical or physical treatments are proposed for the historic buildings. **Affirmative finding.**

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

As noted.



9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

Spatial relationships will be altered in that these included properties will no longer have the expansive rear yards as is currently present. As an example of modern infill, the project provides an opportunity for attractive, functional infill housing complementary to its existing residential neighbors. Other historic examples of residential development off Colchester Avenue would be Nash Place, Thibault Parkway, and even Fletcher Place itself.

Growing cities commonly utilized open area tangent to existing development along major thoroughfares to expand residential opportunities; but each successively created a nucleus neighborhood that was independent of but related to neighboring development. This proposal seeks to introduce a residential nub within a collection of existing buildings.

Revised building elevations define a housing model of more modern vocabulary, contrasting in proportion, massing (3 stories), and scale with its most immediate residential neighbors. The substantial setback from the historic buildings that line Colchester Avenue and Fletcher Place, its influence is assuaged by distance. Modeling studies aid analysis of compatibility with and impact to its abutting neighbors, particularly in regard to scale, proportion, and appearance. See prepared images provided for this review.

In design, material and scale, the new development is clearly differentiated from older surrounding structures and distinctly new. **Affirmative finding.**

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

It would be possible to consider the removal of a single large detached structure, so the project might be reversible. **Affirmative finding.**

#### **(d) Demolition of Historic Buildings**

*Demolition of a historic structure shall only be approved by the DRB pursuant to the provisions of Art. 3, Part 5 for Conditional Use Review and in accordance with the following standards:*

- A. *The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure;*

No evidence has been provided that the accessory structure at 72 Colchester Avenue is structurally unsound.

or,



- B. *The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practicably moved to another site within the district;*

The garage's function will be replaced with the new parking garage; its location in conflict with the proposed circulation path of the new development. The applicant is willing to explore alternatives to demolition, including relocation. Even with relocation, the small accessory building would likely look out of context if repurposed in the area of new development. The Design Advisory Board considered the potential for relocation within the project area, potentially to function as a dumpster or recycling enclosure. The structural integrity of the building came into discussion, and the likely difficulty of housing (and emptying) a dumpster within the shell.

Other potential relocation sites were not considered: 27 Fletcher Place may be an opportunity, or some other residential property along Fletcher Place, as its age, function and appearance would be consistent with those dwellings. In any case, if the development application is approved, offering the small structure for relocation or re-purpose is recommended. **Affirmative finding if conditioned.**

or,

- C. *The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition.*

The overall development will provide 75 new housing units (11 of those perpetually affordable) in close proximity to major institutions. The subject building is a small accessory structure, common for its period and association with changing mobility and modes of transit. The Design Advisory Board believed the addition of new housing units supported the sacrifice of the small accessory structure. **Affirmative finding.**

*And all of the following:*

- D. *The demolition and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties;*

This is the sole historic building proposed for alteration or removal within the development area. Its demolition, although regrettable, will not substantively impact the historic importance of the principal buildings that line Colchester Avenue and Fletcher Place. **Affirmative finding.**

- E. *All historically and architecturally important design, features, construction techniques, examples of craftsmanship and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians and others interested in Burlington's architectural history;*

Photo documentation of the structure prior to its removal is highly recommended. The building's importance, on the Vermont State Register of Historic Resources, does not rise to the benchmark requiring Historic American Building Survey documentation. **Affirmative finding as conditioned.**

and,

- F. *The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s).*

- (i) *Such a plan shall be compatible with the historical integrity and enhances the architectural character of the immediate area, neighborhood, and district;*
- (ii) *Such plans must include an acceptable timetable and guarantees which may include performance bonds/letters of credit for demolition and completion of the project; and,*
- (iii) *The time between demolition and commencement of new construction generally shall not exceed six (6) months.*

*This requirement may be waived if the applicant agrees to deed restrict the property to provide for open space or recreational uses where such a restriction constitutes a greater benefit to the community than the property's redevelopment.*

The removal of the garage is incorporated into a much larger development proposal that includes new construction and parking facilities within new buildings. The timetable of such development, if approved, will be consistent with the life of the zoning permit per any phasing schedule approved by the DRB.

New construction must commence within 6 months of the removal of this building per this standard. **Affirmative finding as conditioned.**

### **3. Deconstruction: Salvage and Reuse of Historic Building Materials.**

*The applicant shall be encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant may be required to advertise the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.*

If approved by the DRB and documented in photographs for the record, it is recommended that the garage be made available for reuse, relocation, sale, or salvage per this standard. **Affirmative finding if conditioned.**

#### **Section 5.5.1 Nuisance Regulations**

Nothing in the proposal appears to constitute a nuisance under this criterion. Lighting, must meet the standards of Section 5.5.2, below. **Affirmative finding.**

#### **Section 5.5.2 Outdoor Lighting**

Plan L2-01 defines light distribution acceptable for parking lots/walkways. Entry lighting should not exceed 5 fc. There are 2 hot spots identified; at the principal entrance on the south elevation (7.4 fc) and either side of the connector entry (5.5 and 7.6.) With adjustment of these fixtures, the photometric may be brought into compliance with these standards. **Affirmative finding as conditioned.**

#### **Section 5.5.3 Stormwater and Erosion Control**

A stormwater management plan, and Erosion Prevention and Sediment Control Plan has been submitted and has been approved in writing by the City Stormwater staff. Additionally, conditions will require compliance post construction with each approved plan prior to issuance of any Certificate of Occupancy. **Affirmative finding.**

## **Article 6: Development Review Standards**

### **Part 1: Land Division Design Standards**

No land division is proposed. Recent property line boundary adjustments have altered the parcel boundaries of 80 Colchester Avenue, 27 and 49 Fletcher Place. This application reflects those newly defined property boundaries. No new division is proposed.

### **Part 2: Site Plan Design Standards**

#### **Sec. 6.2.2 Review Standards**

##### *(a) Protection of Important Natural Features*

There is a significant ravine to the north of the site, which the project development avoids. The proposal intends to incorporate grade changes to facilitate underground parking for the new residential building. **Affirmative finding.**

##### *(b) Topographical alterations*

Revised site plan C2-01 defines grade contours post construction. C2-03 is specific for grading and layout. Plan C1-04 clearly defines removal of parking areas, sheds, garage, and walls, as well as the tree clearing limits to the north. **Affirmative finding.**

##### *(c) Protection of important public views*

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

##### *(d) Protection of important cultural resources*

See Section 5.4.8 (b).

##### *(e) Supporting the use of alternative energy*

Submission documents include the intent to incorporate rooftop solar, which is encouraged. A roofplan has been submitted, including a calculation for roof area in excess of the height limitation, allowable under Section 5.2.6 (b) 4. **Affirmative finding.**

##### *(f) Brownfield sites*

The properties are not listed on the Vermont DEC Hazardous Waste Site. Not applicable.

##### *(g) Provide for nature's events*

A Stormwater Management plan, was approved by the City Stormwater team per **Section 5.5.3**, Stormwater and Erosion Control. The applicant received approval of the Conservation Board January 23, 2017. Newly submitted plans include EPSC construction and stabilization plans (C5-01 and 02), which have received approval of the City Stormwater team.

Snow storage is identified on the b&w Plan L1-01. The applicant defines a plan to move all snow from the westerly parking lot to the easterly lot and store as noted. Some snow may require trucking from the site. The collective parcels will *share in the costs of managing, operating and maintaining the common facilities* ("Memorandum", Section 6.f, January 30, 2017); these costs will be born by that association. **Affirmative finding.**

##### *(h) Building location and orientation*



The visible public streetscape along Colchester Avenue is an important component; however, equally important is the establishment of a well-defined built environment, functional open spaces, and interconnectivity between the new dwellings and the existing streetscape/sidewalks that connect physically and visually to Colchester Avenue. The site plan has been redesigned to create and orient a primary façade (south building) to front Colchester Avenue. A pedestrian way and crosswalk to Colchester Avenue are illustrated on the plan, all connecting to an interior pedestrian circulation network. The proposed circular drive will provide visual access to both buildings, providing a ring of parking spaces to the east of both buildings. Pedestrian drop off may casually occur within that circle, or at the pedestrian crosswalk in front of the southerly building.

Open space or common land is required as part of Article 11.

The CDO and Municipal Development Plan articulate a vision for vibrant city neighborhoods with a fabric of cohesive streetscapes and call for new neighborhoods to reflect this vision. The proposed development increases residential density through utilization of undeveloped rear yards. This concept is hardly new, with much residential conversion and new construction on rear yards throughout the city. The application here has the potential to introduce a significant number of new residential units in a district that can support the density in a manner that is respectful of the existing pattern of development and streetscape. **Affirmative finding.**

*(i) Vehicular access*

Access to this inner site is proposed directly across from the UVM Medical Center, intending to utilize the existing traffic light. Two driveways west of this access will be eliminated; all traffic will be directed through the the light. Revised plans include proposed signage for pedestrian and vehicular circulation and flow. The proposed access and circulation pattern will make available interior parking behind 66, 72, 80, 94 and 96 Colchester Avenue. A vehicular connection to 106 Colchester Avenue is illustrated up to the property line; without a companion zoning permit for that specific parcel, no shared drive is acknowledged and any driveway must meet a required setback. That extension has been eliminated from the plan until such time as shared access is formalized between parcels.

The principal entry at the traffic light would also offer the opportunity to turn “left” in front of the proposed south building; and then turn right to access to the underground garage(s).

The existing access drive east of 96 Colchester Avenue is proposed to be retained and connected to the inner network as well as specific parking spaces for the existing medical office. This drive is for ingress only; and will have signage to indicate such.

**Affirmative finding as conditioned.**

*(j) Pedestrian access*

Sidewalks connect directly to those on Colchester Avenue, and continue along the easterly side of the south building, connecting to the northerly building. A “promenade” type pedestrian path provides a focal entry to the south building from Colchester Avenue; something recommended in earlier sketch plan review.

Revised site plan (C2-01) and Landscape plan (L1-01) reflect the recommended sidewalk west of the new building, with landscaping. A crosswalk has been added to access the dumpster or the dental office at 66 Colchester.

Sidewalks ring both the north and south of the circular parking area behind 94 and 96 Colchester Avenue. Crosswalks for pedestrian use from the parking lot to the sidewalks in the rear of 66, 94 and 96 Colchester Avenue have been added. **Affirmative finding.**

*(k) Accessibility for the handicapped*

The project will be required to meet ADA standards, as directed by the building inspector. Elevators are proposed to serve both the north and south buildings. H/C parking will be required, with identification, signage and access area. Some h/c parking areas are defined on the site plan (specifically, behind 72 Colchester Avenue, immediately east of the south building and one in underground parking of same.) The existing diagonal parking places next to 96 Colchester Avenue are now illustrated on revised plans, and include h/c parking. Adequacy of these parking spaces must be confirmed with the building inspector; additional h/c parking may be appropriate near medical buildings. **Affirmative finding as conditioned.**

*(l) Parking and circulation*

Parking is proposed under both new buildings and with surface parking. The applicant will be obliged to meet the parking requirements of Table 8.1.8-1 of the CDO. The parking requirement for multi-unit attached dwellings in the Shared Use Parking District is 1/unit.

Circulation as best understood is proposed via an access drive at the traffic light on Colchester Avenue; proceeding through a choice of paths. Turning right will afford access to a circular loop double-lined with 51 surface parking spaces. A secondary surface parking area west of the south building permits access to another 14 surface parking spaces and entrance to two subsurface parking decks. The far easterly access (next to 96 Colchester Avenue) will first admit access to 6 surface parking spaces intended for the medical office (one h/c), and lead to the circular loop. As circulation paths and parking cross property boundaries, the applicant must effect easement or other instrument to allow use of included parcels within the PUD to provide the suggested access and circulation. A narrative defining the intended easements is provided. (Memorandum, rec'd via email 1/31/2017.)

Access to the 106 Colchester Avenue parcel as a suggested shared driveway will require a separate zoning permit and coverage calculation for that lot. Until that occurs, the access drive to the boundary line shall be omitted from plans and respect the minimum required 5' setback.

The proposed vehicular circulation plans will be dependent on informative signage to direct drivers to correct paths. The applicants have provided such a plan (C2-04). Overall, the plan realizes the abandonment of several access drives, coordinates internal circulation and is largely behind the existing buildings on Colchester Avenue.

Surface parking requires shading to reduce the effect on the local microclimate, air quality, and stormwater runoff. At least 30% of the parking lot must be shaded. 1 shade tree shall be provided for every 5 parking spaces with a minimum caliper size of 2 ½ -3" at planting. For the circular loop, 10 trees will be required; these are illustrated on revised Plan L1-01. For the parking behind 66/72 Colchester four new trees are needed ( $5+14=19/5 = 4$ . 7 are shown on landscaping plan.) The plant list accompanying L1-01 provides appropriate caliber size at time of planting. Specimen choice and size at maturity should be reviewed by the City Arborist for appropriateness and acceptability. [Plan sent to Warren Spinner 12.19.2016.)

Exterior (short term) bicycle parking is provided west of 72 Colchester Avenue, as required with access along vehicular driveways or paths. See Plans C202-204. This rack must accommodate 10 short term bicycle parking spaces. Additional (long term) bike storage will be provided within the new structure. See Plan A101. Bicycle parking must be linked to pedestrian routes to a building entrance. Bike parking must conform to applicable design and construction details as provided by the City of Burlington Bicycle Parking Guidelines:

[https://www.burlingtonvt.gov/uploadedFiles/BurlingtonVTgov/Departments/Public\\_Works/Transportation\\_Policy\\_and\\_Planning/Bicycling\\_and\\_Walking/Bicycle%20Parking%20Guidelines.pdf](https://www.burlingtonvt.gov/uploadedFiles/BurlingtonVTgov/Departments/Public_Works/Transportation_Policy_and_Planning/Bicycling_and_Walking/Bicycle%20Parking%20Guidelines.pdf)

**Affirmative finding as conditioned.**

*(m) Landscaping and fences*

A landscaping plan has been provided as part of the revised submission packet. See (above) for shading requirements. Landscaping shall be distinctly arranged to prevent parking lot creep, with installation of barriers to prevent vehicles from encroaching into abutting greenspace. This is particularly important with the parking east of 96 Colchester Avenue and at the edge of surface parking areas.

**Affirmative finding as conditioned.**

*(n) Public plazas and open space*

While there are no formal public plazas included in the plan, the concourse entrance from Colchester Avenue acts as a public meeting area with benches, lighting, and new landscaping. It is appropriate to evaluate the overall availability of open space available for residents as part of a PUD. North of the development site is unreceptive for open space amenities due to the challenging topography. An open area on the east of the project area abutting the 27 Fletcher Place parcel has been identified as a community garden, and has an existing shed that can be used for tool storage. An area for picnic tables, clothes lines, or play areas dedicated to the enjoyment of the residents would further this effort. However, as a housing complex intended for professionals, those amenities may not be as critical as they would be for a family residential development. The proposal for a rooftop terrace is more likely an amenity to be appreciated by the anticipated tenants.

The rooftop terrace is exempt from height limitations per Section 5.2. 6 (b) as amended.

**Affirmative finding.**

*(o) Outdoor lighting*

A photometric plan has been submitted. See Section 5.5.2, above. A minor number of adjustments will be needed at building entrances. **Affirmative finding as conditioned.**

*(p) Integrate infrastructure into the design*

On-site utilities will need to be undergrounded. Meters, utility connections, HVAC or similar mechanical equipment should be coordinated with the design of the building, and grouped in a service court out of public view. All need to be illustrated on elevations and/or site plans to determine appropriateness of location and necessity of screening.

Rooftop mechanicals are illustrated behind screening on Plans A201 and A202. A detail sheet has been provided for that feature; see *Memorandum* received via email 1.31.2017.

As has been frequently mentioned, it would be preferable to integrate trash and recycling operations within the building rather than as a stand-alone. The location of recycling facilities

has been redefined behind 66 Colchester Avenue, within an enclosure. This location is less visually obtrusive, and more accessible than previously defined.

The Design Advisory Board accepted the proposed location of the dumpster/enclosure, but conditioned that it should be designed to fit compatibly within the context of the site. The submitted plan (A101, detail) define a 6' high vinyl coated chain link fence surround. This does not meet the standard of "compatible design" with a congregant group of historic structures. New plans meeting that requirement are appropriate.

The dumpster is required to be enclosed on all four sides to prevent blowing trash; and must be screened from public view.

The location of residential mailboxes must be defined.

**Affirmative finding as conditioned.**

### **Part 3, Architectural Design Standards**

#### **Section 6.3.2 Review Standards**

##### **(a) Relate development to its environment:**

##### ***1. Massing, Height and Scale:***

66, 72 and 80 Colchester Avenue maintain the 1 ½ story, residential scale of mid 19<sup>th</sup> century dwellings. 94 Colchester Avenue is a more modern, one story medical office structure; and 96 is a 2 ½ story foursquare. Compared to the existing buildings, the massing and scale of the proposed new residential building diverges from the residential scaled buildings that surround it. The distance between them and the proposed building (and distance from both Colchester Avenue and Fletcher Place) somewhat ameliorates that discord. **Affirmative finding.**

##### ***2. Roofs and Rooflines.***

Flat roofs are proposed; within the context of the immediate area (north side of Colchester Avenue, west side of Fletcher Place) most buildings have gable, bonnet, hipped or compound roofs with dormers. The exception may be Mater Christi School, west of this parcel, which is flat-roofed.

Porches typically have shed or modified hip roofs. Flat roofs are not commonplace on the residential buildings north of Colchester Avenue.

This development is set back from the surrounding residential scale buildings and removed from their immediate context; differences that reflect the newer construction aesthetic and date are acceptable.

The application submittal includes specification sheets for condensing units. The roof plan also defines the intended location of the units. The screening specification detail sheet has been provided.

**Affirmative finding.**

##### ***3. Building Openings***

Windows on the southerly building are ganged in threes on the south elevation (facing Colchester Avenue), with the principal entry flanked in plate glass. The westerly elevation displays rhythm and thoughtful arrangement. The west elevation of the northerly building



features symmetrically organized windows, with a central spine through which an entry is located. The same elevation of the southerly building has window and door arrangements organized into related groups associated with the arrangement of units. Windows are more vertical than horizontal.

Easterly elevations of both buildings illustrate the desire to distinguish one building from the other with material and window arrangement. The connector between the two is also among glass or metal panels, with a double entry door. First floor doors to units are easily distinguishable by entry stairs and either alcove or canopy.

The north elevation of the northerly building now enjoys more glazing, with triple patio doors onto balconies at the upper floor. Similar features are evident on the south elevation of the same wing. **Affirmative finding.**

**(b) Protection of Important Architectural Resources:**

*Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.*

See Section 5.4.8.

**(c) Protection of Important Public Views:**

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

**(d) Provide an active and inviting street edge:**



The core of the development is behind existing structures. The most visible street presence will be the main entry facing Colchester Avenue, which will be visible at the pedestrian entryway between 74 and 80 Colchester. That entrance is defined by the prominence of the façade design,

the pedestrian pathway from Colchester Avenue, and the two new Honey Locust that will give focus and presence to that entry. The building will be marginally visible from the Fletcher Place roadway. The applicant has provided newly rendered plans to illustrate the view from Fletcher Place. No principal point of entry is proposed from that streetscape to the larger development.

**Affirmative finding.**

**(e) Quality of materials:**

*All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.*

Sheathing is proposed to be a mix of clapboard (fiber cement or wood), metal, hardi-panels, brick and wood panel. The design relies upon alteration of building material to provide interest and articulation to the plan. Window materials are defined as composite frame/sash, double glazed Low-e.

All material suggested are of acceptable durability in new construction.

The dumpster enclosure is described as “6’ steel frame fence with horizontal wood slate” on Plan A101. There is no elevation drawing to assure compliance with the recommendation from the Design Advisory Board to present something “more in keeping with surrounding historic buildings.”

**No finding possible** without dumpster elevation.

**(f) Reduce energy utilization:**

All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances. **Affirmative finding as conditioned.**

**(g) Make advertising features complementary to the site:**

No signage is proposed. Any signs will require a separate sign permit.

**(h) Integrate infrastructure into the building design:**

See Section 6.2.2. (p.)

**(i) Make spaces secure and safe:**

All applicable building and life safety code as defined by the building inspector and fire marshal will be required. Building entrances need to be adequately illuminated (but not to exceed 5 fc.) Light levels remain slightly elevated at building entrances; see Section 5.5.2. An intercom system is recommended to maximize personal safety of the residents. **Affirmative finding as conditioned.**

**Article 8: Parking**

**Section 8.1.8 Minimum Off-Street Parking Requirements**

The last approved site plan for 66 Colchester Avenue (1988) featured a paved parking area with 6 spaces. As portrayed, there is a significant expansion in parking behind that structure, which will be brought into the PUD to formalize the arrangement and therefore brought into compliance.

From an examination of the zoning record, the final number of permitted parking spaces per parcel:

| Address                                   | Use                                | Permitted Bike parking | Permitted Car parking                 | Zoning Permit |
|-------------------------------------------|------------------------------------|------------------------|---------------------------------------|---------------|
| 66 Colchester Avenue                      | Medical office                     | 0                      | 6                                     | 87-853        |
| 72 Colchester Avenue                      | Single family house                | 0                      | 2                                     | 97-050        |
| 80 Colchester Avenue                      | Community House (Hillel)           | 2                      | 5 required; see 94 below)             | 15-0042CA/CU  |
| 94 Colchester Avenue                      | Med office and basement apartment  | 0                      | 16 shared with 80 Colchester (aabove) | 92-025        |
| 96 Colchester Avenue                      | Med office with basement apartment | 0                      | 25                                    | 10-0979CA     |
| Total approved parking with existing uses |                                    | 2                      | 49                                    |               |

In the Shared Use Parking District, 1 parking space is required for each dwelling unit. For 75 new residential units, 75 parking spaces will be required in addition to the current demand by existing use.  $75 + 49 = 124$  **parking spaces** to meet existing and proposed uses. Plans show 77 surface and 48 interior parking deck, for a total of 125 parking spaces.

**Affirmative finding** for vehicular parking.

### **Section 8.2.5 Bicycle Parking Requirements**

Table 8.2.5-1 defines the bicycle parking requirement as 1 per 4 units for long term storage, and 1 per 10 units for short term. For 75 new residential units, bicycle parking requirements would be **19 long term spaces, and 8 short term**. Plan A101 confirms 20 interior bicycle parking spaces, which meets the long term bike parking requirement. The bike rack west of 72 Colchester Avenue will accommodate 10 bicycles spaces, sufficient to meet the requirement for 8 short terms spaces required for the new residential units and the 2 required for Hillel (ZP15-0042CA/CU.) As previously noted, exterior bicycle parking should be linked to pedestrian paths that connect to the buildings and public sidewalks.

**Affirmative finding as conditioned.**

### **Article 9: Inclusionary and Replacement Housing**

#### **Section 9.1.5 Applicability** (As amended by the City Council 8/10/2015.)

As the proposed development includes more than 5 new dwelling units, it is subject to the inclusionary housing provisions of this Article. Fifteen percent of the total unit count must be inclusionary (Per Section 9.1.10, 15% of 75 is **11** dwelling units). The project would not meet the exemption from Inclusionary Housing within the Institutional Zone, as the proposed units are not being developed by an educational institution.

Approval for the adequacy of the inclusionary units will be required from the manager of the city's Housing Trust Fund. Any stipulations would be included as a condition of approval.

**Affirmative finding as conditioned.**

#### **Section 9.1.12 Additional Density and Other Development Allowances**

As a covered project, it will be entitled to increases in the development allowances of the underlying zoning district. As per Table 4.4.4-1, Maximum intensity increases from 20 dwelling units/acre to 24; maximum coverage from 40% to 48%. Overall coverage for the PUD development site is 35.8%. See Plan C201 and Table 4.4.1, above. 90 total units (75 + 15 equivalent) calculate to 20.31 units per acre, under the allowable 24 units with IZ inclusion. For the method for calculating intensity of use, see Section 5.2.7 (a).

Other possible allowances for the provision of Inclusionary Units may include:

(b) 1. A waiver of up to 50% waiver of parking spaces as outlined in Article 8, Section 8.1.14 (not requested or needed);

2. A waiver of a portion of the impact fees associated with the Inclusionary Units, pursuant to the Art. 3, Part 3 Impact Fee Administration Regulations.

The applicant is encouraged to confer with the Housing Trust Fund Manager to confirm the number of required IZ units, and any potential reduction of Impacts Fees.

All provisions of Section 9.1.8 through 9.1.11 (rental and sales, percentage of Inclusionary Units, and income eligibility) shall apply, without exception, to any inclusionary units that are constructed.

**Affirmative finding as conditioned.**

#### **Section 9.1.13 Off-Site Option**

The applicant has not proposed any inclusionary units be located off site. If the applicant decides to seek an off-site option or to make a payment in lieu of constructing inclusionary units, the provisions of this section will apply. **Affirmative finding as conditioned.**

#### **Section 9.1.14 General Requirements for Inclusionary Units**

*(a) In order to assure an adequate distribution of inclusionary units by household size, the bedroom mix of inclusionary units in any project shall be in the same ratio as the bedroom mix of the non-inclusionary units of the project.*

As noted. Additional provisions of Inclusionary standards, including gross floor area, interior amenities, marketing, and affordability will be required to meet the approval of the City's Housing Trust Manager. **Affirmative finding as conditioned.**

#### **Sec. 9.1.17 DRB Review of Proposal for Phasing**

The applicant has requested as a component of the project review that an extended permit life be considered, allowing for one building to be completed within 30 months from the date of issuance of the zoning permit. The second building will be completed within 42 months of the date of issuance of the zoning permit. The scope of the project and extent of site work support support the additional time requested, if the DRB concurs. **Affirmative finding if conditioned.**

#### **Sec. 9.1.18 Timeline for Availability/Phasing of Inclusionary Units for Issuance of Certificate of Occupancy**

Inclusionary units shall be made available for occupancy on approximately the same schedule as a covered project's market units, except that certificates of occupancy for the last 10% of the market units will be withheld until certificates of occupancy have been issued for all inclusionary units. If the project is approved to be constructed in two phases on an extended permit timeline,



certificates of occupancy may be issued on a phased basis consistent with the conditions of approval per Section 9.1.17. **Affirmative finding as conditioned.**

#### **Sec. 10.1.6 Sketch Plan Review**

*Whenever a subdivision is proposed that will create five (5) or more lots or dwelling units, the applicant shall submit sketch plans and data pursuant to Article 3, Section 3.2.1(c) Sketch Plan Review showing existing conditions within the site and its vicinity and the proposed layout and development of the subdivision prior to the preparation of any preliminary and/or final plats.* The proposal was reviewed under four separate Sketch Plan reviews. **Affirmative finding.**

#### **Section 10.1.18 Preliminary Plat Review**

*After sketch plan review if applicable, the applicant may submit an application for Preliminary Plat Review pursuant to requirements specified below and containing any additional information requested by the administrative officer after completion of the sketch plan review.* Zoning amendments relative to subdivision review have largely separated PUDs from Article 10. As no lot will be subdivided as part of the PUD (27 and 49 Fletcher Place boundary line adjustments have already occurred) and no new lots will be created, no subdivision will occur. There will be no requirements for Preliminary and Final Plat review. **Not applicable.**

### **Article 11: Planned Unit Development**

#### **Section 11.1.3 General Requirements and Applicability** (As adopted by City Council 8.10.2015.)

*Any development involving **multiple lots, tracts or parcels of land to be developed as a single entity**, or seeking to place multiple structures and/or uses on a single lot where not otherwise permitted, may be permitted as a PUD subject to the provisions of this Article.*

*A Planned Unit Development may be permitted subject to minimum project size as follows in the following districts:*

*Institutional – no minimum project size.*

*Footnote: Subject to Conditional Use Review pursuant to Article 3, Part 5.*

*This standard allows development of multiple lots with no minimum lot size for a PUD in the Institutional Zone. See Section 3.5.6 for Conditional Use Review standards.*

#### **Section 11.1.4 Modification of Regulations**

*With the approval of the DRB after a public hearing, the following modifications the requirements of the underlying zoning may be altered within a planned unit development:*

- *Density, frontage, lot coverage and setback requirements may be met as calculated across the entire project rather than on an individual lot-by-lot basis.*
- *Required setbacks may apply only to the periphery of the project rather than on an individual lot-by-lot basis;*
- *More than one principal use and more than one principal structure may be permitted on a single lot, and*
- *Buildings may be of varied types including single detached, attached, duplex or apartment construction.*

*Any proposed modifications of regulations shall be listed in a statement accompanying the application submission and such modifications shall be subject to the provisions of Section 11.1.5 and Section 11.1.6.*

Calculations for lot area, intensity of use and setbacks have been provided for 72, 80, 94 and 96 Colchester Avenue. See Table 4.4.4-1. Parking has been calculated for the uses on those lots, in addition to the existing uses. More than one principal use and more than one principal structure are proposed within the PUD. Buildings are of varied types, among which are apartment construction proposed in this application. **Affirmative finding.**

### **Section 11.1.5 Approval Requirements**

*(a) The minimum project size requirements of Section 11.1.3 shall be met;*

There is no minimum project size for a PUD within the Institutional Zone.

*(b) The minimum setbacks required for the district have been met at the periphery of the project;*  
See table 4.4.4-1, above.

*(c) The project shall be subject to design review and site plan review of Article 3, Part 4 and the standards of Article 6.*

See Articles 3 and 6, above.

*(d) The project shall meet the requirements of Article 10 for subdivision review where applicable;*

Not applicable. The boundary line adjustments between 80 Colchester Avenue, 27 and 49 Fletcher Place have been finalized. No subdivision will occur as part of this application.

*(e) Density, frontage, and lot coverage requirements of the underlying zoning district have been met as calculated across the entire project;*

See Table 4.4.1 (above.) **Affirmative finding.**

*(f) All other requirements of the underlying zoning district have been met as calculated across the entire project;*

See Section 4.4.4, above. **Affirmative finding.**

*(g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB*

A community garden for the residential units is illustrated on the easterly side of the lot; the entrance promenade and proposed rooftop deck will provide additional common space.

**Affirmative finding.**

*(h) The development plan shall specify reasonable periods within which development of each phase of the planned unit development may be started and shall be completed. Deviation from the required amount of usable open space per dwelling unit may be allowed provided such deviation shall be provided for in other sections of the planned unit development.*

The applicant requests an initial phase of 30 months, with a secondary phase anticipated at 42 months after issuance of the zoning permit. Any proposed phasing plan will need to be approved by the DRB and included as part of decision and conditions. **Affirmative finding as conditioned.**

*(i) The intent as defined in Sec. 11.1.1 is met in a way not detrimental to the city's interests;  
Sec. 11.1.1, Intent*

*(a) Promote the most appropriate use of land through flexibility of design and development of land;*

The concept of developing underutilized area behind existing structures is a traditional method of infill and intensification of use where encouraged though the Municipal Development Plan. See Section 3.5.6. (b) 10, above. **Affirmative finding.**

*(b) Facilitate the adequate and economical provision of streets and utilities;*

The proposed new structure can be served by extended access road(s) within the site and utilizing public utilities. **Affirmative finding as conditioned.**

*(c) Preserve the natural and scenic qualities of open space;*

The natural area/open space to the north will be retained and visible from many of the proposed residences within the new development. The revised site plan has re-aligned the building mass to provide greater exposure for vistas to that natural area. **Affirmative finding.**

*(d) Provide for a variety of housing types;*

The new units will be one bedroom or studio units, to satisfy demand for housing for professionals. **Affirmative finding.**

*(e) Provide a method of development for existing parcels which because of physical, topographical, or geological conditions could not otherwise be developed;*

The project area retains an existing amount of infrastructure, buildings and use that front Colchester Avenue. The ravine area to the north will be partially annexed as part of the PUD; appending the land area to allow for greater development and density within the buildable area of the collective parcels but avoiding the sensitive area to the north. **Affirmative finding.**

And;

*(f) Achieve a high level of design qualities and amenities.*

As proposed, the building design proposes intensifying the density with construction of a single connected residential building. The building is articulated with differentiated materials and building planes; welcoming building entrances, porches and balconies. Customary residential appurtenances like porches, patios, breezeways, gardens, pergolas, play areas, or clotheslines are recommended for inclusion, as typical and welcome amenities for attractive residential complexes, particularly within established neighborhoods. **Affirmative finding.**

*(j) The proposed development shall be consistent with the Municipal Development Plan  
See Sec. 3.5.6 (b) 10.*

(k) Any proposed accessory uses and facilities shall meet the requirements of Section 11.1.6 below.

#### **Section 11.1.6 Accessory Facilities**

- (a) A planned unit development may contain a building or buildings intended for non-residential uses, such as but not limited to a community center, recreation facility, and child care center and/or business office if the DRB determines that such use or uses are compatible with the intended principle residential use.

The applicant has suggested the option to convert 94 Colchester Avenue to a business office associated with the management of the new residential units. Inclusion of any accessory facilities shall be confirmed with the DRB for appropriate review and permit issuance.

#### **Affirmative finding as conditioned.**

- (b) A planned unit development may contain a building or buildings intended for use as a community convenience store if approved by the DRB under the following standards:
1. A determination shall be made by the DRB that the community convenience store will not contribute to parking problems on site or in the surrounding area.
  2. The maximum size of the store is 1000 sq. ft.
  3. Only one sign is permitted limited to the following:
    - A. The maximum size is 4 sq. Ft.
    - B. The sign shall be a parallel sign.
    - C. The sign shall not be illuminated.
    - D. No window signs, temporary or permanent shall be allowed.
    - E. No freestanding signs on the site or within the street ROW are allowed.
  4. No outside storage or displays or vending machines, except for a telephone and a screened dumpster, is allowed.
  5. There shall be no exterior service windows or exterior ATM's allowed.
  6. There shall be no gas pumps allowed.
  7. The building(s), sign and site for any such store shall be subject to the development review criteria under Article 6.
  8. Parking shall be in back or at the side of the community convenience store building with the building oriented for pedestrian access.

The applicant has not suggested the inclusion of a community store in the PUD. Not applicable.

#### **If considered for approval, Recommended Conditions of Approval:**

1. Impacts shall be paid based on the gross new area, and paid at least seven days prior to the occupancy of any part of the building. Based upon submitted gross new area, impact fees are estimated to be:

SF of  
Project 77,222

| Department | Residential |           |
|------------|-------------|-----------|
|            | Rate        | Fee       |
| Traffic    | 0.190       | 14,672.18 |



|              |              |                      |
|--------------|--------------|----------------------|
| Fire         | 0.216        | 16,679.95            |
| Police       | 0.043        | 3,320.55             |
| Parks        | 0.723        | 55,831.51            |
| Library      | 0.448        | 34,595.46            |
| Schools      | 0.934        | 72,125.35            |
| <b>Total</b> | <b>2.554</b> | <b>\$ 197,225.00</b> |

Said fees may be waived in whole or in part based on the number of inclusionary housing units. Any waiver shall be substantiated by the Housing Trust Fund Manager and formalized with a letter of compliance from that office.

2. Per Zoning Amendment ZA17-03 / Section 2.7.8, all expired zoning permits issued after July 1989 for any of the involved parcels (66, 72, 80, 94, 96 Colchester Avenue) shall be closed out and Certificates of Occupancy issued **prior to issuance of any FCO** for this permit.<sup>2</sup>
3. **Prior to release of the zoning permit**, a letter from DPW shall be submitted supporting the adequacy of the traffic memorandum for redevelopment of this project.
4. **Prior to release of the zoning permit**, written assurance of adequate waste and water capacity shall be provided.
5. **Prior to release of the zoning permit**, a revised photometric shall be submitted correcting the high illumination levels at building entrances.
6. **If approved by the DRB**, a phasing schedule shall be included as follows: Either the north or south building will be constructed first within a timeline of 30 months from the date of issuance of the zoning permit. The remaining, connected building will be constructed within 42 months from the date of issuance of the zoning permit.
7. Unless altered by the DRB, hours of construction are limited to M-F 7:00 am to 5:30 pm, with Saturday hours restricted to interior work. No work shall occur on Sundays.
8. Approval for the adequacy of the inclusionary units will be required from the manager of the city's Housing Trust Fund.
9. It is recommended that the garage behind 72 Colchester Avenue, if approved for demolition, is photo-documented in color imagining as a record to be archived in the zoning file. Similarly, the applicant is encouraged to sell or reclaim the structure and all historic building materials, or permit others to safely salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant will be required to advertise the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.
10. For the 75 new units, **19 long term spaces, and 8 short term bike parking spaces** must be defined. **Two (2) additional bicycle parking spaces** must be provided to meet the conditions of ZP15-0042CA/CU, Hillel.) The bicycle rack near 72 Colchester Avenue must accommodate at least **10 short term bicycle parking spaces**.

---

<sup>2</sup> ZA 17-03, Section 2.7.8: *The administrative officer is also authorized to deny all zoning permits for any property with an expired zoning permit without a final certificate of occupancy. Instead of withholding or denying a zoning permit, the administrative officer may grant such permit subject to the condition that the uncorrected zoning violation is corrected or the expired zoning permit is closed out with a final certificate of occupancy. Such action(s) shall take place before the issuance of a final certificate of occupancy on the new permit.*

11. An elevation of the proposed dumpster enclosure, demonstrating improved design as recommended by the DAB, shall be submitted for staff review and approval **prior to release of the zoning permit.**
12. The easterly access drive (next to 96 Colchester Avenue) shall be identified as ingress only.
13. Easements will be required for all involved parcels to assure adequate parking and circulation throughout the site.
14. Parking lots shall have appropriate barriers to prevent vehicular trespass onto greenspace and parking lot creep. Such barriers (curb stops, landscaping, fencing) shall be defined.
15. Two parking spaces on the east side of the parking circle shall be pulled back to assure the minimum 5' side yard setback, and marked as "Compact Spaces Only." [Confirmed, Plan C204 and L101.]
16. New construction must commence within 6 months of the removal of the accessory garage.
17. The applicant shall define the extent of use proposed for 94 Colchester Avenue. An accessory facility for property management has been suggested and may be included within this permit review.
18. All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
19. 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.**



City of Burlington  
Department of Public Works

Technical Services Engineering Division  
645 Pine Street, Suite A  
Burlington, VT 05402  
P 802-863-9094 / F 802-863-0466 / TTY 802-863-0450  
[www.burlingtonvt.gov/DPW](http://www.burlingtonvt.gov/DPW)

---

**To:** *City of Burlington Planning & Zoning  
Frank Von Turkovich*

**From:** *Norman J. Baldwin P.E. – City Engineer/Ass't Director, DPW  
Laura K. Wheelock P.E. - Public Works Engineer, DPW*

**Subject:** *ZP17-0388CA/MA; 66, 72, 80, 94 and 96 Colchester Avenue;  
27 and 49 Fletcher Place*

---

The Department of Public Works (DPW) has reviewed the plans and traffic memo prepared for this project and have the following comments

**Traffic Impact Assessment (TIA):**

DPW has requested that the applicant follow up with DPW with a signal analysis to review the levels of service and confirm turn lane configurations shown on the revised plans dated 1/27/17 are adequate to address project traffic. The traffic memo shall address any new vehicular or pedestrian infrastructure enhancements that are needed to support the new leg of the intersection. Those costs shall be the responsibility of the applicant.

**Progress Plans Dated 1/27/2017:**

DPW reviewed the project plans for impacts on Colchester Ave and have the following comments:

- Driveway access to the project site should be at grade as shown at the western signalized entrance, and include a high visibility crosswalk across the project's drive approach to the intersection.
- ADA detectible warning plates and curb ramps shall be installed at the signalized project drive approach. The eastern entrance only shall remain as a driveway access where sidewalk crosses the driveway.
- Bike lane marking consistent with DPW standards shall be used at the signal.
- Curb radius entering the signalized western project drive shall be 15' per DPW standard unless otherwise waived by DPW.
- Applicant shall work with DPW for the location of the existing eastern crosswalk on Colchester Ave and the curb ramp for that crosswalk relative to the work to construct the project's drive.

Should you have any questions please contact me at [LWheelock@burlingtonvt.gov](mailto:LWheelock@burlingtonvt.gov) or 540-0397.

February 22, 2017

Ed von Turkovich  
Colchester Avenue Housing, LLC  
41 Brewer Parkway  
South Burlington, VT 05403

Dear Ed,

Thank you for your interest in partnering with CarShare Vermont to include a pod at your proposed housing development on Colchester Ave. We are pleased that you would like to host a vehicle onsite and potentially help subsidize membership costs for your tenants. We share your belief that carsharing is an excellent amenity for your project, providing your future tenants, visitors, and neighbors with a sound alternative to owning a vehicle. Each of our vehicles is estimated to help remove 15 from the road as nearly 60% of our members shed (or opt not to replace) their personally owned vehicles. Our members also reduce the amount they drive by more than 30%, reducing traffic and pollution.

I applaud your effort to attract car-light residents to your project by offering carsharing and unbundling parking from apartment leases. Your location is also perfectly situated to encourage walking, biking, and transit use, especially for employees of two of the region's largest employers—UVM and the UVM Medical Center.

Again, thank you for your interest in making CarShare Vermont available at Colchester Ave. We look forward to partnering with you!

Sincerely,



Annie Bourdon  
Executive Director





## Mary O'Neil

---

**From:** Theresa Lefebvre <trlefebvre@comcast.net>  
**Sent:** Wednesday, March 01, 2017 4:59 PM  
**To:** Mary O'Neil  
**Subject:** Colchester Avenue Project

Hello Mary,

I am writing to you to express my concerns about the Colchester Avenue development project being proposed at Colchester Avenue and Fletcher Place. I would appreciate your posting this email to be included with public comments on this issue.

I live in a condominium at River Watch on Riverside Avenue. This is just down the hill from Fletcher Place. Currently we have a problem with storm water run-off. There is a catch basin on the River Watch property that is supposed to hold and filter run-off. However, since this complex was built, there has also been increased construction on the hills above us. The catch basin was cleaned two years ago at a cost of more than \$13,000.00. It appears that it may need to be cleaned out again this year. Currently the cost of this clean-up is the sole responsibility of the homeowners at River Watch. I am very concerned that additional building on the hill above River Watch will result in soil erosion and additional storm water run-off.

Another concern I have is that there has been dumping on one of the properties at Fletcher Place for many, many years. No one knows what has been dumped there, not even the former owner of the property, and up until now the developer has refused to do any soil testing.

Another concern is the loss of wetlands and green space. We have far too little green space left in Burlington. Building a 75-unit complex will eliminate even more. Without this green space, even more storm water run-off will be coming down into the River Watch complex.

My final concern is what a development of this size will do to the traffic on Colchester Avenue. The developer is saying there will be little impact, but I find that very hard to believe. Adding 75 additional vehicles going in and out near the hospital entrance will have a large, negative impact on traffic.

I do not have an objection to development at Fletcher Place; however, I am deeply concerned that the current proposed project is far too large for the size of the property.

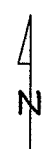
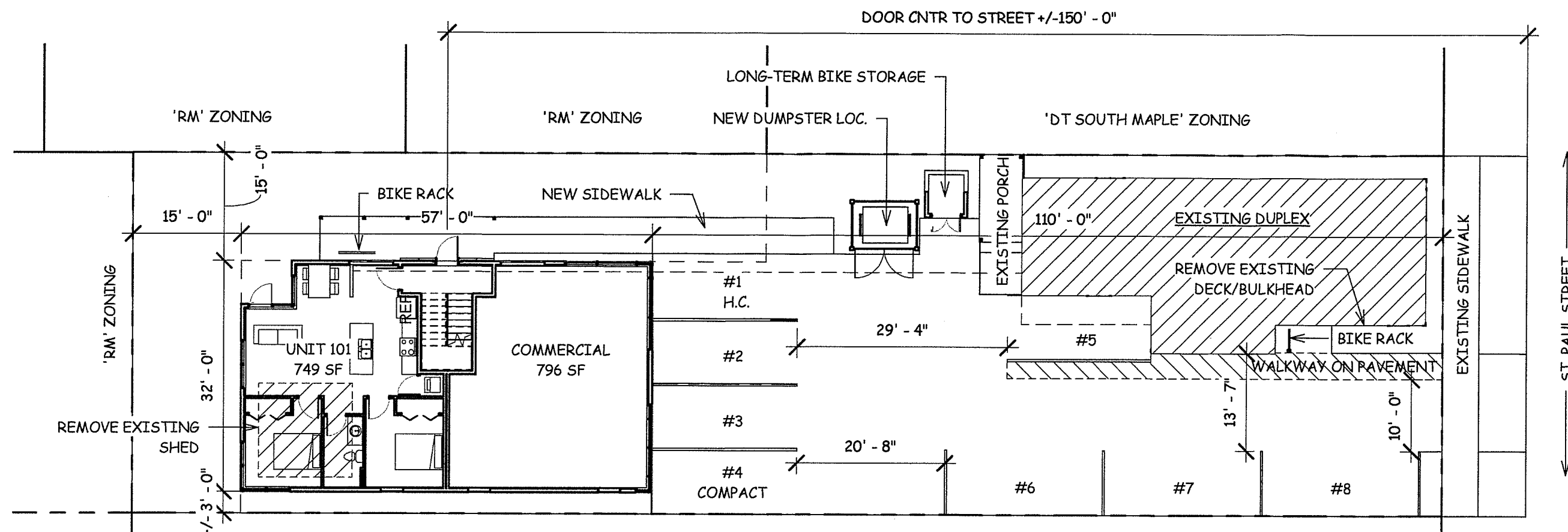
Thank you for your assistance.

Theresa R. Lefebvre

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JAN 23 2017  
DEPARTMENT OF  
PLANNING & ZONING







① Schematic Site  
1/16" = 1'-0"

# PHASE #1

## SITE INFORMATION:

LOT SIZE - 9,100 SF (0.21 ACRES)  
EXISTING DUPLEX - 1,141 SF  
EXISTING DRIVE/PARKING - 1,359 SF  
EXISTING CONC. PADS/WALKS - 183 SF  
NEW BUILDING - 1,778 SF  
NEW DRIVE/PARKING - 3,347 SF  
NEW SIDEWALK - 400 SF  
DUMPSTER/BIKE STORAGE - 103 SF  
TOTAL PROPOSED COVERAGE - 6,769 SF (74%)

FRONT SET-BACK - 12'-0" FROM CURB OR 0'-0" FROM PROP. LINE, WHICHEVER IS GREATER  
SIDE/REAR SET-BACK - 0'-0" FROM DT ZONING  
SIDE/REAR SET-BACK - 15'-0" FROM RM ZONING  
1 PARKING SPACE/RESIDENTIAL UNIT REQUIRED  
MIN. 10'-0" REQUIRED FOR SINGLE LANE TRAFFIC  
MAX LOT COVERAGE - 80% IN DT SOUTH MAPLE ZONE

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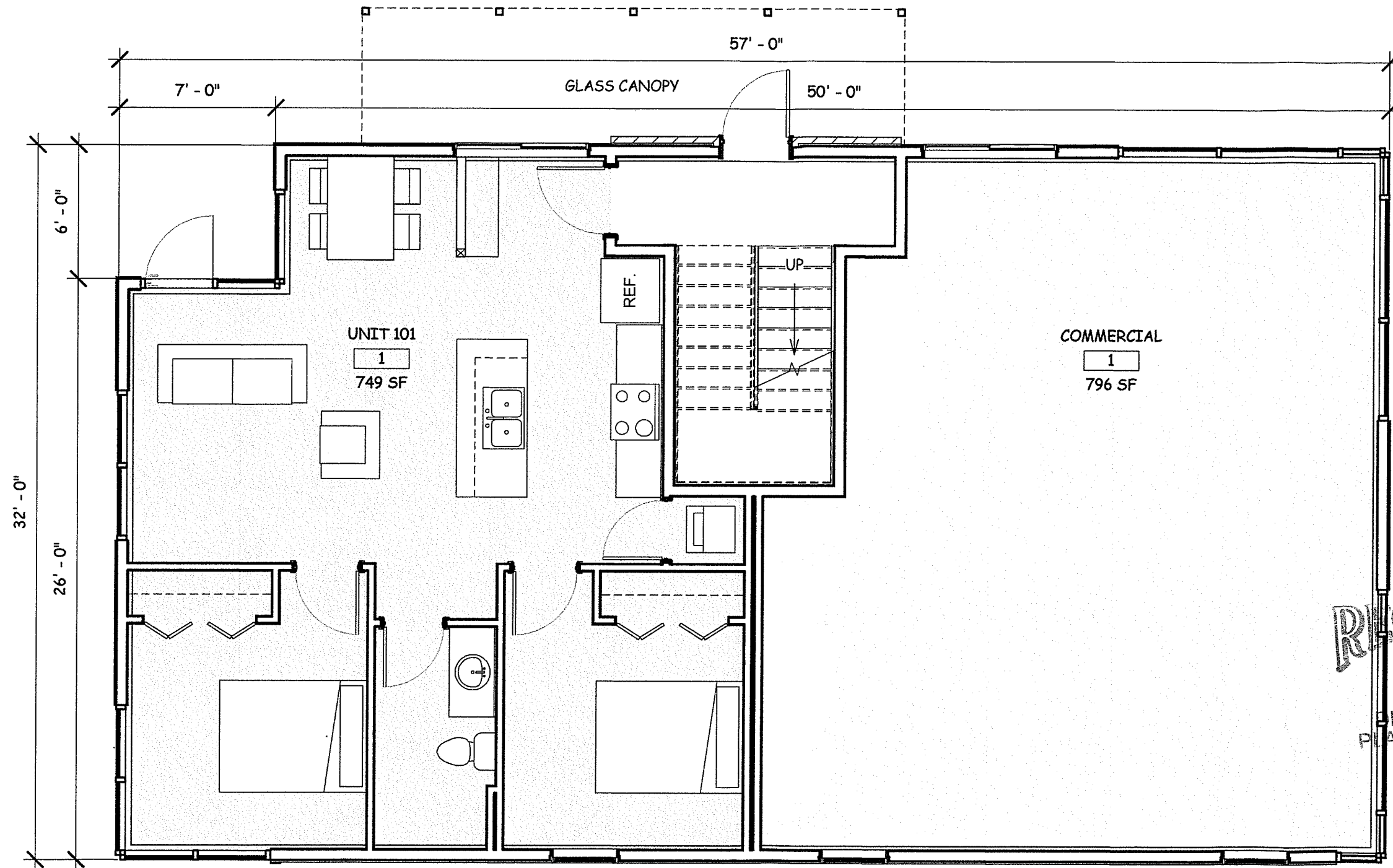


PHASE #1  
221 ST. PAUL STREET  
BURLINGTON, VERMONT

SCALE: 1/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: WGI  
CHECKED BY: SG  
PROJECT: 221 PAUL

SHEET TITLE:  
SCHEMATIC  
SITE PLAN

A-1



① First Floor  
3/16" = 1'-0"

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DATE: 1/12/2017  
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CHECKED BY: SG  
PROJECT: 221 PAUL

SHEET TITLE:  
PROPOSED  
FLOOR PLAN

A-2





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BURLINGTON, VERMONT

SCALE: 3/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: BH/WG  
CHECKED BY: SG  
PROJECT: 221 PAUL

SHEET TITLE:  
EAST  
ELEVATION

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A-3





① West  
3/16" = 1'-0"

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(802) 497-0885 info@g4designstudios.com

PHASE #1  
221 ST. PAUL STREET  
BURLINGTON, VERMONT

SCALE: 3/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: BH/WG  
CHECKED BY: SG  
PROJECT: 221 PAUL

SHEET TITLE:  
WEST  
ELEVATION





① South  
3/16" = 1'-0"

WALL AREA: 1,669 SF  
GLAZED AREA: 249 SF  
% GLAZING: 14.9%

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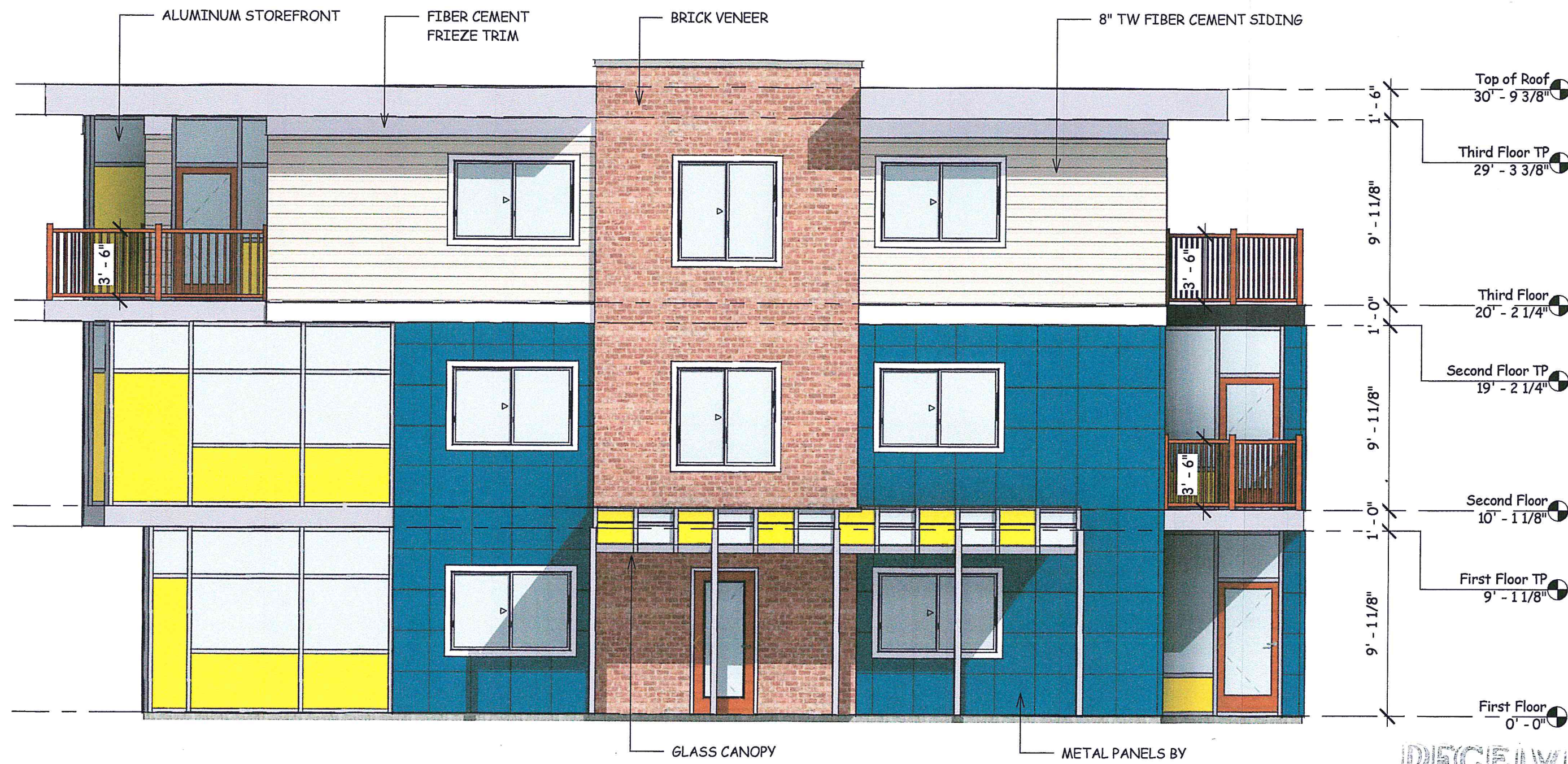
PHASE #1  
221 ST. PAUL STREET  
BURLINGTON, VERMONT

SCALE: 3/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: BH/WGI  
CHECKED BY: SG  
PROJECT: 221 PAUL

SHEET TITLE:  
SOUTH  
ELEVATION

A-5





① North  
3/16" = 1'-0"

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PHASE #1  
221 ST. PAUL STREET  
BURLINGTON, VERMONT

SCALE: 3/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: BH/WGI  
CHECKED BY: SG  
PROJECT: 221 PAUL

SHEET TITLE:  
NORTH  
ELEVATION

A-6



**Scott Gustin**

---

**Subject:** FW: 221-223 St. Paul

**From:** Donald Sligh [<mailto:slishdf@plattsburgh.edu>]

**Sent:** Monday, February 20, 2017 1:39 PM

**To:** Mary O'Neil <[MCOneil@burlingtonvt.gov](mailto:MCOneil@burlingtonvt.gov)>

**Cc:** [erica.donnis@gmail.com](mailto:erica.donnis@gmail.com)

**Subject:** 221-223 St. Paul

Mary,

I got the memo about the March 8th DRB meeting concerning the 221-223 St. Paul re-development. I'd like to come but it's hard to get to a 5:00 meeting since I work in Plattsburgh.

I have one concern I'd like to express. As you probably know, I have a 4-unit apartment building (with between 8-10 residents at any time) 2 houses up from this. Unfortunately, I only have space on my property for 2 parking spots. The Champlain College development at the Eagle's Club site already really worries me; they assured residents that their students will park in an off campus site, but will they? I hope so and I hope they police it.

In the plan for 221-223 St. Paul, adding another 4 apartments (to the current 4) and 2 commercial spaces, how will this affect parking? Do they have onsite parking built in to the plan? If so where? I know it's a deeper lot than mine but it is very narrow. How do they plan to put 2 buildings and 8 parking spaces on the given lot?

This really worries me because if my residents have no where to park, I won't be able to rent these apartments out.

Thanks for listening,

Don Sligh

Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.



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JAN 23 2017

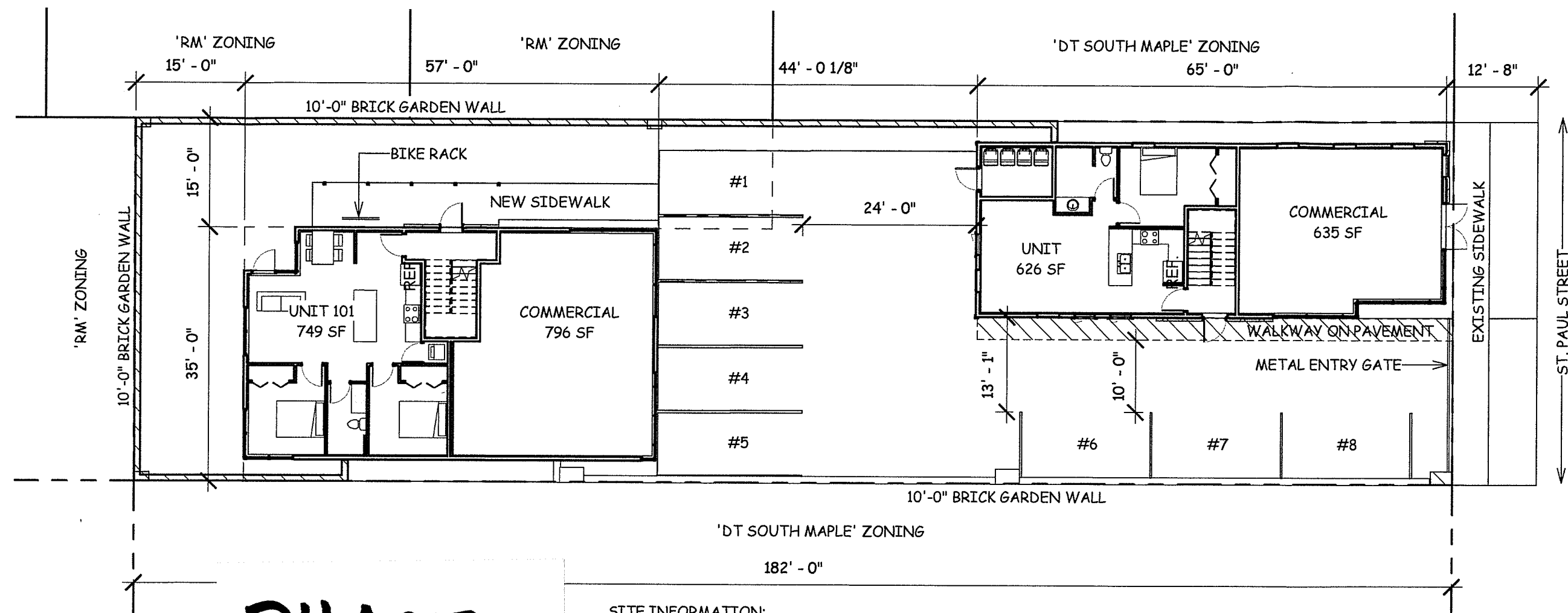
DEPARTMENT OF  
PLANNING & ZONING











① Schematic Site  
1/16" = 1'-0"

# PHASE #2

## SITE INFORMATION:

LOT SIZE - 9,100 SF (0.21 ACRES)

EXISTING DUPLEX - 1,141 SF

EXISTING DRIVE/PARKING - 3,347 SF

EXISTING CONC. PADS/WALKS - 183 SF

PHASE #1 BUILDING - 1,778 SF

PHASE #2 BUILDING - 1,542 SF

NEW DRIVE/PARKING - 3,529 SF

NEW SIDEWALK - 266 SF

TOTAL PROPOSED COVERAGE - 7,115 SF (78%)

FRONT SET-BACK - 12'-0" FROM CURB OR 0'-0" FROM  
PROP LINE, WHICHEVER IS GREATER

SIDE/REAR SET-BACK - 0'-0" FROM DT ZONING

SIDE/REAR SET-BACK - 15'-0" FROM RM ZONING

1 PARKING SPACE/RESIDENTIAL UNIT REQUIRED

MIN. 10'-0" REQUIRED FOR SINGLE LANE TRAFFIC

MAX LOT COVERAGE - 80% IN DT SOUTH MAPLE ZONE

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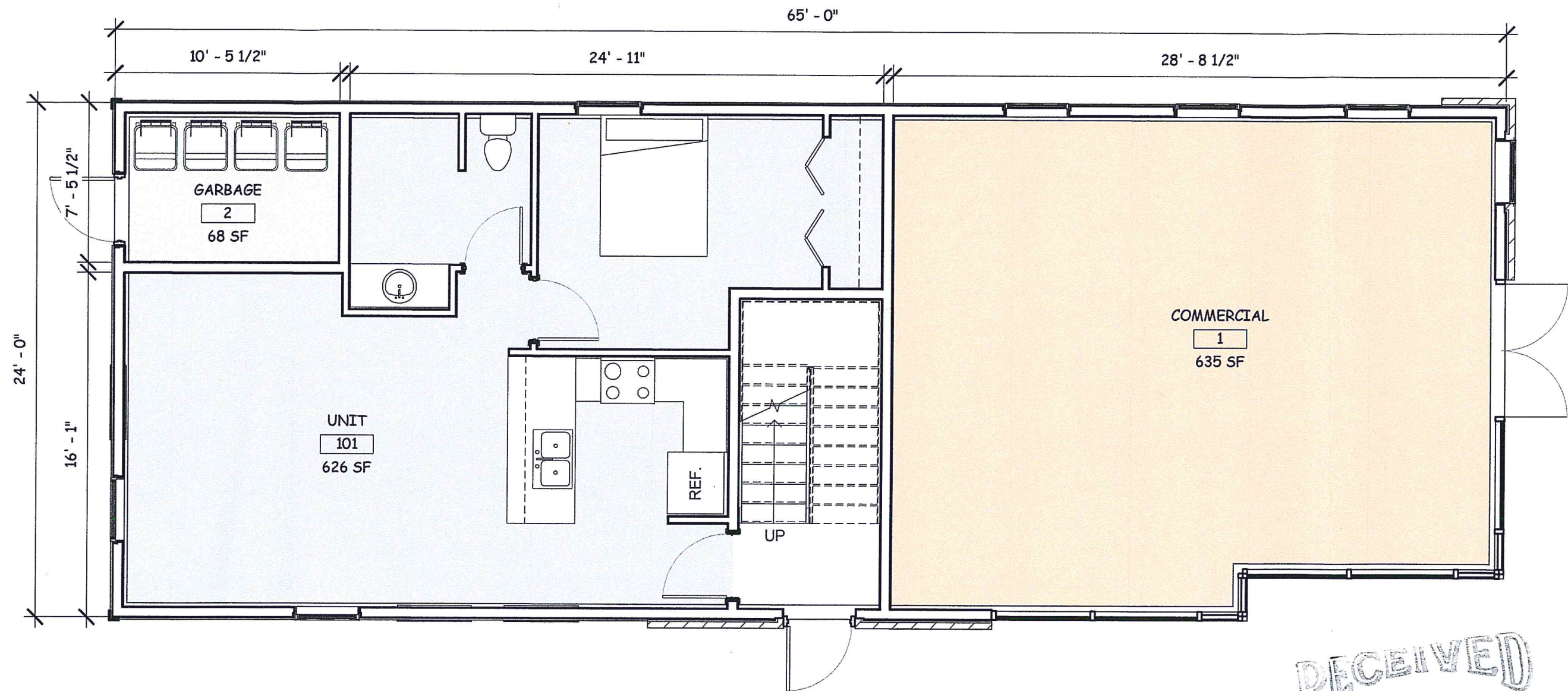
PHASE #2  
221 ST. PAUL STREET  
BURLINGTON, VERMONT

SCALE: 1/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: WGI  
CHECKED BY: SG  
PROJECT: 221 PAUL

SHEET TITLE:  
SCHEMATIC  
SITE PLAN

A-1





1 First Floor  
3/16" = 1'-0"

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BURLINGTON, VERMONT

SCALE: 3/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: WGI/B  
CHECKED BY: SG  
PROJECT: 221 PAUL

SHEET TITLE:  
PROPOSED  
FLOOR PLAN





① East  
3/16" = 1'-0"

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P: 802-477-1655 F: 802-477-1656

PHASE #2  
221 ST. PAUL STREET  
BURLINGTON, VERMONT

SCALE: 3/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: Author  
CHECKED BY: Checker  
PROJECT: 221PAUL

SHEET TITLE:

EAST  
ELEVATION

A-3

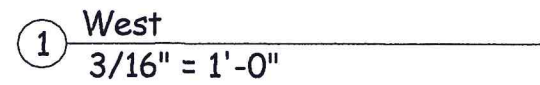




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 77 College Street, Ste. 2A Burlington, VT 05401  
 (P) 802-537-0605 (F) 802-861-3110 [G+designstudios.com](http://G+designstudios.com)

SCALE: 3/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: Author  
CHECKED BY: Checker  
PROJECT: 221 PAUL

A-4



DEPARTMENT OF  
PLANNING & ZONING

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NOT FOR CONSTRUCTION

SCALE: 3/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: Author  
CHECKED BY: Checker  
PROJECT: 221 PAUL





① South  
3/16" = 1'-0"

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JAN 23 2017

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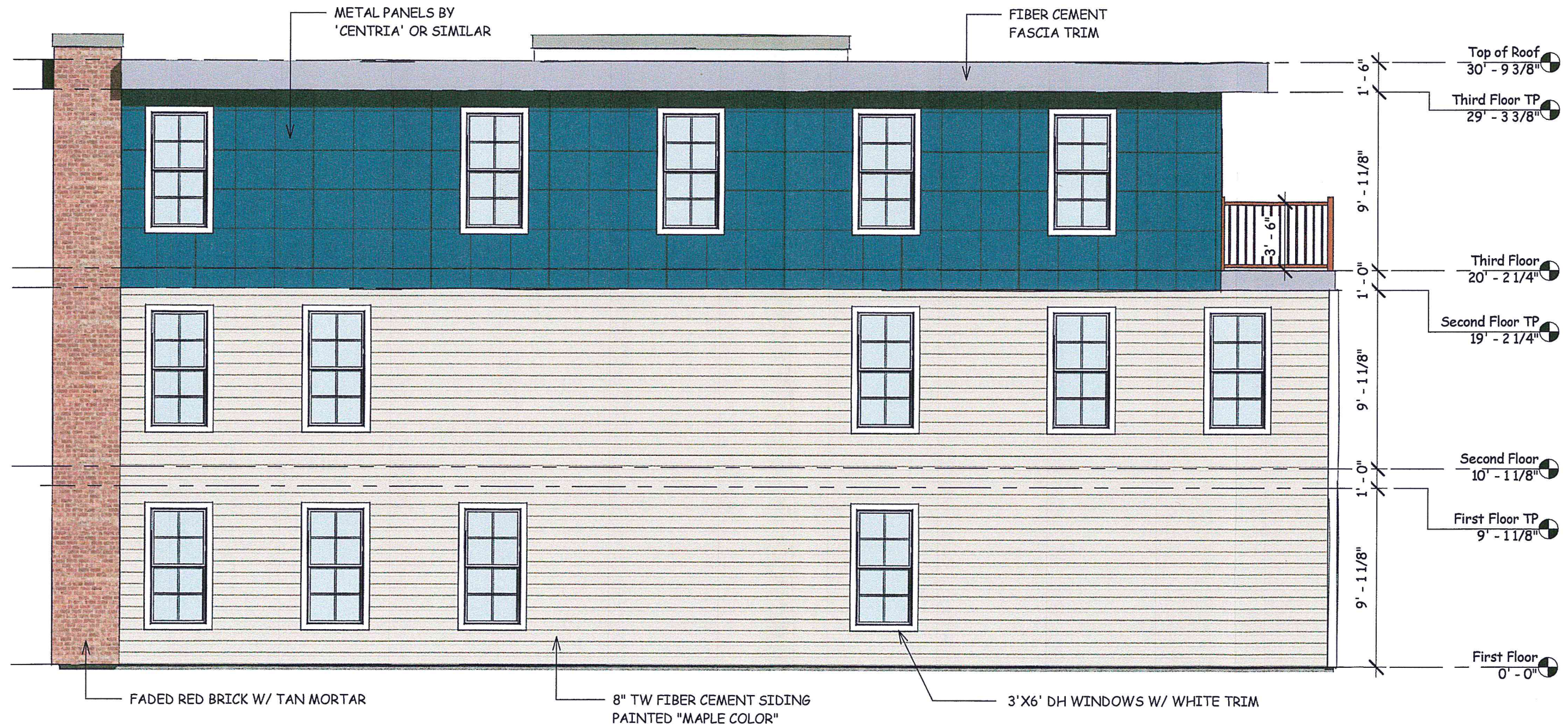
**PHASE #2**  
221 ST. PAUL STREET  
BURLINGTON, VERMONT

SCALE: 3/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: BH/WGI  
CHECKED BY: SG  
PROJECT: 221 PAUL

SHEET TITLE:  
**SOUTH  
ELEVATION**

**A-5**





1 North  
3/16" = 1'-0"

WALL AREA: 1,868 SF  
GLAZED AREA: 252 SF  
% GLAZING: 13.5%

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PHASE #2  
221 ST. PAUL STREET  
BURLINGTON, VERMONT

SCALE: 3/16" = 1'-0"  
DATE: 1/12/2017  
DRAWN BY: BH/WGI  
CHECKED BY: SG  
PROJECT: 221 PAUL

SHEET TITLE:  
NORTH  
ELEVATION

A-6



## Department of Planning and Zoning

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

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



**TO:** Development Review Board  
**FROM:** Scott Gustin  
**DATE:** March 8, 2017  
**RE:** 17-0731SP; 221-223 St. Paul Street

=====

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

Zone: DT Ward: 5S

Owner/Applicant: Dennis Ailor / G4 Design Studios

**Request:** Sketch plan review for demolition of existing duplex and construction of two detached buildings: One with 4 apartments and 1 commercial space, and the other with 4 apartments and 1 commercial space.

### **Applicable Regulations:**

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking), Article 9 (Inclusionary and Replacement Housing)

### **Background Information:**

The applicant is requesting sketch plan review of a 2-phase project to construct 2 new mixed-use buildings with related parking and site improvements. Each building would contain 4 residential apartments and 1 residential space. The first phase would involve constructing 1 of the mixed use buildings at the rear of the lot. The existing duplex at the front of the property would be demolished and replaced with new construction as part of phase 2. As the net new dwelling unit count exceeds 5, both "major impact" and inclusionary zoning requirements apply. Prior to permit application, the applicant must present the project to the local NPA.

**Recommendation:** Not applicable for sketch plan review

## **I. Findings**

### **Article 3: Applications and Reviews**

#### **Part 5, Conditional Use & Major Impact Review:**

#### **Section 3.5.6 (a) Conditional Use Review Standards**

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

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

The proposed development will increase demands on municipal utilities, facilities, and services. However, increases are expected to be comparatively modest. The property is located in the Downtown Transition zone wherein increased intensity of development is anticipated. Should the project eventually be approved, impact fees would be due.

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 above, the property is located in the Downtown Transition (DT) zone, specifically the DT Maple South district. The Downtown Mixed Use zones are intended to form the primary urban center of the city with a diversity uses. Development is supposed to be intense with large tall buildings placed closely together. Dimensional standards within DT Maple South lower the intensity of allowable development as it transitions into the neighboring residential zones. Within all of the Downtown Mixed Use zones, buildings should be oriented towards the street and present a lively pedestrian interface. Commercial uses are recommended along the street level with residential uses above. Parking should be placed within or behind structures. The proposed development is consistent with this intent.

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 residential units will not generate nuisance impacts greater than those produced by other multi-family residential properties in the district. The commercial uses are not specified and must be at the time of permit application.

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 net increase of 6 residential units and 2 small commercial spaces will increase traffic flows to and from the site. Traffic associated with the residential units is expected to be modest, and no undue adverse impacts are anticipated. No assessment of traffic relative to the commercial spaces can be made yet. Commercial uses must be specified before an assessment can be made. In any event, it is unlikely that traffic generation will surpass the 75-trip threshold requiring a comprehensive traffic analysis.

*and,*

5. *The utilization of renewable energy resources;*

No alternative energies are incorporated into the project design. Given the ample solar exposure of the proposed buildings, the applicant is encouraged to consider rooftop solar installation.

*and,*

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

Compliance with building, fire, and energy efficiency codes will be required. A state wastewater permit will also be required. Prior to demolition of the duplex, the applicant must contact the VT Dept. of Health regarding lead and asbestos assessment. The applicant is also advised to contact the District Environmental Commission as to Act 250.

(b) Major Impact Review Standards

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

No stormwater management details are included in the sketch plans. Redevelopment of this property will require implementation of a comprehensive stormwater management plan. Details will be required as part of a permit application.

Air and noise pollution are expected to be minimal. Details as to the commercial uses are needed in order to confirm.

2. *Have sufficient water available for its needs;*

See Sec. 3.5.6 (a) 1.

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

See Sec. 3.5.6 (a) 1.

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

See Sec. 5.5.3.

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

See Sec. 3.5.6 (a) 4.

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

Some of the 8 residential units may provide housing for school-age children. Additional impacts on city schools are expected to be minimal.

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

This project has not yet undergone review by the Technical Review Committee and should. While impacts on municipal services are expected to be modest, they should be addressed insofar as necessary.

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

See Article 6 for effects on significant natural areas, historic buildings, and archaeological significance.

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



The proposed development would bring about intensified development to an underdeveloped property in the city's downtown transitional district. It is located in an area intended for intensified urban development and will have no adverse impact on the city's present or future growth patterns.

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

Details are lacking in the sketch plans. Preliminarily, the application demonstrates conformance with the Municipal Development Plan.

The project is located with a downtown mixed use zone where higher density development is encouraged (Sec. I, Land Use Policies and Sec. IX, Housing Plan Policies).

The proposed development is located in close proximity to the city's Downtown Improvement District, an identified growth area specifically targeted for additional housing and commercial space (Sec. I, Growth Areas).

The development will include ground-level commercial space (Sec. III, Streetscape Design).

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

Details as to unit type are lacking in the sketch plans. Generally, 8 units of housing are proposed in 2 detached structures, resulting in a net gain of 6 units. A mix of unit sizes and price points is encouraged.

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

Residents of the new dwelling units will likely utilize the city's park and recreation facilities. Given the moderate scale of the proposed development, impacts are expected to be small.

*(c) Conditions of Approval:*

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

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

The proposed development is not expected to generate offsite noise or glare substantial enough to require mitigation. Details about the commercial uses are needed in order to confirm.

*2. Time limits for construction.*

The sketch plans outline two project phases. No special time limits are requested. As a result, the standard 2-year timeframe for zoning permits would apply. The permit application must delineate exactly what is included in phase 1 vs. phase 2, including site work.

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

No days or hours of operation for the commercial spaces are noted. Such detail will be required with the zoning permit application.

4. That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions; and,  
Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time.

5. Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.  
Not applicable for sketch plan review.

## **Article 4: Maps & Districts**

### **Sec. 4.4.1, Downtown Mixed Use Districts:**

#### **(a) Purpose**

#### **(2) Downtown Transition District (DT)**

##### **(D) DT Maple South**

The subject property is located in the Downtown Transition (DT) District. As noted previously, the Downtown zones are intended to form the primary urban center of the city with a diversity of uses and intensive development. The proposed construction is consistent with this purpose.

#### **(b) Dimensional Standards & Density**

A FAR of 2 is allowed in the DT Maple South zone. No FAR figure is evident in the sketch plans. This information will be required in the permit application.

There is no lot coverage limit in the DT zone. As proposed, lot coverage will be 78%.

No minimum side yard setbacks apply in the DT zone. This property abuts the Residential Medium Density zone to the west. Therefore, a 15' district setback applies. There is no minimum front yard setback, except that buildings must be 12' from the curb. The sketch plans reflect these setbacks.

The minimum building height in the DT Maple South zone is 30,' and the maximum is 35.' Both buildings are about 31' tall. Note that height of the front building is measured from the public sidewalk. Height for the rear building must be measured from the average finished grade on all sides. Such information will be required in the permit application.

#### **(c) Permitted & Conditional Uses**

The proposed multi-family residential use is permitted in the DT zone. The commercial uses are not specified and must be.

#### **(d) District Specific Regulations**

##### **1. Use Restrictions**

##### **A. Ground Floor Residential Uses Restricted**

Not applicable to the subject property.

##### **2. Public Trust Restrictions**

The subject property is not located within the Public Trust.

##### **3. Facades and Setbacks on Side and Rear Property Lines**

The new rear building is set just 3' from the southern property line, and the existing neighboring building to the south is seemingly within 5' of the property line. There are apparently no windows or doors in the neighboring building facing the new construction. Confirmation is needed. If there are no windows or doors in the neighboring building, the proposed 3' setback is acceptable.

The solid 10' tall brick "garden wall" runs past windows facing north within the adjacent building and conflicts with this criterion. The existing building contains windows facing the subject property and is within 5' of the property line. The proposed brick wall runs along the common property line. Revision is needed.

#### **4. Building Height Setbacks**

##### **A. Principal View Corridors**

The subject property is not located along a principal view corridor.

##### **B. Church Street Buildings**

The subject property is not located along the Church Street Marketplace.

##### **C. Side Street Building Height**

Not applicable to the subject property.

#### **5. Lake Champlain Waterfront Setbacks**

The subject property is not located along the Lake Champlain waterfront.

#### **6. Development Bonuses/Additional Allowances**

None are sought.

### **Article 5: Citywide General Regulations**

#### **Sec. 5.2.3, Lot Coverage Requirements**

See Article 4 above.

#### **Sec. 5.2.4, Buildable Area Calculation**

Not applicable in the DT zone.

#### **Sec. 5.2.5, Setbacks**

See Article 4 above.

#### **Sec. 5.2.6, Building Height Limits**

See Article 4 above.

#### **Sec. 5.2.7, Density and Intensity of Development Calculations**

See Article 4 above.

#### **Sec. 5.5.1, Nuisance Regulations**

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

#### **Sec. 5.5.2, Outdoor Lighting**

No outdoor lighting details are included in the sketch plans. The permit application must include details as to fixture types, locations, and illumination levels.

***Sec. 5.5.3, Stormwater and Erosion Control***

No stormwater management or erosion control details are included in the sketch plans. Redevelopment of this property will require implementation of a comprehensive stormwater management plan and a detailed erosion prevention and sediment control plan. Both will be subject to review and approval by the Conservation Board and the city's stormwater program.

**Article 6: Development Review Standards:**

***Part 1: Land Division Design Standards***

No subdivision or lot line adjustments are sought.

***Part 2, Site Plan Design Standards***

***Sec. 6.2.2, Review Standards***

***(a) Protection of important natural features***

The property does not contain any important natural features as identified in the Open Space Protection Plan or as outlined in Sec. 4.5.4, *Natural Resource Protection Overlay Districts*. The property has minimal peripheral green space. The proposed construction will have no impact on Burlington's diversity of important natural features.

***(b) Topographical alterations***

The property slopes gradually down and away from St. Paul Street. The sketch plans lack grading details. Existing and proposed grading information will be required in the permit application.

***(c) Protection of important public views***

There are no significant public views from or through the subject property. The proposed construction will not adversely impact any identified public view corridor.

***(d) Protection of important cultural resources***

The property has no known archaeological significance. It contains no archaeological site points, nor is it located within an archaeologically sensitive area.

***(e) Supporting the use of alternative energy***

See Sec. 6.3.2 (f).

***(f) Brownfield sites***

The property is not included in the Vermont DEC Hazardous Site List.

***(g) Provide for nature's events***

See Sec. 5.5.3 for stormwater management.

There is no obvious provision for snow storage onsite. Storage and/or removal of snow must be addressed in the permit application. Building entries do not appear to be sheltered in any way. Inclusion of canopies or other similar building features over the entries is recommended.

***(h) Building location and orientation***

The newly proposed front building is set close to the front property line, similar to the existing duplex and reinforces the streetscape along this stretch of St. Paul Street. The front entrance faces



St. Paul Street and provides access into the ground floor commercial unit. While it faces the street, this front entry could benefit from further embellishment.

The rear building is set back from the street by necessity. Per this criterion, it should still present its front entry towards the street. As proposed, there is no street-facing entry on this rear building. Revision is needed in order to reorient this building towards St. Paul Street with a clearly defined front entry.

*(i) Vehicular access*

A single point of access will serve the property as is presently the case. While sufficient for the existing duplex, a single lane (10'-wide) driveway may prove problematic in serving 8 apartments and 2 commercial spaces. See Sec. 6.2.2 (l) below for dimensional info.

*(j) Pedestrian access*

The front entrance of the front building opens onto the public sidewalk. A walkway on pavement is depicted to the south of this front building. It will afford pedestrian access into the site. Details are lacking in the sketch plans. Simply striping the pavement is insufficient. This criterion calls for physical separation of pedestrian and vehicular circulation. A new walkway extending from the back of the parking area will serve the rear building.

*(k) Accessibility for the handicapped*

No handicap parking spaces are evident in the sketch plans. Whether any are required is not clear. This item must be resolved prior to permit application. It is the applicant's responsibility to comply with all applicable ADA requirements.

*(l) Parking and circulation*

Parking is set to the side or behind the front building. Due to project layout, all of the parking is located in front of the rear building. There are myriad ways to lay out the proposed buildings and parking. Consideration should be given to relocating the rear building in order to place the parking behind, or beside, it. This criterion calls for street-level parking in a Downtown Mixed Use zone to be set back from the front property line in order to provide space for active pedestrian uses. The parking observes a small setback from the front property line; however, there is no provision for pedestrian activation. In fact, there is a solid 10' brick wall and metal entry gate precluding any access into this space at all. This interface with the street needs to be reconsidered and reworked.

The angled parking spaces (1-5) are dimensionally compliant at 9' X 20' with sufficient 24' backup distance. The parallel parking spaces (6-8) are undersized at 9' X 18'. Even compact cars require a 20' length for parallel arrangement. There appears to be sufficient room to extend these spaces to 20' – 22' length as required.

No curbing or curb stops are evident in the sketch plans and must be included in the project design upon permit application.

A single bike rack is located by the entry to the new rear building. See Article 8 for additional comments.

*(m) Landscaping and fences*

No landscaping plan is included in the sketch plans; however, some greenery is depicted in the perspective drawings. The permit application must include a comprehensive landscaping plan with details as to plant sizes, species, and locations.

A 10' tall solid brick "garden wall" encloses much of the property. This feature goes well beyond anything that could be considered a fence. It serves to isolate the property from its surroundings and is plainly discordant with the context of the neighborhood and use of the property.

*(n) Public plazas and open space*

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

*(o) Outdoor lighting*

See Sec. 5.5.2.

*(p) Integrate infrastructure into the design*

No ground-mounted mechanical equipment is apparent in the sketch plans. If any is proposed, it must be depicted and screened on the permit application plans. Interior space for trash receptacles is depicted in the new front building. No such feature is evident for the rear building. An outdoor dumpster is depicted for use in phase 1 (prior to construction of the front building). Screening details are lacking. Provision for mailboxes needs to be made.

**Part 3, Architectural Design Standards**

**Sec. 6.3.2, Review Standards**

*(a) Relate development to its environment*

*1. Massing, Height, and Scale*

The massing, height, and scale of the two proposed buildings are very similar. Both are rectangular boxes that share a similar materials palette, fenestration, and angularity. Their mass is well within the context of neighboring buildings, as is their height. While not especially large to begin with, both buildings incorporate a variety of cladding, recesses, projections, and other building features to define individual building sections.

*2. Roofs and Rooflines*

Both buildings are flat-roofed. This roof style complements the overall appearance of the new structures and is common in Burlington's Downtown Mixed Use zones.

*3. Building Openings*

Both buildings share a similar fenestration pattern. While there is varying detail, the fenestration exhibits a rectangularity consistent with the overall design theme of the two buildings.

*(b) Protection of important architectural resources*

The existing duplex is not on an historic register, nor is it eligible for listing. Its demolition and replacement with new construction will not adversely impact Burlington's historic resources.

*(c) Protection of important public views*

See 6.2.2 (c) above.

*(d) Provide an active and inviting street edge*

The front building presents its primary façade to the street. As noted above, its front entry provides direct access to the public sidewalk along St. Paul Street. Although the orientation is correct, the front entry could benefit from additional emphasis and shelter from the elements. The rest of the front façade successfully incorporates a variety of materials and varying building planes in its presentation to the street. Ground level storefront glazing provides visual access into the commercial space. Large undifferentiated building walls are avoided.

*(e) Quality of materials*

The materials palette consists primarily of metal panels, fiber cement board, glazing, and brick. Roofing is not indicated but is assumed to be membrane. Wooden railings are proposed. Corners appear to be metal sheathing, although the corners where fiber cement siding is used are not specified and must be. Overall, the proposed materials palette is acceptable for this new construction.

*(f) Reduce energy utilization*

No energy details are included in the sketch plans. The new building must comply with the current energy efficiency requirements of the city and state.

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

No advertising features are included in this project. There is a large “221” on the proposed entry gate. It is seemingly large enough to be considered a sign (i.e. > 2 sf), but the gate should be deleted in any event.

*(h) Integrate infrastructure into the building design*

As noted above, one of the buildings contains interior space for trash. Whether this space will serve both buildings is unclear. No roof mounted or other exterior mechanical equipment is noted on the sketch plans. Any such equipment, if proposed, must be depicted on the project plans and screened upon permit application.

*(i) Make spaces safe and secure*

Insufficient detail is provided in the sketch plans to address this criterion. Review by the Technical Review Committee is recommended.

## **Article 8: Parking**

### ***Sec. 8.1.8, Minimum Off-Street Parking Requirements***

The subject property is located in the downtown parking district. As a result, each one of the residential units requires 1 parking space. In this case, the 8 apartments require 8 parking spaces. No commercial use is specified; therefore, no minimum parking requirement can be assessed. As proposed, 8 spaces will be provided. Obviously, this leaves 0 onsite parking for the commercial spaces. There are some commercial uses that have no minimum parking requirement in the downtown parking district; however, detail as to the proposed commercial uses is needed in order to make this assessment.

### ***Sec. 8.1.9, Maximum Parking Spaces***

This section limits surface parking to 125% of the Neighborhood Parking District minimum parking requirement. As only 8 parking spaces are proposed – the minimum required for just the apartments – this limitation is not approached.

**Sec. 8.1.10, Off-Street Loading Requirements**

Not applicable in the downtown parking zone.

**Sec. 8.1.11, Parking Dimensional Requirements**

See Sec. 6.2.2 (l).

**Sec. 8.1.12, Limitations, Location, Use of Facilities**

*(a) Offsite parking facilities*

**(Not applicable)**

*(b) Downtown street level setback*

See Sec. 6.2.2 (l).

*(c) Front yard parking restricted*

**(Not applicable)**

*(d) Shared parking in the Neighborhood Parking Districts*

**(Not applicable)**

*(e) Single story structures in Shared Use Districts*

**(Not applicable)**

*(f) Joint use of facilities*

The proposed parking is the minimum required for the residential apartments. If the commercial uses require parking, presumably a shared parking arrangement would be proposed. Additional detail is needed at the time of permit application.

*(g) Availability of facilities*

Nothing in the sketch plans indicate that the proposed parking will be used for the storage or display of vehicles or materials by offsite users.

*(h) Compact car parking*

See Sec. 6.2.2 (l).

**Sec. 8.1.13, Parking for Disabled Persons**

No handicap parking spaces are indicated on the sketch plans. If required under the applicable ADA standards, the project plans must depict handicap parking at the time of permit application.

**Sec. 8.1.14, Stacked and Tandem Parking Restrictions**

**(Not applicable)**

**Sec. 8.1.15, Waivers from Parking Requirements / Parking Management Plans**

No waiver is sought. Depending on the proposed commercial uses, a parking waiver may be needed if onsite parking is required for one or both of the commercial uses.

**Sec. 8.2.5, Bicycle Parking Requirements**



Very little bike parking detail is included in the sketch plans. An undefined bike rack is depicted next to the rear building. An exterior (but enclosed?) long term bike storage unit is depicted behind the existing duplex in phase 1 but is not evident in the phase 2 plans.

In any event, the 8 apartments will require at least 1 short term space and 2 long term spaces. Requirements for the commercial spaces cannot yet be determined.

## **Article 9: Inclusionary and Replacement Housing**

### ***Sec. 9.1.5, Applicability***

As the proposed development includes more than 5 new dwelling units, it is subject to the inclusionary housing provisions of Article 9. Per Table 9.1.8-1, *Inclusionary Zoning Percentages*, 15% of the total unit count typically must be inclusionary (15% of 8 is 1 dwelling unit) in the DT zone. No details for inclusionary housing are included in the sketch plans and must be incorporated into the permit application materials. The inclusionary unit must be made available early in the construction rather than at the end.

### ***Sec. 9.1.12, Additional Density and Other Development Allowances***

None are sought.

### ***Sec. 9.1.17, Review of Proposal for Phasing***

See Sec. 3.5.6 (c) 2.

## **II. Conditions of Approval**

Not applicable for sketch plan review.

## **Burlington Development Review Board**

149 Church Street, City Hall  
Burlington, VT 05401

[www.burlingtonvt.gov/pz/DRB](http://www.burlingtonvt.gov/pz/DRB)

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



### **BURLINGTON DEVELOPMENT REVIEW BOARD Wednesday March 8, 2017, 5:00 PM Contois Auditorium, City Hall, 149 Church St, Burlington, VT Minutes**

**Board Members Present:** Brad Rabinowitz, Israel Smith, Alexandra Zipparo, A.J.LaRosa, Wayne Senville, Geoff Hand,

**Board Members Absent:** Robert Purvee

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

#### **I. Agenda**

M.O'Neil: applicant has asked to defer 66,72,80,94,96 Colchester Avenue for April 18<sup>th</sup> to complete traffic study.

W.Senville: motion for deferral to April 18<sup>th</sup>.

AJLaRosa: seconds the motion

Board Vote: 5-1 (one abstention)

#### **II. Communications**

#### **III. Minutes**

#### **IV. Consent**

1. **17-0751HO/CU; 1437 North Ave (RL, Ward 4N) Khuyen Tran**  
Home occupation for a Hair Salon. (Project Manager, Ryan Morrison)

B.Rabinowitz: asks applicant if applicant had seen staff conditions and recommendations.

K.Tran: confirms she has received and reviewed staff report and is okay with conditions.

B.Rabinowitz: mentions the one supplemental and asks applicant if she has seen it.

Asks Board members for approval as consent item.

K.Tran: reviews supplemental letter.

WSenville: asks about the supplemental letter.

RMorrison: said there are spaces for off street parking, two for unit and one additional space, which meets requirements for adequate parking.

A.Hart: understands the limit is one customer at a time.

A.Hart: questions hours of operation for HO.

R.Morrison: open 5 to 7 days a week.

I.Smith: motion to adopt staff findings and approve recommendations.

G.Hand: seconds the motion.

Board Vote: 7-0-0

### **Public Hearing**

- 1. 17-0744CA/CU; 109-111 Shelburne Street (RL, Ward 5S) Champlain Housing Trust**  
Convert existing motel into 8 apartments. (Project Manager, Scott Gustin)

GHand: recused from item.

A.Hart: discloses he is an owner of a property near project. Swears in applicants and interested parties.

A.Demetowitz: explains how CHT is converting 12 unit motel into 8 apartments at 111 Shelburne St. CHT is partnering with UVM Medical Center for homeless and marginal residents. Presents site changes to property, garden and parking.

A.Hart: where do gardeners park.

A.Demetowitz: parking is nearby on Locust Street. Plan to expand parking and hours of use.

A.Hart: asks if city is the coapplicant for the project.

S.Gustin: confirms this.

A.Hart: who will be receiving care UVM and will this be long term or short term.

A.Demetowitz: 8 apartments offer a long term lease. One 4 bedroom apartment will offer recuperative stay after a UVM medical center procedure. Other apartments are short term for medical issues.

A.Hart: asks members of public for comments.

S.Bushor: Councilperson for Ward 1 and on the Finance Committee. Spoke of the request for an easement coming before the Board of Finance, which was approved by City Council. She supports the project. Project addresses conversion of motel and community garden needs for the community.

M.Murray: property owner to this project at 150 Shelburne St and currently resides in Montpelier. Mentioned concerns regarding underground pollution in the area.

A.Hart: only excavation is parking lot is grading and otherwise not an issue.

M.Murray: concerns about the collaboration between UVM Medical and CHT. Several properties on Shelburne St were once located near a Gulf station where there may have had a number of spills. Board may needs to look closer at the ANR listings.

A.Hart: will you give us a list of properties on the ANR.

M.Murray: not adjoining properties aware but still important issue.

A.Hart: that is a good distance away. Board is interested in adjoining properties on ANR site.

A.Demetowitz: mentioned the contribution from UVM Medical to CHT to help keep people from not having to go to ER which can cost a lot of taxpayer money. Said there is very little ground disturbance and no concerns about environmental issues. Handouts to Board.

W.Senville: are you asking for phase one and is it possible to have this report.

A.Demetowitz: yes.

A.Hart: closes public hearing.

- 2. 17-0388CA/MA; 66,72,80,94,96 Colchester Avenue (I, Ward 1E) Frank vonTurkovich**  
Continued review for construction of a 3 story residential building containing 75 apartments units. Combine and reconfigure surface parking areas.  
(Project Manager, Mary O'Neil)

Request for Deferral.

**3. 17-0643CA/MA; 400 Pine St /30-32 Howard Street (ELM, Ward 5S)**

**Howard Space Enterprise, LLP**

Continued review to demolish 2 warehouse buildings, and a duplex at 30-32 Howard Street and construct new multi-use building.

(Project Manager, Mary O'Neil)

A.Hart: swears in applicant and interested parties. The initial public hearing was in January. Asked for the discussion to review from the last time and bring speak of the current issues.

Architect: existing site fronts on Howard St., Pine St., and Marble Ave. It is combination of several parcels with intent to provide for artist studios and housing units.

AJ.LaRosa: asked about neighbor's concerns over fence.

J.Unsworth: met with her today and she seems satisfied with proposal and safety. Will continue to work with her.

B.Rabinowitz: questions the slope of garage.

Architect: slope meets requirement.

Project Stormwater Specialist: spoke of the drainage and catch basin locations, two small rain gardens.

Architect: Discussion about project regarding street elevations, bike racks, vertical perspective, facades, entrances, overhead doors, floor plans, roof units, trash storage, grading and siding. Proposed bike rack: 12 bikes, 10 inside and 2 outside.

A.Hart: questioned the configuration of parking spaces and turnaround.

Architect: proposing spaces 18ft 2in deep width and 24 ft. backup. Most cars are smaller and standard of 9x20 is larger than necessary and asking for leniency.

B.Rabinowitz: lighting questions pertaining to landscaping and tree heights.

Architect: mentioned types of trees being spruce and red maple interspersed.

W.Senville: questioned the demolition of a historic structure and standards.

Architect: neither historic building have been heated nor vault building foundation has moved over the years. Said it would be difficult to repair and reinforce and makes more sense to take down and rebuild.

W.Senville: questions on the community benefit.

Architect: more space for artists.

G.Hand: questioned the cost/benefit and number of studios.

Architect: 16 spaces or if demand is there 2<sup>nd</sup> floor is possible.

J.Unsworth: want to perpetuate artist space of 5,000 sq. ft.

GHand: asks if the minimum will be 5000 sq. ft. Questions about the plan to redevelop after demolition and plans to enhance architecture. Asks for the time table proposed after demolish historic structure.

J.Unsworth: immediate construction.

G.Hand: the standard condition is not to exceed 6months.

J.Unsworth: concern is that we have brownfield testing.

GHand: want to be sure there is a plan to put in place quickly. Asked if six months is acceptable and constructed within that timetable.

Architect: Phase 1 should start as soon we know we are going to have a project and could begin as soon as two weeks from now. Mailboxes are not established yet with the post office.

AHart: asks if members of public would like to comment.

A.Brooks: executive director from SEABA, 44 Pine St. Sees this as an asset to enhance economy of south end. Board of Directors are very supportive of project. First significant new development involved in helping artists to find a space to do their work and in conjunction with plan BTV.



A.Hart: is this a community benefit space as an incubator and combined space.  
A.Brooks: the arts district is a cultural hub and reason for new business to move there. Adds tax revenue to the City. Tremendous benefit to community. Consider artists' entrepreneurs running a business.  
A.Zipparo: asks if this project supports women and women of color and SEABA.  
A.Brooks: SEABA is all about creating opportunities for all people, all types, and any level for creative business, and providing opportunity.  
A.Zipparo: are studios within range of the demand.  
A.Brooks: SEABA helps artists' work with landlord. The size of studios are slightly larger and in 400 to 500 dollar range.  
W.Senville: asks staff if community benefit should be conditioned by the Board to ensure for period of time.  
M.ONeil: more about weighing immediate benefits and not so much long term conditions. Mr. Brooks has submitted communications in writing as a supplemental in packet.  
G.Hand: questions the use of the rooftop area and the proximity to residences  
Architect: for insurance reasons rooftop will be locked. A portion of roof will be for solar panels. Displays the alley way opening to street and how this will be accessed by the community.  
A.Hart: closes public hearing.

## **V. Sketch Plan**

### **1. 17-0731SP; 221-223 St. Paul Street (DT, Ward 5S) Dennis Ailor**

Sketch plan review for demolition of existing duplex and construction of two detached buildings: One with 4 apartments and 1 commercial space, and the other with 4 apartments and 1 commercial space. (Project Managers, Scott Gustin, Mary O'Neil)

A.Hart: applicant will present the plan and Board will give feedback on the presentation.  
S.Giles: architect for project describes two phases, existing building remain and new three story building in the back.  
D.Ailor: provides redesign handouts to Board and staff.  
S.Giles: provides handouts for Phase I.  
B.Rabinowitz: will there be commercial space for both buildings.  
S.Giles: yes, will maximize both. Could only fit 8 parking spaces on site with phase one. Described aspects of the project for one and two bedroom units, parking locations and height of buildings.  
A.J.LaRosa: harsh looking structures and phasing set up. Would like to see phasing of two residential buildings in foreground with modern different shape/design in the back and asking applicant to blend the buildings better.  
B.Rabinowitz: concern about exterior with a lot going on. Why are two buildings on same site instead of one. Asked about landscaping possibilities along the edge.  
S.Giles: looking at tying this and removing the wall. The owner is looking at commercial use in existing building. Only have room for eight parking spaces, eight apartments.  
I.Smith: wonder how to can maximize efficiencies of both buildings.  
S.Giles: first floor in existing building will be commercial space.  
B.Rabinowitz: will phase 2 closely follow phase 1.  
S.Giles: describes parking with 4 compact and 1 handicap and walkway delineation.  
S.Gustin: said there is a separation of pedestrian and vehicular circulation.

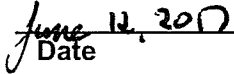
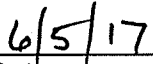
I.Smith: asks if parallel parking spaces meets requirements.  
S.Gustin: undersize but said he'd make the changes.  
S.Giles: making space 22 x 9.  
G.Hand: questions inclusionary housing in 1<sup>st</sup> phase.  
S.Giles: phase 1 won't have to, but phase 2 will.  
B.Rabinowitz: trash removal.  
D.Ailor: in the rear section.  
S.Giles: does slope in back toward the street.  
I.Smith: asks about existing parking for duplex.  
D.Ailor: provides handouts to Board and for existing shed.  
I.Smith: asks if all cars park out back.  
S.Giles: yes.  
G.Hand: asks if there is a more efficient way to find spaces because it seems tight.  
D.Ailor: would like points of contact for community space and as gateway.  
A.Zipparo: mentions SEABA and Community and Economic Development Office.  
B.Rabinowitz: may be better use of property if the building became one building.  
A.Hart: closed public hearing.

**VI. Other Business**

**VII. Adjournment**

  
Austin D. Hart, Chairperson Development Review Board

  
A.Wade, Zoning Clerk

  
Date  
  
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](http://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.

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