

Burlington Development Review Board

149 Church Street, City Hall

Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

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Austin Hart

Brad Rabinowitz

Jonathan Stevens

Alexandra Zipparo

Israel Smith

AJ LaRosa

Geoff Hand

Wayne Senville, (Alternate)

Jim Drummond, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Monday, March 7, 2016, 5:00 PM

Planning & Zoning Conference Room, City Hall, 149 Church Street, Burlington, VT

DELIBERATIVE SESSION AGENDA

1. **16-0762PD; 16 Rose St (RM, Ward 3C) J & S LLC**
Build a duplex on a parcel with an existing single family home.
(Project Manager, Mary O'Neil)
2. **16-0730CU; 1 MILL STREET (NMU, Ward 1E) Catamount Holding Co**
Re-open hearing for change of use for 8004 sq. ft. existing warehouse/office/research lab space to primary and secondary school. No site or exterior building changes.
(Project Manager, Mary O'Neil)
3. **Minutes**

Board members please call our office if you will not be able to attend. Thank you.

Note: No additional testimony will be taken from interested parties during this meeting, although they are welcome to attend.

The total number of vehicles in the 25 minute morning block was 35, or about 1.4 per minute. The total number of vehicles in the 25 minute afternoon block was 32, or about 1.3 per minute. It takes about one minute to walk the distance along Mill Street.

I would note that one of our parameters for considerations of sites was the review of the Ontop Program Director, with respect to the needs of her students. While she raised questions about student safety at some of the other sites we reviewed, and asked for fencing along the river, the ability of students to safely traverse the distance from the property to the bus line was not raised. Be that as it may, we can provide supervision for students during the arrival and departure times to help alleviate safety concerns.

I would also like to be more precise in the characterizations of these students. The program provides an alternative to the high school setting, without moving to a more restrictive academic setting. Several students participate in tech center classes. By the time others are juniors or seniors they may be transitioning back to the high school as part of the Ontop Satellite program. The program also prepares student for regular employment, and if you met one of them in this role you would not know recognize them as different. Finally, students who are in this program are selected on the basis of their needs with respect to the school setting and environment. Students who have greater needs go to alternative programs outside the district.

I appreciate your efforts to provide a space that meets our needs, and appreciate the concerns of the DRB to find reasonable requirements to ensure that the conditional use for the space is safe.

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MAR 04 2016

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PLANNING & ZONING

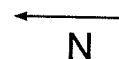
Time (AM)	MIII → A	A → MIII	MIII → B	B → MIII	B → A
8:30 - 8:34	1	0	4	0	0
8:35 - 8:39	3	0	1	2	1
8:40 - 8:44	3	2	1	0	0
8:45 - 8:49	3	1	4	0	0
8:50 - 8:54	5	2	2	2	0

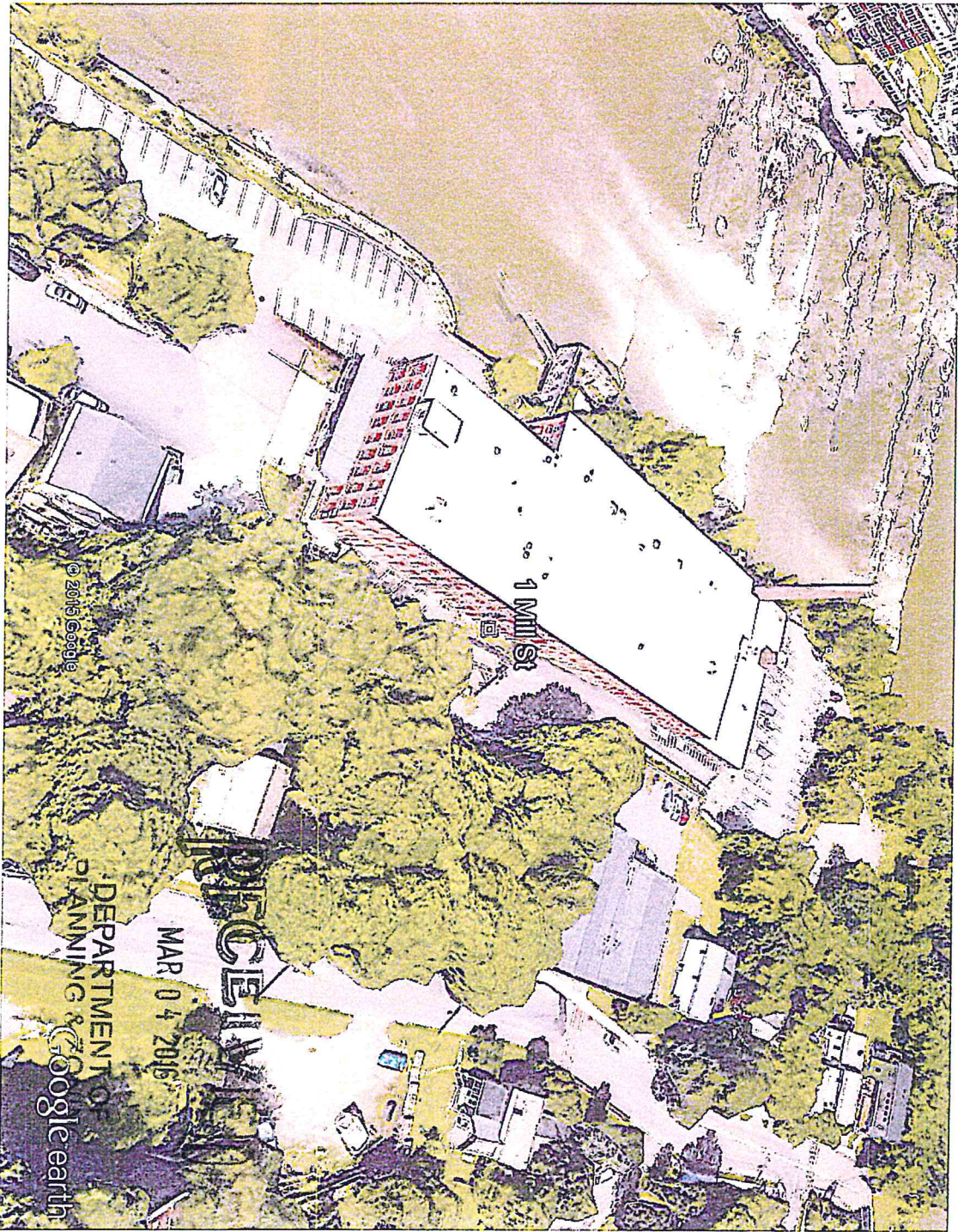
Total Vehicles per 5 minute time block
 4 Mar. 2016

Time (PM)	MIII → A	A → MIII	MIII → B	B → MIII	B → A
2:05 - 2:09	2	2	0	2	0
2:10 - 2:14	0	1	0	1	0
2:15 - 2:19	2	3	5	3	0
2:20 - 2:24	0	2	0	1	1
2:25 - 2:29	1	2	1	1	0

Total Vehicles per 5 minute time block
 3 Mar. 2016

Parking A





Google earth

feet
meters

100

60



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PLANNING & ZONING
Google earth

MAR 04 2016

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Entrances to space
Dedicated School Drop off & handicap spaces
Area of future guard rail

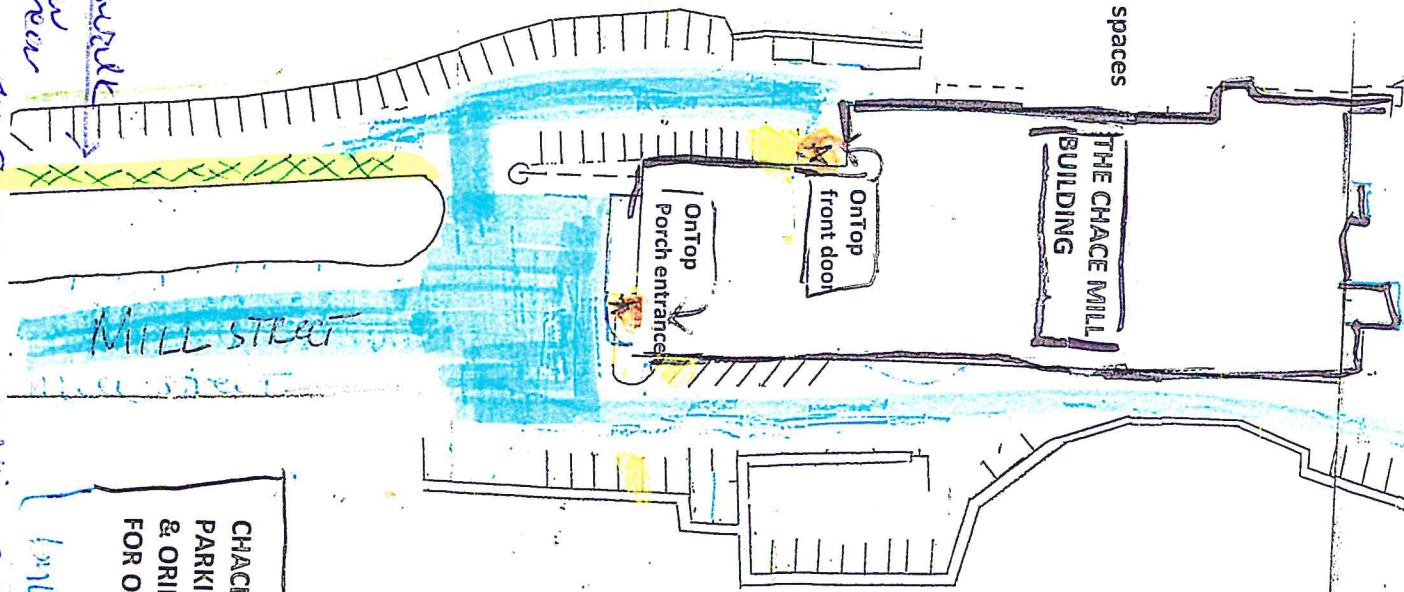
The Winooksi River

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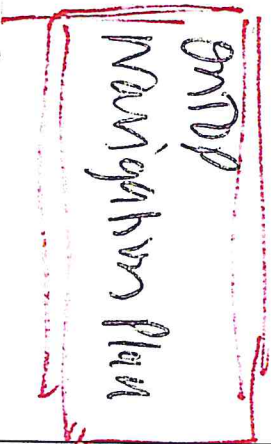
New idea
we could crosswalk
this yellow area
Along the green as a walking path



CHACE MILL
PARKING LOT NAVIGATION
& ORIENTATION PLAN
FOR ONTOP 2/16/16

10/16/16 2:16/16

Tracy
purch at Clalce



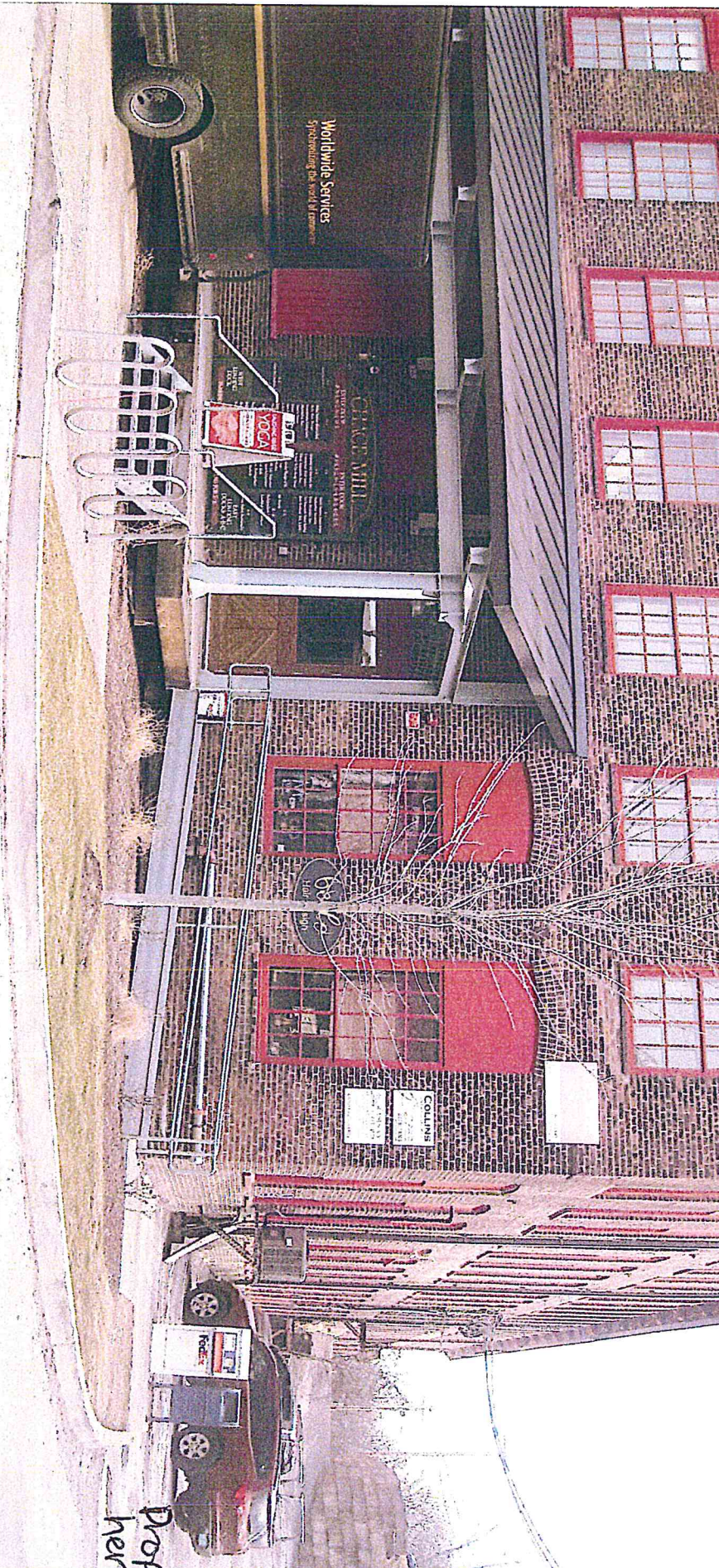
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Front of Chace Mill, Porch entrance with handicap ramp (First Floor)
 Proposed BSD Bus drop off location near Fed X box which is
 Right at entrance pavement to handicap ramp. Once inside
 a student would go 6' into vestibule and take the entry door
 down to the River level or continue down the hallway to a class
 room on the First Floor.

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This picture shows the landing area where the bus would stop at the ramp to the front porch.

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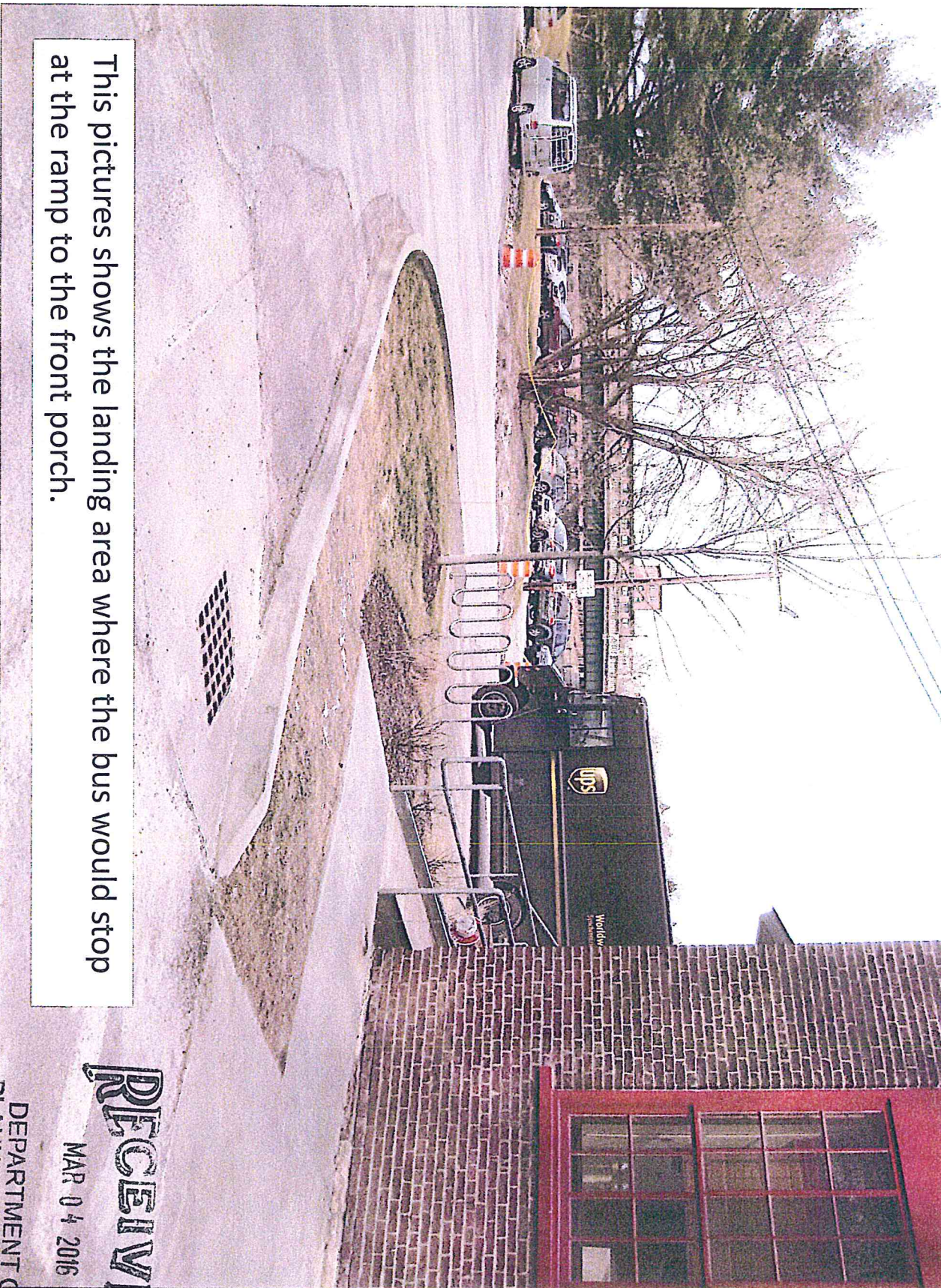




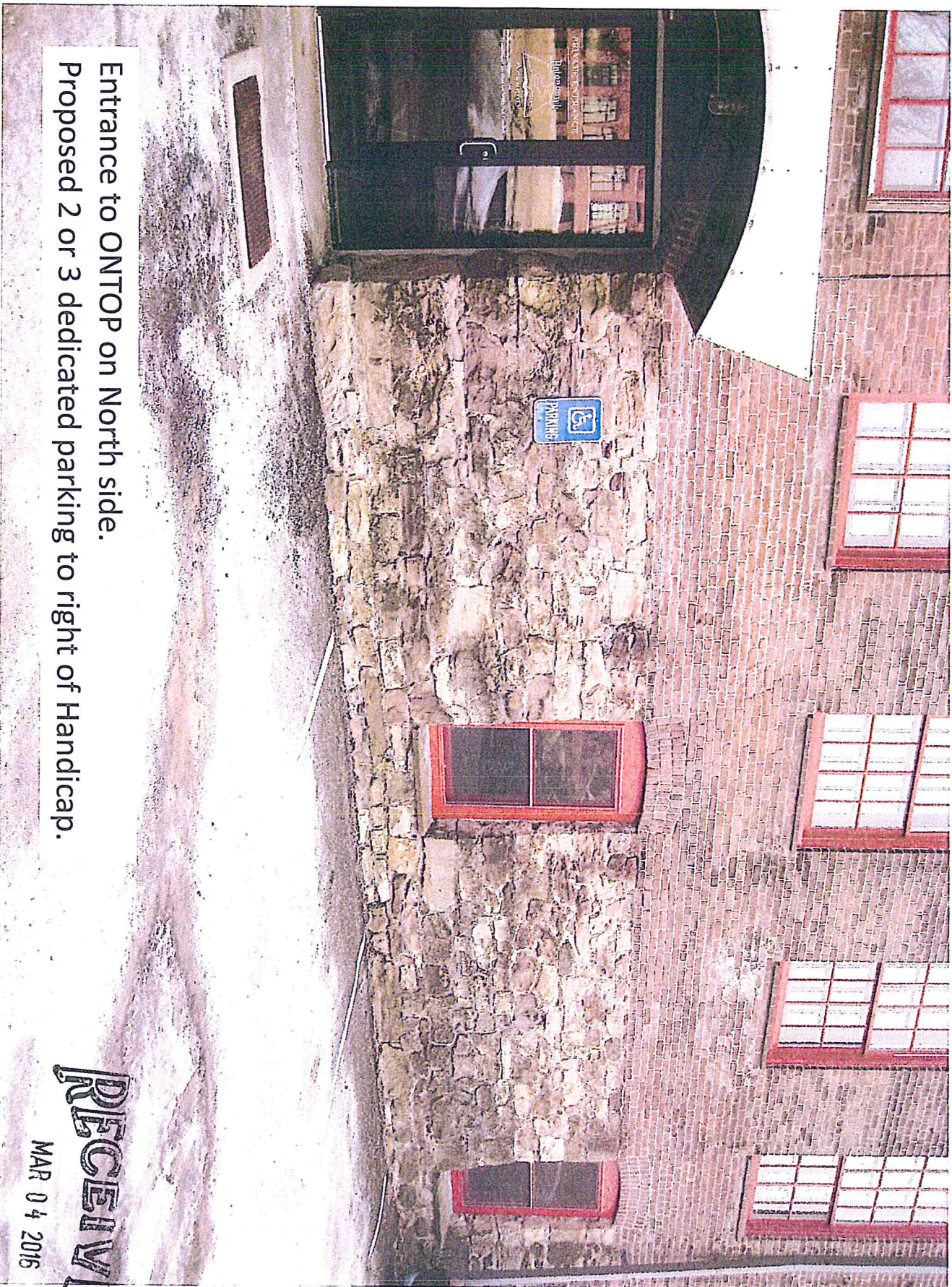
Photo
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Page 3

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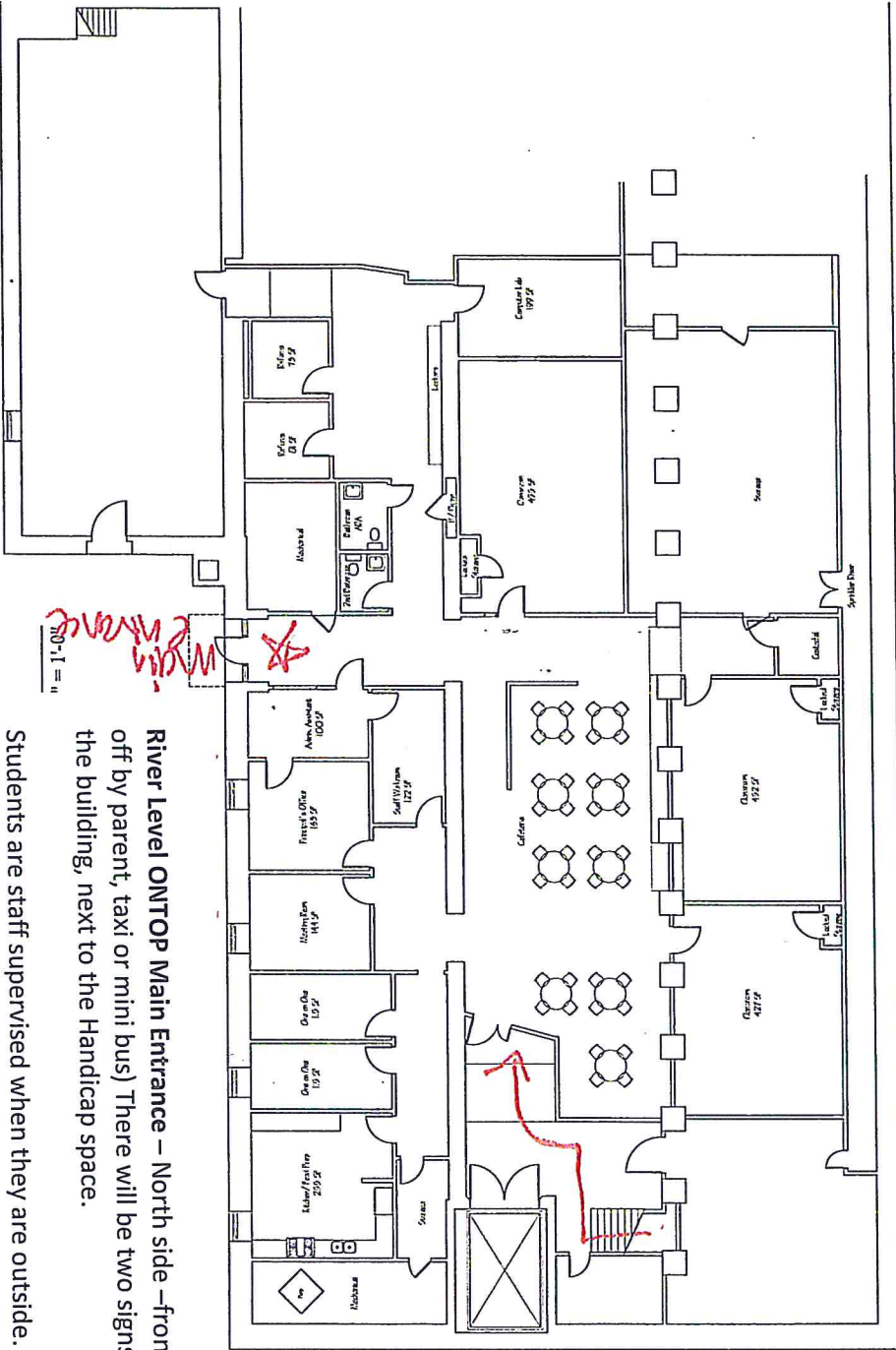
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Entrance to ONTOP on North side.
Proposed 2 or 3 dedicated parking to right of Handicap.

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① River Level Plan

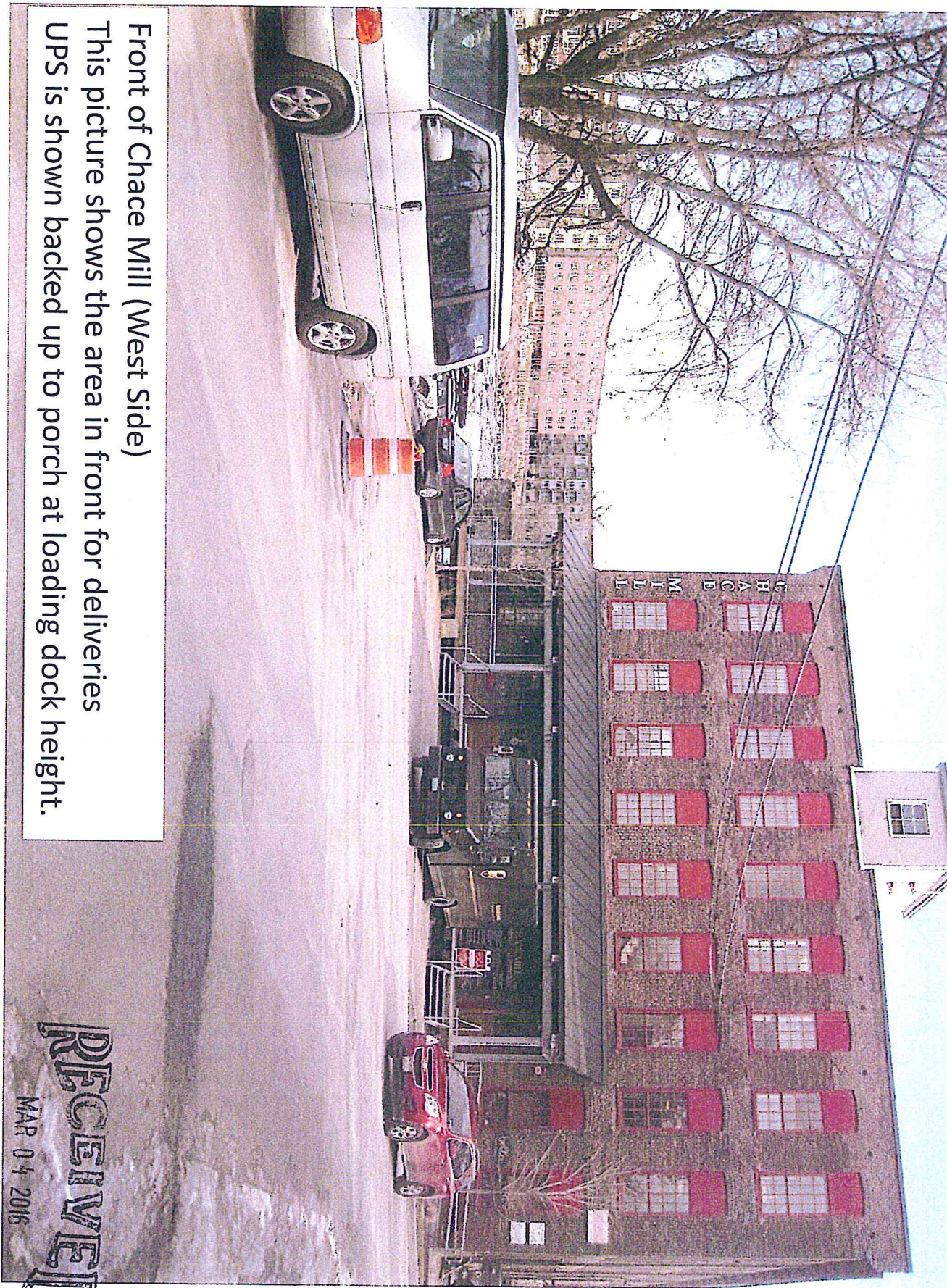


River Level ONTOP Main Entrance – North side –front of Chace (likely used if dropped off by parent, taxi or mini bus) There will be two signs designated for School Drop Off along the building, next to the Handicap space.

front porch of house

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only used if dropped



Front of Chace Mill (West Side)
This picture shows the area in front for deliveries
UPS is shown backed up to porch at loading dock height.

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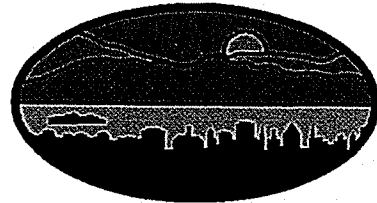


This pictures taken from the front porch shows Mill Street- a person walking on it. Mill Street ends and Chace Mill property starts right about where the person is.



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ZONING PERMIT
CERTIFICATE OF APPROPRIATENESS

City of Burlington, Vermont
Department of Planning and Zoning

Application Date: 12/23/2014

Appeal Expiration Date: 01/28/2015

Project Location: 158 NORTH STREET

District: NMU

Owner: BPJS Management LLC

Ward: 3

Address: C/O Bissonette Properties

Tax ID: 044-1-198-000

100 North Street

Burlington VT 05401

Project Type: Mixed Use - Change of Use

Project Description: Change of use from laundromat to residential, replace and install new windows. Also, incorporate site changes since COA 84-045 approved 1984.

Construction Cost:	\$2,500	Lot Size (Sq Ft):	11,550
Net New Habitable Sq Ft:	1,718.00	Net New # of Housing Units:	2
Existing % Lot Coverage:	50.10	Existing # of Parking Spaces:	13
Proposed % Lot Coverage:	62.50	Proposed # of Parking Spaces:	10
Net New % Lot Coverage:	12.40	Required # of Parking Spaces:	8

Zoning Permit #: 15-0700CA

Decision By: Administrative

Level of Review: 1

Decision: Approved w/ Pre-Release Conditions

See Requirements for Permit Release

Zoning Administrative Officer

Decision Date: January 13, 2015

Project File: NA

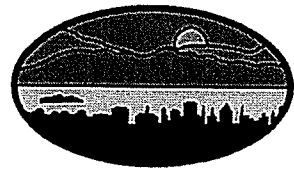
An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on January 28, 2015.

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$80.00	Yes	Date Paid: _____
Development Review Fee:	\$0.00	NA	Check # _____
Impact Fee:	See Conditions of Approval		

Building Permit Required: Yes

Permit Received by:

Date: 2/18/15



City of
Burlington, Vermont
149 Church Street

Zoning Permit - COA Level I – Conditions of Approval

ZP #: 15-0700CA

Tax ID: 044-1-198-000

Issue Date: January 13, 2015

Decision: Approved w/ Pre-Release
Conditions

Property Address: 158 NORTH STREET

Description: Change of use from laundromat to residential, replace and install new windows. Also, incorporate site changes since COA 84-045 approved 1984.

Project Permit Conditions:

- Met
2/2/15
SG
1. Prior to release of the zoning permit, the site plan shall be revised to eliminate parking space 8 or 9 and to place the dumpster within one of these spaces. The dumpster shall be fully screened with fencing and gate. The plan revisions shall be subject to staff review and approval.
 2. At least **7 days prior to issuance of a certificate of occupancy**, impact fees based on the converted square footage shall be paid to the Department of Planning & Zoning per the impact fee table below.

Impact Fee Table:

Traffic	Fire	Police	Parks	Library	Schools	Total Due
\$0.00	\$39.51	\$0.00	\$537.73	\$764.51	\$1596.02	\$2937.77

Standard Permit Conditions:

1. **Other City, State or Federal Permits.** The owner is solely responsible for obtaining all other required City, state and federal approvals. Failure to do so may invalidate this Zoning Permit and result in enforcement actions.
Note: All projects receiving a Zoning Permit also require a Construction Permit or written confirmation that a Construction Permit is not required from Department of Public Works-Inspection Services Division (DPW-ISD). All construction permits must be closed out by way of approved inspections by DPW-ISD before issuance of a Unified Certificate of Occupancy (UCO) by the Code Enforcement Office as per Condition 3, below.
2. **Time Limits.** This zoning permit shall become invalid unless work or action authorized by the permit is commenced by **January 13, 2016**. The owner shall complete the approved project and obtain a UCO (combined Zoning and Building certificates of occupancy, still applicable even if a zoning or building permit was not required) by **January 13, 2017**, or be subject to enforcement actions.

These time limits are binding upon the owner unless one of the following apply: a) longer or shorter time limits are specifically imposed by a condition of approval; or b) the time limits are

Upright-Fence



Vinyl Privacy Dumpster Enclosure

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DEPARTMENT OF
PLANNING & ZONING

-- NOTE --

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

FINAL APPROVAL

SIGNED *[Signature]* DATE 2/4/15

PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT

158 North St 15-0700 CA

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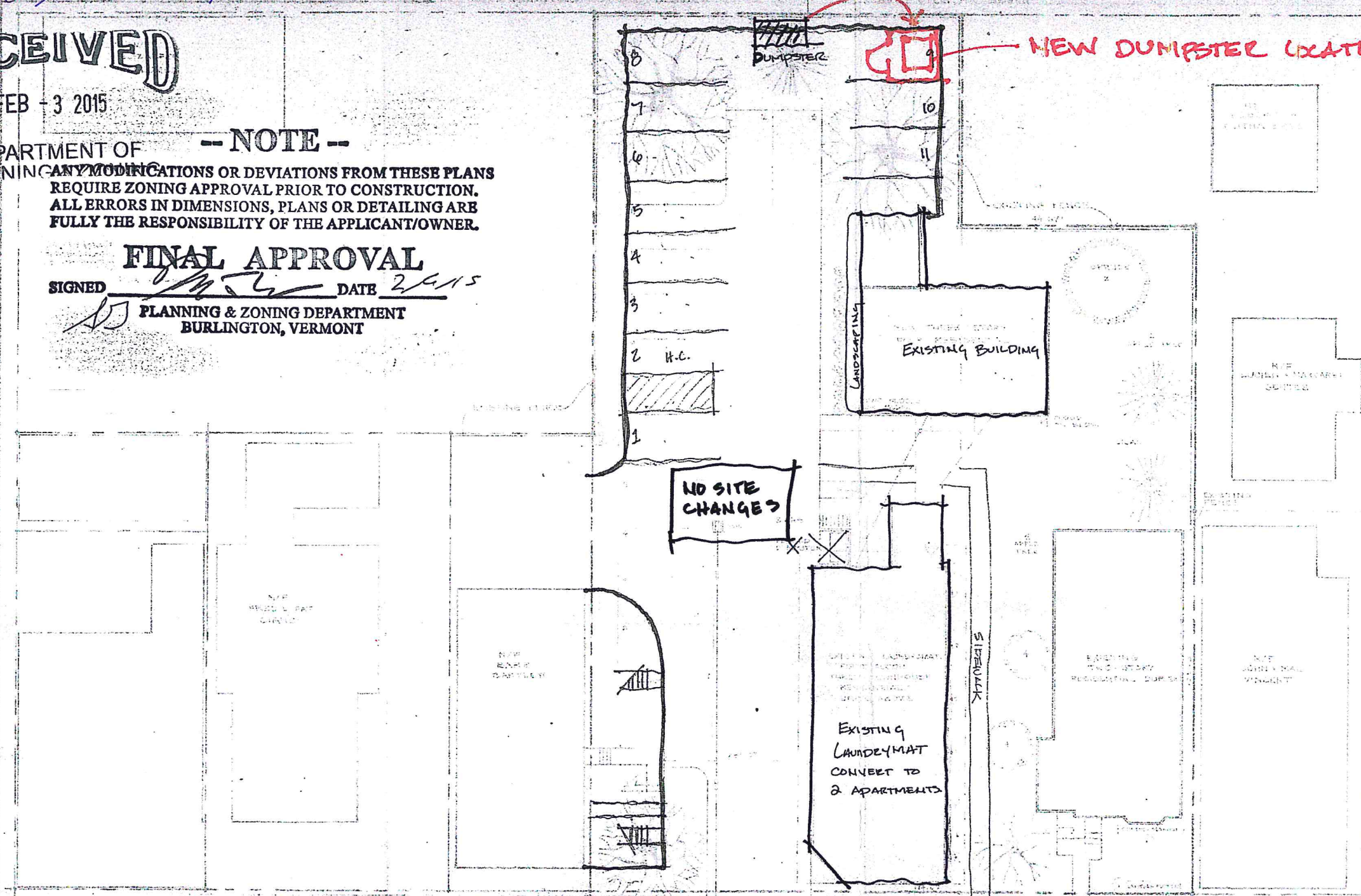
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FINAL APPROVAL

SIGNED [Signature] DATE 2/4/15

PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT



NOTES:
1. POWER & OVERHEAD LINES ENTERING EXTENDED
2. WATER, SEWER, GAS, & TELEPHONE LINES
3. DRAINAGE, SEWER, & GUTTERING, & EXTENDED
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G4 DESIGN STUDIOS
77 COLLEGE ST., STE 2A
BURLINGTON, VT
NEW EXISTING SITE PLAN
SCALE: 1"=10" DATE: 1/28/15

To: Linda Letourneau, Redstone Commercial Group
From: Paul Irish, Burlington School District
Re: One Mill Street
Date: 4 MAR 2016

I have some additional information with respect to the DRB deliberation scheduled for 7 March 2016.

I did a review of traffic flow at the two times when students would be expected to arrive and leave the program. Currently 19 students access CCTA public transportation or walk to and from the ONTOP program. The review counted all vehicles traveling in five minute periods, centered around the start and end times of the program. The details are attached.

The total number of vehicles in the 25 minute morning block was 35, or about 1.4 per minute. The total number of vehicles in the 25 minute afternoon block was 32, or about 1.3 per minute. It takes about one minute to walk the distance along Mill Street.

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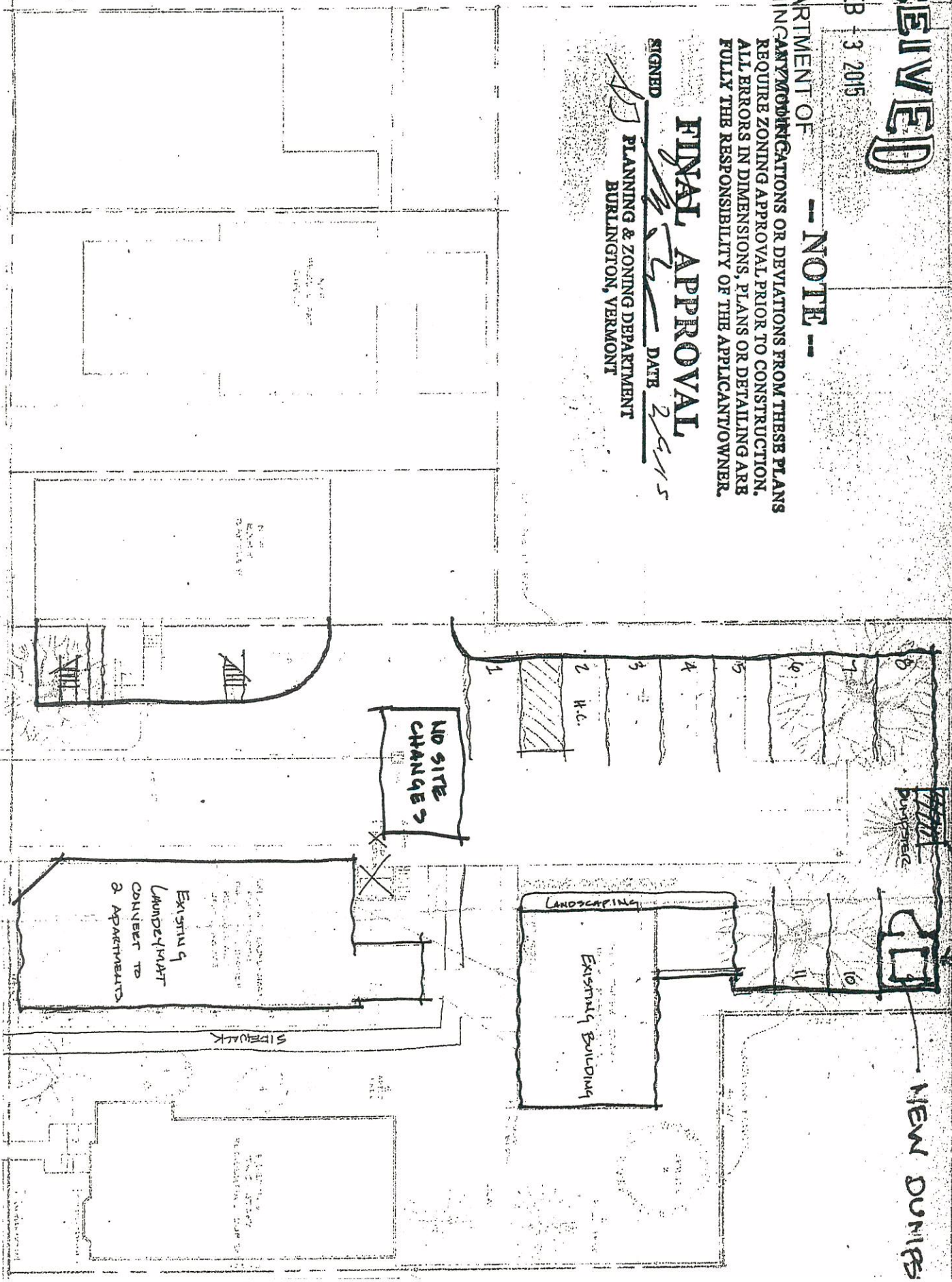
FEB - 3 2015

NOTE

DEPARTMENT OF --NOTICE--
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FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL

SIGNED 6/19/73 DATE 2/21/75
PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT



DALY & DALY, P.C.
Attorneys at Law
110 Main Street, 4th Floor, P.O. Box 69
Burlington, Vermont 05402-0069
phone: 802-658-6665
fax: 802-658-8565

Matthew T. Daly

M. Cecilia Daly

February 24, 2016

Ms. Mary O'Neil
Department of Planning and Zoning
City of Burlington
149 Church St.
Burlington, VT 05401

RE: 16 Rose Street/Parking

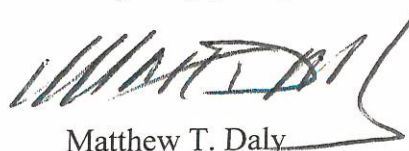
Dear Mary,

Thank you for speaking with me last week regarding J&S, LLC and its development plans for 16 Rose Street. I am writing to request a parking waiver for J&S, LLC ("J&S") in the event you and/or the DRB find parking at 16 Rose Street to be insufficient. J&S has entered into a parking sharing agreement with BPJS Management, LLC ("BPJS"). BPJS owns an abutting property located at 158 North street. BPJS is a property with 8 units and 10 parking spaces; leaving 2 surplus parking spaces. BPJS is willing and has agreed to share its surplus parking with J&S in order to allow tenants at 16 Rose Street to utilize parking at 158 North Street.

In addition to tenants at 16 Rose Street being authorized to use the 2 surplus parking spaces at 158 North Street, J&S intends to include a lease provision in its leases with tenants at 16 Rose Street that expressly states they may use only one parking space at 16 Rose Street. Further, there is on-street parking available on Rose Street and there is an easily accessible bus station on North Street in close proximity to 16 Rose Street.

We hope that these above stated factors adequately support J&S's request for a parking waiver. If there is any further information you or the DRB need regarding this request, please contact me at your convenience. Thank you.

Very truly yours,



Matthew T. Daly

DALY & DALY, P.C.
Attorneys at Law
110 Main Street, 4th Floor, P.O. Box 69
Burlington, Vermont 05402-0069
phone: 802-658-6665
fax: 802-658-8565

Matthew T. Daly

M. Cecilia Daly

March 4, 2016

Ms. Mary O'Neil
Department of Planning and Zoning
City of Burlington
149 Church St.
Burlington, VT 05401

RE: 16 Rose Street/Parking

Dear Mary,

Please treat this as Applicant's follow up to the DRB hearing held this past Tuesday, March 2, 2016, regarding the above referenced property.

1. The Property is a Multi-Family Property

We respectfully ask that you and the DRB read the applicable regulation a bit differently than the way you have thus far (which has caused you to recommend denial based on insufficient parking). Specifically, we urge you to view the Applicant's 16 Rose Street property is neither a single family dwelling nor a duplex. When completed, it will actually be a three-unit multi-family property requiring one parking space for each unit. Under this reading and interpretation, parking should be sufficient for approval.

2. A Parking Waiver is in Order

In the alternative, we renew our request for a parking waiver based on the factors specified in my letter to you dated February 24, 2016 (attached for your reference and the DRB's). My prior letter accurately states that the property located at 158 North Street has a total of 10 parking spaces approved (see copy of approved parking plan signed and stamped by your office February 6, 2015). That property has a surplus of 2 spaces that can be utilized by residents of 16 Rose Street by agreement between the two property owners. The 16 Rose Street residents would access the lot at 158 North Street from the North Street entrance and then walk around the corner to Rose Street to their residences at #16 Rose Street.

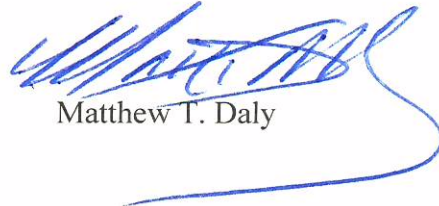
Ms. Mary O'Neil
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As I explained in my 02/24/16 letter, J&S also intends to include a lease provision in its leases with tenants at 16 Rose Street that expressly states they may use only one parking space per unit at 16 Rose Street. Further, there is on-street parking available on Rose Street and there is an easily accessible bus station on North Street in close proximity to 16 Rose Street.

Based on the foregoing, we urge you and the DRB to find that there is sufficient parking at the subject property and that the DRB approve the project on Monday when it deliberates.

If there is any further information you or the DRB need regarding this request, please contact me at your convenience. Thank you.

Very truly yours,



Matthew T. Daly